

1  
2  
3  
4  
5 **ORDINANCE**  
6 **NUMBER 2025-5**  
7

8 **AN ORDINANCE OF LEVY COUNTY, FLORIDA, AMENDING THE**  
9 **LAND DEVELOPMENT CODE TO ALLOW PORTABLE**  
10 **SANITATION SERVICES AS A USE IN CERTAIN ZONING**  
11 **DISTRICTS; PROVIDING FOR INCLUSION IN THE CODE;**  
12 **PROVIDING A SEVERABILITY CLAUSE; PROVIDING A**  
13 **REPEALING CLAUSE; AND PROVIDING DIRECTIONS TO THE**  
14 **CLERK AND AN EFFECTIVE DATE.**  
15

16 **WHEREAS**, Section 1, Article VIII of the Florida Constitution and Chapter 125,  
17 Florida Statutes, vest the Board of County Commissioners of Levy County, Florida (the  
18 "Board") with the authority to adopt county ordinances that are not inconsistent with state  
19 general or special law and provide the required procedures to adopt such ordinances;  
20

21 **WHEREAS**, in 1990, the Board adopted the Levy County Comprehensive Plan  
22 pursuant to the provisions of Chapter 163, Florida Statutes, which Plan has been  
23 amended through adoption of subsequent ordinances (the "Comprehensive Plan");  
24

25 **WHEREAS**, in 1991, the Board adopted the Levy County Land Development  
26 Regulations, which Regulations have been amended through adoption of subsequent  
27 ordinances now codified as Chapter 50 titled "Land Development Code" of the County  
28 Code of Ordinances;  
29

30 **WHEREAS**, on January 14, 2025, a private party submitted an application  
31 requesting a Land Development Code Text Amendment to allow portable sanitation  
32 services as a use in certain zoning districts;  
33

34 **WHEREAS**, as required by Part II of Chapter 163, Florida Statutes and Section  
35 50-55 of the Land Development Code, at its Regular Meeting on March 3, 2025, the Levy  
36 County Planning Commission reviewed the requested Text Amendment (Petition No. TA  
37 25-01) for consistency with the Comprehensive Plan and recommended approval with  
38 revisions to the Board;  
39

40 **WHEREAS**, at its Regular Meeting on April 8, 2025, the Board reviewed the  
41 recommendations of the Planning Commission and directed the drafting of this ordinance;  
42

43 **WHEREAS**, in accordance with Section 125.66(5)(b), Florida Statutes, notice was  
44 given by publication of a first advertisement no less than two columns wide by ten inches  
45 long in a newspaper of general circulation notifying the public of this proposed ordinance

Note: deletions are shown ~~stricken~~, additions are shown underlined

and of a public hearing in the Levy County Government Center in Bronson, Florida, to be held at least seven days after the day the first advertisement was published;

**WHEREAS**, in accordance with Section 125.66(5)(b), Florida Statutes, notice was given by publication of a second advertisement no less than two columns wide by ten inches long in a newspaper of general circulation notifying the public of this proposed ordinance and of a second public hearing in the Levy County Government Center in Bronson, Florida, to be held at least five days after the day the second advertisement was published; and

**WHEREAS**, in accordance with Section 125.66(5)(b), Florida Statutes, the two public hearings were held at least 10 days apart and at least one of the public hearings was held after 5pm or the Board by affirmative vote of 4 Commissioners elected to conduct the hearing at another time of day.

**NOW THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of Levy County, Florida, that:

**SECTION 1.** Section 50-1 of the Land Development Code is amended as set forth below. Except as amended herein, the remainder of Sec. 50-1 remains in full force and effect.

**Sec. 50-1. – Definitions.**

Portable sanitation services means a business that handles liquid waste associated with the rental, installation and maintenance of portable restrooms, portable handwashing facilities, restroom trailers, shower trailers or portable or stationary holding tanks for domestic wastewater.

**SECTION 2.** Section 50-700 of the Land Development Code is amended as set forth below. Except as amended herein, the remainder of Sec. 50-700 remains in full force and effect.

**Sec. 50-700. – Generally; use table.**

| Use (reference to code section that contains SE or CU requirements) | F/ RR | A/ R R | R R | R- 1 | R- 2 | RR 3C | C-1 | C-2 | C-3 | C- 4      | I         | R M U     | P F | RE C | NR - CO N |
|---|-------|--------|-----|------|------|-------|-----|-----|-----|-----------|-----------|-----------|-----|------|-----------|
| <b>Intensive Commercial and Industrial</b>                          |       |        |     |      |      |       |     |     |     |           |           |           |     |      |           |
| <u>Portable Sanitation Services (50-732)</u>                        |       |        |     |      |      |       |     |     |     | <u>CU</u> | <u>CU</u> | <u>CU</u> |     |      |           |

Note: deletions are shown ~~stricken~~, additions are shown underlined

1 **SECTION 3.** A new Sec. 50-732 is created and added to the list of Conditional Uses in  
2 the Levy County Land Development Code.

3  
4 **Sec. 50-732. – Portable Sanitation Services.**

5  
6 (1) Portable sanitation services must maintain an annual permit from the Florida  
7 Department of Environmental Protection and/or County Health Department as required  
8 by Rule 62-6.0101, Florida Administrative Code. Any on-site storage or disposal of  
9 domestic wastewater must comply with all federal, state, and local regulations and must  
10 maintain all necessary permits for such operations.

11  
12 (2) Primary access must be directly onto a paved county, state or federal road with a  
13 minimum functional classification of minor collector.

14  
15 (3) Entrance and exit driveways and parking spaces shall be paved. A maximum of  
16 two driveway connections are allowed, if permitted by the County Road Department or  
17 Florida Department of Transportation.

18  
19 (4) If adjacent to any property that contains a residential dwelling, a visual barrier (refer  
20 to sec. 50-775) must be provided along that property line and must be designed and  
21 constructed to visually screen the outdoor storage of any portable restrooms or  
22 handwashing facilities, restroom or shower trailers, storage tanks or related equipment.  
23 Outdoor storage cannot exceed the allowed height of the visual barrier.

24  
25  
26 **SECTION 4. Inclusion in the Code.** The provisions of Sections 1 through 3 of this  
27 Ordinance shall be made a part of the Levy County Code, and the sections of this  
28 Ordinance may be renumbered or relettered and the word “Ordinance” may be changed  
29 to “section,” “article,” “regulation,” or other appropriate word or phrase in order to  
30 accomplish the codification.

31  
32 **SECTION 5. Severability Clause.** It is declared to be the intent of the Board that if any  
33 section, subsection, sentence, clause, phrase, portion or provision of this Ordinance is  
34 for any reason declared or held invalid or unconstitutional by any court of competent  
35 jurisdiction, such section, subsection, sentence, clause, phrase, portion or provision shall  
36 be deemed a separate, distinct and independent provision, and the remainder of this  
37 Ordinance shall be not affected by such declaration or holding.

38  
39 **SECTION 6. Repealing Clause.** All ordinances or parts of ordinances and all resolutions  
40 or parts of resolutions of Levy County in conflict with this Ordinance are hereby repealed  
41 to the extent of such conflict.

42  
  
Note: deletions are shown ~~stricken~~, additions are shown underlined

**SECTION 7. Effective Date.** In accordance with Section 125.66, Florida Statutes, the Clerk to the Board of County Commissioners is directed to file this ordinance with the Florida Department of State within 10 days after adoption and upon such filing, this ordinance shall become effective.

APPROVED ON FIRST READING on August 19, 2025.

ADOPTED AT SECOND READING on September 2, 2025.

BOARD OF COUNTY COMMISSIONERS  
OF LEVY COUNTY, FLORIDA

\_\_\_\_\_  
Desiree Mills, Chair

ATTEST: Clerk of the Circuit Court  
and Ex-Officio Clerk to the Board of  
County Commissioners

\_\_\_\_\_  
Matt Brooks

Approved as to form and legal sufficiency

\_\_\_\_\_  
Nicolle M. Shalley, County Attorney

Note: deletions are shown ~~stricken~~, additions are shown underlined