



Memorandum

Meeting Details: Board of Commissioners Workshop Meeting, December 11, 2024

Prepared For: Honorable Mayor Brooks and the Board of Commissioners

From: Community Development Department

Subject: Temporary Use of RVs and Campers

Background:

The State of Florida has a state law (Section 166.0335 Temporary shelter prohibition, Florida Statutes) that allows for one temporary shelter to be located on a residential property. This state law preempts some existing restrictions related to recreational vehicles in the Madeira Beach Code of Ordinances. Located below is a summary of Section 166.0335:

- Temporary Shelter is defined as a recreational vehicle, trailer, or similar structure placed on a residential property.
- This law goes into effect once the Governor makes a declaration of a state of emergency.
- This law allows for the placement of one temporary shelter on a residential property for up to 36 months after the date of the declaration of a state of emergency or until a certificate of occupancy is issued for the permanent residential structure on the property.
- This law does have requirements that have to be met:
 - The resident makes a good faith effort to rebuild or renovate the damaged permanent residential structure, including, but not limited to, applying for a building permit, submitting a plan or design to the municipality, or obtaining a construction loan.
 - The temporary shelter is connected to water and electric utilities and does not present a threat to health and human safety.
 - The resident must live in the temporary structure.
 - Using the temporary shelter as a vacation rental or accessory dwelling unit (ADU) is prohibited.

Discussion:

Section 166.0335 cannot be restricted by existing local ordinances. City Staff has been tracking the amount of recreation vehicles being used as temporary shelters. There are currently 50 recreation vehicles being used as temporary shelters in Madeira Beach.

Recommendation(s):

City Staff will continue to track the temporary RV use permits and make sure that each property owner has applied for building permits to fix their home.

Fiscal Impact or Other:

N/A

Attachments:

Section 166.0335 Temporary shelter prohibition, Florida Statutes

http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0100-0199/0166/Sections/0166.0335.html

Subdivision II. Recreational Vessels and Vehicles and Commercial Vehicles, Madeira Beach Code of Ordinances

https://library.municode.com/fl/madeira_beach/codes/code_of_ordinances?nodeId=PTIICOR_CH110_ZO_ARTVISUDIRE_DIV9OUST_SDIIREVEVECOVE