

ORDINANCE NO. 2026-_____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF HAMILTON COUNTY, FLORIDA, PROHIBITING THE USE AND OCCUPATION OF RECREATIONAL EQUIPMENT, VEHICLES AND CAMPERS EXCEPT AS EXPRESSLY PERMITTED; ESTABLISHING LIMITED CONDITIONS FOR THE TEMPORARY USE AND OCCUPATION OF RECREATIONAL EQUIPMENT, VEHICLES AND CAMPERS; PROVIDING DEFINITIONS; PROVIDING FINDINGS SUPPORTING THE ADOPTION OF THIS ORDINANCE; MAKING PERMANENT THE TEMPORARY MORATORIUM ON THE USE AND OCCUPATION OF RECREATIONAL EQUIPMENT, VEHICLES AND CAMPERS; PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE ONLY IN THE UNINCORPORATED AREA OF THE COUNTY; PROVIDING THAT THIS ORDINANCE SHALL NOT BE APPLICABLE WITHIN OR TO ANY LICENSED RECREATIONAL VEHICLE PARK; PROVIDING FOR ENFORCEMENT; PROVIDING FOR PENALTIES; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Hamilton County Florida (hereinafter Commission) find and determine that Hamilton County has adopted through action of the Commissioners, Land Development Regulations in order to implement its Comprehensive Plan, to comply with the requirements of the Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163 of Florida Statutes, providing for the comprehensive plan and implementation through enactment of certain ordinances; and

WHEREAS, the Commission having received many verbal and written public recommendations from its citizens at public hearings and in the form of citizen input to individual Commissioners to address the use and restrictions of RV's throughout the County in order to protect the health and welfare of its residents, enhance and facilitate economic development in Hamilton County and the quality of life for all citizens within the County; and

WHEREAS, the uncontrolled placement and use of recreational vehicles throughout the County unincorporated areas has, and will continue to have, effects on the County as a whole which affects the general health, natural beauty, public safety, growth and the joint welfare and well-being of the residents; and

WHEREAS, the Commission has sought the recommendations of its Hamilton County Planning and Zoning Board following multiple workshops and public hearings regarding the regulations of RV's within the County; and

WHEREAS, the Commission has sought to implement the tools of smart growth management and its Florida best practices for County land regulations in establishing a proactive planning approach while maintaining the principles of §70.001, *et seq.*, Florida Statutes, the, "Bert J. Harris, Jr., Private Property Rights Protection Act;" and

WHEREAS, the Commission seeks to reaffirm the County scope of development to one (1) dwelling unit for site built and mobile homes to be consistently applied and extended and to also address the use and occupation of recreational equipment, vehicles and campers in Hamilton County, Florida; and

WHEREAS, the placement and use of recreational equipment, vehicles and campers throughout the County and within the Coastal Corridor has and will continue to have effects on the County as a whole which affects the general health, natural beauty, public safety, smart growth and the joint welfare and wellbeing of the residents; and

WHEREAS, the Hamilton County Board of County Commissioners has complied with the provisions of §125.66, Florida Statutes, with respect to the advertisement, publication and conducting of public hearings as conditions precedent to the adoption of this ordinance; and

WHEREAS, this ordinance shall hereinafter be commonly referred to as the "Hamilton County RV Ordinance" and its adoption and thereafter amendments shall be considered further for incorporation and consistency with the Hamilton County Land Development Regulations; and

WHEREAS, this ordinance is written in recognition that subject to limited and temporary exceptions wholesome and prosperous communities are based on families and citizens dwelling in permanent site-built, mobile and modular homes with permanent water, waste, power, internet, telecommunications and related utility service connections and that such communities are the foundation for excellence in school systems and the economic development and sustaining of new and expanding business; and

WHEREAS, the use of RV vehicles on lands owned by such RV owners or other landowners as a permanent dwelling place with marginal utilities and waste disposal components poses health and safety concerns and dangers and leads to economic and societal blight

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HAMILTON COUNTY:

1. **Legislative Findings of Fact.** The recitals set forth above ("Whereas" paragraphs) constitute legislative findings of fact providing a rational basis for this ordinance.

2. **Short Title.** This ordinance and any amendments thereto adopted by the Hamilton County Board of County Commissioners shall be known and referred to as the "Hamilton County RV Ordinance."

3. **Authority.** This ordinance and amendment are adopted by the Hamilton County Board of County Commissioners in accordance with and under the authoritative powers permitted

by home rule, the County's police powers to protect the public health, safety and welfare, and under the powers pursuant to the authority granted under Chapter 125, Florida Statutes, for the implementation and enforcement of standards, rules and regulations set forth herein.

4. **Purpose.** The purpose of this Ordinance is to prohibit the use, occupation and placement of recreational vehicles as defined herein other than in designated and licensed RV Parks regulated and permitted by the appropriate health department and other agencies.

5. **Definition.** As used herein, "recreational vehicles" or "RV's" are hereby defined as vehicle-type unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle. Recreational vehicle-type units include:

- a. The "travel trailer," which is a vehicular portable unit, mounted on wheels, of such a size or weight as not to require special highway movement permits when drawn by a motorized vehicle. It is primarily designed and constructed to provide temporary living quarters for recreational, camping, or travel use. It has a body width of no more than 8 1/2 feet and an overall body length of no more than 40 feet when factory-equipped for the road.
- b. The "camping trailer," which is a vehicular portable unit mounted on wheels and constructed with collapsible partial sidewalls which fold for towing by another vehicle and unfold at the campsite to provide temporary living quarters for recreational, camping, or travel use.
- c. The "truck camper," which is a truck equipped with a portable unit designed to be loaded onto, or affixed to, the bed or chassis of the truck and constructed to provide temporary living quarters for recreational, camping, or travel use.
- d. The "motor home," which is a vehicular unit which does not exceed the length, height, and width limitations provided in s. 316.515, is a self-propelled motor vehicle, and is primarily designed to provide temporary living quarters for recreational, camping, or travel use.
- e. The "private motor coach," which is a vehicular unit which does not exceed the length, width, and height limitations provided in s. 316.515(9), is built on a self-propelled bus type chassis having no fewer than three load-bearing axles, and is primarily designed to provide temporary living quarters for recreational, camping, or travel use.
- f. The "van conversion," which is a vehicular unit which does not exceed the length and width limitations provided in s. 316.515, is built on a self-propelled motor vehicle chassis, and is designed for recreation, camping, and travel use.
- g. The "park trailer," which is a transportable unit which has a body width not exceeding 14 feet and which is built on a single chassis and is designed to provide

seasonal or temporary living quarters when connected to utilities necessary for operation of installed fixtures and appliances. The total area of the unit in a setup mode, when measured from the exterior surface of the exterior stud walls at the level of maximum dimensions, not including any bay window, does not exceed 400 square feet when constructed to ANSI A-119.5 standards, and 500 square feet when constructed to United States Department of Housing and Urban Development Standards. The length of a park trailer means the distance from the exterior of the front of the body (nearest to the drawbar and coupling mechanism) to the exterior of the rear of the body (at the opposite end of the body), including any protrusions.

- h. The “fifth-wheel trailer,” which is a vehicular unit mounted on wheels, designed to provide temporary living quarters for recreational, camping, or travel use, of such size or weight as not to require a special highway movement permit, of gross trailer area not to exceed 400 square feet in the setup mode, and designed to be towed by a motorized vehicle that contains a towing mechanism that is mounted above or forward of the tow vehicle’s rear axle.

6. **RV Prohibition.** The habitation or occupancy of Recreational Vehicles, as defined in paragraph 5 of this Ordinance for dwelling purposes, including sleeping, cooking or habitation is prohibited except in bona fide and licensed campgrounds or recreational vehicle parks, or on a temporary basis as provided herein. Under emergency conditions or other extraordinary circumstances declared by the Hamilton County Board of County Commissioners, temporary habitation of a Recreational Vehicle for not more than 14 days may be allowed if authorized by the County Manager or his designee.

7. **Authorized, Temporary Uses of RV Vehicles for Dwelling.**

A. During Home Construction. The temporary dwelling in a Recreational Vehicle that strictly limited to and in conjunction with the construction of a residential site-built home, mobile home or modular home is allowed in accordance with the following requirements:

- a. A temporary dwelling unit shall only be allowed in a case where a single family, detached or single family, attached dwelling has been destroyed or damaged by fire or other disaster to an extent which makes such dwelling uninhabitable and only where a valid building permit has been issued for the rebuilding or repairing of the dwelling.
- b. Temporary dwellings are permitted for up to a six-month period which may be renewed one time only for an additional six-month period, and shall terminate in any event upon completion of new home construction or completion of repairs to the damaged dwelling.
- c. Such temporary use shall be allowed only on a lot where a single family, detached or single family, attached dwelling is permitted by the provisions of the Hamilton County Land Development Regulations.

B. Temporary Recreational Use. A recreational vehicle may be used for temporary habitation on non-public lands as a hunting camp, camping, glamping or other temporary recreational uses approved by the Hamilton County Land Use Administrator subject to the following restrictions:

- a. The RV user is the owner of the non-public lands or has the written permission of the owner.
- b. The use is limited to a total of 30 days within any 90-day period during a calendar year ("Time Use Period").
- c. No RV shall be connected to a temporary or permanent water or sewer system, nor shall waste be dumped on the lands. All sewage holding tanks must be emptied at a licensed disposal facility.
- d. No electricity or other utility connections shall be permitted for the RV.
- e. The RV user and the landowner are prohibited from applying for a 911 address or homestead qualification for the RV.
- f. Only one RV may be occupied for temporary recreational uses during a Time Use Period per 5 acres.
- g. The RV owner must submit an application form along with the landowner's written permission to the Land Use Administrator for approval for every period of intended use. The Board delegates to the Hamilton County Land Use Administrator the responsibility for developing and implementing a suitable application form for this purpose and in proposing to the Board from time to time such fee as may be appropriate in connection with this application process. The initial application fee is hereby set by this Board at \$50.00 per Time Use Period.

C. Expiration of Grandfather Period. The owner(s) and/or occupant(s) of any RV vehicles being used for permanent dwelling purposes at the time this ordinance is adopted must terminate such use no later than six (6) months from the effective date hereof; disconnect all utilities and dispose of and waste and debris on said RV site in accordance with all environmental and health department requirements. For good cause shown and to avoid any undue hardship, on written application made and investigated by the Land Use Administrator, the Planning & Zoning Board may grant a one-time extension of three (3) months for the RV owner and occupant to comply with this section.

8. **Authorized Use of Recreational Vehicles.** Except as provided by Section 6 of this Ordinance, Recreational Vehicles for use as permanent dwellings will only be permitted in approved recreational or camper sites and parks. Nothing in this Ordinance is intended to apply to Mobile Home and Recreational Vehicle Parks licensed under Chapter 513, Florida Statutes.

9. **Express Prohibition.** Except as expressly permitted under this Ordinance, no building, health or other permit shall be issued for a septic tank, aerobic unit treatment system or drainfield associated therewith, water, power or other utility for any recreational vehicle. The Hamilton County Board of County Commissioners is authorized to enforce this ordinance and may follow the established procedures and schedule of violations and penalties as set forth herein to be assessed by county code enforcement officials through its established Special Magistrate hearing procedure and in accordance with §125.69, Florida Statutes. Violation of any provision of this Express Prohibition provision shall be subject to the following penalties in addition to the possible loss of any existing grandfather exemptions: (i) First violation: \$100.00 fine; up to \$50.00 per day thereafter; (ii) Second violation: \$500.00; up to \$100.00 per day thereafter; (iii) Third violation: Fine not to exceed \$500.00 pursuant to §162.22, Florida Statutes, and may be sentenced to a definite term of imprisonment, not to exceed 60 days, in a detention facility or other facility authorized by law.

10. **Enforcement.**

- a. The Hamilton County Board of County Commissioners is authorized to enforce this ordinance and may follow the established procedures and schedule of violations and penalties set forth below to be assessed by the Sheriff in and for Hamilton County or the Hamilton County Code Enforcement Officials through its established Special Magistrate hearing procedure and in accordance with §125.69, Florida Statutes, and Chapter Fifteen of the Hamilton County Land Development Regulations.
- b. Violation of any provision of this ordinance shall be subject to the following penalties in addition to the loss of any existing grandfather exemptions under the Hamilton County Land Development Regulations:
 - i. Fine: (1) First violation: \$100.00 fine; up to \$50.00 per day thereafter; (2) Second violation: \$500.00; up to \$100.00 per day thereafter; (3) Third violation: Fine not to exceed \$500.00 pursuant to §162.22, Florida Statutes, and may be sentenced to a definite term of imprisonment, not to exceed 60 days, in a detention facility or other facility authorized by law.
 - ii. The County may also pursue mandatory injunctive relief requiring the removal of the Recreational Vehicle placed on any lands in the unincorporated areas of Hamilton County in violation of this Ordinance.
 - iii. Hamilton County reserves its rights to such civil remedies in law and equity as may be necessary to ensure compliance with the provisions of this Ordinance, including but not limited to injunctive relief to enjoin and restrain any person from violating the provisions of this section of this Ordinance and to recover such damages as may be incurred by the implementation of specific corrective actions.

11. **Applicability.** For the purposes of jurisdictional applicability, this ordinance shall apply in all Hamilton County, Florida, or all unincorporated areas of the county as the law permits. This ordinance shall apply to all applications for development, including building permit applications and subdivision proposals, submitted on or after the effective date of this ordinance.

12. **Inclusion into Code of Ordinances.** It is the intent of the Board of County Commissioners in and for Hamilton County, Florida, that the provisions of this ordinance shall become and be made a part of the Hamilton County Code of Ordinances, and that the sections of this ordinance may be renumbered or relettered and the word “ordinance” may be changed to “section,” “article,” “regulation,” or such other appropriate word or phrase in order to accomplish such intentions.

13. **Repeal of Conflicting Ordinances.** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

14. **Severability.** If any section, subsection, sentence, clause, phrase, or provision of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not be construed to render the remaining provisions of this ordinance invalid or unconstitutional.

15. **Filing of Ordinance and Effective Date.** This Ordinance shall take effect upon final adoption and publication in accordance with the law following the proper and compliant public hearings and notice and implementation. In accordance with the provisions of Section 125.66, Florida Statutes, governing ordinances, a certified copy of this ordinance shall be filed with the Florida Department of State by the Clerk of the Board. This ordinance shall take effect upon filing with the Florida Department of State.

[Execution of Ordinance Follows on Next Page]

PASSED and ADOPTED in regular session, with a quorum present and voting, by the Board of County Commissioners in and for Hamilton County, Florida, on this _____ day of _____, 2026.

**BOARD OF COUNTY COMMISSIONERS
HAMILTON COUNTY, FLORIDA**

Attest:

Greg Godwin
Ex-officio Clerk

By _____
Chairman, Robby Roberson
District 2

Member, Jimmy Murphy
District 1

Member, Richie McCoy
District 5

Member, Travis Erixton
District 4

Member, James Howell
District 3

Approved as to Form By:

Andrew J. Decker, III
Hamilton County Attorney