

1 A bill to be entitled
 2 An act relating to migrant labor housing; amending s.
 3 381.0083, F.S.; adding required information to be provided
 4 in written notice of the intent to construct, enlarge,
 5 remodel, use, or occupy a migrant labor camp or
 6 residential migrant housing or convert property for use as
 7 a migrant labor camp or residential migrant housing;
 8 providing that a local government may deny initial siting
 9 of a migrant labor camp or residential migrant housing
 10 under specified conditions; providing an effective date.

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 12 Be It Enacted by the Legislature of the State of Florida:

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 14 Section 1. Section 381.0083, Florida Statutes, is amended
 15 to read:

16 381.0083 Permit for migrant labor camp or residential
 17 migrant housing; denial of siting by local government.--

18 (1) Any person who is planning to construct, enlarge,
 19 remodel, use, or occupy a migrant labor camp or residential
 20 migrant housing or convert property for use as a migrant labor
 21 camp or residential migrant housing must give written notice to
 22 the department of the intent to do so at least 45 days before
 23 beginning such construction, enlargement, or renovation. As part
 24 of the written notice, any person who is planning to construct
 25 or convert property for use as a migrant labor camp or
 26 residential migrant housing shall provide the department with
 27 documentation from the local government in which the migrant
 28 labor camp or residential migrant housing is to be located that

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29 the site of the camp or residential migrant housing has not been
30 denied as provided in subsection (2). If the local government
31 documentation has been provided as part of the written
32 notification and if the department is satisfied, after causing
33 an inspection to be made, that the camp or the residential
34 migrant housing meets the minimum standards of construction,
35 sanitation, equipment, and operation required by rules issued
36 under s. 381.0086 and that the applicant has paid the
37 application fees required by s. 381.0084, it shall issue in the
38 name of the department the necessary permit in writing on a form
39 to be prescribed by the department. The permit, unless sooner
40 revoked, shall expire on September 30 next after the date of
41 issuance, and it shall not be transferable. An application for a
42 permit shall be filed with the department 30 days prior to
43 operation. When there is a change in ownership of a currently
44 permitted migrant labor camp or residential migrant housing, the
45 new owner must file an application with the department at least
46 15 days before the change. In the case of a facility owned or
47 operated by a public housing authority, an annual satisfactory
48 sanitation inspection of the living units by the Farmers Home
49 Administration or the Department of Housing and Urban
50 Development shall substitute for the pre-permitting inspection
51 required by the department.

52 (2) Notwithstanding the provisions of ss. 381.0014 and
53 381.0016, a local government may deny the initial siting of a
54 migrant labor camp or residential migrant housing, whether by
55 construction or conversion of property for that use, when the

56 local government determines that the selected site meets any of
 57 the following conditions:

58 (a) Does not conform to existing zoning regulations
 59 applicable to other multifamily uses or similar uses in the
 60 area.

61 (b) Does not meet licensing criteria for a migrant labor
 62 camp or residential migrant housing in this chapter or
 63 applicable rules of the department, including requirements that
 64 the safety and welfare of all persons residing in a migrant
 65 labor camp or residential migrant housing be assured by the
 66 migrant labor camp or residential migrant housing.

67 (c) Will result in the substantial alteration of the
 68 nature and character of the area. For the purpose of this
 69 paragraph, "substantially alter the nature and character of the
 70 area" means the location of a migrant labor camp or residential
 71 migrant housing within a radius of 1,200 feet of any other
 72 migrant labor camp or residential migrant housing in a
 73 multifamily zone or within a radius of 500 feet of an area zoned
 74 as single-family. The distance requirements in this paragraph
 75 shall be measured from the nearest point of the existing migrant
 76 labor camp or residential migrant housing or from the nearest
 77 point of single-family zoning to the nearest point of the
 78 proposed migrant labor camp or residential migrant housing.

79 Section 2. This act shall take effect October 1, 2007.