

A bill to be entitled

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

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

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

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

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

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 uses in the area.

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

66 (c) Will result in the substantial alteration of the
67 nature and character of the area. For the purpose of this
68 paragraph, "substantially alter the nature and character of the
69 area" means the location of a migrant labor camp or residential
70 migrant housing within a radius of 1,200 feet of any other
71 migrant labor camp or residential migrant housing in a
72 multifamily zone or within a radius of 500 feet of an area zoned
73 as single-family.

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