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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/13/2010	.	
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The Committee on Health and Human Services Appropriations  
(Gaetz) recommended the following:

1           **Senate Substitute for Amendment (433268) (with title**  
2 **amendment)**

3  
4           Delete lines 94 - 247

5 and insert:

6 chapter;

7           (e) Inspection of parks and camps to enforce compliance  
8 with this chapter;

9           (f) Permit requirements; and

10           (g) The maintenance of guest registers.

11           (3) This chapter establishes uniform standards for  
12 recreational vehicle parks and camps which apply to:



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- 13           (a) The liability for property of guests left on sites;  
14           (b) Separation and setback distances established at the  
15 time of initial approval;  
16           (c) Unclaimed property;  
17           (d) Conduct of transient guests;  
18           (e) Theft of personal property;  
19           (f) Evictions of transient guests; and  
20           (g) Writs of distress.

21           (4) Local governmental actions, ordinances, and resolutions  
22 must be consistent with the uniform standards established  
23 pursuant to this chapter and as implemented by rules of the  
24 department. This chapter does not limit the authority of a local  
25 government to adopt and enforce land use, building, firesafety,  
26 and other regulations.

27           (5) However, nothing in this chapter qualifies a mobile  
28 home park, a lodging park, a recreational vehicle park, or a  
29 recreational camp for a liquor license issued under s.

30 561.20(2)(a)1. Mobile home parks, lodging parks, recreational  
31 vehicle parks, and recreational camps regulated under this  
32 chapter are exempt from regulation under the provisions of  
33 chapter 509.

34           Section 3. Section 513.014, Florida Statutes, is amended to  
35 read:

36           513.014 Applicability of recreational vehicle park  
37 provisions to mobile home parks.—A mobile home park that has  
38 five or more sites set aside for recreational vehicles shall,  
39 for those sites set aside for recreational vehicles, comply with  
40 the recreational vehicle park requirements included in this  
41 chapter. This section does not require a mobile home park with



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42 spaces set aside for recreational vehicles to obtain two  
43 licenses. ~~However, a mobile home park that rents spaces to~~  
44 ~~recreational vehicles on the basis of long-term leases is~~  
45 ~~required to comply with the laws and rules relating to mobile~~  
46 ~~home parks including but not limited to chapter 723, if~~  
47 ~~applicable.~~

48 Section 4. Section 513.02, Florida Statutes, is amended to  
49 read:

50 513.02 Permits ~~Permit.~~—

51 (1) A person may not establish or maintain a mobile home  
52 park, lodging park, recreational vehicle park, or recreational  
53 camp in this state without first obtaining an operating a permit  
54 from the department. ~~Such permit is not transferable from one~~  
55 ~~place or person to another. Each permit must be renewed~~  
56 ~~annually.~~

57 (2) Prior to commencement of construction of a new park or  
58 camp, or any change to an existing park or camp which requires  
59 construction of new sanitary facilities or additional permitted  
60 sites, a person who operates or maintains such park or camp must  
61 contact the department to receive a review and approval. The  
62 items required to be submitted and the process for issuing a  
63 review and approval shall be set by department rule.

64 (3) (a) An operating permit is not transferable from one  
65 place or person to another. Each permit must be renewed  
66 annually.

67 (b) ~~(2)~~ The department may refuse to issue an operating a  
68 permit to, or refuse to renew the operating permit of, any park  
69 or camp that is not constructed or maintained in accordance with  
70 law and with the rules of the department.



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71           (c)~~(3)~~ The department may suspend or revoke an operating a  
72 permit issued to any person that operates or maintains such a  
73 park or camp if such person fails to comply with this chapter or  
74 the rules adopted by the department under this chapter.

75           (d)~~(4)~~ An operating A permit for ~~the operation of~~ a park or  
76 camp may not be renewed ~~or transferred~~ if the permittee has an  
77 outstanding fine assessed pursuant to this chapter which is in  
78 final-order status and judicial reviews are exhausted, ~~unless~~  
79 ~~the transferee agrees to assume the outstanding fine.~~

80           (e)~~(5)~~ When a park or camp regulated under this chapter is  
81 sold ~~or its ownership transferred~~, the purchaser transferee must  
82 apply to the department for an operating a permit within 30 days  
83 after to the department before the date of sale transfer. The  
84 applicant must provide the department with a copy of the  
85 recorded deed or lease agreement before the department may issue  
86 an operating a permit to the applicant.

87           Section 5. Section 513.03, Florida Statutes, is amended to  
88 read:

89           513.03 Application for and issuance of permit.-

90           (1) An application for an operating a permit must be made  
91 in writing to the department, on a form prescribed by the  
92 department. The application must state the location of the  
93 existing or proposed park or camp; the type of park or camp;  
94 the number of mobile homes or recreational vehicles to be  
95 accommodated; ~~or~~ the number of recreational campsites,  
96 buildings, and sites set aside for group camping, including  
97 barracks, cabins, cottages, and tent spaces; the type of water  
98 supply; the method of sewage disposal; and any other  
99 information the department requires.



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100 (2) If the department is satisfied, after reviewing the  
101 application of the proposed or existing park or camp and causing  
102 an inspection to be made, that the park or camp complies with  
103 this chapter and is so located, constructed, and equipped as not  
104 to be a source of danger to the health of the general public,  
105 the department shall issue the necessary approval or operating  
106 permit, in writing, on a form prescribed by the department.

107 Section 6. Subsection (1) of section 513.045, Florida  
108 Statutes, is amended to read:

109 513.045 Permit fees.—

110 (1) (a) Each person seeking a permit to establish, operate,  
111 or maintain a mobile home park, lodging park, recreational  
112 vehicle park, or recreational camp must pay to the department a  
113 fee, the amount of which shall be set by rule of the department.

114 (b) Fees established pursuant to this subsection must be  
115 based on the actual costs incurred by the department in carrying  
116 out its responsibilities under this chapter.

117 1. The fee for an annual operating a permit may not be set  
118 at a rate that is more than \$6.50 per space or less than \$3.50  
119 per space. ~~Until rules setting these fees are adopted by the~~  
120 department, the permit fee per space is \$3.50. The annual  
121 operating permit fee for a nonexempt recreational camp shall be  
122 based on an equivalency rate for which two camp occupants equal  
123 one space. The total fee assessed to an applicant for an annual  
124 operating permit may not be more than \$600 or less than \$50,  
125 except that a fee may be prorated on a quarterly basis.

126 2. A person who seeks department review of plans for a  
127 proposed park or camp may submit such plans to the department  
128 for an assessment of whether such plans meet the requirements of



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129 this chapter and the rules adopted under this chapter.

130 3. A person constructing a new park or camp or adding  
131 spaces or renovating an existing park or camp shall, prior to  
132 such construction, renovation, or addition, submit plans to the  
133 department for department review and approval.

134 (c) A recreational camp operated by a civic, fraternal,  
135 educational, or religious organization that does not rent to the  
136 public is exempt from the fee requirements of this subsection.

137 Section 7. Section 513.05, Florida Statutes, is amended to  
138 read:

139 513.05 Rules.—The department may adopt rules pertaining to  
140 the location, construction, modification, equipment, and  
141 operation of mobile home parks, lodging parks, recreational  
142 vehicle parks, and recreational camps, except as provided in s.  
143 633.022, as necessary to administer this chapter. Such rules may  
144 include definitions of terms; requirements for plan reviews of  
145 proposed and existing

146  
147 ===== T I T L E A M E N D M E N T =====

148 And the title is amended as follows:

149 Delete lines 16 - 17

150 and insert:

151 certain parks or camps; authorizing persons to request  
152 from the