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LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
03/28/2011	.	
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The Committee on Health Regulation (Fasano) recommended the following:

Senate Amendment

Delete lines 74 - 244
and insert:

Section 2. Section 513.012, Florida Statutes, is amended to read:

513.012 Public health laws; enforcement.—

(1) It is the intent of the Legislature that mobile home parks, lodging parks, recreational vehicle parks, and recreational camps be regulated under this chapter. As such, the department shall administer and enforce, with respect to such parks and camps, uniform laws and rules relating to sanitation,



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13 control of communicable diseases, illnesses and hazards to
14 health among humans and from animals to humans, and the general
15 health of the people of the state.

16 (2) This chapter establishes uniform standards to be
17 administered and enforced by the department for the issuing of
18 permits for, and the operation of, mobile home parks, lodging
19 parks, recreational vehicle parks, and recreational camps, which
20 include:

21 (a) The design, location, and site sizes for sites in parks
22 and camps;

23 (b) Sanitary standards for the issuing of permits for, and
24 the operation of, parks and camps;

25 (c) The issuing of permits for parks and camps as required
26 by this chapter;

27 (d) The inspection of parks and camps to enforce compliance
28 with this chapter; and

29 (e) Permit requirements.

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

32 (a) The liability for property of guests left on sites;

33 (b) Separation and setback distances established at the
34 time of initial approval;

35 (c) Unclaimed property;

36 (d) Conduct of transient guests;

37 (e) Theft of personal property;

38 (f) Evictions of transient guests;

39 (g) Writs of distress;

40 (h) The maintenance of guest registers;

41 (i) Occupancy standards for transient rentals; and



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42 (j) Placement of recreational vehicles by size and type.

43 (4) Local governmental actions, ordinances, and resolutions
44 must be consistent with the uniform standards established
45 pursuant to this chapter and as implemented by rules of the
46 department. This chapter does not limit the authority of a local
47 government to adopt and enforce land use, building, firesafety,
48 and other regulations.

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

52 561.20(2)(a)1. Mobile home parks, lodging parks, recreational
53 vehicle parks, and recreational camps regulated under this
54 chapter are exempt from regulation under the provisions of
55 chapter 509.

56 Section 3. Section 513.014, Florida Statutes, is amended to
57 read:

58 513.014 Applicability of recreational vehicle park
59 provisions to mobile home parks.—A mobile home park that has
60 five or more sites set aside for recreational vehicles shall,
61 for those sites set aside for recreational vehicles, comply with
62 the recreational vehicle park requirements included in this
63 chapter. This section does not require a mobile home park with
64 spaces set aside for recreational vehicles to obtain two
65 licenses. ~~However, a mobile home park that rents spaces to~~
66 ~~recreational vehicles on the basis of long term leases is~~
67 ~~required to comply with the laws and rules relating to mobile~~
68 ~~home parks including but not limited to chapter 723, if~~
69 ~~applicable.~~

70 Section 4. Section 513.02, Florida Statutes, is amended to



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71 read:

72 513.02 Permits ~~Permit~~.—

73 (1) A person may not establish or maintain a mobile home
74 park, lodging park, recreational vehicle park, or recreational
75 camp in this state without first obtaining an operating a permit
76 from the department. ~~Such permit is not transferable from one~~
77 ~~place or person to another. Each permit must be renewed~~
78 ~~annually.~~

79 (2) Before the commencement of construction of a new park
80 or camp or before any change to an existing park or camp which
81 requires construction of new sanitary facilities or additional
82 permitted sites, a person who operates or maintains such park or
83 camp must contact the department to receive a review and
84 approval. The items required to be submitted and the process for
85 issuing a review and approval shall be set by department rule.

86 (3) (a) An operating permit is not transferable from one
87 place or person to another. Each permit must be renewed
88 annually.

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

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

97 (d) ~~(4)~~ An operating A permit for ~~the operation~~ of a park or
98 camp may not be renewed ~~or transferred~~ if the permittee has an
99 outstanding fine assessed pursuant to this chapter which is in



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100 final-order status and judicial reviews are exhausted, ~~unless~~
101 ~~the transferee agrees to assume the outstanding fine.~~

102 (e) (5) When a park or camp regulated under this chapter is
103 sold or its ownership transferred, the purchaser who continues
104 operation of the park or camp transferee must apply to the
105 department for an operating a permit within 30 days after to the
106 department before the date of sale transfer. The applicant must
107 provide the department with a copy of the recorded deed or lease
108 agreement before the department may issue an operating a permit
109 to the applicant.

110 (4) Each person seeking department review of plans for a
111 proposed park or camp may submit the plans to the department for
112 an assessment of whether the plans meet the requirements of this
113 chapter and the rules.

114 (5) Each person constructing a new park or camp or adding
115 spaces to an existing park or camp must, before the
116 construction, renovation, or addition, submit plans to the
117 department for department review and approval.

118 Section 5. Section 513.03, Florida Statutes, is amended to
119 read:

120 513.03 Application for and issuance of permit.—

121 (1) An application for an operating a permit must be made
122 in writing to the department, ~~on~~ on a form prescribed by the
123 department. The application must state the location of the
124 existing or proposed park or camp; ~~the~~ the type of park or camp; ~~the~~
125 the number of mobile homes or recreational vehicles to be
126 accommodated; ~~or~~ the number of recreational campsites,
127 buildings, and sites set aside for group camping, including
128 barracks, cabins, cottages, and tent spaces; the type of water



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129 supply;~~;~~ the method of sewage disposal;~~;~~ and any other
130 information the department requires.

131 (2) If the department is satisfied, after reviewing the
132 application of the proposed or existing park or camp and causing
133 an inspection to be made, that the park or camp complies with
134 this chapter and is so located, constructed, and equipped as not
135 to be a source of danger to the health of the general public,
136 the department shall issue the necessary approval or operating
137 permit, in writing, on a form prescribed by the department.

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

140 513.045 Permit fees.—

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

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

148 (c) The fee for an annual operating a permit may not be set
149 at a rate that is more than \$6.50 per space or less than \$3.50
150 per space. ~~Until rules setting these fees are adopted by the~~
151 ~~department, the permit fee per space is \$3.50.~~ The annual
152 operating permit fee for a nonexempt recreational camp shall be
153 based on an equivalency rate for which two camp occupants equal
154 one space. The total fee assessed to an applicant for an annual
155 operating permit may not be more than \$600 or less than \$50,
156 except that a fee may be prorated on a quarterly basis.

157 (d) ~~(e)~~ A recreational camp operated by a civic, fraternal,



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158 educational, or religious organization that does not rent to the
159 public is exempt from the fee requirements of this subsection.

160 Section 7. Section 513.05, Florida Statutes, is amended to
161 read:

162 513.05 Rules.—The department may adopt rules pertaining to
163 the location, construction, modification, equipment, and
164 operation of mobile home parks, lodging parks, recreational
165 vehicle parks, and recreational camps, except as provided in s.
166 633.022, as necessary to administer this chapter, pursuant to
167 the provisions of this chapter and s. 381.006. Such rules may
168 include definitions of terms; requirements for plan reviews of
169 proposed and existing parks and camps; plan reviews of parks
170 that consolidate or expand space or capacity or change space
171 size; water supply; sewage collection and disposal; plumbing and
172 backflow prevention; garbage and refuse storage, collection, and
173 disposal; insect and rodent control; space requirements; heating
174 facilities; food service; lighting; sanitary facilities;
175 bedding; an occupancy equivalency to spaces for permits for
176 recreational camps; sanitary facilities in recreational vehicle
177 parks; and the owners' responsibilities at recreational vehicle
178 parks and recreational camps.