

ARTICLE I. IN GENERAL

Sec. 42-1. Title.

This chapter shall be entitled the Land Development Code.

(LDC § 1.00.00)

State law references: Land development regulations, F.S. § 163.3202.

Sec. 42-2. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Day means a working day unless a calendar day is indicated.

(LDC § 1.08.10)

Cross references: Definitions generally, § 1-2.

Sec. 42-3. Penalties and remedies.

(a) *Generally.* If the planning department determines that the code enforcement process would be an inadequate response to a given violation, it may pursue the following penalties and remedies as provided by law.

(b) *Lot sales limited to approved subdivision.* It shall be unlawful for anyone who is the owner or agent of the owner of any land to transfer, sell, agree to sell or negotiate to sell such land by reference to or exhibition of, or by other use of a plat or subdivision of such land without having submitted a plan and plat of such subdivision for approval as required by this chapter and recorded the approved subdivision plat as required. If such unlawful use shall be made of a plat before it is properly approved and recorded, the owner or agent of the owner of such plat shall be deemed guilty of an offense.

(c) *False representation as to maintenance responsibility.* Any owner or agent of the owner who falsely represents to a prospective purchaser of real estate that any facilities and services such as roads and streets, sewers, water systems or drainage facilities will be built, constructed or maintained by the county shall be deemed guilty of an offense.

(d) *Violation of section 42-187, hazardous waste generator's permits.* Violation of section 42-187 is an offense and shall be prosecuted in the name of the state in a court having jurisdiction of misdemeanors by the prosecuting attorney thereof and upon conviction shall be punished by a

fine not to exceed \$500.00 and/or by imprisonment in the county detention facilities not to exceed 60 days. If any violation shall be continuing, each day's violation shall be deemed a separate violation; however, imposition of such fine or jail sentence shall not prohibit the court from imposing any other available statutory or civil penalties, which would include, but are not limited to, prohibiting the further generation of hazardous waste. Fines assessed pursuant to this subsection shall go into the general revenue fund of the county to be used for enforcement of this section.

(e) *Civil remedies.* If any building or structure is erected, constructed, reconstructed, altered, repaired or maintained, or any building, structure, land or water is used in violation of this chapter, the planning director, through the county attorney, may institute any appropriate civil action or proceedings in any court to prevent, correct or abate the violation.

(f) *Criminal penalties.* Any person who violates any provision of this chapter shall be deemed guilty of an offense and shall be subject to a fine and imprisonment as provided by law.

(LDC § 12.15.00)

Sec. 42-4. Authority.

This chapter is enacted pursuant to the requirements and authority of F.S. § 163.3202 and the general powers in F.S. ch. 125.

(LDC § 1.01.00)

Sec. 42-5. Findings.

(a) The provisions of F.S. ch. 163 requires each state local government to enact a single land development code which implements and is consistent with the local comprehensive plan, and which contains all land development regulations for the county.

(b) Controlling the location, design and construction of development within the county is intended to maintain and improve the quality of life in the county as more fully described in subsection (c) of this section.

(c) With regard to the following specific subject areas of this chapter, the board of county commissioners finds:

(1) *Administration and enforcement.*

a. A single set of administrative procedures for making all land use decisions promotes efficiency, predictability and citizen participation.

- b. All development proposals and permit applications should undergo a review process to ensure compliance with the requirements of this chapter.
- c. A mandatory preapplication conference requirement enhances communication and understanding between county staff and the developer thereby improving the efficiency of the development review process.
- d. Concept review allows developers to modify proposals in response to early citizen and staff comment.
- e. Developments of large potential impact on the community should go through a more rigorous review process than others.
- f. Review of planning decisions should be independent of review of land development decisions to avoid ad hoc planning on a site-by-site basis.
- g. All administrative decisions should be supported by a record with written findings to ensure accountability and efficient appellate review.
- h. A quick, efficient and nonpolitical avenue of appeal should be available for all ministerial and administrative decisions.
- i. Enforcement of development orders and the provisions of this chapter should be through procedures that are efficient, effective and consistent with the code enforcement procedures established by state law.

(2) *Signs.*

- a. The manner of the erection, location and maintenance of signs affects the public health, safety, morals and welfare of the people of this county.
- b. The safety of motorists, cyclists, pedestrians and other users of the public streets is affected by the number, size, location, lighting and movement of signs that divert the attention of drivers.
- c. The construction, erection and maintenance of large signs suspended from or placed on the tops of buildings, walls or other structures may constitute a direct danger to pedestrian and vehicular traffic below, especially during periods of strong winds.
- d. Uncontrolled and unlimited signs may degrade the aesthetic attractiveness of the natural and manmade attributes of the county and thereby undermine the economic value of tourism, visitation and permanent economic growth.

(3) *Landscaping and tree protection.*

a. Landscaping and buffering development with trees and other vegetation promotes the health, safety and welfare of the county to such an extent as to justify the imposition of landscaping and buffering requirements.

b. Trees and landscaping benefit the county by:

1. Absorbing carbon dioxide and returning oxygen to the atmosphere;
2. Precipitating dust and other particulates from the air;
3. Providing wildlife habitat, particularly for birds which in turn help control insects;
4. Providing soil stabilization which reduces erosion and mitigates the effect of flooding;
5. Providing shade which reduces energy consumption and glare, and making outdoor areas more comfortable during the warm months;
6. Making the built environment more attractive by adding a variety of color, shape and pattern and thereby increasing county pride and property values;
7. Providing attractive buffering between incompatible land uses; and
8. Abating noise.

c. Because native vegetation is adapted to local diseases, pests, soil and climate, it is generally more economical and desirable than exotic species which require more pesticides, fertilizers and water.

d. Exotic vegetation can crowd out native vegetation, use more water and damage the environment from increased use of fertilizers and pesticides.

e. Because some trees are more beneficial than others, the public benefits of tree protection may be obtained without preserving each and every tree.

(4) *Off-street parking and loading.*

a. Off-street parking and loading of vehicles promotes the public safety and welfare by reducing traffic congestion.

b. Well-designed off-street parking and loading areas promote the safe and efficient storage, loading and circulation of vehicles.

c. Allowing the use of porous paving materials and unpaved parking areas, whenever possible, conserves water and energy, moderates the micro-climate and reduces the expense and hazards of controlling stormwater runoff.

(5) *Stormwater management.*

- a. Increased stormwater runoff may cause erosion and pollution of groundwater and surface water with a variety of contaminants such as heavy metals and petroleum products.
- b. Stormwater runoff often contains nutrients such as phosphorus and nitrogen, which adversely affect flora and fauna by accelerating eutrophication of receiving waters.
- c. Erosion silts up water bodies, decreases their capacity to hold and transport water, interferes with navigation and damages flora and fauna.
- d. Installation of impervious surfaces increases the volume and rate of stormwater runoff and decreases groundwater recharge.
- e. Improperly managed stormwater runoff increases the incidence and severity of flooding and endangers property and human life.
- f. Improperly managed stormwater runoff may alter the salinity of estuarine areas and diminishes their biological productivity.
- g. Degradation of groundwater and surface waters may alter economic costs on the community.
- h. Eighty to 95 percent of the total annual loading of most stormwater pollutants discharged into receiving waters are concentrated in the flush created by the first one inch of rainfall (first flush), and carried off-site in the first one-half inch of runoff.
- i. Improperly managed stormwater adversely affects the drainage of off-site property.

(6) *Floodplain protection.*

- a. Flooding is a natural, recurring phenomenon in the county.
- b. Naturally floodprone lands serve the following important functions in the regional hydrologic cycle and ecological system:
 - 1. They provide natural storage and conveyance of floodwaters.
 - 2. They facilitate groundwater recharge.
 - 3. They provide temporary storage of surface waters that moderate flood elevations and the timing, velocity and rate of flood discharges.
 - 4. They reduce erosion and filter nutrients, sediments and other pollutants from floodwaters.
 - 5. They export detritus and other food sources to open water bodies and are vital habitat for fish, birds, wildlife and native plant communities.
- c. Naturally occurring flooding may provide recharge to groundwater and a basic source of flow to surface waters.

d. The uncontrolled development of floodprone lands substantially degrades the health, safety and welfare of the county in the following ways:

1. The owners, residents, customers, guests and employees occupying homes, businesses and other structures located in floodprone areas are placed at unreasonable risk of personal injury and property damage.
2. Expensive and dangerous search, rescue and disaster relief operations may be necessary when developed properties are flooded.
3. Roads, public facilities and utilities associated with development may be damaged by flooding at great expense to taxpayers and rate payers.
4. Flooding of developed properties may lead to demands that the government construct expensive and environmentally damaging projects to control floodwaters.
5. Normally flood-free lands are placed at risk of flooding when floodwaters on natural floodprone areas are obstructed, diverted, displaced or channelized by development.
6. Water quality is degraded, the supply of fresh water to estuaries is disrupted and habitat is lost.
7. Property values are lowered and economic activity is disrupted by damaging floods.

(7) *Protection of environmentally sensitive lands.*

a. Protection of environmentally sensitive lands described or mapped in the conservation element of the comprehensive plan promotes the well-being of the people of the county as set forth in this subsection and in the conservation element.

b. Wetlands serve the following beneficial functions:

1. Provide natural storage and conveyance of floodwaters, and minimize erosion and sedimentation by reducing flood flows and the velocity of floodwaters.
2. Coastal wetlands and inland wetlands adjoining larger lakes and rivers protect wildlife and the shoreline from destructive wave action.
3. Filter and help decompose sediments, nutrients and other natural and manmade pollutants that would otherwise degrade surface waters and groundwaters.
4. Support commercial and recreational fishing because they provide essential nutrients and hatcheries for aquatic life.
5. Provide habitat for rare and endangered species, and provide essential breeding and protective habitats for many other birds, mammals and reptiles.

c. Shorelines serve the following beneficial functions:

1. Land adjoining waters or wetlands, which can generally be divided into submergent, transitional and upland vegetation zones, provide essential habitat for many plant and animal species, including species that are endangered, threatened or of special concern.
2. Submergent, transitional and upland vegetation zones serve as effective buffers against noise and other human activities which may have adverse affects on aquatic and wetland-dependent wildlife.
3. Submergent, transitional and upland vegetation zones help slow stormwater runoff flows and increase infiltration of water, nutrients and other substances.
4. Submergent, transitional and upland vegetation zones reduce predation by domestic pests on wetlands and wetland dependent wildlife species.

(LDC §§ 1.04.01, 1.04.02)

State law references: Land development code required, F.S. § 163.3202(3).

Sec. 42-6. Intent.

(a) With regard to this chapter in general, its provisions shall be construed and implemented to achieve the following intentions and purposes of the board of county commissioners:

(1) Establish the regulations, procedures and standards for review and approval of all proposed development in the county.

(2) Foster and preserve public health, safety, comfort and welfare, and to aid in the harmonious, orderly, aesthetically pleasing and socially beneficial development of the county in accordance with the comprehensive plan.

(3) Adopt a development review process that is:

a. Efficient in terms of time and expense;

b. Effective in terms of addressing the natural resource and public facility implications of proposed development; and

c. Equitable in terms of consistency with established regulations and procedures, respect for the rights of property owners and consideration of the interests of the citizens of the county.

(4) Implement the county comprehensive plan as required by the Local Government Comprehensive Planning and Land Development Regulation Act (F.S. § 163.3161 et seq.).

(5) Provide specific procedures to ensure that development orders and permits are conditioned on the availability of public facilities and services that meet level of service requirements (concurrency).

(b) The provisions of this chapter dealing with the following specific subject areas shall be construed and implemented to achieve the following intentions and purposes of the board of county commissioners:

(1) *Administration and enforcement.*

a. Ensure that all development proposals be thoroughly and efficiently reviewed for compliance with the requirements of this chapter, the county comprehensive plan and other applicable county regulations.

b. Promote efficiency, predictability and citizen participation.

c. Ensure compliance with approved development orders and the provisions of this chapter through rigorous but fair enforcement actions.

(2) *Signs.*

a. To create a comprehensive and balanced system of sign control that accommodates both the need for a well-maintained, safe and attractive community, and the need for effective business identification, advertising and communication.

b. To permit signs that are:

1. Compatible with their surroundings.

2. Designed, constructed, installed and maintained in a manner which does not endanger public safety or unduly distract motorists.

3. Appropriate to the type of activity to which they pertain.

4. Large enough to convey sufficient information about the owner or occupants of a particular property, the products or services available on the property or the activities conducted on the property, and small enough to satisfy the need for regulation.

5. Reflective of the identity and creativity of individual occupants.

c. To promote the economic health of the community through increased tourism and property values.

(3) *Landscaping and tree protection.*

a. Enhance the attractiveness of the community.

- b. Conserve energy through the cooling and shading effects of trees.
 - c. Abate nuisances such as noise, glare, heat, pollution and stormwater runoff.
 - d. Mitigate conflicts between adjoining land uses.
 - e. Preserve the environmental and ecological benefits of existing native trees and vegetation.
 - f. Promote safe and efficient use of off-street parking facilities and other vehicular use areas by:
 - 1. Clearly delineating and buffering the bounds of vehicular use areas, particularly where they abut public rights-of-way, so that movement, noise and glare in one area do not adversely distract activity in another area;
 - 2. Limiting physical site access to established points of ingress and egress; and
 - 3. Limiting the internal movement of vehicles and pedestrians to designated traffic configurations.
 - g. Preserve the community's irreplaceable natural heritage for existing and future generations.
- (4) *Parking and loading.* Ensure that all developments provide for adequate and safe storage and movement of vehicles in a manner consistent with community standards, good engineering and site design principles.
- (5) *Stormwater management.*
- a. Protect and maintain the chemical, physical and biological integrity of groundwaters and surface waters.
 - b. Prevent activities which adversely affect groundwaters and surface waters.
 - c. Encourage the construction of stormwater management systems that aesthetically and functionally approximate natural systems.
 - d. Protect natural drainage systems.
 - e. Minimize runoff pollution of groundwaters and surface waters.
 - f. Maintain and restore groundwater levels.
 - g. Protect and maintain natural salinity levels in estuarine areas.
 - h. Minimize erosion and sedimentation.
 - i. Prevent damage to wetlands.
 - j. Protect, maintain and restore the habitat of fish and wildlife.

(6) *Floodplain protection.*

- a. Protect human life and health.
- b. Minimize expenditure of public money for costly flood control projects.
- c. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at public expense.
- d. Minimize prolonged business interruptions and damage to public facilities and utilities caused by flooding.
- e. Maintain a stable tax base by providing for the sound use and development of floodprone areas.
- f. Ensure that potential purchasers of subdivided land are notified that the property is in a floodprone area.
- g. Ensure that uses and facilities vulnerable to floods are designed and constructed to resist flood damage.
- h. Preserve natural floodplains, stream channels and natural protective barriers to accommodate floodwaters.
- i. Limit filling, grading, dredging and other development which may increase erosion, sedimentation or flood damage.
- j. Prevent unnatural diversion of floodwater to lands that are normally flood-free.
- k. Maintain the normal movement of surface waters, the optimum storage capacity of watersheds, desirable groundwater levels, water quality and the natural hydrological and ecological functions of wetlands and other floodprone lands.
- l. Avoid the need of costly and environmentally disruptive flood management structures.
- m. Encourage the use of floodprone lands as open space.
- n. Make the county eligible for participation in the National Flood Insurance Program.

(7) *Protection of environmentally sensitive lands.*

- a. Protect environmentally sensitive lands and their beneficial functions while also protecting the right of property owners.
- b. Protect, maintain and restore the chemical, physical and biological integrity of groundwaters, surface waters and natural habitats.

- c. Prevent activities which adversely affect groundwaters and surface waters, natural habitats and native flora and fauna.
- d. Maintain recharge for groundwater aquifers.
- e. Prohibit certain uses that are detrimental to environmentally sensitive areas.
- f. Protect the recreation opportunities of environmentally sensitive lands for hunting, fishing, boating, hiking, nature observation, photography, camping and other uses.
- g. Protect the public's rights in navigable waters.
- h. Protect aesthetic and property values.

(LDC §§ 1.05.01, 1.05.02)

Sec. 42-7. Relationship to comprehensive plan.

The adoption of a unified land development code implements the goals, policies and objectives of the comprehensive plan.

(LDC § 1.06.01)

Sec. 42-8. Rules of interpretation.

The following rules of interpretation apply to this chapter:

- (1) *Generally.* In the interpretation and application of this chapter, all provisions shall be liberally construed in favor of the objectives and purposes of the county and deemed neither to limit nor repeal any other powers granted under state statutes.
- (2) *Responsibility for interpretation.* If any question arises concerning the application of regulations, performance standards, definitions, development criteria or any other provision of this chapter, the planning director shall be responsible for interpretation and shall look to the county comprehensive plan for guidance. Responsibility for interpretation by the planning director shall be limited to standards, regulations and requirements of this chapter, but shall not be construed to include interpretation of any technical codes adopted by reference in this chapter, nor be construed as overriding the responsibilities given to any commission, board or official named in other sections or articles of this chapter.
- (3) *Boundaries.* Interpretations regarding boundaries of land use districts shall be made in accordance with the following:

- a. Boundaries shown as following or approximately following any street shall be construed as following the centerline of the street.
- b. Boundaries shown as following or approximately following any platted lot line or other property line shall be construed as following such lines.
- c. Boundaries shown as following or approximately following section lines, half-section lines or quarter-section lines shall be construed as following such lines.
- d. Boundaries shown as following or approximately following natural features shall be construed as following such features.

(LDC §§ 1.08.01, 1.08.02, 1.08.11)

Sec. 42-9. Abrogation.

This chapter is not intended to repeal, abrogate or interfere with any existing easements, covenants or deed restrictions duly recorded in the public records of the county.

(LDC § 1.10.00)

Sec. 42-10. Applicability.

- (a) Except as specifically provided in this section, the provisions of this chapter shall apply to all development in the county, and no development shall be undertaken without prior authorization pursuant to this chapter.
- (b) The provisions of this chapter and any amendments thereto shall not affect the validity of any lawfully issued and effective development permit if the:
 - (1) Development of activity authorized by the permit has been commenced prior to the effective date of this chapter or any amendment thereto, or will be commenced after the effective date of this chapter but within six months of the effective date of this chapter; and
 - (2) Development activity continues without interruption, except because of war or natural disaster, until the development is complete. If the development permit expires, any further development on that site shall occur only in conformance with the requirements of this chapter or amendment thereto.
- (c) Projects with development orders that have not expired at the time this chapter or an amendment thereto is adopted, and on which development activity has commenced or does commence and proceeds according to the time limits in the regulations under which the development was originally approved, must meet only the requirements of the regulations in

effect when the development plan was approved. If the development plan expires or is otherwise invalidated, any further development on that site shall occur only in conformance with the requirements of this chapter or an amendment thereto.

(d) Nothing in this section shall be construed to authorize development that is inconsistent with the county comprehensive plan.

(LDC § 1.02.01)

Sec. 42-11. Future land use map.

The future land use map as contained in the county comprehensive plan is incorporated into this chapter by reference.

(LDC § 1.07.02)

Sec. 42-12. Mobile homes and mobile home permits.

(a) This section shall apply to all new or relocated mobile homes as defined in F.S. § 320.01(2), used for dwellings, temporary or permanent offices or those that are to be placed on property for more than 180 days, which are located or placed in use on any site within the unincorporated limits of the county. The standards and requirements of this section shall apply to all mobile home dwelling units whether on occupant-owned lots or on rental lots, including spaces in rental parks. This section does not apply to:

(1) Mobile homes used as temporary offices shall be exempt from compliance with this chapter in the areas of setup, but shall be subject to permitting and inspection for compliance with all applicable electrical and handicapped accessibility regulations.

(2) Mobile homes placed on lots of licensed mobile home dealers shall not be required to meet requirements of this section. This exception shall not apply to any mobile home that is to be used as a permanent office or storage.

(b) The following standards are to be used for determining compliance with this section:

(1) The standards established by the Department of Highway Safety and Motor Vehicles' Division of Motor Vehicles' Act, F.A.C. 15C-1.10, shall be used for setup of mobile homes.

(2) Any additions to mobile homes must comply with the Department of Highway Safety and Motor Vehicles' Division of Motor Vehicles' Act, F.A.C. 15C-2.0081, Mobile Home Repair and Remodeling Code.

(3) The Florida Building Code, where it applies to mobile homes or additions to mobile homes.

(c) The county building official, with approval of the board of county commissioners, shall promulgate all departmental policies for the building department that he deems necessary to carry out the provisions of this section. All changes to departmental policy shall be presented to the board of county commissioners for approval before implementation.

(d) All fees shall be set by resolution of the board of county commissioners. All fees shall be doubled if a mobile home is occupied before a permit has been obtained and inspected for compliance with the standards set forth in this section. The doubling of such fee may be waived by the building official if a permit is obtained and inspected for compliance within 30 days.

(e) Any person locating or placing in use as a dwelling or office a mobile home on any site within the unincorporated areas of the county shall obtain a permit for the mobile home. This shall not be misconstrued to require mobile home setup personnel who locate or place mobile homes on property for others to obtain permits.

(f) A mobile home permit issued shall be construed to be a license to proceed with the work and not as authority to violate, cancel, alter or set aside any of the provisions of the technical codes. Every permit issued shall become invalid unless the mobile home is installed and inspected within 180 days after its issuance. One or more extensions of time, for periods of not more than 90 days each, may be allowed for the permit. The request for extension shall be in writing and justifiable cause shall be demonstrated. Extensions, when granted, shall be in writing by the building official.

(g) Any permit issued under this section may be revoked and/or a stop work order issued by the building official at any stage of completion upon a finding of any of the following:

(1) Misrepresentation or omission of facts required for the permit.

(2) Permit issued in error where no authority for such issuance exists.

Whenever permits are revoked, the board of county commissioners shall be notified.

(h) Temporary power poles that are to be used for the repair or remodeling of mobile homes may be approved for 180 days, provided proper permits are obtained for the construction. At the end of the 180 days the service will be disconnected from the service pole unless an extension has been requested and approved in writing or a mobile home permit has been obtained and the mobile home has been inspected and approved for occupancy. If the mobile home is occupied without proper permitting and inspection, the applicable electric utility company will be requested to disconnect the electric service to the mobile home.

(i) The installation of all new or relocated mobile homes shall have inspections conducted to ascertain compliance with all adopted county ordinances. The interior wiring of mobile homes shall be maintained in accordance with the codes that they were initially inspected for by their manufacturer. Procedures for inspections shall be as defined in the building department policy

manual. Copies of procedures shall be made available to the permittee at the time of permit issuance. All mobile homes must be approved to be electrically safe before the electric utility company will be authorized to energize the service to any mobile home. Any work that does not meet code compliance when it is inspected shall be reinspected until it is in compliance with county ordinances. Any work that is covered up without reinspection shall be uncovered and reinspected.

(Ord. No. 93-2, §§ II--X, 2-1-1993)

State law references: Factory-built housing, F.S. § 553.35 et seq.; mobile home installers, F.S. § 320.8249; mobile home inspection, F.S. § 320.8255 et seq.; mobile home tie downs, F.S. § 320.8325.

Sec. 42-13. Definitions.

The following definitions apply in section 42-12 and sections 42-13 through 42-16.

(a) The term "manufactured building" means a closed structure, building assembly, or system of subassemblies, which may include structural, electrical, plumbing, heating, ventilating, or other service systems manufactured in manufacturing facilities for installation or erection as a finished building or as part of a finished building, which shall include, but not be limited to, residential, commercial, institutional, storage, and industrial structures. The term includes mobile homes, but does not include recreational vehicles nor buildings not intended for human habitation such as lawn storage buildings and storage sheds.

(b) The term "recreational vehicle" means a vehicle which is:

(1) Built on a single chassis;

(2) 400 square feet or less when measured at the largest horizontal projection;

(3) Designed to be self-propelled or towable by a car or light duty truck; and

(4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

(c) The term "used manufactured building" means any manufactured building that has been occupied as a residence, business or other use in the past. The term does not include a manufactured building that has only been occupied in the course of being held out for sale, and which has never been previously occupied as a residence, business or other use.

(Ord. No. 2004-3, § 1, 4-5-2004)

Sec. 42-14. Move-on permit required.

- (a) No manufactured building shall be moved to any residential lot within Taylor County, or moved from any place within the county to another place within the county, or from any place outside the county to any place within the county, unless a move-on permit is first obtained from the county building department. Provided, however, that no move-on permit shall be required for moving a manufactured building to a business location within the county where manufactured buildings are offered for sale.
- (b) The owner of the manufactured building shall have the responsibility for obtaining the move-on permit. An agent for the owner may apply for a move-on permit with an affidavit from the owner establishing the agency for that purpose.
- (c) The move-on permit shall be posted prominently on the manufactured building before the building is moved to the new location within the county.
- (d) The move-on permit shall identify the location to which the manufactured building may be moved. The manufactured building shall not be moved to any location other than that identified on the move-on permit.
- (e) The applicant must show a tag for the manufactured building, or execute an affidavit that the manufactured building will be assessed as real property.

(Ord. No. 2004-3, § 1, 4-5-2004)

Sec. 42-15. Requirements for certification of used manufactured buildings.

- (a) A move-on permit for the installation of a used manufactured building shall not be granted unless the used manufactured building has received re-certification from the State of Florida pursuant to F.S. § 553.375, or is certified pursuant to these regulations as meeting the minimum requirements for used manufactured buildings set forth in section 42-16 below.
- (b) Notwithstanding the requirement in (a) above, no inspection shall be required in order to obtain a move-on permit for a manufactured building to be used for non-residential purposes on a temporary basis. Move-on permits issued for such temporary uses shall include a condition that the building must be removed within six months. The county administrator may renew the move-on permit for an additional six months upon a finding that the additional period is needed and that there is no intent on the part of the permittee to make the installation permanent.
- (c) Certification of a used manufactured building may be obtained as follows:
 - (1) If the used manufactured building is located within the county, the manufactured building shall be inspected by a county building official. After the inspection, the building official shall

provide the applicant with a written document that either certifies that the manufactured building meets the minimum requirements in section 42-16 below, or sets forth the reasons why the manufactured building does not meet the minimum requirements.

(2) If the used manufactured building is located outside of the county, a state certified building inspector or contractor may certify the used manufactured building as meeting the requirements of section 42-16 below. The certification shall be on a form provided by the building department which shall:

- a. Require identification of the owner and proof of ownership of the manufactured building.
- b. Require identification of the inspector and state licensing information.
- c. Require a statement as to the use to which the manufactured building will be put after installation in the county.
- d. Set forth as a checklist the minimum requirements in section 42-16.
- e. Require that the inspector initial each item on the checklist.
- f. Include an affidavit for the inspector to sign certifying that the inspector has inspected the used manufactured building and that it meets each of the minimum requirements set forth on the form.

(3) No building official or building inspector employed by the county shall perform inspections of used manufactured buildings located outside the county.

(Ord. No. 2004-3, § 1, 4-5-2004)

Sec. 42-16. Minimum requirements.

(a) The minimum requirements for used manufactured buildings shall be as set forth in this section.

(b) *Fire safety:*

(1) All manufactured buildings manufactured since January of 1968 shall have an approved smoke detector(s) properly located outside of each sleeping area of the manufactured building.

(2) Smoke detectors shall be installed to the product manufacturer's installation instructions.

(c) *Electrical:*

(1) Every unit shall have a complete electrical system.

(2) Distribution panelboards shall be properly installed, complete with required breakers/fuses, with all unused openings properly covered. All connections are to be checked for tightness, and all panels shall be accessible.

(3) All electrical fixtures shall be properly installed, wired and supported. Aluminum conductors shall be connected to approved listed devices.

(4) All grounding conductors shall be secured to the proper locations and/or connector on the fixture or device.

(d) *Plumbing:*

(1) All plumbing fixtures shall be protected with approved and workable traps.

(2) Plumbing fixtures shall be properly vented and fixtures shall be in workable condition.

(3) Relief valve on water heater shall have sufficient room to operate, and shall have unthreaded 3/4-inch drain pipe extended beneath the manufactured building.

(4) Drainage piping shall be complete. Piping shall be supported properly and not constitute a hazard.

(5) Water piping shall not be bent or kinked so as to retard the flow of water. Each fixture shall be connected to water piping.

(e) *Heating and air conditioning:*

(1) All required cooking and heating appliances shall be properly anchored and connected in place.

(2) If the home has deleted heating system, drop-outs must be installed for connecting exterior system.

(3) All homes with central heating and/or cooling shall have operable thermostat.

(4) Air registers shall be operable.

(5) Ducts shall be sealed at openings and shall not be crushed or missing.

(6) Gas furnace and water heating vents shall be properly installed and secured to appliance.

(7) There shall be proper return air to furnace, exterior heat/AC units and all rooms.

(8) Range and bathroom ceiling vents shall be complete and vented to outside.

(9) All gas appliances shall be connected with an approved shut-off valve, if building was manufactured after May of 1975.

(f) *Construction:*

- (1) Exterior exit doors, including sliding glass, shall be in good working order.
- (2) Exterior doors shall have operable locks.
- (3) All manufactured buildings manufactured after January of 1975 shall have an exterior egress door or an operable egress window located in each sleeping room with an opening of 22 inches in its shortest measurement.
- (4) All windows and window operators shall be operable. Missing glass shall be replaced.
- (5) Screens shall be required on each window capable of being opened.
- (6) All holes in the floor and damaged flooring, and all broken decking and floor joists shall be repaired or replaced.
- (7) Missing interior paneling shall be replaced and bowed or loose paneling shall be secured.
- (8) Bottomboard shall be made rodent proof throughout and securely sealed. Missing insulation from exposed areas shall be replaced.
- (9) When visible structural damage caused by water leaks is apparent, repairs and corrections are to be completed to assure leaks have been corrected.
- (10) All over-the-roof tie-down straps shall be free of damage. Frame ties and bonding on all used single and double wide homes shall be as required in the amended Rules of the Division of Motor Vehicles, Chapter 15C-1, if the manufacturer's setup requirements are not available. Splices of strap shall overlap at least 12 inches and be secured with two seals. All tie points shall be used.

(Ord. No. 2004-3, § 1, 4-5-2004)

Secs. 42-17--42-45. Reserved.