

ORDINANCE NO. 2024-023

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA; AMENDING CHAPTER 19 ¼ OFFENSES; ARTICLE I. IN GENERAL; SPECIFICALLY ADDING SECTION 19 1/4 - 2 – UNAUTHORIZED PUBLIC CAMPING PROHIBITED; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on March 20, 2024, Governor DeSantis signed into law, House Bill No. 1365, and act related to unauthorized public camping and public sleeping codified as section 125.0231, Florida Statutes; and

WHEREAS, commencing on October 1, 2024, all Counties and Cities are required to enforce section 125.0231, Florida Statutes; and

WHEREAS, pursuant to section 125.0231, Florida Statutes, the County may not authorize or otherwise allow any person to regularly engage in public camping and sleeping on public properties, including, but not limited to, any public building or its grounds or any public right-of-way under the County’s jurisdiction; and

WHEREAS, commencing on January 1, 2025, section 125.0231, Florida Statutes, authorizes County residents, County businesses, and the Attorney General to file an injunction lawsuit against the County for authorizing or allowing regular public camping and sleeping not otherwise permitted under the statute; and

WHEREAS, the Board of County Commissioners find it in the best interests and welfare of the citizens of Nassau County to regulate unauthorized public camping and public sleeping.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, AS FOLLOWS:

SECTION 1. AMENDING CHAPTER 19 ¼ OFFENSES; ARTICLE I. IN GENERAL; ADDING SECTION 19 ¼ -2 PUBLIC CAMPING PROHIBITED

Section 19 ¼ -2 PUBLIC CAMPING PROHIBITED

(a) *Creation of legislation.* There is hereby created a county ordinance prohibiting unauthorized public camping or sleeping on or in public property.

(b) Definitions. For the purposes of this section the following words, terms, and phrases shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

(1) Unauthorized public camping or sleeping means:

- a. Lodging or residing in a temporary outdoor habitation used as a dwelling or living space and evidenced by the erection of a tent or other temporary shelter, the presence of bedding or pillows, or the storage of personal belongings; or
- b. Lodging or residing in an outdoor space without a tent or other temporary shelter.
- c. The term does not include lodging or residing in a motor vehicle that is registered, insured, and located in a place where it may lawfully be parked for temporary lodging or residing.
- d. The term does not include camping for recreational purposes on property designated for such purpose or otherwise permitted by Nassau County Code of Ordinances.

(c) Unauthorized public camping or sleeping prohibited.

(1) It shall be unlawful for any person to engage in the following conduct:

- a. Unauthorized public camping or sleeping on or in any public property, public building, or public right-of-way under the jurisdiction of Nassau County.
- b. Unless a place is temporarily or permanently set apart or designated for lodging in motor vehicles, it shall be unlawful to sleep or lodge in or on any motor vehicle of any description that is parked in or on any street, sidewalk, highway, roadway, right-of-way, parking lot, park or picnic grounds, or other public area, or parked upon the grounds of any other person without permission of such person; or
- c. Construct or maintain on or in any public property, public building, or public right-of-way within the jurisdiction of Nassau County, or upon the grounds of any other person without the permission of such other person, any building, structure, tent, tarp, or any other thing that is intended to be used for housing accommodations or for public camping or sleeping.

(d) Penalty. It is unlawful for any person to violate this section. A violation of this section shall subject the violator to a penalty, upon conviction, of a fine up to five hundred dollars (\$500.00) and by imprisonment in the county jail not to exceed sixty (60) days or by both such fine and imprisonment pursuant to Section 125.69, Florida Statutes, as may be amended.

SECTION 2. CODIFICATION.

It is the intent of the Board of County Commissioners for Nassau County that the provisions of this Ordinance shall become and shall be made part of the Code of Ordinances of Nassau County, Florida. The sections of this Ordinance may be re-numbers or re-lettered and the words may be changed to section, article or other such appropriate word or phrase in order to accomplish such intention. The Nassau County Clerk of Courts will ensure that this Ordinance is codified into, and published, as part of the Nassau County Code of Ordinances.

SECTION 3. CONFLICTING PROVISIONS.

All ordinances, or parts of ordinances, in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION 4. SEVERABILITY.

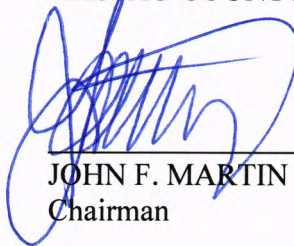
It is the intent of the Board of County Commissioners of Nassau County, Florida, and is hereby provided, that if any section, subsection, sentence, clause, phrase, or provision of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not be so construed as to render invalid or unconstitutional the remaining provisions of this Ordinance.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect upon filing with the Secretary of State as provided in Florida Statutes, Section 125.66.

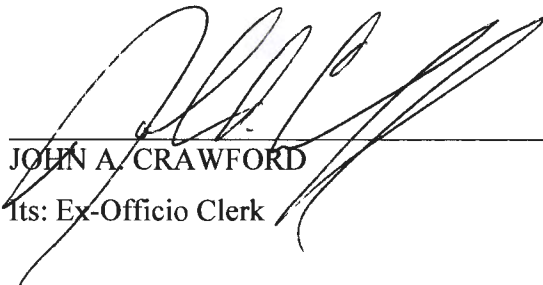
ADOPTED THIS 9th DAY OF December, 2024 BY THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



JOHN F. MARTIN
Chairman

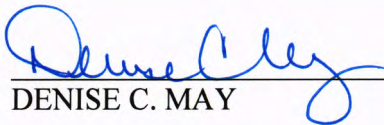
ATTEST AS TO CHAIRMAN'S SIGNATURE:



JOHN A. CRAWFORD

Its: Ex-Officio Clerk

Approved as to form by the Nassau County Attorney:



DENISE C. MAY

Additions = red underline
Deletions = ~~red strikethrough~~
Relocated = green double underline



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

December 12, 2024

John A. Crawford
Clerk of the Circuit Court
Nassau County
76347 Veteran's Way, Suite 456
Yulee, Florida 32097

Dear John Crawford:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Nassau County Ordinance No. 2024-023, which was filed in this office on December 12, 2024.

Sincerely,

Alexandra Leijon
Administrative Code and Register Director

AL

Heather Nazworth

From: Municode Ords Admin <MunicodeOrds@civicplus.com>
Sent: Friday, December 13, 2024 8:34 AM
To: Heather Nazworth
Subject: *EXTERNAL*: RE: Nassau County, FL Code of Ordinances - 2023(11325) OrdBank

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

We have received your files.

Thank you and have a nice day.

Ords Administrator
Municodeords@civicplus.com
1-800-262-2633
P.O. Box 2235
Tallahassee, FL 32316

When available, please send all documents in WORD format to Municodeords@civicplus.com. However, if WORD format is not available, we welcome any document format including PDF.

svj (she/her/hers)
Production Support Specialist Supplement Department • **CivicPlus**
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Powering and Empowering Local Governments

From: Heather Nazworth <hnazworth@nassauclerk.com>
Sent: Thursday, December 12, 2024 11:00 AM
To: Municode Ords Admin <MunicodeOrds@civicplus.com>
Subject: Nassau County Ordinances 2024-022,023, and 024

Gentlemen:

Enclosed please find a certified copy of Ordinance Nos. 2024-022, 2024-023, and 2024-024 were adopted by the Nassau County Board of County Commissioners in a regular session on December 9, 2024. **Also, please provide a confirmation email.**

Please include these ordinances in the supplement. Thank you for your assistance in this matter.

On behalf of John A. Crawford, Ex-Officio Clerk

Heather Nazworth

Chief Deputy Clerk Services/BOCC/VAB
Nassau County Clerk of the Circuit Court/Comptroller
76347 Veterans Way, Ste. 456
Yulee, FL 32097

Direct (904)548-4666

Toll Free (800) 958-3496

Fax (904) 548-4508

Email: hnazworth@nassauclerk.com

Website: www.nassauclerk.com

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, please do not send electronic mail to this entity. Instead, please contact this office by phone or in writing.