

Public Camping and Sleeping Ordinance Amendments

Board of County Commissioners

December 10, 2024

HB 1365: Public Camping and Sleeping

During the 2024 legislative session, the Florida Legislature enacted House Bill 1365, which prohibits counties or municipalities from authorizing any person to regularly engage in public camping or sleeping on any public property, including but not limited to any public building and any public right-of-way.

In order to enforce prohibition against unauthorized camping and sleeping, at its October 22, 2024, Commission meeting, the Board directed staff to amend County Code consistent with section 125.0231, Florida Statutes, and establish a uniform process by which persons may be trespassed from County property.

Code Update

- Public camping or sleeping defined as lodging overnight in a temporary outdoor habitation used as a dwelling or living space.
- Public camping or sleeping does not include lodging overnight in a motor vehicle or camping for recreational purposes on designated property.
- Public camping or sleeping is prohibited on any County property, such as County buildings, facilities, grounds, and any County right of way.
- Persons remaining on County property without authorization shall be subject to the trespass procedures and be directed to leave County property.

Trespass Violations

- The Seminole County Sheriff's Office may issue trespass warnings limited to the specific County property after verbally informing the person that they are not authorized to remain on County property.
- 1st Violation: Trespass warning for a period not to exceed one year.
- 2nd Violation: Trespass warning for a period not to exceed two years.
- Persons found on County property in violation of a previously issued trespass warning are subject to arrest for trespassing.

Appeal Process

- The County Manager may authorize a person currently subject to a trespass warning to enter County property for purposes of County business.
- An appeal of a trespass warning must be submitted in writing to the County Manager within 10 calendar days of issuance of the trespass warning.
- Appeals shall be heard by the County Manager within 30 days of receipt of written appeal.
- Within five days of hearing, the County Manager shall issue a written decision. The decision of the County Manager shall be final.

Requested Action

Approve and authorize the Chairman to adopt an Ordinance Amending Chapter 175, Offenses – Miscellaneous of the Seminole County Code of Ordinance; Creating a new Section 175.3 Prohibiting Unauthorized Camping or Sleeping on County Property; Creating a new Section 175.4 Establishing a Process for the Issuance of Trespass Warnings and Providing for an Appeal Process; Making Conforming Amendments to Section 190.35 Regarding Trespass in Public Parks; Providing for Codification in the Seminole County Code; Providing for Severability; and Providing and Effective Date.