

Escambia County  
Clerk's Original

12/12/2024 5:31pm PH

ORDINANCE 2024- 32

AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA CREATING VOLUME 1, CHAPTER 86, ARTICLE VIII, SECTIONS 86-250 THROUGH 86-252 OF THE ESCAMBIA COUNTY CODE OF ORDINANCES; PROHIBITING PUBLIC CAMPING OR SLEEPING; PROVIDING EXCEPTIONS; PROVIDING FOR ENFORCEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, the Board of County Commissioners finds that the provisions of this Ordinance are in the best interest of the County, its citizens, and taxpayers, and will serve to ensure compliance with the requirements of state law.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA:

**SECTION 1. Recitals.** The foregoing recitals are true and correct and incorporated herein by reference.

**SECTION 2. Creating.** Volume 1, Chapter 86, Article VIII, Sections 86-250 through 86-252 of the Escambia County Code of Ordinances are hereby created as follows:

**CHAPTER 86 – STREETS, SIDEWALKS, AND OTHER PUBLIC PLACES  
ARTICLE VIII. – PUBLIC CAMPING OR SLEEPING**

**Sec.86-250. - Public Camping or Sleeping.**

(a) Definitions.

For the purpose of this article, the term "*public camping or sleeping*" shall be defined as follows and construed in conformity with the meaning set forth in Section 125.0231(1)(b), Florida Statutes.

1. "Public camping or sleeping" means:
  - a. Lodging or residing overnight 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 overnight in an outdoor space without a tent or other temporary shelter; or
  - c. Lodging or residing overnight in a *motor vehicle* as defined in Section 320.01(1), Florida Statutes, on public property not otherwise designated for such purposes.
2. "Public camping or sleeping" does not include:
  - a. Lodging or residing overnight in a *motor vehicle* that is registered, insured, and located in a place designated for such purposes.
  - b. Camping for recreational purposes on property designated for such purposes.

Date: 12/16/2024 Verified By: [Signature]

For the purpose of this article, the term “*Public Property*” includes, but is not limited to, any public building or its grounds owned or operated by the County; public parks, playgrounds, and parking areas owned or operated by the County; and public rights of way, streets, sidewalks, parkways, bridges, or other similar property under the County’s jurisdiction.

(b) Prohibition. Public camping or sleeping is prohibited on any Public Property.

(c) Interpretation. This article shall be construed in accordance with the requirements of Section 125.0231(2), Florida Statutes, and shall not be construed to either prohibit the County from denying persons access to public facilities or property owned or operated by the County or to otherwise supersede any remedies available under Chapter 810, Florida Statutes, or as otherwise provided by law.

**Sec. 86-251. - Exceptions.**

The prohibitions contained in this article shall not apply to:

- 1) Any time period set forth in Section 125.0231(5), Florida Statutes;
- 2) Special events or activities occurring on Public Property pursuant to a County issued permit; or
- 3) Government law enforcement officers, fire rescue, or other government employees or officials acting within the scope of their lawful authority and official duties.

**Sec. 86-252. - Penalties.**

(a) Any person convicted of violating this article shall be prosecuted in the same manner as a misdemeanor in the second degree and, upon conviction, shall be punished by a fine not to exceed \$500.00 or imprisonment in the county jail, not to exceed 60 days, or by both such fine and imprisonment.

(b) In lieu of making an arrest or issuing a notice to appear, a law enforcement officer or a code enforcement officer may issue a civil citation pursuant to Sec. 30-63 of the Escambia County Code of Ordinances.

(c) Any person who willfully refuses to sign and accept a citation issued by a law enforcement officer or a code enforcement officer shall be guilty of a misdemeanor of the second degree, punishable as provided in F.S. § 775.082 or 775.083. A written warning to this effect shall be provided at the time any citation is issued hereunder.


**SECTION 3. Severability.** If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any Court of competent jurisdiction then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

**SECTION 4. Inclusion in the Code.** It is the intention of the Board of County Commissioners of Escambia County, Florida, and it is hereby provided that the provisions of this Ordinance shall become and be made a part of the Code of Escambia County; and that the sections of this Ordinance may be renumbered or re-lettered and the word “ordinance” may be changed to “section”, “article”, or such other appropriate word or phrase in order to accomplish such intentions.

**SECTION 5. Effective Date.** A certified copy of this Ordinance shall be filed with the Department of State within day (10) days after enactment. In accordance with Section 125.66(2), Florida Statutes, this Ordinance shall become effective upon filing with the Department of State.

DONE AND ENACTED THIS 12<sup>th</sup> day of December, 2024.

BOARD OF COUNTY COMMISSIONERS  
ESCAMBIA COUNTY, FLORIDA

BY:   
Michael S. Kohler, Chairman

ATTEST: PAM CHILDERS  
Clerk of the Court

Date Executed

12/13/2024

Approved as to form and legal sufficiency.

By/Title: Kristin D. Hual, DCA  
Date: 12/3/2024



ENACTED: December 12, 2024

FILED WITH DEPARTMENT OF STATE: December 18, 2024

EFFECTIVE DATE: December 18, 2024



FLORIDA DEPARTMENT *of* STATE

**RON DESANTIS**  
Governor

**CORD BYRD**  
Secretary of State

December 18, 2024

Pam Childers  
Clerk of the Circuit Court and Comptroller  
Escambia County  
221 Palafox Place  
Pensacola, FL 32502-5843

Dear Pam Childers,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Escambia County Ordinance No. 2024-32, which was filed in this office on December 18, 2024.

Sincerely,

Alexandra Leijon  
Administrative Code and Register Director

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