



ORDINANCE NO. 2025-03

AN ORDINANCE OF THE TOWN OF BELLEAIR SHORE, FLORIDA, AMENDING CHAPTER 30 – WATERWAYS, ARTICLE II. – BEACH AREAS, DIVISION 2.- BEACH AND ACCESS AREA RESTRICTIONS, BY AMENDING SECTION 30-58. – CAMPING PROHIBITED; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Belleair Shore (the “Town”) is an incorporated form of local government that has all governmental, corporate, and proprietary powers to enable it to conduct municipal government, perform municipal functions, and render municipal services, and it may exercise any power for municipal purposes except as otherwise provided by law; and

WHEREAS, the State Legislature enacted Section 125.0231, Florida Statutes, in Ch. 2024-11, Laws of Florida (2024), to address public camping and sleeping; and

WHEREAS, the Town desires to amend its Code of Ordinances to comply with the new law; and

WHEREAS, the Town Commission of the Town of Belleair Shore finds it is in the best interest of the Town to protect the private property rights of its residents.

NOW THEREFORE, BE IT ORDAINED BY the Town Commission of the Town of Belleair Shore, Florida, as follows:

Section 1. : All of the foregoing findings are true and correct and shall be incorporated as if fully set forth herein.

Section 2. : Section 30-58 of the Town of Belleair Shore Code of Ordinances shall be amended as follows:

Section 30-58. – ~~Camping prohibited.~~ Prohibition of public camping or sleeping

~~Camping overnight, sleeping or overnight parking is prohibited upon any beach access lot or on the beach areas located within the jurisdiction of the town.~~

(a)Public camping or sleeping means:

(1) 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

(2) Lodging or residing overnight in an outdoor space without a tent or other temporary shelter.

(3) The term does not include lodging or residing overnight in a motor vehicle that is registered, insured, and located in a place where it may lawfully be.

(4) The term does not include camping for recreational purposes on property designated for such purposes.

(b) Prohibition of public camping or sleeping. It shall be unlawful and a violation of the Code for any person to regularly engage in public camping or sleeping on public property, including, but not limited to, any public building or its grounds and any public rights-of-way under the jurisdiction of the city.

Section 3.: That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4.: If any section, subsection, sentence, clause or phrase of the Ordinance is determined for any reason to be illegal, invalid, or unconstitutional by a court or regulatory body of competent jurisdiction, then the offending provision shall be deemed severable, shall not affect the validity of the remaining portions hereof, and the remainder shall continue in full force and effect.

Section 5.: That the provisions if this Ordinance shall become a part of and be included in the Town of Belleair Shore Code of Ordinances, and the keeper of the Code is hereby authorized to renumber and incorporate said provisions into the Code Ordinances as may be required to accomplish the orderly codification of same.

Section 6.: The effective date of this shall be immediately upon its passage in the manner provided by law.

UPON MOTION DULY MADE AND CARRIED, the foregoing ordinance was approved upon the first reading on the 18th day of March 2025.

UPON MOTION DULY MADE AND CARRIED, the foregoing ordinance was approved upon the second reading on the 15th day of April 2025.

TOWN OF BELLEAIR SHORE

ATTESTED BY:

Mary Palmer
Mary Palmer, MMC
Town Clerk

Steve Blume
Steve Blume
Mayor

APPROVED AS TO FORM AND CORRECTNESS:

[Signature]
Daniel P. Lewis, Esq.
Town Attorney