

ORDINANCE NO. 2025-03-198
LIBERTY COUNTY, FLORIDA

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LIBERTY COUNTY, FLORIDA, ADOPTING THE IMPLEMENTING ORDINANCE PURSUANT TO SB 180; PROVIDING FOR PURPOSE, AUTHORITY, APPLICABILITY, CONFLICT, SEVERABILITY, AND EFFECTIVE DATE.

WHEREAS, the Florida Legislature enacted SB 180 (Chapter 2025-190, Laws of Florida) which, among other provisions, prohibits certain local governments from adopting or enforcing certain ordinances — for example, ordinances that require a “cumulative substantial improvement period” for structures, or that impose impact fees on specified replacement structures; and

WHEREAS, SB 180 also provides that each county must adopt an ordinance implementing the law or otherwise take action necessary to comply with the statute;

WHEREAS, the Board of County Commissioners of Liberty County (“Board”) finds it in the best interest of the County and its citizens to adopt this implementing ordinance to ensure consistency with SB 180 and to provide clarity and certainty with respect to local compliance;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LIBERTY COUNTY, FLORIDA, as follows:

Section 1. Purpose

The purpose of this Ordinance is to adopt procedures, guidelines, and rules as required by SB 180, to ensure that Liberty County complies with the requirements of state law, and to provide for clarity, consistency, and transparency in County land-use, permitting, development regulation, and other related activities subject to SB 180.

Section 2. Authority

This Ordinance is adopted pursuant to the authority granted to counties in Florida law, the provisions of SB 180 (Chapter 2025-190, Laws of Florida), and all other applicable state statutes.

Section 3. Applicability

- (a) This Ordinance applies to the entire unincorporated area of Liberty County, Florida.
- (b) This Ordinance shall apply to all development authorizations, ordinances, fees, permitting, and regulatory processes to the extent they fall within the scope of SB 180.

(c) Nothing herein shall be construed to limit the County from adopting or enforcing ordinances or procedures that are less restrictive than required by SB 180, provided they do not conflict with the statute.

Section 4. Compliance with SB 180

(a) Liberty County shall not adopt or enforce any ordinance, rule, regulation or local government action that is inconsistent with SB 180, including but not limited to:

(i) Ordinances that impose a “cumulative substantial improvement period” for structures for which the county participates in the Federal Emergency Management Agency’s National Flood Insurance Program.

(ii) Imposition or assessment of impact fees on replacement structures as specified in SB 180.

(b) The County’s comprehensive plan, land development regulations, permitting procedures, and review processes shall be reviewed and, if necessary, revised to ensure they are consistent with SB 180.

(c) In the event of any conflict between this Ordinance and any other county ordinance or regulation, the provisions of SB 180 and this Ordinance shall control.

Section 5. Implementation & Administration

(a) The County Manager (or his/her designee) is hereby authorized and directed to review existing county ordinances, regulations, fees, and procedures for conformity with SB 180 and this Ordinance, and to prepare and submit any recommended revisions to the Board within ____ days of adoption.

(b) The County Clerk is authorized to publish this Ordinance and to maintain records thereof.

(c) The Board directs the County staff to provide training and guidance to departments, divisions, boards, and commissions that perform land-use, permitting, regulatory or development functions, to ensure consistent implementation of SB 180 requirements.

(d) Nothing in this Ordinance shall limit the County’s ability to carry out its responsibilities under other state or federal law, provided such responsibilities are not in conflict with SB 180.

Section 6. Conflict

All other ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of the conflict and no further.

Section 7. Severability

If any section, sentence, clause, provision or portion of this Ordinance is held invalid or unconstitutional by a court of competent jurisdiction, the remainder of the Ordinance shall remain in full force and effect.

Section 8. Effective Date

This Ordinance shall take effect immediately upon adoption by the Board of County Commissioners and filing with the Office of the Secretary of State, or as otherwise provided by law.

DULY ADOPTED in regular session this ____ day of _____, 2025.

BOARD OF COUNTY COMMISSIONERS

LIBERTY COUNTY, FLORIDA

By: _____
Chair, Liberty County Board of County Commissioners

ATTEST:

Jace Ford, Clerk of Court

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Kenneth L. Hosford, County Attorney