

ORDINANCE NO. 626

AN ORDINANCE OF THE CITY OF PORT ST. JOE, FLORIDA, REGULATING SOBER LIVING HOMES, ADDICTION RECOVERY RESIDENCES, AND GROUP HOMES; PROVIDING DEFINITIONS; REQUIRING BUSINESS LICENSING AND REGISTRATION; ESTABLISHING LOCATION, SPACING, OPERATIONAL, AND SAFETY REQUIREMENTS; PROVIDING FOR COMPLIANCE WITH STATE AND FEDERAL LAW; PROVIDING FOR ENFORCEMENT, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Port St. Joe recognizes the need to provide reasonable housing opportunities for persons recovering from substance use disorders in compliance with the federal Fair Housing Act (42 U.S.C. §3601 et seq.) and the Americans with Disabilities Act; and

WHEREAS, the City further recognizes its responsibility to preserve the health, safety, and character of residential neighborhoods while ensuring fair and equal treatment for all residents; and

WHEREAS, the City finds it necessary to establish reasonable, content-neutral regulations for sober living homes and recovery residences, including licensing, spacing, and operational standards consistent with Florida Statutes §§ 397.311, 397.487, and 419.001; and

WHEREAS, the City Commission finds that these standards are narrowly tailored to protect public safety, prevent overcrowding, and promote accountability without discriminating against individuals with disabilities;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF PORT ST. JOE, FLORIDA:

SECTION 1. PURPOSE

This ordinance establishes reasonable regulations for the operation and location of sober living homes, addiction recovery residences, and group homes (“recovery residences”) to ensure safe, code-compliant housing while maintaining compliance with all applicable state and federal laws protecting persons with disabilities.

SECTION 2. DEFINITIONS

For purposes of this ordinance:

1. **Recovery Residence / Sober Living Home** – A dwelling providing alcohol- and drug-free housing to persons recovering from substance use disorders and offering a peer-supported environment or structured recovery program.
2. **Community Residential Home / Certified Recovery Residence** – A residence meeting the definitions or certification standards under Florida Statutes §§ 397.311, 397.487, or 419.001.
3. **Operator** – Any person or entity owning, leasing, managing, or operating a recovery residence.
4. **Resident** – Any individual residing in a recovery residence.
5. **Sensitive Use** – Any public or private school (K-12), licensed child-care facility, park, playground, or similar area primarily intended for minors.

SECTION 3. BUSINESS LICENSE AND REGISTRATION

1. **License Required.** All recovery residences shall obtain and maintain a valid **City of Port St. Joe Business License** specific to sober-living or recovery facilities.
2. **Annual Registration.** Operators must register annually with the City's Planning or Code Department and provide:
 - o Operator and emergency contact information;
 - o Address and number of residents;
 - o Proof of compliance with occupancy, building, and fire codes;
 - o Certification or licensure, if applicable.
3. **Renewal.** Licenses and registrations shall be renewed annually and are subject to inspection for compliance.

SECTION 4. ZONING AND LOCATION REQUIREMENTS

1. **Zoning Compliance.** Recovery residences are permitted only in zoning districts that allow residential uses and must comply with all building, parking, and fire-safety codes.
2. **Distance from Sensitive Uses.** No recovery residence shall be located within **1,000 feet** of a school, park, playground, church, or other sensitive use.
3. **Separation Between Residences.** Each recovery residence must be at least **1,000 feet** from another recovery residence, measured property-line to property-line.
4. **State Law Compliance.** All spacing and classification provisions shall be administered consistent with Florida Statutes §§ 419.001 and 397.487 and federal Fair Housing requirements.

SECTION 5. OPERATIONAL AND PROGRAM STANDARDS

1. **Structured Program.** Each recovery residence shall maintain or coordinate a structured recovery program offering counseling, peer-support meetings, relapse-prevention education, or similar services.

2. **Occupancy Limits.** Resident capacity shall not exceed limits set by the Florida Building Code or Fire Code.
3. **Safety Measures.** Each facility must maintain functioning smoke detectors, carbon-monoxide alarms, fire extinguishers, illuminated emergency exits, and posted evacuation plans.
4. **House Rules.** Written rules shall address curfews, visitor policies, emergency procedures, and noise control.
5. **On-Site Supervision.** A responsible resident manager or staff member shall be designated and reachable 24 hours per day.

SECTION 6. HEALTH, SAFETY, AND NUISANCE COMPLIANCE

Recovery residences shall comply with all generally applicable City codes governing sanitation, property maintenance, parking, and noise. Repeated or willful violations may result in fines or suspension of the business license.

SECTION 7. NONDISCRIMINATION AND REASONABLE ACCOMMODATION

The City shall administer this ordinance consistent with the **Fair Housing Act** and **ADA**. Operators or residents may request a reasonable accommodation in writing where strict application of spacing or other standards would result in unlawful discrimination against persons with disabilities.

SECTION 8. ENFORCEMENT AND PENALTIES

Violations shall be enforced through the City's Code Enforcement process. Penalties may include fines, license suspension, or revocation. Continued operation in violation of this ordinance constitutes a public nuisance subject to abatement.

SECTION 9. REPEAL

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 9. SEVERABILITY

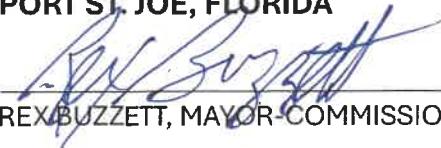
If any portion of this ordinance is found invalid or unconstitutional, the remaining sections shall remain in full force and effect.

SECTION 10. EFFECTIVE DATE

This ordinance shall become effective upon adoption.

PASSED AND DULY ADOPTED by the City Commission of the City of Port St. Joe, Florida,
this 2nd day of December, 2025.

BOARD OF CITY COMMISSIONERS
PORT ST. JOE, FLORIDA


REX BUZZETT, MAYOR-COMMISSIONER

ATTEST:



CHARLOTTE M. PIERCE
CITY CLERK