

**Summary of Ordinance**

The purpose of this Ordinance is to amend Chapter II, Lake County Code, Appendix E, Land Development Regulations, entitled *Definitions* and Section 14.19.00, entitled *Open Air Vendors*, to address recent code enforcement observation and trends in roadside open air vendors.

Changes are shown as follows: ~~Strikethrough~~ for deletions and Underline for additions to existing Code sections. The notation “\* \* \*” shall mean that all preceding or subsequent text remains unchanged (excluding any renumbering or relettering that might be needed).

**ORDINANCE 2025-\_\_**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; AMENDING CHAPTER II, LAKE COUNTY CODE, APPENDIX E, LAND DEVELOPMENT REGULATIONS, ENTITLED *DEFINITIONS*, REGARDING OPEN AIR VENDORS; AMENDING SECTION 14.19.00, LAKE COUNTY CODE APPENDIX E, LAND DEVELOPMENT REGULATIONS, ENTITLED *OPEN AIR VENDORS*; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Lake County Land Development Regulations allow for temporary open air vendors in certain zoning districts upon approval by the County Manager or designee; and

**WHEREAS**, on January 25, 2013, Ordinance 2013-5, was adopted to update the requirements for open air vendors and special events; and

**WHEREAS**, based on recent Lake County Office of Code Enforcement observation and investigation, further updates to Section 14.19.00 are required to expand the definition of Open Air Vendor to include vehicles that provide mobile commercial services, to require property owners to provide sufficient parking, bathroom facilities, driveway access, and to provide an exception for certain community events; and

**WHEREAS**, the Board of County Commissioners has determined that adopting this Ordinance is in the best interests of the residents of Lake County, Florida.

**NOW THEREFORE**, be it ordained by the Board of County Commissioners of Lake County, Florida, as follows:

**Section 1. Legislative Findings of Fact.** The foregoing recitals are hereby adopted as legislative findings of the Board of County Commissioners and are ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

**Section 2. Amendment.** Chapter II, Lake County Code, Appendix E, Land Development Regulations, entitled *Definitions*, is hereby amended to read as follows:

1 **CHAPTER II DEFINITIONS**

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3 *(All other preceding definitions shall remain unchanged.)*

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7 **Open Air Vendor.** A stall or ~~mobile vehicle~~structure for the temporary sale of food,  
8 commercial services, or merchandise located ~~out of doors~~outside of an enclosed structure.

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11 *(All other following definitions shall remain unchanged.)*

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14 **Section 3. Amendment.** Section 14.19.00, Lake County Code, Appendix E, Land  
15 Development Regulations, entitled *Open Air Vendors*, shall be amended to read as follows:

16  
17 **14.19.00 Open Air Vendors.**

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19 A. Purpose. The purpose of this ~~s~~Section is to provide for the regulation of ~~e~~Open ~~a~~Air  
20 ~~v~~Vendors, which are only allowed in the ~~n~~Neighborhood ~~e~~Commercial "C-1,"  
21 ~~e~~Community ~~e~~Commercial district "C-2," ~~e~~Employment ~~e~~Center ~~d~~District "C-3,"  
22 ~~p~~Planned ~~e~~Commercial ~~d~~District "CP," ~~l~~Light ~~i~~Industrial ~~d~~District "LM," ~~h~~Heavy  
23 ~~i~~Industrial ~~d~~District "HM," ~~p~~Planned ~~i~~Industrial ~~d~~District "MP," and ~~e~~Community  
24 ~~f~~Facility ~~d~~District "CFD."

25  
26 B. Applicability. This ~~s~~Section shall apply to all ~~e~~Open ~~a~~Air ~~v~~Vendors within the county,  
27 with the exception of roadside stands selling produce raised or produced on the farmland  
28 of which they are a part and are composed of a minimum structure. This Section is only  
29 intended to regulate the zoning and safe access requirements for all types of Open Air  
30 Vendors and does not provide for any further regulation of mobile food dispensing  
31 vehicles. Mobile food dispensing vehicles are regulated by Section 509.102, Florida  
32 Statutes.

33  
34 C. Requirements. The ~~e~~County ~~m~~Manager or designee may approve the sale of  
35 merchandise, commercial services, or food and issue a permit to the owner of the property  
36 that will host the Open Air Vendor allowing for a period not to exceed two non-  
37 consecutive thirty (30) day periods per calendar year upon receipt of the following:

38  
39 ~~1. A valid business tax receipt;~~

40 ~~2. A letter from the owner of the property upon which the vendor proposes to locate~~  
41 ~~giving permission to locate on said property and indicating that sanitary facilities~~  
42 ~~shall be available to vendor customers.~~

43  
44 2.1. A site plan showing that sanitary facilities shall be available to vendor customers.

45  
46 3.2. A site plan showing the proposed location of the Open Air vVendor, that depicts  
47 proof of sufficient parking to accommodate customers. Parking is prohibited on

1 public right of way or publicly owned property. Parking shall not interrupt the  
2 normal flow of traffic. The site plan must also show clearly defined driveway  
3 access, with apron, and shall have an approved right-of-way utilization permit and,  
4 if required by County Manager or designee, provide a \$1,000.00 bond. The bond  
5 shall be issued through an acceptable surety authorized to do business in the State  
6 of Florida and in a form approved by the County Attorney's office. Open air  
7 vendors shall be located only in areas of commercial zoning. The vendor stall or  
8 area shall be placed only in areas where there is sufficient parking to accommodate  
9 customers, and shall not be located in an area that will interrupt the normal flow of  
10 traffic.

11  
12 3. Permits will not be issued for less than thirty (30) day increments. Only two thirty  
13 (30) day permits will be issued per property per calendar year.

14  
15 4. Documentation that the additional standards of subsection D. have been met, as  
16 applicable.

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18 D. Exception. Open Air Vendors that provide food within an established residential  
19 subdivision or commerce park that are intended to serve residents or employees, but that  
20 do not remain overnight, are not required to obtain an Open Air Vendor permit.

21  
22 E. Additional Standards.

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24 1. All pyrotechnical items sold must be consistent with state laws regulating same and  
25 all persons selling pyrotechnical merchandise must be licensed by the state fire marshall.

26  
27 2. The location and sales of proposed sale of pyrotechnical items must be approved  
28 by the county fire marshall.

29  
30 3. Electrical hook-up or fixtures shall meet the county adopted national electrical  
31 code.

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33  
34 **Section 4. Inclusion in Code.** It is the intent of the Board of County Commissioners  
35 that the provisions of this Ordinance shall become and be made a part of the Lake County Code  
36 and that the sections of this Ordinance may be renumbered or relettered and the word "ordinance"  
37 may be changed to "section", "article", or such other appropriate word or phrase to accomplish  
38 such intentions.

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40 **Section 5. Severability.** If any section, sentence, clause, or phrase or word of this  
41 Ordinance is for any reason held or declared to be invalid, unconstitutional, inoperative or void by  
42 any court of competent jurisdiction, then said holding shall in no way affect the validity of the  
43 remaining portion of this Ordinance; and it shall be construed to have been the Commissioners'  
44 intent to pass this Ordinance without such unconstitutional, invalid or inoperative part therein; and  
45 the remainder of this Ordinance, after the exclusion of such part or parts shall be deemed and held  
46 to be valid, as if such parts had not been included herein; or if this Ordinance or any provisions  
47 thereof shall be held inapplicable to any person, groups of persons, property, kind of property,

1 circumstances or set of circumstances, such holding shall not affect the applicability thereof to any  
2 other person, property or circumstances.

3  
4 **Section 6. Filing with the Department of State.** The Clerk shall be and is hereby  
5 directed forthwith to send an electronic copy of this Ordinance to the Secretary of State for the  
6 State of Florida in accordance with Section 125.66, Florida Statutes.

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8 **Section 7. Effective Date.** This Ordinance shall become effective as provided for by  
9 law.

10  
11 ENACTED this day of \_\_\_\_ day of \_\_\_\_\_, 2025.

12  
13 FILED with the Secretary of State the \_\_\_\_ day of \_\_\_\_\_, 2025.

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15  
16 ATTEST:

BOARD OF COUNTY COMMISSIONERS  
OF LAKE COUNTY, FLORIDA

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21 \_\_\_\_\_  
22 Gary J. Cooney, Clerk  
23 Board of County Commissioners of  
24 Lake County, Florida

25  
26  
27 \_\_\_\_\_  
28 Leslie Campione, Chairman

29 This \_\_\_\_ day of \_\_\_\_\_, 2025.

30  
31 Approved as to form and legality:

\_\_\_\_\_  
Melanie Marsh, County Attorney