

Municipal Incorporation in Florida: At-a-Glance

In Law:

- A special act of the Legislature is required
- A vote of the citizens registered to vote within the designated boundaries
- A municipal charter adopted by the voters of the new municipality
- Enjoys the powers of Home Rule under the FL Constitution

As a local government:

- Within the county, school board and specific special districts – always
- An independent, public corporation: FL Constitution grants those powers
- May establish dependent districts as proscribed by law
- Intergovernmental involvement with federal, state, county, school board, regional and special district governments (and tribal where applicable)

As a governing body:

- Either a council or commission, all elected; representatives and policymakers for the municipality
- Enact and enforce its legislation, policies, and administrative rules

Incorporation Calendar:

- Local delegation comes first – must hear and consider the proposal
 - Even-numbered years – Legislature meets January to March
 - Odd-numbered years – Legislature meets March to May
- Legislature has a summer deadline the prior year for consideration; special act bills must be filed in both houses
- Feasibility study: substantive undertaking to show viability
- Feasibility study model: Palm Coast (digital copy available)
- The House Local, Federal and Veterans Subcommittee takes the investigative lead and shares its work with other House and Senate Committees
- Ballot question is yes/no; new council or commission elections usually follow within three months

Local Vision and Guiding Thoughts:

- Do your boundaries share similar goals for the area in terms of land-use, economic development and public service factors?
- Does your community have a shared vision that can be articulated to local and state leadership?
- Have you developed strong communication outreach and feedback channels for future residents, business owners and affected parties?

For comparisons and ideas – new municipalities

Indiantown (Martin County) – 2017

Estero (Lee County) – 2014

Loxahatchee Groves (Palm Beach County) – 2006

Grant-Valkaria (Brevard County) – 2006

Informational sites:

- Florida Legislature: www.leg.state.fl.us – Chapter 165, Florida Statutes is the governing law for municipal incorporation
- Florida House of Representatives, Local, Federal & Veterans Affairs Subcommittee: 850/717-4890 Eric Miller, staff director
- Florida League of Cities: www.floridaleagueofcities.com