
PROPERTY RIGHTS ELEMENT

Goals, Objectives, and Policies

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BACKGROUND AND PURPOSE OF THE PROPERTY RIGHTS ELEMENT

The purpose of the Property Rights Element is to implement requirements of House Bill 59, signed by the Governor on June 29, 2021. The bill modified Chapter 163.3177, Florida Statutes (F.S.), to require local government comprehensive plans to contain a Property Rights Element. Section 163.3177(6)(i), Florida Statutes requires each local government include in its comprehensive plan a property rights element to ensure that private property rights are considered in local decision making.

PROPERTY RIGHTS ELEMENT – GOALS, OBJECTIVES, AND POLICIES

GOAL PR 1 RESPECT AND PROTECT PRIVATE PROPERTY RIGHTS

Goal PR 1 – The Town of Sewall’s Point will respect judicially acknowledged and constitutionally protected private property rights.

OBJECTIVE PR 1.1 RESPECT PROPERTY RIGHTS

Objective PR 1.1 – The Town of Sewall’s Point will ensure that private property rights are considered in local decision making.

Policy PR 1.1.1 – The Town of Sewall’s Point will consider the following in local decision making:

- a. The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.
- b. The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.
- c. The right of the property owner to privacy and to exclude others from the property to protect the owner’s possessions and property.
- d. The right of a property owner to dispose of his or her property through sale or gift.