

House Bill No. 1507

An act relating to the Fort Myers Beach Fire Control District, Lee County; providing legislative intent; providing for a codification of the special laws relating to the Fort Myers Beach Fire Control District pursuant to s. 191.015, F.S.; codifying, reenacting, and amending all prior special acts; creating and establishing a fire control and rescue district as an independent district in Lee County and fixing the boundaries of the district; providing for a governing body; prescribing the powers of the board; authorizing the board to establish and maintain emergency medical services and equipment; authorizing the board to make policies, rules, regulations, and a fire code; providing for assessing and collecting taxes, assessments, impact fees, and user charges; providing that this act shall be construed liberally; providing for severability; repealing of chapters 51-27676, 53-29241, 63-1539, 63-1553, 71-743, 73-530, 73-532, 80-528, 81-414, 81-422, 82-314, 87-447, 95-458, and 95-516, Laws of Florida, as said laws relate to the district; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Pursuant to section 191.015, Florida Statutes, this act constitutes the codification of all special acts relating to the Fort Myers Beach Fire Control District. It is the intent of the Legislature to provide a single, comprehensive special act charter for the Fort Myers Beach Fire Control District which includes all current legislative authority granted to the district by general law and by its several legislative enactments, as said laws may be amended from time to time, and any additional authority granted by this act.

Section 2. Chapters 51-27676, 53-29241, 63-1539, 63-1553, 71-743, 73-530, 73-532, 80-528, 81-414, 81-422, 82-314, 87-447, 95-458, and 95-516, Laws of Florida, relating to the Fort Myers Beach Fire Control District, are hereby codified, reenacted, and amended as provided herein.

Section 3. The Fort Myers Beach Fire Control District, an independent special district, hereinafter referred to as the district, is re-created and the charter for such district is re-created and reenacted to read:

Section 1. Creation.—The geographic boundaries of the Fort Myers Beach Fire Control District shall include the following described lands:

All that part of Lee County that is located and situated within San Carlos Island; Estero Island; Easterly One-Half (½) of Section 13, Township 46 South, Range 23 East; Section 18, Township 46 South, Range 24 East; and section 7, Township 46 South, Range 24 East except that part which is located and situated north of the old railroad grade; and that part of Black Island, Inner Key, Lover's Key, and Long Key, north of the northern boundary line of Sections 13 and 14, Township 47 South, Range 24 East.

Section 2. Governing body.—The district shall be governed by a board which shall consist of five (5) resident electors of the district elected by a vote of the electors of the district pursuant to the laws of Florida, as said laws may be amended from time to time.

Section 3. Officers; powers.—Within sixty (60) days after the election of members of the board, the members shall meet and elect from the membership a chair, a vice-chair, a secretary, and a treasurer; provided, however, the same member may be both secretary and treasurer. The district shall have and the board may exercise those general and special powers prescribed by chapter 191, Florida Statutes, chapter 97-340, Laws of Florida, or any other applicable general law or special law, as said laws may be amended from time to time.

Section 4. Emergency medical and rescue response services.—The district is authorized to establish and maintain emergency medical and rescue response services and acquire and maintain rescue, medical, transport, and other emergency equipment as prescribed by general law and special law, as said laws may be amended from time to time.

Section 5. Policies, rules and regulations, and fire code.—The board is authorized to make and adopt policies, rules, regulations, and a fire code for the prevention of fires, for fire control, and for the provision of rescue services within the district. Such policies, rules, regulations, and fire code shall be adopted in accordance with applicable general law and special law, as said laws may be amended from time to time.

Section 6. Taxes; Non-ad valorem assessments; Impact fees; User charges.—The district board shall fix and cause to be levied on all property of the district, a millage sufficient to meet the requirements of the adopted budget; provided, however, three (3) mills is the maximum that can be levied in any one (1) year, except as provided in chapter 191, Florida Statutes, chapter 97-340, Laws of Florida, or any other applicable general law or special law, as said laws may be amended from time to time. In addition, the district shall have such authority to levy non-ad valorem assessments and charge impact fees and user charges as prescribed in chapter 191, Florida Statutes, chapter 97-340, Laws of Florida, and all other applicable general law or special law, as said laws may be amended from time to time.

Section 7. Assessment and collection of taxes, assessments, impact fees, and user charges.—Taxes, assessments, impact fees, and user charges herein provided for shall be assessed and collected in the manner prescribed by applicable general law or special law, as said laws may be amended from time to time.

Section 4. This act shall be construed as a remedial act and shall be liberally construed to promote the purpose for which it is intended which is a codification, reenactment, and repeal of the several legislative enactments of the district.

Section 5. If any clause, section, or provision of this act is declared unconstitutional or invalid for any cause or reason, it shall be eliminated from this act, and the remaining portion of the act shall remain in full force and effect

as if said unconstitutional or invalid portion had not been incorporated herein.

Section 6. Except as specifically reenacted herein, chapters 51-27676, 53-29241, 63-1539, 63-1553, 71-743, 73-530, 73-532, 80-528, 81-414, 81-422, 82-314, 87-447, 95-458, and 95-516, Laws of Florida, as said laws relate to the district, are hereby repealed.

Section 7. This act shall take effect upon becoming a law.

Approved by the Governor June 5, 2000.

Filed in Office Secretary of State June 5, 2000.