

By Senator Saunders

25-814-99

See HB 1115

1 A bill to be entitled
2 An act relating to the North Naples Fire
3 Control and Rescue District, Collier County;
4 providing for codification of special laws
5 regarding special districts; providing that the
6 district is an independent special district;
7 providing legislative intent; codifying and
8 reenacting provisions of chapter 84-416, Laws
9 of Florida, as amended; providing for
10 applicability of chapters 191 and 189, F.S.,
11 and other general laws; providing a district
12 charter; providing that this act shall take
13 precedence over any conflicting law to the
14 extent of such conflict; providing
15 severability; repealing all prior special acts
16 related to the North Naples Fire Control and
17 Rescue District; providing an effective date.

18
19 Be It Enacted by the Legislature of the State of Florida:

20
21 Section 1. Pursuant to sections 189.429 and 191.015,
22 Florida Statutes, this act constitutes the codification of all
23 special acts relating to the North Naples Fire Control and
24 Rescue District. It is the intent of the Legislature to
25 provide a single, comprehensive special act charter for the
26 district, including all current legislative authority granted
27 to the district by its several legislative enactments, and to
28 conform the charter to chapter 191, Florida Statutes, the
29 Independent Special Fire Control District Act, and other
30 provisions of general law.

31

1 Section 2. Chapters 84-416, 88-519, 89-448, 89-455,
2 91-375, 96-512, and 98-489, Laws of Florida, relating to the
3 North Naples Fire Control and Rescue District, are codified,
4 reenacted, amended, and repealed as herein provided.

5 Section 3. The charter for the North Naples Fire
6 Control and Rescue District is re-created and reenacted to
7 read:

8 ARTICLE I

9 Preamble

10 Section 1. This act establishes a charter for the
11 North Naples Fire Control and Rescue District, which district
12 was created by chapter 61-2032, Laws of Florida. The district
13 shall be deemed created by said chapter, for all purposes.

14 Section 2. This act supersedes and repeals all
15 previous special acts relating to the North Naples Fire
16 Control and Rescue District and sets forth within this charter
17 those matters, as applicable, which are covered by such
18 previous special acts. Amendments to this district charter may
19 be made only by special act of the Legislature. This act
20 shall be construed so as to preserve to the district all
21 powers previously granted.

22 Section 3. The district is organized and exists for
23 all purposes set forth in this act and chapter 191, Florida
24 Statutes, as they may be amended from time to time.

25 ARTICLE II

26 Name of District

27 Section 1. The name of the district shall be the
28 "North Naples Fire Control and Rescue District."

29 Section 2. The district shall be an independent
30 special district of the State of Florida, and a body corporate
31 and politic.

1 ARTICLE III

2 Boundaries of the District

3 Section 1. The district shall include the following
4 described lands:

5 Sections 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15,
6 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27,
7 28, 29, 32, 33, 34, 35, and 36, Township 48
8 South, Range 25 East; Sections 1, 2, 3, 4, 5,
9 8, 9, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23,
10 and 24, Township 49 South, Range 25 East;
11 Sections 7, 8, 9, 10, 11, 12, 13, 14, 15, 16,
12 17, 18, 19, 20, 21, 22, 23, 24, 29, 30, 31, and
13 32, Township 48 South, Range 26 East; Sections
14 5, 6, 7, 8, 18, and 19, Township 49 South,
15 Range 26 East; but not including any lands
16 presently within the corporate boundaries of
17 the City of Naples.

18
19 The foregoing description notwithstanding, the
20 following area, commonly known as "Seagate",
21 "Park Shore Unit 2", "Park Shore Unit 5" and
22 "Naples Cay" shall be excluded from the
23 district: That part of government lot one,
24 Section 16, Township 49 South, Range 25 East,
25 Collier County, Florida, described as follows:

26
27 Commencing at the North quarter corner of
28 Section 16, Township 49 South, Range 25 East, a
29 4 x 4 concrete monument with brass cap set by
30 the county engineer, also being the northeast
31 corner of government lot one and being the

1 point of beginning: Thence run South 00 degrees
2 45 minutes 40 seconds east for 1327.70 feet to
3 a concrete monument the southeast corner of the
4 northeast quarter of the northwest quarter of
5 Section 16 also being the southeast corner of
6 government lot one, thence south 89 degrees 23
7 minutes 20 seconds west for 1650.75 feet to a
8 concrete monument, thence north 00 degrees 36
9 minutes 40 seconds west for 70.00 feet to a
10 concrete monument, thence north 07 degrees 42
11 minutes 20 seconds east for 153.60 feet to
12 concrete monument set at the water line of a
13 canal, thence north 64 degrees 11 minutes 00
14 seconds east for 130.27 feet to a concrete
15 monument set at the water line of a canal,
16 thence north 04 degrees 11 minutes 05 seconds
17 east for 38.77 feet to the point of curve,
18 thence along the arc of said curve having a
19 radius of 1545 feet, a tangent of 176.03 feet,
20 a delta angle of 13 degrees right for the arc
21 distance of 350.57 feet to the point of curve
22 of a reverse curve, thence along the arc of
23 curve having a radius of 765.00 feet, a tangent
24 of 286.02 feet, a delta angle of 41 degrees
25 left for the arc distance of 560.33 feet to the
26 point of tangent, thence north 15 degrees 37
27 minutes 05 seconds west for 70.85 feet to a
28 concrete monument set at the water line of a
29 canal, thence north 15 degrees 57 minutes 05
30 seconds west for 98.80 feet to a concrete
31 monument, thence north 89 degrees 28 minutes 40

1 seconds east along the North boundary of
2 Section 16, also being the north line of
3 government lot one, for 1776.65 feet to a
4 concrete monument with brass cap, the north
5 quarter corner of Section 16, also the
6 northeast corner of government lot one and the
7 point of beginning.
8
9 Commencing at the East 1/4 of Section 21,
10 Township 49 South, Range 25 East, Collier
11 County, Florida; thence along the East and West
12 1/4 line of said Section 21, South 89 degrees
13 26 minutes 20 seconds west 3665.68 feet to the
14 southwest corner of Park Shore Unit No. 1
15 according to the plat thereof as recorded in
16 Plat Book 8, pages 43 and 44, Collier County
17 Public Records, Collier County, Florida, and
18 the place of beginning of this description:
19
20 thence north 0 degrees 31 minutes 40 seconds
21 west 1709.98 feet; thence north 7 degrees 46
22 minutes 00 seconds east 918.77 feet; thence
23 north 541.25 feet; thence north 84 degrees 00
24 minutes 00 seconds west 570.17 feet; thence
25 north 2 degrees 25 minutes 00 seconds west
26 97.35 feet; thence south 87 degrees 35 minutes
27 00 seconds west 110.00 feet; thence south 87
28 degrees 00 minutes 00 seconds west 1160 feet
29 more or less to the Mean High Water Line of the
30 Gulf of Mexico; thence along said Mean High
31 Water Line, southerly 3275 feet more or less to

1 the east and west 1/4 line of said Section 21;
2 thence along said east and west 1/4 line of
3 Section 21; north 89 degrees 28 minutes 20
4 seconds east 1540 feet more or less to the
5 place of beginning: being a subdivision of part
6 of the south 1/3 of Section 16 and of part of
7 the north 1/2 of Section 21, Township 49 South,
8 Range 25 East, Collier County, Florida.
9
10 Commencing at the northeast corner of
11 government Lot 2 of Section 16, Township 49
12 South, Range 25 East, Collier County, Florida
13 said corner being also the northeast corner of
14 Lot 8 of Block 35 of Park Shore Unit No. 4
15 according to the plat thereof as recorded in
16 Plat Book 10, pages 101, 102, and 103, Collier
17 County Public Records, Collier County, Florida;
18 thence along the north line of said government
19 Lot 2, along the north line of said Park Shore
20 Unit No. 4, and along the south line of Seagate
21 Subdivision Unit No. 1 according to the plat
22 thereof as recorded in Plat Book 3, Page 85,
23 Collier County Public Records, Collier County,
24 Florida, South 89 degrees 25 minutes 50 seconds
25 west 1330.53 feet to the west line of said Park
26 Shore Unit No. 4 and the place of beginning of
27 the parcel herein described; thence along the
28 west line of said Park Shore Unit No. 4 in the
29 following described courses:
30
31

1 South 37 degrees 25 minutes 50 seconds west
2 250.89 feet, south 0 degrees 34 minutes 10
3 seconds east 225.44 feet, south 26 degrees 45
4 minutes 30 seconds east 632.19 feet and south 5
5 degrees 09 minutes 00 seconds east 580.72 feet
6 to the northwest corner of Park Shore Unit No.
7 3 according to plat thereof as recorded in Plat
8 Book 8, pages 59 and 60, Collier County Public
9 Records, Collier County, Florida; thence along
10 the west line of said Park Shore Unit No. 3,
11 South 5 degrees 09 minutes 00 seconds east
12 1879.04 feet to the north line of Park Shore
13 Unit No. 2 according to the plat thereof as
14 recorded in Plat Book 8, pages 54 and 55,
15 Collier County Public Records, Collier County,
16 Florida; thence along the northerly line of
17 said Park Shore Unit No. 2, in the following
18 described courses: north 84 degrees 00 minutes
19 00 seconds west 433.28 feet, north 2 degrees 25
20 minutes 00 seconds west 97.35 feet, south 87
21 degrees 35 minutes 00 seconds west 110.00 feet,
22 and south 87 degrees 00 minutes 00 seconds west
23 1160 feet more or less to the Mean High Water
24 Line of the Gulf of Mexico; thence along said
25 Mean High Water Line, northerly 3350 feet more
26 or less to a point on the westerly extension of
27 the south line of said Seagate Subdivision
28 which south line bears south 89 degrees 25
29 minutes 50 seconds west and passes through the
30 place of beginning; thence along said south
31 line and the westerly extension thereof, north

1 89 degrees 25 minutes 50 seconds east 1450 feet
2 more or less to the place of beginning; being a
3 part of the west 1/2 Section 16, Township 49
4 South, Range 25 East, Collier County, Florida,
5 containing 118 acres more or less.
6
7 Commencing at the northwest corner of the
8 northwest 1/4 of the northeast 1/4 of Section
9 16, Township 49 South, Range 25 East; thence
10 North 89 degrees 24 minutes 40 seconds East,
11 1650.75 feet along the north line of Parkshore
12 Unit 4 and Unit 5 to the place of beginning;
13 thence North 89 Degrees 24 minutes 40 seconds
14 East along said north line of Parkshore Unit 5,
15 740.98 feet; thence North 4 degrees 40 minutes
16 20 seconds West, 125.32 feet; thence North 89
17 degrees 24 minutes 40 seconds East, 4.73 feet;
18 thence North 4 degrees 40 minutes 20 seconds
19 West, 350.89 feet; thence North 89 degrees 24
20 minutes 40 seconds East, 197.19 feet to a
21 concrete monument on the coastal construction
22 line; thence west to the mean high water line
23 of the Gulf of Mexico; thence northerly along
24 said mean high water line to the North line of
25 Section 16, Township 49 South, Range 25 East;
26 thence East along the north line of said
27 Section 16 to the northwest corner of Seagate
28 Subdivision; thence southerly along the west
29 line of said Seagate Subdivision to the place
30 of beginning less the following described
31 lands:

1
2 Parcel 2 in O.R. Book 14, Page 195 and 196;
3 that parcel conveyed to Jane Homer Lee as
4 described in O.R. Book 34, Page 301 and 302;
5 that parcel conveyed to Seagate, Inc., as
6 described in O.R. Book 182, Page 248 and 249.
7 Subject to existing easements and rights of
8 ingress and egress.
9 Section 2. Additional lands shall be included in the
10 district only upon amendment of section 1. Section 1 may be
11 amended only by special act, and such amendment shall not
12 become effective except upon approval of the inclusion of such
13 additional lands in the district by a majority of the
14 qualified electors residing in the area proposed to be
15 included voting in a special election called for such purpose.
16 In addition, the inclusion of such lands must be approved by a
17 majority of the qualified electors residing within the
18 existing district boundaries.
19 Section 3. In the event that property in the district
20 is annexed by the City of Naples between January 1 and July 1
21 of any year, the property shall be regarded as removed from
22 the North Naples Fire Control and Rescue District as of
23 January 1 of that year for the purpose of the levy of general
24 ad valorem taxes by the district. If annexation occurs after
25 July 1, the property shall be assessed by the district for ad
26 valorem taxes for that year. On and after the effective date
27 of annexation, the district shall be relieved of providing
28 fire service to the annexed area. The city and the district
29 may reach an agreement to determine what portion, if any, of
30 the existing indebtedness or property of the district shall be
31 assumed by the municipality of which the annexed territory

1 will become a part, the fair value of such indebtedness or
2 property, and the manner of transfer and financing. Nothing
3 herein shall relieve the property annexed from the payment of
4 general obligation debt service incurred by the district
5 before annexation.

6 ARTICLE IV

7 Powers of the District

8 Section 1. The district shall have the authority to
9 establish, equip, operate, and maintain a fire department and
10 rescue squad within the district and may buy, lease, sell,
11 exchange, or otherwise acquire and dispose of firefighting and
12 rescue equipment and other property, real, personal, or mixed,
13 that it may from time to time deem necessary to prevent and
14 extinguish fires or provide rescue services. This shall
15 include, but is not limited to, the authority to hire and fire
16 necessary firefighters and other personnel; to provide water,
17 water supply, water stations, and other necessary buildings;
18 to accept gifts or donations of equipment or money for the use
19 of the district; and to do all things necessary to provide
20 adequate water supply, fire prevention, and proper fire
21 protection for the district. In addition, the board shall
22 have the authority to extend its services outside the district
23 when provided in cooperation with another governmental entity.

24 Section 2. The district may establish and maintain
25 emergency medical and rescue response services consistent with
26 section 191.008(1), Florida Statutes, and the provisions of
27 chapter 401, Florida Statutes, and any certificate of public
28 convenience and necessity or its equivalent issued thereunder.

29 Section 3. In addition to any other power to borrow
30 money as may be provided by this act or by law, the district
31 may borrow sufficient funds to provide for 3 months' operating

1 expenses, with such loan to be repaid from anticipated
2 revenues.

3 Section 4. The district shall have authority to
4 inspect and investigate all property for fire hazards. The
5 district board, by resolution duly adopted, may assess fees
6 for fire inspection and maintenance and replacement of
7 hydrants in an amount reasonably related to the cost thereof
8 and may adopt provisions creating a lien or providing for
9 civil enforcement of such assessments.

10 Section 5. The district is authorized to promulgate
11 rules and regulations for the prevention of fire and for fire
12 control in the district, which shall have the same force and
13 effect as law 10 days after copies thereof executed by the
14 chair and secretary of the board have been posted in at least
15 three places.

16 Section 6. The duties and powers of the board of
17 commissioners shall be as set forth in this act and chapter
18 191, Florida Statutes, as they may be amended from time to
19 time.

20 ARTICLE V

21 Governing Board

22 Section 1. The district shall be governed by a
23 district board consisting of five commissioners who are
24 residents of the district, in accordance with section 191.005,
25 Florida Statutes.

26 Section 2. As required by section 191.005, Florida
27 Statutes, board members shall assume office 10 days following
28 their election. Annually, within 60 days after the newly
29 elected members have taken office, the board shall organize by
30 electing from its members a chair, a vice chair, a secretary,
31

1 and a treasurer. The positions of secretary and treasurer may
2 be held by one member.

3 Section 3. In accordance with section 191.005, Florida
4 Statutes, each commissioner may receive, from the funds of the
5 district, compensation for his or her services in an amount
6 not to exceed \$500 per month. The secretary-treasurer may be
7 paid an additional sum for his or her services so long as the
8 total compensation does not exceed \$500 per month.

9 Section 4. Members shall be reimbursed for travel and
10 per diem expenses as provided in section 112.061, Florida
11 Statutes.

12 Section 5. In addition to any other circumstance which
13 creates a vacancy in office as provided by the State
14 Constitution or general law, the board shall remove a
15 commissioner from office if the commissioner is absent from
16 three consecutive regular meetings of the district board,
17 unless such absence is due to a valid medical reason or any
18 other excused absence as defined by resolution of the board
19 pursuant to section 191.005, Florida Statutes.

20 Section 6. The board shall operate procedurally in
21 accordance with this act, with chapters 189 and 191, Florida
22 Statutes, and with any other applicable general or special law
23 as they may be amended from time to time.

24 ARTICLE VI

25 Finances

26 Section 1. The powers, functions, and duties of the
27 district regarding ad valorem taxation, bond issuance, other
28 revenue-raising capabilities, budget preparation and approval,
29 liens and foreclosure of liens, use of tax deeds and tax
30 certificates as appropriate for non-ad valorem assessments,
31 and contractual agreements, and the methods for financing the

1 district and for collecting non-ad valorem assessments, fees,
2 or service charges, shall be as set forth in this act, in
3 chapters 170, 189, 191, and 197, Florida Statutes, and in any
4 applicable general or special law as they may be amended from
5 time to time.

6 Section 2. The district board shall annually, during
7 the month of June, make an itemized estimate of the amount of
8 moneys required to carry out the provisions of this act for
9 the next fiscal year of the board, which fiscal year shall be
10 from October 1 to and including the next succeeding September
11 30, which estimate shall state the purpose for which the
12 moneys are required and the amount necessary to be raised by
13 taxation within the district, which budget and proposed
14 millage rate shall be noticed, heard, and adopted in
15 accordance with chapters 192 through 200, Florida Statutes.

16 Section 3. The total millage for the district shall
17 not exceed 1 mill in any one fiscal year. However, the total
18 millage may be increased pursuant to section 191.009, Florida
19 Statutes, after such increase has been approved by referendum.

20 Section 4. Taxes provided for herein shall be assessed
21 and collected, and subject to the same commission and fees for
22 assessing and collecting, in the same manner and form as
23 provided for the assessment and collection of county taxes,
24 except as otherwise provided herein.

25 Section 5. When the tax collector has collected the
26 taxes provided for by this act, he or she shall, on or before
27 the 10th day of each month, report to the secretary-treasurer
28 of the district board the collection made for the preceding
29 month and remit the same to the secretary-treasurer of the
30 board.

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1 Section 6. All warrants for the payment of labor,
2 equipment, materials, and other allowable expenses incurred by
3 the board in carrying out the provisions of this act shall be
4 payable by the secretary-treasurer of the board on accounts
5 and vouchers approved by the board.

6 Section 7. The district shall have the power to issue
7 general obligation bonds, assessment bonds, bond anticipation
8 notes, notes, or certificates or other evidences of
9 indebtedness (hereinafter "bonds") pledging the full faith,
10 credit, and taxing power of the district for capital projects
11 consistent with the purposes of the district in accordance
12 with the requirements of section 191.012, Florida Statutes,
13 and other applicable general law.

14 (1) Except for refunding bonds, no bonds shall be
15 issued unless the issuance thereof has been approved at a
16 referendum held in accordance with the requirements for such
17 referendum as prescribed by general law. A referendum shall be
18 called by the board of county commissioners upon the request
19 of the board of the district. The expenses of calling and
20 holding the referendum shall be borne by the district, and the
21 district shall reimburse the county for any expenses incurred
22 in calling or holding such referendum.

23 (2) The district may pledge its full faith and credit
24 for the payment of the principal and interest on such general
25 obligation bonds and for any reserve funds provided therefor
26 and may unconditionally and irrevocably pledge itself to levy
27 a special tax on all taxable property in the district, to the
28 extent necessary for the payment thereof, over and above all
29 other taxes authorized or permitted by this act.

30 (3) If the board determines to issue bonds for more
31 than one purpose, the approval of the issuance of the bonds

1 for each and all such purposes may be submitted to the
2 electors on one and the same ballot. The failure of the
3 electors to approve the issuance of bonds for any one or more
4 purposes shall not defeat the approval of bonds for any
5 purposes which are approved by electors.

6 (4) Notwithstanding any provision of law to the
7 contrary, all bonds issued under the provisions of this act
8 shall constitute legal investments for savings banks, banks,
9 trust companies, insurance companies, executors,
10 administrators, trustees, guardians, and other fiduciaries and
11 for any board, body, agency, instrumentality, county,
12 municipality, or other political subdivision of the state and
13 shall constitute security which may be deposited by banks or
14 trust companies as security for deposits of state, county,
15 municipal, or other public funds or by insurance companies, as
16 required, or voluntary statutory deposits.

17 (5) Any bonds issued by the district shall be
18 incontestable in the hands of bona fide purchasers or holders
19 for value and shall not be invalid because of any irregularity
20 or defect in the proceedings for the issue and sale thereof.

21 (6) The state pledges to the holders of any bonds
22 issued under this act that it will not limit or alter the
23 rights of the district to levy and collect the taxes provided
24 for herein and to fulfill the terms of any agreement made with
25 the holders of such bonds and that it will not in any way
26 impair the rights or remedies of such holders.

27 (7) A default on the bonds of the district shall not
28 constitute a debt or obligation of a local general-purpose
29 government or the state.

30
31

1 Section 8. IMPACT FEES.--The district board may allow
2 for the assessment and collection of impact fees for capital
3 improvement on new construction within the district.

4 (1)(a) It is hereby found and determined that Collier
5 County is located in one of the fastest growing areas in the
6 nation, and new construction and the resulting population
7 growth are placing a strain upon the capabilities of the
8 district to continue to provide the high level of professional
9 fire protection and related emergency services for which the
10 residents of the district pay and which they deserve.

11 (b) It is readily apparent that additional equipment
12 and facilities will be needed to meet the expanded commercial
13 and residential growth within the district, at a cost beyond
14 that which can be provided from current and anticipated ad
15 valorem tax revenues assessed, collected, and received by the
16 district.

17 (c) It is hereby declared that the cost of new
18 facilities and equipment for fire protection and related
19 emergency services shall be borne by new users of the
20 district's services, to the extent that new construction
21 requires new facilities and equipment, but only to that
22 extent.

23 (d) It is therefore the legislative intent to transfer
24 to the new users of the district's fire protection and related
25 emergency services a fair share of the costs of new facilities
26 imposed on the district by new users.

27 (e) It is hereby declared that the amounts of impact
28 fees for capital improvement provided for in this section are
29 just, reasonable, and equitable.

30 (2) No person shall issue or obtain a building permit
31 for new residential dwelling units or new commercial or

1 industrial structures within the district, or issue or obtain
2 construction-plan approval for new mobile home developments
3 located within the district, until the developers thereof have
4 paid to the district the applicable impact fee for capital
5 improvement hereinafter set forth. Impact fees for capital
6 improvement to be assessed and collected hereunder shall not
7 exceed the following, unless revised pursuant to the
8 provisions of section 191.009(4), Florida Statutes:

9 (a) Each new residential dwelling unit: \$.15 per
10 square foot of living area.

11 (b) Each new commercial or industrial structure: \$.30
12 per square foot of usable area.

13 (c) Each new mobile home development: \$.15 per square
14 foot of permitted living area.

15
16 "Living area" means that area of any structure that is covered
17 by a roof. "Permitted living area" means 25 percent of the
18 area covered by the individual lots.

19 (3) For the purpose of this section, each unit of any
20 multifamily structure, whether it be a duplex, triplex,
21 cooperative apartment, or condominium or similar type of
22 structure, shall be considered a residential dwelling unit.

23 (4) For the purpose of this section, any motel, hotel,
24 shopping center, church, nursing home, hospital, congregate
25 living facility (when not part of an actual residence),
26 school, fraternal lodge, veterans' lodge, or similar type of
27 structure shall be considered a commercial structure.

28 (5) Impact fees for capital improvement collected by
29 the district pursuant to this section shall be kept and
30 maintained as a separate fund from other revenues of the
31 district and shall be used exclusively for the acquisition,

1 purchase, or construction of new facilities and equipment, or
2 portions thereof, required to provide fire protection and
3 related emergency services to new construction. "New
4 facilities and equipment" means buildings and capital
5 equipment, including, but not limited to, such fire and
6 emergency vehicles and communications equipment as may from
7 time to time be deemed necessary by the district to provide
8 fire protection and related emergency services to the areas of
9 new construction.

10 (6) The impact fees for capital improvement collected
11 hereunder shall not be used for the acquisition, purchase, or
12 construction of facilities or equipment which must be obtained
13 in any event to meet the needs of the district, regardless of
14 growth within the district.

15 (7) The district board shall maintain adequate records
16 to ensure that impact fees for capital improvement collected
17 hereunder are expended only for permissible new facilities or
18 equipment.

19 (8) The district board shall determine the maximum
20 amount of impact fees to be assessed in any one fiscal year.
21 This determination shall be made prior to the immediately
22 succeeding fiscal year. However, should the district board
23 authorize the collection of impact fees in an amount less than
24 the maximum specified in this act, then these fees shall be
25 uniform in each type of new construction subject to the fee.
26 The district board's determination of the amount of the impact
27 fee to be assessed in any one fiscal year shall be based on
28 the requirements set forth in this section.

29 (9) The impact fee for capital improvement called for
30 in this section may be reduced by 50 percent if the owner of
31 the permitted structure will install fire sprinklers in

1 accordance with NFPA Pamphlets 13 and 13D. Only full
2 sprinkler coverage is acceptable for this reduction.

3 ARTICLE VII

4 Elections

5 Section 1. When a referendum or special election is
6 required under the provisions of this act, the district shall
7 reimburse the county for the costs of such election.

8 Section 2. The procedures for conducting any district
9 elections or referenda required and the qualifications of an
10 elector of the district shall be as set forth in chapters 189
11 and 191, Florida Statutes.

12 ARTICLE VIII

13 Eminent Domain

14 The district shall have the authority to exercise the
15 power of eminent domain, pursuant to chapters 73, 74, and 191,
16 Florida Statutes, over any property located within the
17 district, except municipal, county, state, and federal
18 property, for the purpose of acquiring property for the
19 location of fire stations. The location and construction of
20 fire stations shall comply with applicable Collier County
21 ordinances.

22 ARTICLE IX

23 Miscellaneous

24 Section 1. All contracts, obligations, rules,
25 resolutions, or policies of any nature existing on the date of
26 enactment of this act shall remain in full force and effect,
27 and this act shall in no way affect the validity of such
28 contracts, obligations, rules, resolutions, or policies.

29 Section 2. This act shall not affect the terms of
30 office of the present district board, nor shall it affect the
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1 terms and conditions of employment of any employee of the
2 district.

3 Section 3. Requirements for financial disclosure,
4 meeting notices, reporting, public records maintenance, and
5 planning shall be as set forth in chapters 189, 191, and 286,
6 Florida Statutes, as they may be amended from time to time.

7 Section 4. In the event of a conflict of the
8 provisions of this act with the provisions of any other act,
9 the provisions of this act shall control to the extent of such
10 conflict.

11 Section 5. In the event any section or provision of
12 this act is determined to be invalid or unenforceable, such
13 determination shall not affect the validity and enforceability
14 of each other section and provision of this act.

15 Section 6. Chapter 84-416, Laws of Florida; section 1
16 of chapter 88-519, Laws of Florida; chapters 89-448 and
17 89-445, Laws of Florida; sections 1 and 3 of chapter 91-375,
18 Laws of Florida; and chapter 96-511, Laws of Florida, and all
19 references to the North Naples Fire Control and Rescue
20 District contained in chapter 98-489, Laws of Florida, are
21 repealed.

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

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