

1 A bill to be entitled
2 An act relating to Charlotte County; providing
3 for codification of special laws regarding
4 special districts pursuant to chapter 97-255,
5 Laws of Florida, relating to the East Charlotte
6 Drainage District, an independent special tax
7 district in Charlotte County; providing
8 legislative intent; codifying and reenacting
9 special acts relating to District's charter;
10 providing for applicability of chapters 298 and
11 189, Florida Statutes, and other general laws;
12 providing a district charter; repealing
13 chapter 65-664, Laws of Florida, chapter
14 80-472, Laws of Florida, chapter 85-395, Laws
15 of Florida, and s. 1(1)(b) of chapter 91-361,
16 Laws of Florida, relating to the East Charlotte
17 Drainage District; providing an effective date.

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

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21 Section 1. Pursuant to chapter 97-255, Laws of
22 Florida, this act constitutes the codification of all special
23 acts relating to the East Charlotte Drainage District. It is
24 the intent of the Legislature in enacting this law to provide
25 a single, comprehensive special act charter for the district,
26 including all current legislative authority granted to the
27 district by its several legislative enactments and any
28 additional authority granted by this act.

29 Section 2. Chapter 65-664, Laws of Florida, chapter
30 80-472, Laws of Florida, chapter 85-395, Laws of Florida, and
31 paragraph (b) of subsection (1) of section 1 of chapter

1 91-361, Laws of Florida, relating to the East Charlotte
2 Drainage District, are codified, reenacted, amended, and
3 repealed as herein provided.

4 Section 3. District formation ratified, restated,
5 and approved.--The decree of the circuit court in and for the
6 Twelfth Judicial Circuit, Charlotte County, Florida, entered in
7 Chancery No. 4694 with respect to TROPICAL RIVER GROVES WATER
8 CONTROL DISTRICT, a public corporation of this state,
9 subsequent decrees of the Circuit Court in and for the Twelfth
10 Judicial Circuit, Charlotte County, Florida, entered in
11 Chancery No. 4694 changing the name of said district to EAST
12 CHARLOTTE DRAINAGE DISTRICT, and all subsequent proceedings
13 taken in said circuit court concerning said district including
14 the provisions setting the boundaries of said drainage
15 district are ratified, confirmed, and approved.

16 Section 4. The East Charlotte Drainage District, an
17 independent special district, is organized and exists for all
18 purposes set forth in this act and Chapter 298, Florida
19 Statutes, as may be amended from time to time.

20 Section 5. Provisions of chapter 298, Florida
21 Statutes, made applicable.--The East Charlotte Drainage
22 District, a public corporation of this state, created under
23 chapter 298, Florida Statutes, shall be governed by provisions
24 of the water control laws of Florida applicable to such water
25 control districts which are embodied in chapter 298, Florida
26 Statutes, and all of the laws amendatory thereof, now existing
27 or hereafter enacted, so far as not inconsistent with this act
28 or any subsequent special acts relating to the East Charlotte
29 Drainage District. However, the provisions of s. 298.11,
30 Florida Statutes, requiring that members of the board of
31 supervisors be residents of Charlotte County, shall not be

1 applicable to said district. The members of the board of
2 supervisors shall reside within the State of Florida.

3 Section 6. Boundaries of the district.--The
4 territorial boundaries of the district shall be as stated in
5 the various orders and decrees of the circuit court of the
6 Twelfth Judicial Circuit in and for Charlotte County, entered
7 in Chancery No. 4694 and shall include all of the following
8 described property all located in Township 40 South, Range 26
9 East, in Charlotte County, Florida:

10 In Section 14: The West one-half of Section 14
11 and the West one-half of the Northeast
12 one-quarter.

13 Section 15: The Southeast one-quarter of the
14 Northeast one-quarter.

15 Section 21: The South one-half.

16 All of Sections 16 and 22.

17 Section 23: The Northwest one-quarter of the
18 Southwest one-quarter.

19 All of sections 27 and 34, together with all
20 easements and rights-of-way heretofore acquired
21 by East Charlotte Drainage District.

22
23 All are ratified, confirmed and approved.

24
25 The boundaries are legally described as
26 follows:

27
28 Commencing at the Southeast corner of Section
29 34 run north on the east lines of Section 34,
30 Section 27 and Section 22, to a point on the
31 east line of Section 22, comprising the

1 Southwest corner of the Northwest one-quarter
2 of the Southwest one-quarter of Section 23,
3 thence run east along the south line of the
4 Northwest one-quarter of the Southwest
5 one-quarter of Section 23 to the southeast
6 corner of the Northwest one-quarter of the
7 Southwest one-quarter of said section, thence
8 run north on the east line of the Northwest
9 one-quarter of the Southwest one-quarter of
10 Section 23 to the northeast corner of the
11 Northwest one-quarter of the Southwest
12 one-quarter of Section 23, thence run west on
13 the north line of the Northwest one-quarter of
14 the Southwest one-quarter of Section 23 to the
15 east line of Section 22, thence run north to
16 the Northeast corner of Section 22 and the
17 Southwest corner of Section 14, thence run east
18 on the south line of Section 14 to the
19 Southeast corner of the Southwest one-quarter
20 of Section 14, thence run north on the east
21 line of the Southwest one-quarter of Section 14
22 to the northeast corner of the Southwest
23 one-quarter of Section 14, thence run east on
24 the south line of the west one-half of the
25 Northeast one-quarter of Section 14 to the
26 Southeast corner of the West one-half of the
27 Northeast one-quarter of Section 14, thence run
28 north on the east line of the West one-half of
29 the Northeast one-quarter of Section 14 to the
30 northeast corner of the West one-half of the
31 Northeast one-quarter of Section 14, thence run

1 west on the north line of Section 14 to the
 2 Northwest corner of Section 14, thence run
 3 south on the west line of Section 14 to the
 4 Northeast corner of the Southeast one-quarter
 5 of the Northeast one-quarter of Section 15,
 6 thence run west on the north line of the
 7 Southeast one-quarter of the Northeast
 8 one-quarter of Section 15 to the northwest
 9 corner of the Southeast one-quarter of the
 10 Northeast one-quarter of Section 15, thence run
 11 south along the west line of the Southeast
 12 one-quarter of the Northeast one-quarter of
 13 Section 15 to the southwest corner of the
 14 southeast one-quarter of the northeast
 15 one-quarter of Section 15, thence run easterly
 16 on the south line of the northeast one-quarter
 17 of Section 15 to the west line of Section 14,
 18 thence run south along the west line of Section
 19 14 to the northeast corner of Section 22,
 20 thence run west along the north line of Section
 21 22 to the Southeast corner of Section 16,
 22 thence run north on the east line of Section 16
 23 to the Northeast corner of Section 16, thence
 24 run west on the north line of Section 16 to the
 25 Northwest corner of section 16, thence run
 26 south on the west line of Section 16 to the
 27 Southwest corner of Section 16, thence run east
 28 on the south line of Section 16 to the
 29 Southeast corner of Section 16, thence run
 30 south on the west line of Section 22 and the
 31 east line of Section 21 to the Northeast corner

1 of the South one-half of Section 21, thence run
2 west on the north line of the South one-half of
3 Section 21 to the Northwest corner of the South
4 one-half of Section 21, thence run south on the
5 west line of Section 21 to the Southwest corner
6 of Section 21, thence run east on the south
7 line of Section 21 to the Southeast corner of
8 Section 21 and the Southwest corner of Section
9 22, thence run south on the west line of
10 Section 27 and Section 34 to the Southwest
11 corner of Section 34, thence run east on the
12 south line of Section 34 to the point of
13 beginning.

14 Section 7. Revenue Raising Powers and Duties.--The
15 powers, functions, and duties of the district regarding ad
16 valorem taxation, bond issuance, other revenue-raising
17 capabilities, budget preparation and approval, liens and
18 foreclosure of liens, use of tax deeds and tax certificates as
19 appropriate for non-ad valorem assessments, and contractual
20 agreements shall be as set forth in chapters 170, 189, 197,
21 and 298, Florida Statutes, or any other applicable general or
22 special law, as they may be amended from time to time.

23 Section 8. Charter Amendments.--The district's
24 charter may be amended only by special act of the Legislature.

25 Section 9. Governing Body.--In accordance with
26 chapter 189, Florida Statutes, this act, and section 298.11,
27 Florida Statutes, the district is governed by a three-member
28 board, elected on a one-acre, one-vote basis by the landowners
29 in the district. The membership and organization of the board
30 shall be as set forth in this act and chapter 298, Florida
31 Statutes, as they may be amended from time to time.

1 Section 10. Board Member Compensation.--The
2 compensation of board members shall be governed by this act
3 and chapter 298, Florida Statutes, as they may be amended from
4 time to time.

5 Section 11. Duties of Governing Board.--The
6 administrative duties of the board of supervisors shall be as
7 set forth in this act and chapter 298, Florida Statutes, as
8 they may be amended from time to time.

9 Section 12. Financial Disclosure, Noticing, and
10 Reporting Requirements.--Requirements for financial
11 disclosure, meeting notices, reporting, public records
12 maintenance, and per diem expenses for officers and employees
13 shall be as set forth in chapters 112, 189, 286, and 298,
14 Florida Statutes, as they may be amended from time to time.

15 Section 13. Issuance of Bonds.--The procedures and
16 requirements governing the issuance of bonds, notes, and other
17 evidence of indebtedness by the district shall be as set forth
18 in chapter 298, Florida Statutes, and applicable general laws,
19 as they may be amended from time to time.

20 Section 14. Elections.--The procedures for
21 conducting district elections and for qualification of
22 electors shall be pursuant to chapters 189 and 298, Florida
23 Statutes, as they may be amended from time to time.

24 Section 15. District Financing.--The district may be
25 financed by any method established in this act, chapter 298,
26 Florida Statutes, and applicable general laws, as they may be
27 amended from time to time.

28 Section 16. Non-Ad valorem Assessments, Fees, and
29 Charges.--The methods for assessing and collecting non-ad
30 valorem assessments, fees, or service charges shall be as set
31 forth in chapters 170, 197, and 298, Florida Statutes, and

1 other applicable general laws, as they may be amended from
2 time to time.

3 Section 17. Planning Requirements.--The district's
4 planning requirements shall be as set forth in chapters 189
5 and 298, Florida Statutes, as they may be amended from time to
6 time.

7 Section 18. Severability.--In case any one or more
8 of the sections or provisions of this act or the application
9 of such sections or provisions to any situation,
10 circumstances, or persons shall for any reason be held to be
11 unconstitutional, such unconstitutionality shall not affect
12 any of the sections or provisions of this act or the
13 application of such sections or provisions to any other
14 situation, circumstances, or persons and it is intended that
15 this law shall be construed and applied as if such section or
16 provision had not been included herein for any
17 unconstitutional application.

18 Section 19. Effect of conflict.--In the event of a
19 conflict between the provisions of this act and the provisions
20 of any other act, the provisions of this act shall control to
21 the extent of such conflict.

22 Section 20. Chapter 65-664, Laws of Florida, chapter
23 80-472, Laws of Florida, chapter 85-395, Laws of Florida, and
24 paragraph (b) of subsection (1) of section 1 of chapter
25 91-361, Laws of Florida, shall be repealed 10 days after the
26 effective date of this act.

27 Section 21. This act shall take effect upon becoming a
28 law.

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