

By Representative C. Green

1   A bill to be entitled  
 2           An act relating to the Fort Myers Beach Fire  
 3           Control District, Lee County; providing  
 4           legislative intent; providing for a  
 5           codification of the special laws relating to  
 6           the Fort Myers Beach Fire Control District  
 7           pursuant to s. 191.015, F.S.; codifying,  
 8           reenacting, and amending all prior special  
 9           acts; creating and establishing a fire control  
 10          and rescue district as an independent district  
 11          in Lee County and fixing the boundaries of the  
 12          district; providing for a governing body;  
 13          prescribing the powers of the board;  
 14          authorizing the board to establish and maintain  
 15          emergency medical services and equipment;  
 16          authorizing the board to make policies, rules,  
 17          regulations, and a fire code; providing for  
 18          assessing and collecting taxes, assessments,  
 19          impact fees, and user charges; providing that  
 20          this act shall be construed liberally;  
 21          providing for severability; repealing of  
 22          chapters 51-27676, 53-29241, 63-1539, 63-1553,  
 23          71-743, 73-530, 73-532, 80-528, 81-414, 81-422,  
 24          82-314, 83-454, 87-447, 95-458, and 95-516,  
 25          Laws of Florida, as said laws relate to the  
 26          district; providing an effective date.

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 28   Be It Enacted by the Legislature of the State of Florida:  
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30                   Section 1. Pursuant to section 191.015, Florida  
 31                   Statutes, this act constitutes the codification of all special

1 acts relating to the Fort Myers Beach Fire Control District.  
2 It is the intent of the Legislature to provide a single,  
3 comprehensive special act charter for the Fort Myers Beach  
4 Fire Control District which includes all current legislative  
5 authority granted to the district by general law and by its  
6 several legislative enactments, as said laws may be amended  
7 from time to time, and any additional authority granted by  
8 this act.

9           Section 2. Chapters 51-27676, 53-29241, 63-1539,  
10 63-1553, 71-743, 73-530, 73-532, 80-528, 81-414, 81-422,  
11 82-314, 83-454, 87-447, 95-458, and 95-516, Laws of Florida,  
12 relating to the Fort Myers Beach Fire Control District, are  
13 hereby codified, reenacted, and amended as provided herein.

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

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

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22           All that part of Lee County that is located and  
23 situated within San Carlos Island; Estero  
24 Island; Easterly One-Half (1/2) of Section 13,  
25 Township 46 South, Range 23 East; Section 18,  
26 Township 46 South, Range 24 East; and section  
27 7, Township 46 South, Range 24 East except that  
28 part which is located and situated north of the  
29 old railroad grade; and that part of Black  
30 Island, Inner Key, Lover's Key, and Long Key,  
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1           north of the northern boundary line of Sections  
2           13 and 14, Township 47 South, Range 24 East.

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

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

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

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

1           Section 6. Taxes; Non-ad valorem assessments; Impact  
2 fees; User charges.--The district board shall fix and cause to  
3 be levied on all property of the district, a millage  
4 sufficient to meet the requirements of the adopted budget;  
5 provided, however, three (3) mills is the maximum that can be  
6 levied in any one (1) year, except as provided in chapter 191,  
7 Florida Statutes, chapter 97-340, Laws of Florida, or any  
8 other applicable general law or special law, as said laws may  
9 be amended from time to time. In addition, the district shall  
10 have such authority to levy non-ad valorem assessments and  
11 charge impact fees and user charges as prescribed in chapter  
12 191, Florida Statutes, chapter 97-340, Laws of Florida, and  
13 all other applicable general law or special law, as said laws  
14 may be amended from time to time.

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

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

26           Section 5. If any clause, section, or provision of  
27 this act is declared unconstitutional or invalid for any cause  
28 or reason, it shall be eliminated from this act, and the  
29 remaining portion of the act shall remain in full force and  
30 effect as if said unconstitutional or invalid portion had not  
31 been incorporated herein.

1           Section 6. Except as specifically reenacted herein,  
2 chapters 51-27676, 53-29241, 63-1539, 63-1553, 71-743, 73-530,  
3 73-532, 80-528, 81-414, 81-422, 82-314, 83-454, 87-447,  
4 95-458, and 95-516, Laws of Florida, as said laws relate to  
5 the district, are hereby repealed.

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

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