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2 An act relating to Hendry and Glades Counties;  
3 providing for codification of special laws  
4 regarding independent special districts  
5 pursuant to chapter 97-255, Laws of Florida,  
6 and chapter 98-320, Laws of Florida, relating  
7 to the Flaghole Drainage District, a special  
8 tax district of the State of Florida composed  
9 of lands in Hendry and Glades Counties;  
10 providing legislative intent; codifying  
11 reenacting, and amending chapter 28540, Laws of  
12 Florida, 1953, and chapters 59-930, 73-477, and  
13 77-562, Laws of Florida; providing powers,  
14 functions, and duties of the district with  
15 respect to non-ad valorem assessments, bond  
16 issuance, revenue raising, budget preparation  
17 and approval, liens and foreclosure of liens,  
18 specified use of tax deeds and tax  
19 certificates, and contractual agreements;  
20 providing for governance of the district by a  
21 Board of Supervisors; providing for membership,  
22 organization, compensation, and administrative  
23 duties of the board; specifying requirements  
24 for financial disclosure, meeting notices,  
25 reporting, public records maintenance, and per  
26 diem expenses; specifying procedures and  
27 requirements governing the issuance of bonds,  
28 notes, and other forms of indebtedness;  
29 providing procedures for District elections and  
30 qualification of electors; providing for method  
31 of financing the District; authorizing the

1 District to continue to levy a special annual  
2 maintenance tax upon all taxable real property  
3 in the District; specifying the method for  
4 collecting non-ad valorem assessments, fees,  
5 and service charges; providing for District  
6 planning requirements; fixing the boundaries of  
7 the District; authorizing the Board of  
8 Supervisors of the District to levy a  
9 maintenance indebtedness tax; providing purpose  
10 of the District; providing for the levy of an  
11 annual maintenance tax; authorizing the Board  
12 of Supervisors to designate maintenance areas  
13 within the district; providing composition of  
14 the Board of Supervisors; providing for  
15 ratification of prior actions; providing  
16 severability; providing that this act shall  
17 take precedence over any conflicting law to the  
18 extent of such conflict; repealing chapter  
19 28540, Laws of Florida, 1953, and chapters  
20 59-930, 73-447, and 77-562, Laws of Florida;  
21 providing an effective date.

22  
23 Be It Enacted by the Legislature of the State of Florida:

24  
25 Section 1. Pursuant to chapter 97-255, Laws of  
26 Florida, and chapter 98-320, Laws of Florida, this act  
27 constitutes the codification of all special acts relating to  
28 the Flaghole Drainage District, an independent special  
29 district and political subdivision of the State of Florida. It  
30 is the intent of the Legislature in enacting this law to  
31 provide a single, comprehensive special act charter for the

1 District, including all current legislative authority granted  
2 to the District by its several legislative enactments and any  
3 additional authority granted by this act. It is further the  
4 intent of this act to preserve all District authority.

5 Section 2. Chapter 28540, Laws of Florida, 1953, and  
6 chapters 59-930, 73-477, and 77-562, Laws of Florida, relating  
7 to the Flaghole Drainage District, are codified, reenacted,  
8 amended, and repealed as provided herein.

9 Section 3. The Flaghole Drainage District is  
10 re-created and the charter for said district is re-created and  
11 reenacted to read:

12 Section 1. (a) The Flaghole Drainage District is  
13 organized and exists for all purposes set forth in this act  
14 and chapter 298, Florida Statutes, as they may be amended from  
15 time to time, so far as not inconsistent with this act.

16 (b) The powers, functions, and duties of the District  
17 regarding non-ad valorem assessments, bond issuance, other  
18 revenue-raising capabilities, budget preparation and approval,  
19 liens and foreclosure of liens, use of tax deeds and tax  
20 certificates as appropriate for non-ad valorem assessments,  
21 and contractual agreements shall be as set forth in chapters  
22 189, 197, and 298, Florida Statutes, this act, or any other  
23 applicable general or special law, as they may be amended from  
24 time to time.

25 (c) The District was created by chapter 28540, Laws of  
26 Florida, 1953, a special legislative act.

27 (d) The District's charter may be amended only by  
28 special act of the Legislature.

29 (e) In accordance with chapter 298, Florida Statutes,  
30 the District is governed by a Board of Supervisors. The  
31 membership and organization of the Board shall be as set forth

1 in this act and chapter 298, Florida Statutes, as they may be  
2 amended from time to time.

3 (f) The compensation of Board members shall be  
4 governed by this act and chapter 298, Florida Statutes, as  
5 they may be amended from time to time.

6 (g) The administrative duties of the Board 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 (h) Requirements for financial disclosure, meeting  
10 notices, reporting, public records maintenance, and per diem  
11 expenses for officers and employees shall be as set forth in  
12 chapters 112, 189, 286, and 298, Florida Statutes, as they may  
13 be amended from time to time.

14 (i) The procedures and requirements governing the  
15 issuance of bonds, notes, and other evidence of indebtedness  
16 by the District shall be as set forth in chapters 189 and 298,  
17 Florida Statutes, and applicable general laws, as they may be  
18 amended from time to time.

19 (j) The procedures for conducting District elections  
20 and for qualification of electors shall be pursuant to  
21 chapters 189 and 298, Florida Statutes, and applicable general  
22 laws as they may be amended from time to time.

23 (k) The District may be financed by any method  
24 established in this act, chapters 189 and 298, Florida  
25 Statutes, or any applicable general laws, as they may be  
26 amended from time to time.

27 (l) In accordance with chapter 298, Florida Statutes,  
28 the District may continue to levy upon all of the real taxable  
29 property in the District a special tax each year as  
30 maintenance tax.

31

1           (m) The method for collecting non-ad valorem  
2 assessments, fees, or service charges shall be as set forth in  
3 chapters 197 and 298, Florida Statutes, as they may be amended  
4 from time to time.

5           (n) The District's planning requirements shall be as  
6 set forth in chapters 189 and 298, Florida Statutes, as they  
7 may be amended from time to time.

8           (o) The geographic boundary limitations are as set  
9 forth in section 2.

10           Section 2. The territorial boundaries of the District  
11 include lands in Hendry and Glades Counties, Florida, as  
12 follows:

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14           Beginning at the Southeast Corner of Section 2,  
15 Township 44 South, Range 33 East; thence West  
16 along the South line of Sections 2, 3, 4, 5,  
17 and 6, Township 44 South, Range 33 East, to the  
18 Southwest Corner of said Section 6; thence  
19 North along the West side of said Section 6 to  
20 the Northwest corner thereof; thence West along  
21 the South line of Section 36, Township 43  
22 South, Range 32 East to the Southwest Corner of  
23 said Section 36; thence North along the West  
24 line of said Section 36 and continue North  
25 along the West line of Sections 25 and 24,  
26 Township 43 South, Range 32 East to the  
27 Northwest Corner of said Section 24; thence  
28 West along the South line of Sections 14 and  
29 15, Township 43 South, Range 32 East to the  
30 South Quarter Corner of said Section 15; thence  
31 North along the center line of said Section 15

1           to the center of said Section 15; thence West  
2           along the center line of said Section 15 to the  
3           West Quarter Corner of said Section; thence  
4           North along the West line of said Section 15 to  
5           the Northwest Corner thereof; thence Easterly  
6           along the North line of Section 15, Township 43  
7           South, Range 32 East to the Northeast Corner of  
8           said Section 15; thence North along the West  
9           line of Section 11 and fractional Section 2,  
10          Township 43 South, Range 32 East to a point on  
11          the Township line between Glades and Hendry  
12          Counties; thence Northwesterly along the right  
13          of way of Improvement No. 5 to the water's edge  
14          of Lake Hicpochee; thence Northerly and  
15          Easterly along the water's edge of Lake  
16          Hicpochee to a point in Section 34, Township 42  
17          South, Range 32 East, where the North line of  
18          the Nine Mile Canal intersects the water's edge  
19          of Lake Hicpochee; thence Southeasterly and  
20          Easterly along the North Bank of the said Nine  
21          Mile Canal to a point where the said North Bank  
22          of the Nine Mile Canal would intersect the East  
23          line of Section 9, Township 43 South, Range 33  
24          East, if said line were projected North through  
25          the Southeast Quarter of Section 33, Township  
26          42 South, Range 33 East; thence South along  
27          said projection and continue South along the  
28          East line of Section 9 to the Southeast Corner  
29          of said Section 9; thence East along the North  
30          boundaries of Sections 15 and 14 to the  
31          Northeast Corner of Section 14; thence South

1 along the East boundary of Section 14 to the  
2 Southeast Corner of Section 14, and continuing  
3 South along the East lines of Sections 23, 26,  
4 and 35, Township 43 South, Range 33 East and  
5 along the East line of Section 2, Township 44  
6 South, Range 33 East to the Point of Beginning,

7  
8 Less and except the North 160 feet of Section  
9 14, Township 43 South, Range 33 East and the  
10 North 160 feet lying 100 feet East of the West  
11 boundary of Section 15, Township 43 South,  
12 Range 33 East.

13  
14 Subject however, to the right-of-way of the  
15 existing separation levee of Sugarland Drainage  
16 District, as set forth in Chapter 18287, Laws  
17 of 1937, and to the right-of-way along a  
18 portion of the South and West boundaries of the  
19 District, which right of way is held by the  
20 Central and Southern Florida Flood Control  
21 District.

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23 Section 3. For the purpose of enabling the principal  
24 and interest of any outstanding indebtedness of the District  
25 to be paid, the Board of Supervisors is hereby authorized,  
26 empowered, and directed to levy and impose upon all the lands  
27 within the District a Maintenance Indebtedness Tax. This  
28 Maintenance Indebtedness Tax shall be in addition to, and not  
29 in lieu of, the annual levy of maintenance tax.

30 Section 4. In imposing the taxes authorized to be  
31 levied by this act, or as it may hereafter be amended, the

1 separate parcels of less than one (1) acre shall be assessed  
2 the tax amount applicable to parcels of one (1) acre.

3 Section 5. For the purpose of draining, reclaiming,  
4 and conserving the lands hereinafter described, and protecting  
5 the same from the effects of water, or lack of water, for  
6 controlling the water in the District and the water tables  
7 with respect to the lands therein, for agricultural and  
8 sanitary purposes, for the public health, convenience,  
9 welfare, utility and benefit, and for the purpose of  
10 maintaining and operating the existing drainage facilities  
11 located on, embraced within or adjacent to the lands described  
12 in this act, Flaghole Drainage District is hereby declared to  
13 exist and the creation thereof is ratified, validated, and  
14 confirmed.

15 Section 6. For the purpose of paying the cost of  
16 maintaining and operating said facilities, as well as  
17 administering the affairs of the District generally, there is  
18 hereby levied and imposed upon each acre of land lying within  
19 the said District, including lands owned by the State of  
20 Florida, or its agencies, an annual tax to be known as  
21 Maintenance Tax, in an amount sufficient to maintain and  
22 preserve the works of the District, said per acre tax to be  
23 determined annually by the Supervisors. The Supervisors shall  
24 have the power to designate maintenance areas within the  
25 District, and to levy variable maintenance tax rates  
26 apportioned upon the bases of benefits received by lands  
27 within the maintenance areas.

28 Section 7. The governing Board of Flaghole Drainage  
29 District shall be designated Board of Supervisors of Flaghole  
30 Drainage District and shall be composed of three persons, who  
31 shall be resident Freeholders of the State of Florida.



1           Section 8. That all other acts and proceedings of the  
2 Circuit Court of said Hendry and Glades Counties taken by,  
3 for, and on behalf of said District since the creation  
4 thereof; and all of the acts and proceedings of the Board of  
5 Supervisors, the Commissioners, and all other officers and  
6 agents of said District, and of said Hendry and Glades  
7 Counties, acting for and on behalf of said District and any  
8 and all tax levies and assessments which have been made by the  
9 said Board of Supervisors for and on behalf of said District,  
10 by and they are each and every one of them, and each and every  
11 part thereof, hereby ratified, validated, and confirmed.

12           Section 4. Chapter 28540, Laws of Florida, 1953, and  
13 chapters 59-930, 73-477, and 77-562, Laws of Florida, are  
14 repealed

15           Section 5. In the event any section or provision of  
16 this act is determined to be invalid or unenforceable, such  
17 determination shall not affect the validity of or  
18 enforceability of each other section and provision of this  
19 act.

20           Section 6. In the event of a conflict between the  
21 provisions of this act and the provisions of any other act,  
22 the provisions of this act shall control to the extent of such  
23 conflict.

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

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