

By Representative C. Green

1 A bill to be entitled
2 An act relating to the Alva Fire Protection and
3 Rescue Service District, Lee County; providing
4 legislative intent; providing for codification
5 of the special laws relating to the Alva Fire
6 Protection and Rescue Service District pursuant
7 to s. 191.015, F.S.; codifying, reenacting, and
8 amending all prior special acts; creating and
9 establishing a fire control and rescue district
10 as an independent district in Lee County and
11 fixing the boundaries of the district;
12 providing for a governing body; prescribing the
13 powers of the board; authorizing the board to
14 establish and maintain emergency medical
15 services and equipment; authorizing the board
16 to make policies, rules, regulations, and a
17 fire code; providing for assessing and
18 collecting taxes, assessments, impact fees, and
19 user charges; providing that this act shall be
20 construed liberally; providing for
21 severability; providing for the repeal of
22 chapters 76-413, 81-414, 83-449, 83-454,
23 87-447, 88-545, and 90-388, Laws of Florida, as
24 said laws relate to the district; providing an
25 effective date.

26

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

28

29 Section 1. Intent.--Pursuant to section 191.015,
30 Florida Statutes, this act constitutes the codification of all
31 special acts relating to the Alva Fire Protection and Rescue

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

8 Section 2. Codification.--Chapters 76-413, 81-414,
9 83-449, 83-454, 87-447, 88-545, and 90-388, Laws of Florida,
10 relating to the Alva Fire Protection and Rescue Service
11 District, are hereby codified, reenacted, and amended as
12 provided herein.

13 Section 3. The Alva Fire Protection and Rescue Service
14 District, an independent special district, is re-created and
15 the charter for such district is re-created and reenacted to
16 read:

17 Section 1. Creation.--There is hereby made, created
18 and established the Alva Fire Protection and Rescue Service
19 District, an independent special district, hereinafter
20 referred to as the district, through the codification and
21 reenactment of the district's several legislative enactments,
22 which shall include the following described lands:

23
24 In Township 43 South, Range 27 East, all of
25 Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12,
26 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24,
27 25, 26, 27, 28, 29, 32, 33, 34 and 35 and that
28 portion of Sections 30, 31 and 36 that does not
29 lie in the Lehigh Acres Fire Control and Rescue
30 District, and in Township 43 South, Range 26
31 East all of Sections 1, 2, 3, 10, 11, 12, 13,

1 14, 15, and that portion of Sections 22 and 23
2 lying North of the Caloosahatchee River and
3 that portion of Section 24 lying North of the
4 Caloosahatchee River or lying South of the
5 Caloosahatchee River and East of Hickeys Creek,
6 and that portion of Section 25 lying North and
7 East of Hickeys Creek, and any portion of
8 Township 44 South, Range 27 East contiguous to
9 the South Township line of Township 43 South
10 that does not lie in the Lehigh Acres Fire
11 Control and Rescue District. All the above is
12 less all properties within the Lehigh Acres
13 Fire Control and Rescue District.

14
15 Section 2. Governing body.--The district shall be
16 governed by a board which shall consist of five (5) resident
17 electors of the district elected by a vote of the electors of
18 the district pursuant to the laws of Florida, as said laws may
19 be amended from time to time.

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

29 Section 4. Emergency medical and rescue response
30 services.--The district is authorized to establish and
31 maintain emergency medical and rescue response services and

1 acquire and maintain rescue, medical, transport and other
2 emergency equipment as prescribed by general law and special
3 law, as said laws may be amended from time to time.

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

12 Section 6. Taxes; non-ad valorem assessments; impact
13 fees; user charges.--The district board shall fix and cause to
14 be levied on all property of the district, a millage
15 sufficient to meet the requirements of the adopted budget;
16 provided, however, two (2) mills is the maximum that can be
17 levied in any one (1) year, except as provided in chapter 191,
18 Florida Statutes, chapter 97-340, Laws of Florida, or any
19 other applicable general law or special law, as said laws may
20 be amended from time to time. In addition, the district shall
21 have such authority to levy non-ad valorem assessments and
22 charge impact fees and user charges as prescribed in chapter
23 191, Florida Statutes, chapter 97-340, Laws of Florida, and
24 any other applicable general law or special law as said laws
25 may be amended from time to time.

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

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

6 Section 5. Except as specifically reenacted herein,
7 chapters 76-413, 81-414, 83-449, 83-454, 87-447, 88-545, and
8 90-388, Laws of Florida, as said laws relate to the district,
9 are hereby repealed.

10 Section 6. In the event any section or provision of
11 this act is determined to be invalid or unenforceable, such
12 determination shall not affect the validity of or
13 enforceability of each other section and provision of this
14 act.

15 Section 7. In the event of a conflict of the
16 provisions of this act with the provisions of any other act
17 the provisions of this act shall control to the extent of such
18 conflict.

19 Section 8. This act shall take effect upon becoming a
20 law.

21
22
23
24
25
26
27
28
29
30
31