

1  
2 An act relating to the Fort Myers Shores Fire  
3 Protection and Rescue Service District, Lee  
4 County; providing legislative intent; providing  
5 for codification of the special acts relating  
6 to the Fort Myers Shores Fire Protection and  
7 Rescue Service District pursuant to s. 191.015,  
8 F.S.; re-creating the district as an  
9 independent special district and fixing its  
10 boundaries; providing for a governing board;  
11 prescribing the powers and duties of the board;  
12 authorizing the board to establish and maintain  
13 emergency medical services and equipment;  
14 authorizing the board to make policies, rules,  
15 regulations, and a fire code; providing for  
16 assessing and collecting taxes, assessments,  
17 impact fees, and user charges; providing for  
18 liberal construction; codifying, reenacting,  
19 amending, and repealing chapters 76-409,  
20 79-497, 81-414, 83-444, 83-454, 87-447, 88-538,  
21 88-545, 89-498, and 90-390, Laws of Florida;  
22 providing severability; providing for  
23 precedence over conflicting law to the extent  
24 of such conflict; providing an effective date.

25  
26 Be It Enacted by the Legislature of the State of Florida:

27  
28 Section 1. Pursuant to section 191.015, Florida  
29 Statutes, this act constitutes the codification of all special  
30 acts relating to the Fort Myers Shores Fire Protection and  
31 Rescue Service District. It is the intent of the Legislature

1 to provide a single, comprehensive special act charter for the  
2 district which includes all current legislative authority  
3 granted to the district by general law and by its several  
4 legislative enactments, as said laws may be amended from time  
5 to time, and any additional authority granted by this act.

6 Section 2. Chapters 76-409, 79-497, 81-414, 83-444,  
7 83-454, 87-447, 88-538, 88-545, 89-498, and 90-390, Laws of  
8 Florida, are codified, reenacted, and amended as provided  
9 herein.

10 Section 3. The Fort Myers Shores Fire Protection and  
11 Rescue Service District is re-created, and the charter for  
12 such district is re-created and reenacted to read:

13  
14 Section 1. Creation.--There is hereby made, created,  
15 and established the Fort Myers Shores Fire Protection and  
16 Rescue Service District, an independent special district,  
17 hereinafter referred to as the district, through the  
18 codification and reenactment of the district's several  
19 legislative enactments, which shall include the following  
20 described lands:

21  
22 Begin at the point of intersection of the South  
23 bank of the Caloosahatchee River and the West  
24 bank of Orange River; thence Southerly and  
25 Easterly along the West and North bank of  
26 Orange River to the intersection of said Bank  
27 of Orange River and the South line of Township  
28 43 South, Range 26 East, thence Easterly along  
29 said Township line to the Southeast corner of  
30 Section 36, Township 43 South, Range 26 East;  
31 thence Northerly along the range line between

1           Ranges 26 East and 27 East to the point of  
2           intersection of said Range line with the South  
3           bank of Hickeys Creek; thence Westerly and  
4           northerly along the Southerly and Westerly bank  
5           of Hickeys Creek to the point of intersection  
6           with the South bank of the Caloosahatchee  
7           River; thence Westerly along the South bank of  
8           the Caloosahatchee River to the Point of  
9           Beginning.

10

11           Section 2. Governing body.--The district shall be  
12 governed by a board which shall consist of five resident  
13 electors of the district elected by a vote of the electors of  
14 the district pursuant to the laws of Florida, as said laws may  
15 be amended from time to time.

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

25           Section 4. Emergency medical and rescue response  
26 services.--The district is authorized to establish and  
27 maintain emergency medical and rescue response services and  
28 acquire and maintain rescue, medical, transport, and other  
29 emergency equipment as prescribed by general law and special  
30 law, as said laws may be amended from time to time.

31

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

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

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

29           Section 4. This act shall be construed as a remedial  
30 act and shall be liberally construed to promote the purpose  
31 for which it is intended.

1           Section 5. Chapters 76-409, 79-497, 81-414, 83-444,  
2 83-454, 87-447. 88-538, 88-545, 89-498 and 90-390, Laws of  
3 Florida, are repealed.

4           Section 6. If any section or provision of this act is  
5 determined to be invalid or unenforceable, such determination  
6 shall not affect the validity or enforceability of each other  
7 section and provision of this act.

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

12           Section 8. This act shall take effect upon becoming a  
13 law.

14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31