

1 A bill to be entitled
2 An act relating to South Walton Fire District,
3 Walton County; providing legislative intent;
4 creating and describing the district;
5 prescribing its powers; providing for a board
6 of fire commissioners; providing for terms of
7 office and for filling vacancies in office;
8 providing for meetings, minutes of meetings,
9 and public access; providing for financial
10 matters; authorizing ad valorem taxes;
11 authorizing the district to accept gifts and
12 donations; providing the district's fiscal
13 year; providing for collection of taxes;
14 providing limits and guidelines for
15 indebtedness of the district; prescribing
16 authorized uses of district funds; providing
17 penalties; ratifying actions previously taken;
18 providing for a referendum; providing effective
19 dates.

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

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23 Section 1. This act constitutes the codification of
24 all ordinances relating to the South Walton Fire District. It
25 is the intent of the Legislature in enacting this law to
26 provide a single, comprehensive special act charter for the
27 district, including all current legislative enactments and any
28 additional authority granted by this act.

29 Section 2. District; establishment.--The South Walton
30 Fire District is created. The district shall include the
31 following territory:

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2 Begin at the point of intersection of the east
3 extremity line of the Walton County/Bay County
4 Line and the mean high water line of the Gulf
5 of Mexico. Thence run due north along the
6 county line to its point of intersection with
7 the mean high water line of the south bank of
8 the Intracoastal Waterway. Thence run
9 northwesterly along the mean high water line of
10 the south bank of the Intracoastal Waterway to
11 its point of intersection with Choctawhatchee
12 Bay. Thence run westerly along the mean high
13 water line of the south shore of Choctawhatchee
14 Bay to its point of intersection with the
15 Walton County/Okaloosa County Line. Thence run
16 due south along the county line to its point of
17 intersection with the Gulf of Mexico. Thence
18 run easterly along the mean high water line of
19 the Gulf of Mexico to the point of beginning.

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21 Any federal lands located within the described boundaries of
22 the district are excluded from the district.

23 Section 3. District; powers.--The district is an
24 independent special fire control district under chapter 191,
25 Florida Statutes. The provisions of that chapter, specifically
26 including sections 191.006 and 191.008, Florida Statutes,
27 prescribing general and special powers, apply to the district,
28 but if any provision of that chapter conflicts with this act,
29 the provisions of this act control.

30 Section 4. Board of fire commissioners.--The business
31 and affairs of the district shall be conducted and

1 administered by a board of seven commissioners. Two
 2 commissioners shall be elected from each precinct in the
 3 district, and one commissioner shall be elected at large. Each
 4 member of the board must, at the time of qualifying for, and
 5 during the term of, office, be an elector of Walton County, a
 6 resident of the district, and, if elected from a precinct, a
 7 resident of that precinct. The board shall elect from its
 8 number a chairman, vice chairman, and secretary-treasurer
 9 annually in October. Such officers shall have the duties
 10 usually pertaining to like officers. Members of the board
 11 shall receive no compensation for their service, but they are
 12 entitled to reimbursement for expenses incurred in the conduct
 13 of their official duties. Each member of the board, before
 14 entering upon the duties of that office, shall execute to the
 15 Governor for the benefit of the district a good and sufficient
 16 bond in the sum of \$1,000, conditioned to faithfully perform
 17 the duties of that office and to account for all funds of the
 18 district which come into his or her hands. The premium of the
 19 bond shall be paid from funds of the district.

20 Section 5. Fire commissioners; terms of office;
 21 vacancies.--Each fire commissioner shall serve a term of 4
 22 years and is eligible for reelection. Each member of the board
 23 of fire commissioners serving on the effective date of this
 24 act shall continue to hold office until the expiration of the
 25 term to which he or she was elected. If an office becomes
 26 vacant, the vacancy shall be filled by appointment by the
 27 remaining members of the board for the unexpired portion of
 28 the term. A person appointed to fill a vacancy must meet the
 29 same qualifications as candidates for election.

30 Section 6. Meetings; minutes.--A record shall be kept
 31 of all meetings of the board. In any meeting, the concurrence

1 of a majority of the members of the board is necessary to any
2 action by the board. Meetings of the board and minutes of
3 meetings are open to the public at all times.

4 Section 7. Financial matters.--

5 (1) The board may levy an ad valorem tax on taxable
6 property within the district of up to 1 mill. The ad valorem
7 tax authorized by this subsection shall become a lien on the
8 property so assessed until paid. If it becomes delinquent, it
9 is subject to the same penalties, charges, and fees for
10 enforcement and collection as county ad valorem taxes and
11 shall be enforced and collected as provided by law. The
12 district's ad valorem tax shall be a first lien superior in
13 dignity to all other liens except liens for county ad valorem
14 taxes.

15 (2) The board may accept gifts and donations and may
16 carry on community projects for fund-raising purposes.

17 (3) The fiscal year of the district shall run from
18 October 1 until September 30 of the following year.

19 Section 8. Taxes; collection.--The board of
20 commissioners shall notify the Walton County Property
21 Appraiser annually of taxes that the board has imposed on each
22 parcel of property within the district, and the Property
23 Appraiser shall include these taxes in the notice of proposed
24 property taxes and adopted non-ad valorem assessments for the
25 properties within the district.

26 Section 9. Indebtedness.--

27 (1) The board of fire commissioners may borrow money
28 for the purposes of the district. The total principal and
29 interest that may be outstanding may not exceed 50 percent of
30 the total assessment roll. The board may pledge collections on
31 such roll and may give tax anticipation notes, which shall be

1 the sole security for such loans. Neither the district nor any
2 commissioner is personally liable for such a loan or any part
3 thereof. If there is a pledge of collections on the district
4 assessment roll, it is the duty of the board, upon collection
5 of the roll so pledged, to apply the first proceeds thereof to
6 the payment of principal and interest on the loan for which
7 the assessment was pledged.

8 (2) Except as provided in subsection (1), the board
9 may not create indebtedness or incur obligations for any sum
10 that it is unable to pay out of district funds then in its
11 possession.

12 Section 10. Use of funds.--Funds of the district may
13 not be used for any purpose other than for the administration
14 of the affairs and business of the district; for the
15 construction, care, maintenance, upkeep, operations, and
16 purchase of standard firefighting equipment, which must meet
17 the requirements of the underwriters' association; for
18 construction and maintenance of fire stations, installation of
19 fire hydrants, payment of public utilities such as electricity
20 and water; for the salary of one or more firefighters; and for
21 such other expenses as the board determines to be in the best
22 interest of the district.

23 Section 11. Penalty.--Any person who violates any
24 provision of this act or any rule adopted pursuant to this act
25 is guilty of a misdemeanor of the second degree, punishable as
26 provided in section 775.082 or section 775.083, Florida
27 Statutes.

28 Section 12. All acts of the Board of Fire
29 Commissioners of the South Walton Fire District which were
30 taken before the effective date of this act are ratified and
31 confirmed.

1 Section 13. This act, except for this section, which
2 shall take effect upon becoming a law, shall take effect only
3 if this act is ratified by the electors of the district voting
4 in a referendum election that is called by the Board of Fire
5 Commissioners of the South Walton Fire District and held
6 within 2 years after the date this act becomes a law. The
7 effective date of the act shall be the date on which the
8 results of the referendum are certified. The expenses of the
9 election shall be paid by the board from moneys of the
10 district.

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