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2 An act relating to Palm Beach County; providing  
3 for codification of special laws regarding  
4 special districts pursuant to s. 189.429, F.S.,  
5 relating to Highland Glades Water Control  
6 District, a special tax district in Palm Beach  
7 County; providing legislative intent; codifying  
8 and reenacting special acts relating to the  
9 district; providing district status and  
10 boundaries; providing for applicability of  
11 chapters 298 and 189, Florida Statutes, and  
12 other general laws; providing a district  
13 charter; providing for ratification of prior  
14 acts; providing for liberal construction;  
15 providing a saving clause in the event any  
16 provision of the act is deemed invalid;  
17 repealing chapters 8885 (1921) and 89-466, Laws  
18 of Florida; providing an effective date.

19  
20 Be It Enacted by the Legislature of the State of Florida:

21  
22 Section 1. Pursuant to section 189.429, Florida  
23 Statutes, this act constitutes the codification of all special  
24 acts relating to the Highland Glades Water Control District.  
25 It 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 authority granted  
28 to the district by its several legislative enactments and any  
29 additional authority granted by this act.

30 Section 2. Chapters 8885 (1921) and 89-466, Laws of  
31 Florida, relating to the Highland Glades Water Control

1 District, are codified, reenacted, amended, and repealed as  
2 herein provided.

3           Section 3. The charter for the Highland Glades Water  
4 Control District is re-created and reenacted to read:

5           Section 1. Status and boundaries of Highland Glades  
6 Water Control District.--The Highland Glades Water Control  
7 District is hereby declared to be an independent water control  
8 district and a public corporation of the State of Florida  
9 pursuant to chapter 298, Florida Statutes, as it may be  
10 amended from time to time, and the lands lying within the area  
11 described as follows in Palm Beach County, Florida, shall  
12 hereby constitute the Highland Glades Water Control District:

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14           Begin at the point of intersection of the  
15 Township line between Townships forty-two (42)  
16 and forty-three (43) with the West bank of the  
17 West Palm Beach Canal and run West along said  
18 Townships line to the Northwest corner of  
19 Section four (4) in Township forty-three (43)  
20 South of Range thirty-eight (38) East; thence  
21 South along the West lines of Sections four  
22 (4), nine (9) sixteen (16) and twenty-one (21)  
23 to the Southwest corner of Section twenty-one  
24 (21) in said Township forty-three (43) South of  
25 Range thirty-eight (38) East; thence West along  
26 the North lines of Sections twenty-nine (29)  
27 and thirty (30) in said Township to the  
28 Northwest corner of said Section thirty (30);  
29 thence South along the West lines of Sections  
30 thirty (30) and thirty-one (31) in said  
31 Township to the Southwest corner of said

1           Section thirty-one (31); thence Southwesterly  
2           along the West line of Lot six (6) between  
3           Townships forty-three (43) and forty-four (44)  
4           in Range thirty-eight (38) to the Southwest  
5           corner of said Lot six (6); thence East along  
6           the South line of said Lot six (6) to the  
7           Northwest corner of Section five (5) in  
8           Township forty-four (44) South of Range  
9           thirty-eight (38) East; thence South along the  
10           West line of Section five (5) and along the  
11           West line of Section eight (8) in said Township  
12           forty-four (44) South of Range thirty-eight  
13           (38) East, to the point of intersection of said  
14           West line of Section eight (8) with the North  
15           bank of Okeechobee Road Canal; thence in a  
16           Northeasterly direction along the North bank of  
17           the Okeechobee Road Canal to the Northeast  
18           corner of Section four (4) in said Township;  
19           thence East along the North lines of Sections  
20           three (3), two (2) and one (1) in said  
21           Township, to the Northeast corner of said  
22           Section one (1) in said Township; thence in a  
23           Northeasterly direction along the East line of  
24           Lot one (1) between Townships forty-three (43)  
25           and forty-four (44) South of Range thirty-eight  
26           (38) East to the Northeast corner of said Lot  
27           one (1); thence North along the East line of  
28           Township forty-three (43) South of Range  
29           thirty-eight (38) East to the South bank of the  
30           West Palm Beach Canal; thence in a  
31           Northwesterly direction along the South bank of

1 the said West Palm Beach Canal to the place of  
2 beginning.

3 and  
4

5 Sections 5, 6, 7, 8, 17, 18, 19, and 20,  
6 Township 43 South, Range 38 East.  
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8 Section 2. In addition to the rights, powers,  
9 privileges, duties, liabilities, and responsibilities  
10 hereinbefore vested in or imposed upon the Highland Glades  
11 Water Control District, the Board of Supervisors of said  
12 District is hereby authorized, empowered, and directed to  
13 build roads as incidental to the digging of ditches, by  
14 leveling the spoil banks of the ditches and canals in said  
15 District, and thereafter placing on said roads material  
16 excavated from ditches or canals or otherwise obtained and to  
17 erect bridges over the ditches, including a bridge or bridges  
18 across the Okeechobee Road Canal, as in the judgment of said  
19 Board shall be suitable and proper for public use in said  
20 District. All work constructed by the District shall  
21 thereafter be maintained and kept up by the District. This  
22 section does not exempt the district from complying with  
23 applicable provisions of Chapters 373 or 403, Florida Statutes.  
24

25 Section 3. The annual meeting of the landowners of  
26 said District shall be held in the month of June in each and  
27 every year beginning with the year 1922, at some date to be  
28 fixed by the Board of Supervisors, but if for any reason such  
29 annual meeting shall not be held in the month of June, it  
30 shall be held as soon thereafter as practicable. The  
31 landowners either in person or represented by proxy present at  
any annual meeting, adjourned meeting, or special meeting of

1 the landowners of the Highland Glades Water Control District,  
2 shall constitute a quorum for such meeting and shall organize  
3 at such meeting and determine all questions and elect  
4 supervisors for said District regardless of the amount of  
5 acreage represented at said meeting. At any such meeting each  
6 landowner shall be entitled to one vote for each acre owned by  
7 him or her.

8 Section 4. No action, suit, or proceeding shall be  
9 brought to contest, set aside, review, or enjoin the  
10 collection of any tax levied under the provision of this act,  
11 unless such suit, action, or proceeding shall begin within 20  
12 days after the final completion and authentication of the  
13 assessment roll for that year.

14 Section 5. Whoever shall wilfully damage any ditch,  
15 canal, drain, levee, reservoir, roadway, bridge, culvert, or  
16 other works established or constructed under this act, or that  
17 may have been heretofore constructed within the territory  
18 embraced in said District, or shall fill or obstruct the flow  
19 of water in any canal, ditch, drain, or waterway, or shall  
20 remove any earth, stone, or material from the banks of any  
21 canal, drain, or ditch without first having obtained  
22 permission in writing from said Board to remove such material,  
23 shall be deemed guilty of a misdemeanor and upon conviction  
24 shall be fined in a sum not exceeding \$500 or be imprisoned in  
25 the county jail not longer than 6 months.

26 Section 6. The Highland Glades Water Control District  
27 shall not be liable for personal injuries or injuries to  
28 property due to the defective condition of its roads,  
29 highways, bridges, or culverts.

30 Section 7. No suit or any cause of action of  
31 whatsoever kind or nature against the Highland Glades Water

1 Control District shall be instituted later than 6 months from  
2 the date such cause of action shall have accrued.

3 Section 8. No suit or action for the recovery of  
4 damages upon any claim or demand arising either ex contractu  
5 or ex delicto shall be instituted against the Highland Glades  
6 Water Control District unless a written statement giving the  
7 particulars of the cause of action and containing a notice of  
8 intention to sue shall be filed with the Secretary of said  
9 District at least 30 days before the suit or action is  
10 instituted.

11 Section 9. In accordance with section 189.404(3),  
12 Florida Statutes, the following subsections shall constitute  
13 the minimum charter requirements of the Highland Glades Water  
14 Control District:

15 (1) The District is organized and exists for all  
16 purposes set forth in this act and chapter 298, Florida  
17 Statutes, as they may be amended from time to time.

18 (2) The powers, functions, and duties of the District  
19 regarding ad valorem taxation, bond issuance, other  
20 revenue-raising capabilities, budget preparation and approval,  
21 liens and foreclosure of liens, use of tax deeds and tax  
22 certificates as appropriate for non-ad valorem assessments,  
23 and contractual agreements shall be as set forth in chapters  
24 170, 189, 197, and 298, Florida Statutes, or any other  
25 applicable general or special law, as they may be amended from  
26 time to time.

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

29 (4) In accordance with chapter 189, Florida Statutes,  
30 this act, and section 298.11, Florida Statutes, the district  
31 is governed by a three-member board, elected on a 1-acre,

1 one-vote basis by the landowners in the district; however,  
2 landowners owning less than 1 acre shall be entitled to one  
3 vote. Landowners with more than 1 acre shall be entitled to  
4 one additional vote for any fraction of an acre greater than  
5 1/2 acre owned, when all of the landowner's acreage has been  
6 aggregated for purposes of voting. The membership and  
7 organization of the Board shall be as set forth in this act  
8 and chapter 298, Florida Statutes, as they may be amended from  
9 time to time.

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

13 (6) The administrative duties of the Board of  
14 Supervisors shall be as set forth in this act and chapter 298,  
15 Florida Statutes, as they may be amended from time to time.

16 (7) Requirements for financial disclosure, meeting  
17 notices, reporting, public records maintenance, and per diem  
18 expenses for officers and employees shall be as set forth in  
19 chapters 112, 189, 286, and 298, Florida Statutes, as they may  
20 be amended from time to time.

21 (8) The procedures and requirements governing the  
22 issuance of bonds, notes, and other evidence of indebtedness  
23 by the district shall be as set forth in chapter 298, Florida  
24 Statutes, and applicable general laws, as they may be amended  
25 from time to time.

26 (9) The procedures for conducting district elections  
27 and for qualification of electors shall be pursuant to  
28 chapters 189 and 298, Florida Statutes, as they may be amended  
29 from time to time; however, a quorum for purposes of holding  
30 the annual meeting or any special meeting shall consist of  
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1 those landowners present in person or represented by proxy at  
2 said meeting.

3 (10) The district may be financed by any method  
4 established in this act, chapter 298, Florida Statutes, and  
5 applicable general laws, as they may be amended from time to  
6 time.

7 (11) The methods for collecting non-ad valorem  
8 assessments, fees, or service charges shall be as set forth in  
9 chapters 170, 197, and 298, Florida Statutes, and other  
10 applicable general laws, as they may be amended from time to  
11 time.

12 (12) The district's planning requirements shall be as  
13 set forth in chapters 189 and 298, Florida Statutes, as they  
14 may be amended from time to time.

15 (13) The district's geographic boundary limitations  
16 shall be as set forth in this act.

17 (14) The district shall have all powers provided to it  
18 by this act, chapters 189 and 298, Florida Statutes, and other  
19 applicable general laws, as they may be amended from time to  
20 time.

21 Section 10. All acts and proceedings of the circuit  
22 court taken by, for, and on behalf of the District since the  
23 creation thereof, and all of the acts and proceedings of the  
24 Board of Supervisors, the Commissioners, and all other  
25 officers and agents of the District, and of the county, acting  
26 for and on behalf of the District, and any and all tax levies  
27 and assessments which have been made by the Board of  
28 Supervisors for and on behalf of the District, are each and  
29 every one of them, and each and every part thereof, hereby  
30 ratified, validated, and confirmed.

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1           Section 4. It is intended that the provisions of this  
2 act shall be liberally construed to accomplish the purposes of  
3 this act.

4           Section 5. If any section, subsection, sentence,  
5 clause, or phrase of this act is held to be unconstitutional,  
6 such holding shall not affect the validity of the remaining  
7 portions of the act, the Legislature hereby declaring that it  
8 would have passed this act and each section, subsection,  
9 sentence, clause, and phrase thereof, irrespective of any  
10 other separate section, subsection, sentence, clause, or  
11 phrase thereof, and irrespective of the fact that any one or  
12 more other sections, subsections, sentences, clauses, or  
13 phrases thereof may be declared unconstitutional.

14           Section 6. Chapter 8885, Laws of Florida (1921),  
15 chapter 9564, Laws of Florida (1923), chapter 10615, Laws of  
16 Florida (1925), chapter 30199, Laws of Florida (1955), and  
17 chapter 89-466, Laws of Florida, are repealed 10 days after  
18 the effective date of this act.

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

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