

By Representative Atwater

1                                   A bill to be entitled  
2           An act relating to the South Indian River Water  
3           Control District, Palm Beach County; providing  
4           for codification of special laws relating to  
5           the South Indian River Water Control District;  
6           amending, codifying, reenacting, and repealing  
7           all prior special acts; providing for creation,  
8           status, charter amendments, and boundaries;  
9           providing for a board of supervisors and powers  
10          and duties; providing minimum charter  
11          requirements in accordance with s. 189.404,  
12          F.S.; providing for construction and effect;  
13          providing an effective date.

14  
15 Be It Enacted by the Legislature of the State of Florida:

16  
17           Section 1. Pursuant to section 189.429, Florida  
18 Statutes, this act constitutes the codification of all special  
19 acts relating to the South Indian River Water Control  
20 District. It is the intent of the Legislature to provide a  
21 single, comprehensive special act charter for the district  
22 including all current legislative authority granted to the  
23 district by its several legislative enactments and any  
24 additional authority granted by this act and chapters 189 and  
25 298, Florida Statutes, as amended from time to time. It is  
26 further the intent of this act to preserve all district  
27 authority as set forth in this act, and chapters 189 and 298,  
28 Florida Statutes, and any other applicable general or special  
29 law.

30           Section 2. Chapters 11006 (1925), 12271 (1927), 19344  
31 (1939), 20654 (1941), 21731 (1943), 69-1411, 71-820, 78-582,

1 79-534, 80-575, 81-462, 87-515, 87-517, 91-402, and 2000-435,  
2 Laws of Florida, related to the South Indian River Water  
3 Control District, are amended, codified, reenacted, and  
4 repealed as provided herein.

5 Section 3. The charter for the South Indian River  
6 Water Control District is re-created and reenacted to read:

7 Section 1. Creation; status; charter amendments;  
8 boundaries.--For the purpose of comprehensive water management  
9 and control pursuant to chapter 298, Florida Statutes, as it  
10 may be amended from time to time, the South Indian River Water  
11 Control District, an independent water control district, is  
12 hereby declared to exist. The district is organized and exists  
13 for all purposes set forth in this act and chapters 189 and  
14 298, Florida Statutes. The district was created by decree of  
15 the Circuit Court of the Fifteenth Judicial Circuit on July 3,  
16 1923. Its charter may be amended only by special act of the  
17 Legislature. The boundaries of the district are declared to be  
18 as follows:

19  
20 A Tract of land lying in Palm Beach County,  
21 Florida and being all of Sections 33 and 34,  
22 Township 40 South, Range 41 East; all of  
23 Sections 1, 2, 3, 10, 11, 12, 13, 14, 15 and 16  
24 of Township 41 South, Range 41 East; all of  
25 Sections 9, 16, 17 and 18 of Township 41 South,  
26 Range 42 East; portions of Sections 4 and 9 of  
27 Township 41 South, Range 41 East, and portions  
28 of Sections 7, 15 and 22 of Township 41 South,  
29 Range 42 East.

1       The boundaries of said Tract of land being more  
2       particularly described as follows:  
3  
4       Beginning at the Northwest corner of the  
5       Northeast Quarter of Section 4, Township 41  
6       South, Range 41 East, run southerly along the  
7       west line of the east half of Section 4 and the  
8       east half of Section 9 of said Township 41  
9       South, Range 41 East to the Southwest corner of  
10       the Southeast Quarter of said Section 9.  
11  
12       Thence run westerly along the north line of  
13       Section 16, Township 41 South, Range 41 East,  
14       to the Northwest corner of said Section 16.  
15  
16       Thence run southerly along the west line of  
17       said Section 16 to the Southwest corner of said  
18       Section 16.  
19  
20       Thence run easterly along the south lines of  
21       Sections 16, 15, 14 and 13 of said Township 41  
22       South, Range 41 East, to the Southeast corner  
23       of said Section 13.  
24  
25       Thence continue easterly along the south lines  
26       of Sections 18, 17, and 16 of Township 41  
27       South, Range 42 East to the southeast corner of  
28       said Section 16.  
29  
30  
31

1       Thence run southerly along the west line of  
2       Section 22, Township 41 South, Range 42 East,  
3       to the southwest corner of said Section 22.  
4  
5       Thence run easterly along the south line of  
6       said Section 22 to a point on the westerly  
7       right-of-way line of The Florida Turnpike.  
8  
9       Thence run northerly along the westerly  
10      right-of-way line of The Florida Turnpike to a  
11      point on the north line of Section 22, Township  
12      41 South, Range 42 East;  
13  
14      Thence run easterly along the north line of  
15      said Section 22, to a point on the Easterly  
16      right-of-way line of The Florida Turnpike.  
17  
18      Thence run northerly along said easterly  
19      right-of-way line of The Florida Turnpike to a  
20      point in the south line of the North half of  
21      Section 15, Township 41 South, Range 42 East;  
22  
23      Thence run easterly along the south line of the  
24      North half of said Section 15 to a point in the  
25      east line of said Section 15.  
26  
27      Thence run Northerly along the east line of  
28      said Section 15 to the Northeast corner of  
29      Section 15, Township 41 South, Range 42 East.  
30  
31

1       Thence run westerly along the north line of  
2       said Section 15 to the Northwest corner of said  
3       Section 15;  
4  
5       Thence run northerly along the east line of  
6       Section 9, Township 41 South, Range 42 East to  
7       the Northeast corner of said Section 9.  
8  
9       Thence run westerly along the north line of  
10       said Section 9 to the northwest corner of said  
11       Section 9.  
12  
13       Thence run southerly along the west line of  
14       said Section 9 to the Southwest corner of said  
15       Section 9.  
16  
17       Thence run westerly along the north line of  
18       Section 17, Township 41 South, Range 42 East,  
19       to the northwest corner of said Section 17.  
20  
21       Thence run northerly along the east line of  
22       Section 7, Township 41 South, Range 42 East to  
23       the Southeast corner of the Northeast quarter  
24       of the Northeast quarter of said Section 7.  
25  
26       Thence run westerly along the south line of the  
27       Northeast quarter of the Northeast quarter of  
28       said Section 7 to the Southwest corner of the  
29       Northeast quarter of the Northeast quarter of  
30       said Section 7.  
31

1       Thence run Northerly along the west line of the  
2       Northeast quarter of the Northeast quarter of  
3       said Section 7 to a point in the North line of  
4       said Section 7.  
5  
6       Thence run westerly along the North line of  
7       Section 7, Township 41 South, Range 42 East to  
8       the Northwest corner of said Section 7.  
9  
10       Thence run northerly along the east line of  
11       Section 1, Township 41 South, Range 41 East to  
12       the Northeast corner of said Section 1.  
13  
14       Thence run westerly along the north lines of  
15       Sections 1 and 2, Township 41 South, Range 41  
16       East to the Northwest corner of said Section 2.  
17  
18       Thence run northerly along the East line of  
19       Section 34, Township 40 South, Range 41 East to  
20       the Northeast corner of said Section 34.  
21  
22       Thence run westerly along the north line of  
23       said Sections 34 and 33 to the Northwest corner  
24       of said Section 33.  
25  
26       Thence run southerly along the west line of  
27       said Section 33 to the Southwest corner of said  
28       Section 33.  
29  
30       Thence run easterly along the north line of  
31       Section 4, Township 41 South, Range 41 East to

1           the Northwest corner of the Northeast quarter  
2           of Section 4 and the POINT OF BEGINNING.

3  
4           Section 2. Minimum charter requirements.--In  
5 accordance with section 189.404(3), Florida Statutes, the  
6 following subsections shall constitute the minimum charter  
7 requirements for the South Indian River Water Control  
8 District:

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

12           (2) The powers, functions, and duties of the District  
13 regarding non-ad valorem assessments, bond issuance, other  
14 revenue-raising capabilities, budget preparation and approval,  
15 liens and foreclosure of liens, use of tax deeds, tax  
16 certificates, and contractual agreements shall be as set forth  
17 in this act, chapters 170, 189, 197, and 298, Florida  
18 Statutes, or any other applicable general or special laws, as  
19 they may be amended from time to time.

20           (3) The District was created by judicial decree on  
21 July 3, 1923, and confirmed by special act of the Florida  
22 Legislature by chapter 11006 (1925), Laws of Florida, in  
23 accordance with chapter 298, Florida Statutes.

24           (4) The District's charter may be amended only by  
25 special act of the Legislature.

26           (5) In accordance with chapter 189, Florida Statutes,  
27 this act, and chapter 298, Florida Statutes, the District is  
28 governed by a five-member board, elected on a one-acre,  
29 one-vote basis by the landowners in the District. The  
30 election, membership, and organization of the board shall be  
31

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

3 (6) 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 (7) The administrative duties of the Board of  
7 Supervisors shall be as set forth in this act and chapter 298,  
8 Florida Statutes, as they may be amended from time to time.

9 (8) 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 (9) 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 this act, chapter  
17 298, Florida Statutes, and applicable general laws, as they  
18 may be amended from time to time.

19 (10) The procedures for conducting District elections  
20 and for qualification of electors shall be pursuant to this  
21 act and chapters 189 and 298, Florida Statutes, as they may be  
22 amended from time to time. Provided however, a quorum for  
23 purposes of holding the annual meeting or any special meeting  
24 shall consist of those landowners present in person or  
25 represented by proxy at said meeting.

26 (11) The District may be financed by any method  
27 established in this act, chapter 298, Florida Statutes, and  
28 applicable general laws, as they may be amended from time to  
29 time.

30 (12) The methods for collecting non-ad valorem  
31 assessments, fees, or service charges shall be as set forth in



1 chapters 170, 197, and 298, Florida Statutes, and other  
2 applicable general laws, as they may be amended from time to  
3 time.

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

7 (14) The District's geographic boundary limitations  
8 shall be as set forth in section 1 of this charter.

9 Section 3. Board of Supervisors; elections.--

10 (1) The Board of Supervisors of the South Indian River  
11 Water Control District shall consist of five members, at least  
12 three of whom but not more than four of whom shall reside in  
13 the District, at least one of whom shall reside to the East of  
14 Canal 18, and at least one of whom shall reside to the West of  
15 Canal 18.

16 (2) The Supervisor of Elections of Palm Beach County  
17 shall receive all of the ballots, shall count said ballots,  
18 and shall report to the Board of Supervisors the results of  
19 the counting as soon as practicable after the election. The  
20 Supervisor of Elections will then safeguard all of the ballots  
21 and any interested landowner may examine the ballots under the  
22 supervision of the Supervisor of Elections so that any  
23 landowner may have an opportunity to contest the election by  
24 filing objections with the Board of Supervisors concerning any  
25 ballot believed to be incorrect or improper. All objections  
26 must be filed in writing with the Board of Supervisors no  
27 later than 1 week from the date of the election. Members of  
28 the board shall be elected for terms of 3 years.

29 Section 4. Water control and maintenance taxes.--

30 (1) The Board of Supervisors of the South Indian River  
31 Water Control District in Palm Beach County is hereby

1 authorized, empowered, and required to levy upon all the lands  
2 within said district against which benefits have been  
3 assessed, the annual installment of water control taxes and  
4 maintenance taxes as provided for under the general water  
5 control laws of the state, and it shall certify said annual  
6 installment of water control taxes and maintenance taxes  
7 pursuant to this act and chapters 197 and 298, Florida  
8 Statutes, in the name of its president and secretary and under  
9 its corporate seal, in the manner provided by law. Provided  
10 all water control taxes, maintenance taxes, or any other taxes  
11 authorized herein shall be defined as non-ad valorem  
12 assessments as required by general law.

13 (2)(a) It shall be the duty of the Property Appraiser  
14 of said county to assess against each tract of land within  
15 said district against which benefits have been assessed as the  
16 same is certified to the Property Appraiser each year, the  
17 taxes as levied and certified by said Board of Supervisors as  
18 hereinabove provided and to extend the total of said taxes  
19 upon the assessment roll as required by chapter 197, Florida  
20 Statutes; and

21 (b) It shall be the duty of the Tax Collector of Palm  
22 Beach County to collect such taxes so levied and assessed in  
23 the same manner and at the same time as state and county taxes  
24 are collected and the Tax Collector shall pay the same to the  
25 Treasurer of said District within the time prescribed for the  
26 payment over of state and county taxes. No additional bond  
27 shall be required of the Tax Collector over that presently  
28 required by the provisions of law.

29 (3) It shall be the duty of said Treasurer to hold  
30 said taxes so paid over to him or her for the credit of said  
31 District, to be paid out as prescribed by law.

1       (4) That all taxes levied and assessed, as hereinabove  
2 provided, shall be due and payable and shall be delinquent and  
3 shall thereafter bear the same penalties and the payment  
4 thereof be enforced by the Tax Collector of Palm Beach County  
5 in the same manner and at the same time as the payment of  
6 state and county taxes upon said land is enforced. The right  
7 to foreclose delinquent taxes by the District or by  
8 bondholders of the District, as provided in chapter 298,  
9 Florida Statutes, shall not be affected by anything herein  
10 contained.

11       (5) The Property Appraiser and Tax Collector of Palm  
12 Beach County shall have and receive the same compensation for  
13 said assessment and collection of said taxes as is now allowed  
14 by law for the assessment and collection of Water Control  
15 District taxes which shall be allowed and paid out of the  
16 taxes so collected.

17       Section 5. Maintenance of District accounts.--The  
18 Board of Supervisors of the South Indian River Water Control  
19 District is hereby required to maintain its accounts and books  
20 of record in a manner conforming with generally accepted  
21 accounting principles and in a manner which will provide for  
22 the tracing of receipts and expenditures applicable to road  
23 construction; the tracing of receipts and expenditures  
24 applicable to road maintenance; the tracing of receipts and  
25 expenditures applicable to the maintenance of water control  
26 works; the tracing of receipts and expenditures applicable to  
27 the construction of water control works; the tracing of  
28 receipts and expenditures applicable to the maintenance of  
29 facilities for potable water distribution and wastewater  
30 collection systems; and the tracing of receipts and  
31 expenditures applicable to the construction of facilities for

1 fresh water and sewage and waste removal. The term "water  
2 control works" as used herein shall be defined as those water  
3 control works set forth in chapter 298, Florida Statutes.  
4 Further, the maintenance budget of the District shall be  
5 presented in at least two budgets, which shall not include an  
6 administrative budget. All administrative costs must be  
7 allocated to the budget affected. Additional budgets will be  
8 set up for road construction, traffic control devices, and the  
9 construction of facilities for potable water distribution and  
10 wastewater collection systems. All assessments will be in  
11 direct relationship to the budget and each budget will be a  
12 true reflection of the benefits received by the acres or  
13 parcels assessed.

14 Section 6. Notice of annual landowners' meeting.--

15 (1) The Board of Supervisors of the South Indian River  
16 Water Control District is authorized and empowered to notify  
17 by mail each landowner in the District of the date, time, and  
18 place of the annual landowners' meeting. Said notice shall be  
19 postmarked no later than 30 days prior to said meeting and  
20 mailed to the mailing address of each landowner as indicated  
21 by the Property Appraiser. In the event that the Board of  
22 Supervisors sends such notice by mail pursuant to this  
23 section, notice shall not be required as provided in section  
24 298.11, Florida Statutes.

25 (2) The Board of Supervisors is authorized and  
26 empowered to send with the notice specified in paragraph (1)  
27 forms for proxies and absentee ballots to be executed by the  
28 respective landowners. Proxy forms and absentee ballots  
29 distributed pursuant to this act shall be in a form adopted by  
30 the Board of Supervisors. Executed absentee ballots and  
31 proxies shall be received by the Secretary of the District at

1 the offices of the District prior to the time of the annual  
2 landowners' meeting. Returned absentee ballots and proxies  
3 shall be held unopened by the Secretary until said meeting. In  
4 the event that the Secretary of the District is a Supervisor  
5 whose office is up for election, then the returned absentee  
6 ballots and proxies shall be received and held by the  
7 President of the Board.

8 (3) The Board of Supervisors of the South Indian River  
9 Water Control District in Palm Beach County is hereby  
10 authorized, empowered, and permitted to expend funds of the  
11 District to pay for the printing and mailing of the notices  
12 specified in paragraph (1) and the proxy forms and absentee  
13 ballots specified in paragraph (2).

14 Section 7. Road maintenance defined.--The purchase and  
15 placement of stable materials within the District shall be  
16 deemed to constitute road maintenance and not road  
17 construction.

18 Section 8. Definition of parcel.--For the purposes of  
19 this act, land which is under one ownership, is not physically  
20 divided by any intervening ownership or easement, which is not  
21 subdivided, and which contains no more than one residence  
22 shall be deemed to be one parcel. If land which otherwise  
23 meets the requirements has more than one residence, it shall  
24 be deemed to constitute as many parcels as there are  
25 residences.

26 Section 9. Annexation; outfall limitation.--

27 (1) Upon the occurrence of the events described in  
28 paragraph (3), the following lands shall be annexed into the  
29 South Indian River Water Control District in Palm Beach  
30 County, and the boundary lines of the South Indian River Water  
31 Control District are hereby extended to include an area of

1 land consisting of the West one-half of Section 4, and the  
2 East one-half of Section 5, Township 41 South, Range 41 East,  
3 less the State Road 706 right-of-way, in Palm Beach County,  
4 said area being contiguous to lands presently within the  
5 District.

6 (2) The Plan of Reclamation for the area to be annexed  
7 shall be that Plan which was approved by the Engineer for the  
8 District, was constructed to the satisfaction of the Engineer  
9 for the District, and is maintained in the District's Minutes  
10 labeled "Indian Lakes Estates, Palm Beach County, Florida,  
11 prepared by Shalloway, Inc., Engineer of Record for Stuart  
12 Enterprises, Drawing #79-37-01 consisting of Sheets 1 through  
13 5 plus the cover sheet and all amendments/changes thereto."  
14 For 25-year storm conditions, the maximum outfall from the  
15 annexed area into the remainder of the District shall not  
16 exceed 8 cubic feet per second. For 100-year storm conditions,  
17 the maximum outfall from the annexed area into the remainder  
18 of the District shall not exceed 13 cubic feet per second.

19 (3) This annexation shall take effect upon  
20 certification to the Secretary of State of the approval of the  
21 Circuit Court of the Eighth Plan of Reclamation, a final  
22 Report of the Commissioners, upon the District's ability to  
23 implement reverse flow through the G-92 Structure, through  
24 contract with the South Florida Water Management District.

25 Section 10. Formulation and implementation of road  
26 plan and water control plans.--

27 (1) The Board of Supervisors of the South Indian River  
28 Water Control District in Palm Beach County is hereby  
29 authorized to proceed in accordance with the provisions of  
30 chapter 298, Florida Statutes, and the District Engineer is  
31 hereby given the additional authority, in conjunction with the

1 District Engineer's powers pursuant to section 298.16, Florida  
2 Statutes, to formulate a road plan and water control plans for  
3 all of the lands within the District and to formulate plans  
4 for providing potable water distribution and wastewater  
5 collection systems to those lands within the District lying  
6 East of Canal 18 of the South Florida Water Management  
7 District, and to the Northeast Quarter (NE 1/4) of the  
8 Northeast Quarter (NE 1/4) plus the North one-half (N 1/2) of  
9 the North one-half (N 1/2) of the Southeast Quarter (SE 1/4)  
10 of the Northeast Quarter (NE 1/4) of Section 1, Township 41  
11 South, Range 41 East, in Palm Beach County, with different  
12 taxing areas within the taxing District according to the  
13 benefits received, and to revise the plans according to the  
14 benefits received from time to time, taking into consideration  
15 both construction and maintenance benefits so as to most  
16 equitably provide for taxation according to benefits. The  
17 Board of Supervisors is hereby given the additional authority,  
18 in conjunction with its powers pursuant to section 298.22,  
19 Florida Statutes, to implement and authorize construction and  
20 maintenance of those improvements outlined in the road plan,  
21 water control plans, and potable water distribution and  
22 wastewater collection systems plans, according to the benefits  
23 received so as to most equitably provide for taxation within  
24 the taxing District.

25 (2) In order to implement the road plan and water  
26 control plans of the District, and the potable water  
27 distribution and wastewater collection systems plans for all  
28 lands within the District lying East of Canal 18 of the South  
29 Florida Water Management District, and to the Northeast  
30 Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) plus the  
31 North one-half (N 1/2) of the North one-half (N 1/2) of the

1 Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4)  
2 of Section 1, Township 41 South, Range 41 East, in Palm Beach  
3 County, the Board of Supervisors of the South Indian River  
4 Water Control District is hereby authorized to exercise any  
5 and all powers granted to the District in this act, sections  
6 298.22 and 298.23, Florida Statutes, and elsewhere in chapter  
7 298, Florida Statutes. The Board of Supervisors is hereby  
8 further authorized to take any and all actions necessary to  
9 implement the road plan and water control plans of the  
10 District, and potable water distribution and wastewater  
11 collection systems plans for all lands lying East of Canal 18  
12 of the South Florida Water Management District, and to the  
13 Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4)  
14 plus the North one-half (N 1/2) of the North one-half (N 1/2)  
15 of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE  
16 1/4) of Section 1, Township 41 South, Range 41 East, in Palm  
17 Beach County.

18 Section 11. Formation of engineering plan.--The Board  
19 of Supervisors is hereby prohibited from authorizing the  
20 formation of an engineering plan, including estimated costs,  
21 unless there is documented evidence that at least 25 percent  
22 of the affected landowners desire to have such a plan  
23 formulated, and, thereafter, the Board of Supervisors is  
24 prohibited from constructing any new road or increasing the  
25 quality of any existing road within the District, except for  
26 the placement of stable materials, or constructing any  
27 facilities to provide potable water distribution and  
28 wastewater collection systems to those lands within the  
29 District lying East of Canal 18 of the South Florida Water  
30 Management District, and to the Northeast Quarter (NE 1/4) of  
31 the Northeast Quarter (NE 1/4) plus the North one-half (N 1/2)



1 of the North one-half (N 1/2) of the Southeast Quarter (SE  
2 1/4) of the Northeast Quarter (NE 1/4) of Section 1, Township  
3 41 South, Range 41 East, in Palm Beach County, until there has  
4 first been a vote in favor of the construction or improvement  
5 by the owners of a majority of the parcels represented in the  
6 voting after notice has been duly given to all of the owners  
7 of the lands within the area to be benefited in the same  
8 manner as notice is given and vote taken in the Annual  
9 Landowners Meeting. A petition signed by the owners of 51  
10 percent of the parcels to be assessed and certified by the  
11 county Supervisor of Elections will satisfy each of the above  
12 requirements.

13 Section 12. Authority to fund engineering studies,  
14 road improvements, recreational lands.--The Board of  
15 Supervisors of the South Indian River Water Control District  
16 in Palm Beach County is hereby authorized, empowered, and  
17 permitted to expend funds of the District to pay for  
18 engineering studies for the purpose of planning a road  
19 improvement program, and to pay for the construction,  
20 maintenance, improvement, and repair of dedicated roads and  
21 road rights-of-way, including the swales thereof, within the  
22 District where such construction, maintenance, improvement,  
23 and repair is not performed by other governmental bodies and  
24 to levy special assessments to acquire, construct, and  
25 maintain said improvements on the basis of parcels benefited  
26 rather than acres benefited for said purposes. The Board of  
27 Supervisors of the South Indian River Water Control District  
28 is further authorized, empowered, and permitted to expend  
29 funds of the District to pay for engineering studies for the  
30 purpose of planning facilities to provide potable water  
31 distribution and wastewater collection systems to those lands

1 lying East of Canal 18 of the South Florida Water Management  
2 District, and to the Northeast Quarter (NE 1/4) of the  
3 Northeast Quarter (NE 1/4) plus the North one-half (N 1/2) of  
4 the North one-half (N 1/2) of the Southeast Quarter (SE 1/4)  
5 of the Northeast Quarter (NE 1/4) of Section 1, Township 41  
6 South, Range 41 East, in Palm Beach County, in cooperation  
7 with the Town of Jupiter and the Loxahatchee River  
8 Environmental Control District, and to pay for the  
9 construction, maintenance, improvement, and repair of those  
10 facilities where such construction, maintenance, improvement,  
11 and repair is not performed by other governmental bodies, and  
12 to levy special assessments, on the basis of parcels or front  
13 footage benefited, acres benefited or other lawful basis, for  
14 said purposes, and to transfer said facilities to the Town of  
15 Jupiter and the Loxahatchee River Environmental Control  
16 District for operation and maintenance. The Board of  
17 Supervisors of the South Indian River Water Control District  
18 is further authorized to receive and maintain real and  
19 personal property for recreational purposes for land within  
20 the District lying East of Canal 18 of the South Florida Water  
21 Management District only, and to make it available for the use  
22 of the landowners. The Board of Supervisors is authorized to  
23 expend funds of the District to pay for the maintenance of  
24 such property, the cost of which shall be borne by the  
25 landowners owning land lying East of Canal 18 of the South  
26 Florida Water Management District.

27 Section 13. One-time assessment for improvement  
28 project.--At the time of beginning any improvement project  
29 authorized by chapter 298, Florida Statutes, or any special  
30 legislation for the South Indian River Water Control District,  
31 the Board of Supervisors of the District is authorized and

1 empowered to levy a one-time special assessment upon the land  
2 to be benefited to pay for the anticipated initial legal and  
3 engineering planning cost of said project, after notice has  
4 been given and an opportunity afforded to the landowners to  
5 discuss the project at a regularly scheduled meeting. The  
6 estimated initial planning cost of the project must be  
7 presented as part of the annual budget. No district moneys may  
8 be expended prior to the levy of said special assessment.

9 Section 14. Transfer of roads and potable water  
10 distribution or wastewater collection systems to another  
11 governmental entity.--If any governmental entity, whether  
12 existing at this time or created in the future, elects to  
13 construct, improve, or maintain any road within the District,  
14 or elects to construct, improve, maintain, or operate  
15 facilities to provide potable water distribution and  
16 wastewater collection systems to those lands within the  
17 District lying East of Canal 18 of the South Florida Water  
18 Management District, and to the Northeast Quarter (NE 1/4) of  
19 the Northeast Quarter (NE 1/4) plus the North one-half (N 1/2)  
20 of the North one-half (N 1/2) of the Southeast Quarter (SE  
21 1/4) of the Northeast Quarter (NE 1/4) of Section 1, Township  
22 41 South, Range 41 East, in Palm Beach County, and the owners  
23 of a majority of the parcels within the District as a whole or  
24 a majority of the landowners within the area to be benefited  
25 are in favor of said election, then the Board of Supervisors  
26 shall cease constructing, improving, or maintaining said road  
27 or roads or facilities providing potable water distribution  
28 and wastewater collection systems to those lands within the  
29 District lying East of Canal 18 of the South Florida Water  
30 Management District, and to the Northeast Quarter (NE 1/4) of  
31 the Northeast Quarter (NE 1/4) plus the North one-half (N 1/2)

1 of the North one-half (N 1/2) of the Southeast Quarter (SE  
2 1/4) of the Northeast Quarter (NE 1/4) of Section 1, Township  
3 41 South, Range 41 East, in Palm Beach County, on a date  
4 agreeable to the entity which elects to assume such  
5 obligation, but in no event later than 30 days after the  
6 meeting of the Board of Supervisors wherein the election and  
7 vote are communicated to the board. Pursuant to this  
8 provision, and with the agreement of the electing entity, the  
9 District may transfer equipment, water, sanitary sewage lines,  
10 funds, materials, and obligations to the electing entity.

11 Section 15. Authority to issue bonds.--The Board of  
12 Supervisors of the South Indian River Water Control District  
13 is hereby authorized to issue bonds to pay for the purchase of  
14 equipment, the construction and improvement of dedicated roads  
15 and road rights-of-way including the swales thereof within the  
16 District, all drainage improvements within the District, and  
17 all potable water distribution and wastewater collection  
18 systems improvements for those lands within the District lying  
19 East of Canal 18 of the South Florida Water Management  
20 District, and to the Northeast Quarter (NE 1/4) of the  
21 Northeast Quarter (NE 1/4) plus the North one-half (N 1/2) of  
22 the North one-half (N 1/2) of the Southeast Quarter (SE 1/4)  
23 of the Northeast Quarter (NE 1/4) of Section 1, Township 41  
24 South, Range 41 East, in Palm Beach County. The provisions of  
25 chapter 298, Florida Statutes, as well as all other applicable  
26 laws, shall be followed by the Board of Supervisors of the  
27 South Indian River Water Control District in Palm Beach County  
28 in issuing said bonds.

29 Section 16. No effect on bondholders.--Nothing in this  
30 Act shall be deemed or construed in any manner to affect the  
31 rights of the holders of any of the bonds heretofore issued by

1 said District in accordance with law, or of depriving said  
2 bondholders or any of them of any right of action or remedy  
3 given to them by law in connection with said bonds or the  
4 enforcement of the collection of taxes to pay principal and  
5 interest of the same.

6           Section 4. This act shall be construed as remedial and  
7 shall be liberally construed to promote the purpose for which  
8 it is intended.

9           Section 5. In the event that any part of this act  
10 should be held void for any reason, such holding shall not  
11 affect any other part thereof.

12           Section 6. Chapters 11006 (1925), 12271 (1927), 19344  
13 (1939), 20654 (1941), 21731 (1943), 69-1411, 71-820, 78-582,  
14 79-534, 80-575, 81-462, 87-515, 87-517, 91-402, and 2000-435,  
15 Laws of Florida, are repealed.

16           Section 7. This act shall take effect upon becoming a  
17 law.

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