

1
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4 repealed as provided herein.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.
30
31

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
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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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