

By Representative Ritter

1 A bill to be entitled
2 An act relating to the Pine Tree Water Control
3 District, Broward County; codifying, repealing,
4 amending, and reenacting special acts relating
5 to the district; providing legislative intent;
6 deleting gender specific references; providing
7 a district charter; providing that this act
8 shall take precedence over any conflicting law
9 to the extent of such conflict; providing for
10 severability; providing an effective date.

11
12 Be It Enacted by the Legislature of the State of Florida:

13
14 Section 1. In accordance with section 189.429, Florida
15 Statutes, this act constitutes the codification of all special
16 acts relating to Pine Tree Water Control District. It is the
17 intent of the Legislature in enacting this law to provide a
18 single, comprehensive special act charter for the District,
19 including all current legislative authority granted to the
20 District by its several legislative enactments and any
21 additional authority granted by this act.

22 Section 2. Chapters 61-1969, 63-1186, 65-1337, 69-905,
23 71-562, 71-581, 73-420, 74-446, 77-518, 85-391, 93-372, and
24 94-430, Laws of Florida, relating to the Pine Tree Water
25 Control District, are codified, reenacted, amended, and
26 repealed as herein provided.

27 Section 3. The charter for the Pine Tree Water Control
28 District is re-created and reenacted to read:

29 Section 1. District created.--There is hereby created
30 and established a local governmental body, corporate and
31 politic, to be known as the "Pine Tree Water Control

1 District," hereinafter referred to as the "District." All
2 lawful debts, bonds, obligations, contracts, franchises,
3 promissory notes, audits, minutes, resolutions, and other
4 takings of the Pine Tree Water Management District are hereby
5 validated and shall continue to be valid and binding on the
6 Pine Tree Water Control District in accordance with their
7 respective terms, conditions, covenants, and tenor. Any
8 procedure heretofore done by the Pine Tree Water Management
9 District under the Florida Statutes or any other law, for the
10 construction of any improvements, works, or facilities, for
11 the assessment of benefits and damages, or for the borrowing
12 of money shall not be impaired or avoided by this Act, but
13 shall be continued and completed in the name of the Pine Tree
14 Water Control District.

15 Section 2. Boundaries.--The boundaries of the District
16 shall be:

17
18 A portion of Township 48 South, Range 41 East,
19 beginning at the Southeast corner of Section 1,
20 run West along the South line of Section 1 and
21 Section 2 of said Township and Range to the
22 North extension of the East lines of Tracts 16,
23 15 and 14 of Section 11, as recorded in Plat
24 Book 1, Page 102, Public Records of Palm Beach
25 County, Florida; thence, South along the said
26 extension and the East line of said Tracts 16,
27 15 and 14 to the Southeast corner of said Tract
28 14; thence West along the South line of said
29 Tract 14 and its extension to the West line of
30 Section 11; thence, North along the West line
31 of Section 11 and Section 2 to the West quarter

1 corner of Section 2; thence, East along the
2 North line of the South half of said Section 2
3 to the West line of Section 1; thence, North
4 along the West line of Section 1, 2119.53 feet
5 to a point 1320 feet South of the Northwest
6 corner of said Section 1; thence, East and
7 parallel to the North line of said Section 1 a
8 distance of 1320 feet; thence North and
9 parallel to the West line of said Section 1 a
10 distance of 1320 feet to the North line of said
11 Section 1; thence, East along the North line of
12 said Section 1 to the Northeast corner of said
13 Section; thence, South along the East line of
14 Section 1 to the Southeast corner and the point
15 of beginning.

16
17 TOGETHER WITH:

18
19 Portions of Section 35, Township 47 South,
20 Range 41 East, Section 1, Township 48 South,
21 Range 41 East, and Section 2, Township 48
22 South, Range 41 East, lying within the
23 following described boundaries:

24
25 Commencing at the Southwest corner of the
26 Northeast quarter of Section 2, Township 48
27 South, Range 41 East; thence, East along the
28 South line of the Northeast quarter of said
29 Section 2 a distance of 1651.4 feet to the
30 point of beginning; thence, North 0°54'42" West
31 a distance of 1310.15 feet; thence, South

1 89°41'35" West a distance of 329.88 feet;
2 thence, North 0°54'35" West a distance of
3 803.12 feet; thence, South 89°41'36" West a
4 distance of 0.60 feet; thence, North 0°55'04"
5 West a distance of 1320 feet to the South line
6 of Section 35, Township 47 South, Range 41
7 East; thence, North 89°41'18" East along the
8 South line of said Section 35, a distance of
9 0.79 feet; thence North 01°16'01" West a
10 distance of 660.44 feet; thence, North
11 89°41'26" East a distance of 652.13 feet;
12 thence, North 01°15'53" West a distance of
13 3869.43 feet to the South right-of-way line of
14 the Hillsboro Canal; thence Southeasterly along
15 the South right-of-way line of the Hillsboro
16 Canal to the intersection of said line with the
17 East line of Section 35, Township 47 South,
18 Range 41 East; thence, South along the East
19 line of Section 35 to the Southeast corner of
20 said Section 35; thence, East along the North
21 line of Section 1, Township 48 South, Range 41
22 East, a distance of 1320 feet; thence,
23 Southerly on a line parallel to the East line
24 of Section 2, Township 48 South, Range 41 East,
25 a distance of 1320 feet; thence, Westerly on a
26 line parallel to the North line of said Section
27 1 to a point on the East line of the said
28 Section 2; thence, South along the East line of
29 said Section 2 to the Southeast corner of the
30 Northeast quarter of the said Section 2;
31 thence, West along the South line of the

1 Northeast quarter of the said Section 2, to the
2 point of beginning. And all of Section 36,
3 Township 47 South, Range 41 East lying South of
4 the South right-of-way line of the Hillsboro
5 Canal; and all of Section 11, Township 48
6 South, Range 41 East, less Tracts 14, 15 and
7 16, according to the Plat of FLORIDA FRUIT
8 LANDS COMPANY'S SUBDIVISION NO. 2, as recorded
9 in Plat Book 1, Page 102 of the Public Records
10 of Palm Beach County, Florida; And all of
11 Section 12, Township 48 South, Range 41 East;
12 said lands situate, lying, and being in Broward
13 County, Florida.

14
15 Section 3. Applicability of certain provisions of
16 chapter 298, Florida Statutes, to the Pine Tree Water Control
17 District; inconsistent laws inapplicable.--The provisions of
18 chapter 298, Florida Statutes, and all amendments thereto, now
19 existing or hereafter enacted, are declared to be applicable
20 to the Pine Tree Water Control District insofar as not
21 inconsistent with the provisions of this Act or any subsequent
22 special acts relating to the Pine Tree Water Control District.
23 Notwithstanding the foregoing, the provisions of sections
24 298.11, 298.12, and 298.54, Florida Statutes, and amendments
25 thereto, shall not be applicable to the Pine Tree Water
26 Control District.

27 Section 4. Definitions.--Unless a context shall
28 indicate otherwise, the following words as used in this Act
29 shall have the following meanings:

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1 (1) "Assessable improvements" includes, without
2 limitation, any and all public improvements that the District
3 is empowered to provide in accordance with this Act.

4 (2) "Bond" includes "certificate," and provisions
5 applicable to bonds shall be equally applicable to
6 certificates. "Bond" includes general obligation bonds,
7 assessment bonds, refunding bonds, revenue bonds, and such
8 other obligations in the nature of bonds as are provided for
9 in this Act, as the case may be.

10 (3) "Board" means the Board of Supervisors of the Pine
11 Tree Water Control District, or if such Board shall be
12 abolished, the Board, body, or commission succeeding to the
13 principal functions thereof or to whom the powers given by
14 this Act to the Board shall be given by law.

15 (4) "Cost," when used with reference to any project,
16 includes, but is not limited to, the expenses of determining
17 the feasibility or practicability of acquisition,
18 construction, or reconstruction; the cost of surveys,
19 estimates, plans, and specifications; the cost of acquisition,
20 construction, or reconstruction; the cost of improvements;
21 engineering, fiscal, and legal expenses and charges; the cost
22 of all labor, materials, machinery, and equipment; the cost of
23 all lands, properties, rights, easements, and franchises
24 acquired; federal, state, and local taxes and assessments;
25 financing charges; the creation of initial reserve and debt
26 service funds; working capital; interest charges incurred or
27 estimated to be incurred on money borrowed prior to and during
28 construction and acquisition and for such period of time after
29 completion of construction or acquisition as the Board may
30 determine; the cost of issuance of bonds pursuant to this Act,
31 including advertisements and printing, the cost of any

1 election held pursuant to this Act, and all other expenses of
2 issuance of bonds; discount, if any, on the sale or exchange
3 of bonds; administrative expenses; such other expenses as may
4 be necessary or incidental to the acquisition, construction,
5 or reconstruction of any project or to the financing thereof,
6 or the development of any lands within the District, and
7 reimbursement of any public or private body, person, firm, or
8 corporation for any moneys advanced in connection with any of
9 the foregoing items of cost. Any obligation or expense
10 incurred prior to the issuance of bonds in connection with the
11 acquisition, construction, or reconstruction of any project or
12 improvements thereon, or in connection with any other
13 development of land that the Board of the District shall
14 determine to be necessary or desirable in carrying out the
15 purposes of this Act, may be treated as a party of such cost.

16 (5) "District" means the Pine Tree Water Control
17 District and "District Manager" means the Manager of the
18 District.

19 (6) "Landowner" means the owner of the freehold
20 estate, as appears by the deed record, including trustees,
21 private corporations, and owners of cooperative and
22 condominium units; it does not include reversioners,
23 remaindermen, or mortgagees, who shall not be counted and need
24 not be notified of proceedings under this Act.

25 (7) "Project" means any development, improvements,
26 property, utility, facility, works, road, enterprise, service,
27 or convenience now existing or hereafter undertaken or
28 established under the provisions of this Act or under chapter
29 298, Florida Statutes.

30 (8) "Water management and control facilities" means
31 any canals, ditches, or other drainage facilities, reservoirs,

1 dams, levees, sluiceways, dredging holding basins, floodways,
2 pumping stations, or any other works, structures, or
3 facilities for the conservation, control, development,
4 utilization, and disposal of water, and any purposes
5 appurtenant, necessary, or incidental thereto, and includes
6 all real and personal property and any interest therein,
7 rights, easements, and franchises of any nature relating to
8 any such water and flood control facilities or necessary or
9 convenient for the acquisition, construction, reconstruction,
10 operation, or maintenance thereof.

11 Section 5. Board; election; organization; terms of
12 office; vacancy; quorum.--

13 (1) The Board of the District shall be the governing
14 body of the District and shall exercise the powers granted to
15 the District under this Act and under chapters 189 and 298,
16 Florida Statutes. The District is an independent special
17 district as defined in section 189.403(3), Florida Statutes.
18 The Board shall consist of five members and, except as
19 otherwise provided herein, each member shall be elected in
20 compliance with all applicable election laws by the landowners
21 of the District. Commencing in 1994 and every 2 years
22 thereafter, two members of the Board shall be elected by the
23 landowners of the District. The member receiving the highest
24 number of votes shall be elected for a 4-year term and the
25 member receiving the second highest number of votes shall be
26 elected for a 2-year term. The fourth and fifth members of the
27 Board of Supervisors shall be appointed by the City of Coral
28 Springs City Commission and the City of Parkland City
29 Commission, respectively, and shall serve as members of the
30 Board until replaced. All of the members shall be residents of
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1 Broward County and all members shall be residents of Florida
2 and shall be landowners within the District.

3 (2) Each Supervisor, before entering upon his or her
4 official duties, shall take and subscribe to an oath of office
5 as prescribed in section 298.13, Florida Statutes.

6 (3) All Supervisors shall hold office for the terms to
7 which they are elected or appointed and until their successors
8 shall be chosen and qualified. In the case of a vacancy in the
9 office of any Supervisor, the remaining Supervisor or
10 Supervisors (even though less than a quorum) may fill such
11 vacancy by appointment of a new Supervisor or Supervisors for
12 the unexpired term of the Supervisor who vacated office.

13 (4) A majority of the members of the Board of
14 Supervisors shall constitute a quorum.

15 (5) The Board of Supervisors shall meet at least one
16 time every month to conduct the business of the District,
17 provided that items shall have been submitted 14 days before
18 the meeting. In the event no items are to be considered by the
19 Board of Supervisors of the District, the District Manager may
20 cancel the monthly meeting. Each member of the Board of
21 Supervisors shall be paid an amount not to exceed \$100 per
22 meeting, not to exceed \$100 per month.

23 (6) Each Supervisor appointed by the City of Coral
24 Springs and the City of Parkland shall reside within the Pine
25 Tree Water Control District and if a member of the respective
26 City Commissions resides in the District, he or she shall be
27 appointed to the Board of Supervisors.

28 Section 6. Taxes.--

29 (1) Ad valorem taxes.--The Board shall have the power
30 to levy and assess an ad valorem tax not in excess of 5 mills
31 on all the taxable property in the District to construct,

1 operate, and maintain assessable improvements; to pay the
2 principal of, and interest on, any general obligation bonds of
3 the District; and to provide for any sinking or other funds
4 established in connection with any such bonds. The ad valorem
5 tax provided for herein shall be in addition to county and all
6 other ad valorem taxes provided for by law. Such tax shall be
7 assessed, levied, and collected in the same manner and same
8 time as county taxes. The levy of ad valorem taxes shall be
9 approved by referendum when required by the State
10 Constitution.

11 (2) Benefit taxes.--The Board shall annually
12 determine, order, and levy the annual installment of the total
13 taxes for bonds issued to finance water management and control
14 plans which are levied under this Act, which taxes shall be
15 due and collected during each year that county taxes are due
16 and collected, and such annual installment and levy shall be
17 evidenced to and certified to the property appraiser by the
18 Board not later than August 31 of each year. This tax shall be
19 entered by the property appraiser on the county tax rolls and
20 shall be collected by the tax collector in the same manner and
21 same time as county taxes, and the proceeds thereof shall be
22 paid to the District. The tax shall be a lien on the property
23 against which assessed until paid and shall be enforceable in
24 like manner as county taxes.

25 (3) Maintenance tax.--To maintain and preserve the
26 water management and control facilities of the District, a
27 maintenance tax shall be evidenced to and certified to the
28 property appraiser by the Board of Supervisors not later than
29 August 31 of each year and shall be entered by the property
30 appraiser on the county tax rolls and shall be collected by
31 the tax collector in the same manner and time as county taxes,

1 and the proceeds therefrom shall be paid to the District. The
2 tax shall be a lien on the property against which assessed
3 until paid and shall be enforceable in like manner as county
4 taxes. If the maintenance is for original construction based
5 upon an apportionment of benefits, the maintenance tax shall
6 be apportioned on the same basis of the net assessments of
7 benefits assessed or accruing for original construction and
8 shall not exceed 10 percent thereof in any 1 year. If the
9 maintenance is for other water management and control
10 improvements owned, operated, or acquired by the District, the
11 amount of the maintenance tax shall be determined by the Board
12 based upon a report of the chief engineer and assessed by the
13 Board upon such lands, which may be all of the lands within
14 the District benefited by the maintenance thereof apportioned
15 between the benefited lands in proportion to the benefits
16 received by each tract of land.

17 (4) Enforcement of taxes.--The collection and
18 enforcement of all taxes levied by the District shall be at
19 the same time and in like manner as county taxes, and the
20 provisions of the Florida Statutes relating to the sale of
21 lands for unpaid and delinquent county taxes; the issuance,
22 sale, and delivery of tax certificates for such unpaid and
23 delinquent county taxes; the redemption thereof; the issuance
24 to individuals of tax deeds based thereon; and all other
25 procedures in connection therewith shall be applicable to the
26 District to the same extent as if such statutory provisions
27 were expressly set forth herein. All taxes shall be subject to
28 the same discounts as county taxes.

29 (5) When unpaid tax is delinquent; penalty.--All taxes
30 provided for in this Act shall become delinquent and bear
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1 penalties on the amount of such taxes in the same manner as
2 county taxes.

3 Section 7. Special assessments.--

4 (1) The Board of Supervisors may provide for the
5 construction or reconstruction of assessable improvements as
6 defined in this Act and for the levying and collecting of
7 special assessments upon benefited property for the payment
8 thereof as is provided for in chapter 170, Florida Statutes,
9 and amendments thereto; and the provisions of that chapter
10 shall be applicable with the same force and effect as if said
11 provisions were expressly set forth in this Act. Any act
12 required to be done by or on behalf of a city or town under
13 chapter 170, Florida Statutes, may be performed by such
14 officer or agent of the District as the Board may designate.

15 (2) Notwithstanding the provisions of section 170.09,
16 Florida Statutes, District assessments may be made payable in
17 20 annual installments.

18 Section 8. Issuance of certificates of indebtedness
19 based on assessments for assessable improvements; assessment
20 bonds.--

21 (1) The Board of Supervisors may, after any
22 assessments for assessable improvements are made, determined,
23 and confirmed, issue certificates of indebtedness for the
24 amount so assessed against the abutting property or property
25 otherwise benefited, as the case may be, and separate
26 certificates shall be issued against each part or parcel of
27 land assessed, which certificates shall state the general
28 nature of the improvement for which the said assessment is
29 made. Said certificates shall be payable in installments in
30 accordance with the installments of the special assessments
31 for which they are issued. The Board of Supervisors may

1 determine the interest to be borne by such certificates at a
2 rate not to exceed the statutory limitation as set forth in
3 chapter 215, Florida Statutes, and as may be amended from time
4 to time, and may sell such certificates at either private or
5 public sale and determine the form, manner of execution, and
6 other details of such certificates. Such certificates shall
7 recite that they are payable only from the special assessments
8 levied and collected from the part or parcel of land against
9 which they are issued. The proceeds of such certificates may
10 be pledged for the payment of principal of the interest on any
11 revenue bonds or assessment bonds issued to finance in whole
12 or in part such assessable improvements.

13 (2) The Board of Supervisors may also issue assessment
14 bonds or other obligations payable from a special fund into
15 which such certificates of indebtedness referred to in the
16 preceding subsection may be deposited; or, if such
17 certificates of indebtedness have not been issued, the Board
18 of Supervisors may assign to such special fund for the benefit
19 of the holders of such assessment bonds or other obligations,
20 or to a trustee for such bondholders, the assessment liens
21 provided for herein, unless such certificates of indebtedness
22 or assessment liens have been theretofore pledged for any
23 bonds or other obligations authorized hereunder. In the event
24 of the creation of such special fund and the issuance of such
25 assessment bonds or other obligations, the proceeds of such
26 certificates of indebtedness or assessment liens deposited
27 therein shall be used only for the payment of the assessment
28 bonds or other obligations issued. The Board of Supervisors is
29 hereby authorized to covenant with the holders of such
30 assessment bonds or other obligations that it will diligently
31 and faithfully enforce and collect all the special assessments

1 and interest and penalties thereon for which such certificates
2 of indebtedness or assessment liens have been deposited in or
3 assigned to such fund, and to foreclose such assessment liens
4 so assigned to such special fund or represented by the
5 certificates of indebtedness deposited in said special fund,
6 after such assessment liens have become delinquent and deposit
7 the proceeds derived from such foreclosure, including interest
8 and penalties, in such special fund, and to further make any
9 other necessary covenants deemed necessary or advisable in
10 order to properly secure the holders of such assessment bonds
11 or other obligations.

12 (3) All assessment bonds or other obligations issued
13 under the provisions of this Act, except certificates of
14 indebtedness issued against separate parcels of land as
15 provided in this section, shall be and constitute and have all
16 the qualities and incidents of negotiable instruments under
17 the law merchant and the Uniform Commercial Code.

18 (4) All revenue bonds and assessments issued pursuant
19 to this Act shall be and constitute legal investments for
20 state, county, municipal, and all other public funds and for
21 banks, savings banks, insurance companies, executors,
22 administrators, trustees, and all other fiduciaries, and shall
23 also be and constitute securities eligible as collateral
24 security for all state, county, municipal, or other public
25 funds.

26 (5) The Board of Supervisors is authorized to enter
27 into agreements for the delivery of any revenue bonds or
28 assessment bonds at one time or from time to time as full or
29 partial payment for the services of any engineer or work done
30 by any contractor who may have been retained or hired or been
31 awarded a contract for the construction of all or any part of

1 a water system; provided, however, that any such bonds so
2 delivered for payment of such services or work performed shall
3 have been authorized and issued in the manner provided in this
4 Act and shall otherwise conform to the provisions hereof.

5 (6) Any contract entered into by the District shall be
6 deemed to have been made for the benefit of any holders of
7 bonds issued pursuant to this Act to the extent necessary, and
8 the terms of any such contract shall be enforceable by such
9 bondholders in any appropriate legal proceeding. Any such
10 contract if made with another public body or municipality
11 shall be enforceable without the requirement of formal
12 consideration.

13 Section 9. Fees, rentals, and charges; procedure for
14 adoption and modifications; minimum revenue requirements.--

15 (1) The District is authorized to prescribe, fix,
16 establish, and collect rates, fees, rentals, or other charges,
17 hereinafter sometimes referred to as "revenues," and to revise
18 the same from time to time, for the facilities and services
19 furnished by the District, within the limits of the District,
20 including, but not limited to, recreational facilities, water
21 management and control facilities, and water and sewer
22 systems; to recover the costs of making connection with any
23 district facility or system; and to provide for reasonable
24 penalties against any user or property for any such rates,
25 fees, rentals, or other charges that are delinquent.

26 (2) No such rates, fees, rentals, or other charges for
27 any of the facilities or services of the District shall be
28 fixed until after a public hearing at which all the users of
29 the proposed facility or services or owners, tenants, or
30 occupants served or to be served thereby and all other
31 interested persons shall have an opportunity to be heard

1 concerning the proposed rates, fees, rentals, or other
2 charges. Notice of such public hearing setting forth the
3 proposed schedule or schedules of rates, fees, rentals, and
4 other charges shall have been published in a newspaper in the
5 county and of general circulation in the District at least
6 once and at least 10 days prior to such public hearing. The
7 hearing may be adjourned from time to time. After such
8 hearing, such schedule or schedules, either as initially
9 proposed or as modified or amended, may be finally adopted. A
10 copy of the schedule or schedules of such rates, fees,
11 rentals, or charges as finally adopted shall be kept on file
12 in an office designated by the Board and shall be open at all
13 reasonable times to public inspection. The rates, fees,
14 rentals, or charges so fixed for any class of users or
15 property served shall be extended to cover any additional
16 users or properties thereafter served which shall fall in the
17 same class, without the necessity of any notice or hearing.

18 (3) Such rates, fees, rentals, and charges shall be
19 just and equitable and uniform for users of the same class,
20 and when appropriate may be based or computed either upon the
21 amount of service furnished, upon the number or average number
22 of persons residing or working in or otherwise occupying the
23 premises served, or upon any other factor affecting the use of
24 the facilities furnished, or upon any combination of the
25 foregoing factors, as may be determined by the Board on an
26 equitable basis.

27 (4) The rates, fees, rentals, or other charges
28 prescribed shall be such as will produce revenues, together
29 with any other assessments, taxes, revenues, or funds
30 available or pledged for such purpose, at least sufficient to
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1 provide for the items hereinafter listed, but not necessarily
2 in the order stated:

3 (a) To provide for all expenses of operation and
4 maintenance of such facility or service;

5 (b) To pay when due all bonds and interest thereon for
6 the payment of which such revenues are, or shall have been,
7 pledged or encumbered, including reserves for such purpose;
8 and

9 (c) To provide for any other funds which may be
10 required under the resolution or resolutions authorizing the
11 issuance of bonds pursuant to this Act.

12 (5) The Board shall have the power to enter into
13 contracts for the use of the projects of the District and with
14 respect to the services and facilities furnished or to be
15 furnished by the District.

16 Section 10. Recovery of delinquent charges.--In the
17 event that any rates, fees, rentals, charges, or delinquent
18 penalties shall not be paid as and when due and shall be in
19 default for 60 days or more, the unpaid balance thereof and
20 all interest accrued thereon, together with reasonable
21 attorney's fees and costs, may be recovered by the District in
22 a civil action.

23 Section 11. Discontinuance of service.--In the event
24 the fees, rentals, or other charges for any of the facilities
25 or services of the District are not paid when due, the Board
26 shall have the power, under such reasonable rules and
27 regulations as the Board may adopt, to discontinue services
28 until such fees, rentals, or other charges, including
29 interest, penalties, and charges for the shutting off and
30 discontinuance and the restoration of services, are fully
31 paid; and, for such purposes the Board may enter on any lands,

1 waters, or premises of any person, firm, corporation, or body,
2 public or private, within the District limits. Such delinquent
3 fees, rentals, or other charges, together with interest,
4 penalties, and charges for the discontinuance and the
5 restoration of such services and facilities and reasonable
6 attorney's fees and other expenses, may be recovered by the
7 District, which may also enforce payment of such delinquent
8 fees, rentals, or other charges by any other lawful method of
9 enforcement.

10 Section 12. Enforcement and penalties.--The Board or
11 any aggrieved person may have recourse to such remedies in law
12 and at equity as may be necessary to ensure compliance with
13 the provisions of this Act, including injunctive relief to
14 enjoin or restrain any person violating the provisions of the
15 Act or any bylaws, resolutions, regulations, rules, codes, or
16 orders adopted under this Act. In case any building or
17 structure is erected, constructed, reconstructed, altered,
18 repaired, converted, or maintained, or any building,
19 structure, land, or water is used, in violation of this Act or
20 of any code, order, resolution, or other regulation made under
21 authority conferred by the Act or under law, the Board or any
22 citizen residing in the District may institute any appropriate
23 action or proceeding to prevent such unlawful erection,
24 construction, reconstruction, alteration, repair, conversion,
25 maintenance, or use; to restrain, correct, or avoid such
26 violation; to prevent the occupancy of such building,
27 structure, land, or water; and to prevent any illegal act,
28 conduct, business, or use in or about such premises, land, or
29 water.

30 Section 13. Suits against the district.--Any suit or
31 action brought or maintained against the District for damage

1 arising out of tort, including, without limitation, any claim
2 arising upon account of an act causing an injury or loss of
3 property, personal injury, or death, shall be subject to the
4 limitations provided in section 768.28, Florida Statutes.

5 Section 14. Exemption of District property from
6 execution.--All District properties shall be exempt from levy
7 and sale by virtue of an execution and no execution or other
8 judicial process shall issue against such property, nor shall
9 any judgment against the District be a charge or lien against
10 its property or revenues, providing that nothing herein
11 contained shall apply to or limit the rights of bond holders
12 to pursue any remedy for the enforcement of any lien or pledge
13 given by the District in connection with any of the bonds or
14 obligations of the District.

15 Section 15. Dissolution, merger, or abolishment.--The
16 dissolution, merger, abolishment, or any other proceedings
17 relative to the special independent district created by this
18 Act shall be governed exclusively by chapter 189, Florida
19 Statutes.

20 Section 4. In case any one or more of the sections or
21 provisions of this act or the application of such sections or
22 provisions to any situations, circumstances, or person shall
23 for any reason be held to be unconstitutional, such
24 unconstitutionality shall not affect other sections or
25 provisions as to any other situation, circumstance, or person,
26 and it is intended that this law shall be construed and
27 applied as if such section or provision had not been included
28 herein for any unconstitutional application.

29 Section 5. This act shall take precedence over any
30 conflicting law to the extent of such conflict.

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1 Section 6. Chapters 61-1969, 63-1186, 65-1337, 69-905,
2 71-562, 71-581, 73-420, 74-446, 77-518, 85-391, 93-372, and
3 94-430, Laws of Florida, are repealed.

4 Section 7. This act shall take effect upon becoming a
5 law.

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