



CHAMBER ACTION

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The Committee on Local Government & Veterans' Affairs recommends the following:

Committee Substitute

Remove the entire bill and insert:

A bill to be entitled

An act relating to Liberty Fire District, Walton County; creating a special district; providing definitions; providing for creation, status, charter amendments, boundaries, and purposes; providing for a board of commissioners; providing for election and terms of commissioners; providing for employment of board personnel; providing for election of board officers; providing for compensation and bonds of commissioners; providing for powers, duties, and responsibilities of the board; preserving the authority to levy non-ad valorem special assessments; providing for impact fees; authorizing the board to levy special assessments; providing legislative intent; providing for duties of the property appraiser; providing for special assessment as a lien; providing for deposit of such special assessments; providing for authority to disburse funds; authorizing the board to borrow money; providing for use of district



29 funds; requiring a record of all board meetings;
 30 authorizing the board to adopt policies and regulations;
 31 providing for the board to make an annual budget;
 32 requiring an annual report; authorizing the board to enact
 33 fire prevention ordinances, appoint a district fire chief,
 34 acquire land, enter contracts, establish salaries, and
 35 establish and operate a fire rescue service; providing for
 36 district authority upon annexation of district lands;
 37 providing for dissolution; providing immunity from tort
 38 liability for officers, agents, and employees; providing
 39 for district expansion; providing for construction and
 40 effect; providing an effective date.

41

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

43

44 Section 1. The Liberty Fire District is hereby created and
 45 the charter for the district is created to read:

46 Section 1. Definitions.--As used in this act, unless
 47 otherwise specified:

48 (1) "District" means the Liberty Fire District.

49 (2) "Board" means the board of commissioners created
 50 pursuant to this act and chapter 191, Florida Statutes.

51 (3) "Board of directors" means the existing policymaking
 52 and governing body of the Liberty Fire District of Walton
 53 County.

54 (4) "Commissioner" means a member of the board of
 55 commissioners of and for the district.

56 (5) "Director" means a member of the board of directors.



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57 (6) "Residence" means one single-family dwelling,
58 including one single-apartment dwelling unit, one single-
59 condominium dwelling unit, one single duplex, triplex, or other
60 attached dwelling unit, one single-family detached dwelling
61 unit, or one single mobile or modular home dwelling unit.

62 (7) "Business" means motels, apartments, or rental
63 dwelling, along with other standard commercial or industrial
64 businesses such as gasoline stations, stores, marinas, and
65 similar establishments, as authorized pursuant to the applicable
66 local government comprehensive plan, whether or not such
67 businesses are required to pay or collect sales taxes.

68 Section 2. Creation; status; charter amendments;
69 boundaries; district purposes.--There is hereby created an
70 independent special fire control district and rescue service
71 district incorporating lands in Walton County described in
72 subsection (1), which shall be a public corporation having the
73 powers, duties, obligations, and immunities herein set forth,
74 under the name of the Liberty Fire District. The district is
75 organized and exists for all purposes and shall hold all powers
76 set forth in this act and chapters 189 and 191, Florida
77 Statutes.

78 (1) The lands to be included within the district are
79 the following described lands in Walton County: All
80 Sections 2, 3, 4, 5, 8, 9, 10, 11, 13, 14, 15, 16, 17,
81 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 35, 36,
82 Township 4 North, Range 20 West; Walton County,
83 Florida. Also all of Section 33, Township 4 North,
84 Range 19 West, Walton County, Florida; less and except



85 | the North 3/4 of section. Also all Sections 17, 18,
86 | 19, 20, 29, 30, 31, 32, Township 4 North, Range 19
87 | West; Walton County, Florida. Also Sections 4, 5, 6,
88 | 7, 8, 9, 16, 17, 18, 19, 20, 30, Township 3 North,
89 | Range 19 West; Walton County, Florida. Also Sections
90 | 1, 2, 11, 12, 13, 14, 23, 24, 25, 26, Township 3
91 | North, Range 20 West; Walton County, Florida. Also
92 | Section 29, Township 3 North, Range 19 West, less and
93 | except; S 1/2 of NE 1/4 of NE 1/4 and SE 1/4 of NE
94 | 1/4 and S 1/2 of NW 1/4 of the NE 1/4 and also less
95 | the N 1/2 of the E 1/2 of the NE 1/4 of the NE 1/4.
96 | All of Section 28, Township 3 North, Range 19 West;
97 | Walton County, Florida less and except the SW 1/4 of
98 | section and also less and except the E 1/4 of section
99 | also less and except beginning at the Southwest corner
100 | of the NE 1/4 of the NE 1/4 thence run West to the
101 | Southwest corner of the NW 1/4 of the NE 1/4 thence run
102 | West to the Southwest corner of the NW 1/4 of the NE
103 | 1/4 run thence North to the South boundary line of the
104 | R/W line of L & N Railroad; thence Westward along the
105 | South boundary line of said L & N Railroad to its
106 | intersection with the West line of Section 28; thence
107 | South along the section line to the Southwest corner
108 | of the NW 1/4 of said Section 28; thence East to the
109 | Southeast corner of the NW 1/4 of said Section 28
110 | thence South to the Southwest corner of the SE 1/4 of
111 | said section; thence East to the Southeast corner of
112 | the SE 1/4 of the SE 1/4 of said Section; thence North



113 along the line to the point of beginning; also less
114 and except the E 1/2 of the NW 1/4 of the NE 1/4; also
115 less and except the commencing at the SW corner of Lot
116 No. 1, Kam-Akers S/D, thence run Westerly along the
117 North R/W line of U.S. Highway 90 a distance of 40
118 feet to the point of beginning; thence continue
119 Westerly along said highway a distance of 156.10 feet;
120 thence North perpendicular to said highway a distance
121 of 144 feet; thence East Parallel with said highway a
122 distance of 97.71 feet; thence South perpendicular
123 with said highway a distance of 44 feet; thence East
124 parallel with said highway 60 feet to the Western
125 boundary of Twin Lake Drive; thence South 100 feet to
126 the point of beginning; also less and except begin at
127 the intersection of the Easterly R/W line of U.S.
128 Highway 331 and the Northerly R/W line of U.S. Highway
129 90 located in the NE 1/4 of the NW 1/4 of Section 28;
130 thence N 02 degrees 09'26'' East along the South line
131 of Wilburn and Linda Cotton property (O.R. Book 329,
132 Page 433) and the South line of William and Ruth
133 Wickert (O.R. Book 331, Page 619) at the Northeast
134 corner of section run South 00 degrees property 550.25
135 feet to the Westerly R/W line of U.S. Highway 90;
136 thence run N 79 degrees 06'31'' West along said
137 Northerly R/W line 199.40 feet to the point of
138 beginning. All of Section 21, Township 3 North, Range
139 19 West; less and except commencing at the SE corner
140 of Block 1 of Plant No. 1 of W.B. Harbeson Lumber



141 Company's S/D run thence N 10 degrees 30'00'' East
 142 66.5 feet to the North R/W line of U.S. Highway 90;
 143 thence Eastwardly along said Northern highway boundary
 144 a distance of 250 feet to the point of beginning;
 145 thence continue Eastwardly along said Northern highway
 146 boundary a distance of 918 feet; thence N 04 degrees
 147 40'00'' east 636.60 feet; thence North 79 degrees
 148 30'00'' West 833.80 feet; thence South 10 degrees
 149 30'00'' West a distance of 630 feet to the point of
 150 beginning; also less and except all of South 3/4 of
 151 section lying East of U.S. Highway 331 North; and also
 152 less and except; commence at the Northeast corner of
 153 Lot 6 Block Z of said Oakwood Lake Estates; thence
 154 North 88 degrees 14'10'' West along the North line of
 155 said Block Z for 1100 feet to the Northwest corner
 156 thereof and its intersection with the East R/W line of
 157 Commerce Blvd.; thence departing said North block line
 158 run North 01 degrees 45'50'' East along the East R/W
 159 line and Northeasterly extension thereof for 787.97
 160 feet; thence departing the Northeasterly extension of
 161 the East R/W line of Commerce Blvd. run South 88
 162 degrees 14'10'' East for 119.62 feet to the West R/W
 163 line of U.S. Highway 331 and a point on a curve being
 164 concave Northwesterly and having a radius of 5696.58
 165 feet; thence run Southwesterly along said curve and
 166 West R/W line an arc distance of 414.27 feet through a
 167 central angle of 04 degrees 10'00'' (chord = 414.18
 168 feet, chord bearing = S 02 degrees 12'04'' West) to



169 | the point of tangency of said curve; thence continue
170 | along said R/W line S 04 degrees 17'04'' West for
171 | 374.16 feet to the foresaid Northeast corner of Lot 6
172 | Block Z of said recorded S/D and the point of
173 | beginning; and also less and except; beginning
174 | 31'16'' East along the East boundary line of said
175 | section 1848.16 feet; thence N 76 degrees 14'35'' West
176 | along the Northerly R/W line of Shoemaker Drive 36.74
177 | feet; thence North 00 degrees 33'51'' West 529.40
178 | feet; thence N 89 degrees 48'59'' West 387.56 feet;
179 | thence S 00 degrees 33'51'' East 433.04 feet to the
180 | Northerly R/W of Shoemaker Drive and a point that is
181 | North 16 degrees 14'35'' West 436.74 feet and South 00
182 | degrees 31'16'' East 1848.16 feet from the P.O.B.
183 | thence run Northwesterly along said R/W line 1680.00
184 | feet; thence North 12 degrees 33'01'' East 259.06 feet
185 | to the Northerly R/W line of a 75-foot gas
186 | transmission easement; thence run along said easement
187 | North 80 degrees 21'05'' West 790.19 feet more or less
188 | to the Easterly R/W line of U.S. 331; thence North 05
189 | degrees 50'00'' West 34.90 feet of a chord; thence
190 | Northwesterly along the arc of said R/W 600.45 feet;
191 | thence run East along the North section line to the
192 | point of beginning. All of Section 22, Township 3
193 | North, Range 19 West, Walton County, Florida less and
194 | except; South 3/4 of section and also less and except;
195 | the N 1/2 of the NE 1/4 of section also less and
196 | except; the point of beginning shall be the



197 intersection of the South line of the NE 1/4 of NW 1/4
198 of Section 22 with the East boundary of Juniper Lake
199 Road (66 feet wide), a County Road described in Deed
200 Book 201, Page 409 Public Records of Walton County,
201 Florida; thence run East along said Southline to the
202 Southeast corner of said NE 1/4 of NW 1/4, thence run
203 North 400 feet along the East line of said NE 1/4 of
204 NW 1/4, thence run Northeasterly to the center point
205 of the top of the vertical outflow drainage structure
206 (riser pipe) in Blueberry Pond; thence run northerly
207 to the center point of the termination of the drainage
208 structure outflow pipe into Magnolia Lake; thence
209 continue on the same bearing an additional 200 feet;
210 thence run Northeasterly to the center point of the
211 top of the vertical outflow drainage structure (riser
212 pipe) of Magnolia Lake; thence run Westerly to the
213 center point of the termination of the drainage
214 structure outflow pipe from Pine Pond into Magnolia
215 Lake, thence run Southwesterly to the center point of
216 the top of the vertical outflow drainage structure in
217 Pine Pond; thence run Southwesterly to a point in Pine
218 Pond described, as follows; a point located on a
219 bearing line running south 44 degrees 29'08'' East
220 from the Southeast corner of NW 1/4 of the NE 1/4 of
221 the SE 1/4 of the SW 1/4, Section 15, Township 3
222 North, Range 19 West, which is equidistant from the
223 points on said bearing line where it intersects the
224 Northwest waterline and the Southeast water line of



225 Pine Pond; thence run Southwest on a meander line
226 through Pine Pond to the center point of Smith Creek
227 where it normally enters Pine Pond; thence run West to
228 the intersection with the East line of the SW 1/4 of
229 the SE 1/4 of the SW 1/4 of Section 15, Township 3
230 North, Range 19 West; thence run South along said East
231 line to the Southeast corner of said SW 1/4 of SE 1/4
232 of SW 1/4; thence run South to the South line of the
233 North 33 feet of the W 1/2 of the NW 1/4 of the NE 1/4
234 of the NE 1/4 of the NW 1/4, Section 22, Township 3
235 North, Range 19 West, thence run East along said South
236 line to the East line of said W 1/2 of NW 1/4 of the
237 NE 1/4 of the NE 1/4 of the NW 1/4; thence run South
238 along said East line to the Southeast corner of said W
239 1/2 of NW 1/4 of the NE 1/4 of the NE 1/4 of the NW
240 1/4; thence run West to the Northeast corner of the SW
241 1/4 of the NW 1/4 of the NE 1/4 of the NE 1/4 of the
242 NW 1/4 of Section 22 Township 3 North, Range 19 West;
243 thence run South to the Southeast corner of NW 1/4 of
244 the SW 1/4 of the SW 1/4 of the NE 1/4 of the NW 1/4
245 of Section 22 Township 3 North. Range 19 West; thence
246 run West along the South line of said NW 1/4 of SW 1/4
247 of NE 1/4 of the NW 1/4 to the point of intersection
248 with the East boundary of Juniper Lake Road; thence
249 run South along the East boundary to the point of
250 beginning. so, the following easements for road and
251 utility purposes; South 33 feet of SW 1/4 of the SE ¼
252 of the SW 1/4 of Section 15, Township 3 North, Range



253 | 19 West. The South 33 feet of the SW 1/4 of the NW 1/4
 254 | of the NE 1/4 of the NW 1/4 of Section 22, Township 3
 255 | North, Range 19 West. The North 33 feet of the NW 1/4
 256 | of the SW 1/4 of the NE 1/4 of the NW 1/4 of Section
 257 | 22, Township 3 North, Range 19 West. The North 33 feet
 258 | of the NW 1/4 of the NE 1/4 of the NW 1/4 of Section
 259 | 22, Township 3 North, Range 19 West, Walton County,
 260 | Florida. All of Section 15, Township 3 North, Range 19
 261 | West, Walton County, Florida less and except. The
 262 | point of beginning shall be the intersection of the
 263 | South line of the NE 1/4 of NW 1/4 of Section 22 with
 264 | the East boundary of Juniper Lake Road (66 feet wide),
 265 | a county road described, in Deed Book 201, Page 409
 266 | Public Records of Walton County, Florida; thence run
 267 | East along said South line to the Southeast Corner of
 268 | said NE 1/4 of NW 1/4, thence run north 400 feet along
 269 | the East line of said NE 1/4 of NW 1/4, thence run
 270 | Northeasterly to the center point of the top of the
 271 | vertical outflow drainage structure (riser pipe) in
 272 | Blueberry Pond; thence run Northerly to the center
 273 | point of the termination of the drainage structure
 274 | outflow pipe into Magnolia Lake; thence continue on
 275 | the same bearing an additional 200 feet; thence run
 276 | Northeasterly to the center point of the top of the
 277 | vertical outflow drainage structure (riser pipe) of
 278 | Magnolia Lake; thence run Westerly to the center point
 279 | of the termination of the drainage structure outflow
 280 | pipe from Pine Pond into Magnolia Lake, thence run



281 Southwesterly to the center point of the top of the
282 vertical outflow drainage structure in Pine Pond;
283 thence run Southwesterly to a point in Pine Pond
284 Described, as follows; a point located on a bearing
285 line running South 44 degrees 29'08'' East from the
286 Southeast corner of NW 1/4 of the NE 1/4 of the SE 1/4
287 to SW 1/4, Section 15, Township 3 North, Range 19
288 West, which is equidistant from the points on said
289 bearing line where it intersects the Northwest
290 waterline and the Southeast water line of Pine Pond;
291 thence run Southwest on a meander line through Pine
292 Pond to the center point of Smith Creek where it
293 normally enters Pine Pond; thence run West to the
294 intersection with the East line to the Southeast
295 corner of said SW 1/4 of the SE 1/4 of the SW 1/4 of
296 Section 15, Township 3 North, Range 19 West; thence
297 run South along said East line to the Southeast corner
298 of said SW 1/4 of SE 1/4 of SW 1/4; thence run South
299 to the South line of the North 33 feet of the W 1/2 of
300 the NW 1/4 of the NE 1/4 of the NE 1/4 of the NW 1/4,
301 Section 22, Township 3 North, Range 19 West, thence
302 run East along said South line to the East line of
303 said W 1/2 of NW 1/4 of the NE 1/4 of the NE 1/4 of
304 the NE 1/4 of the NW 1/4; thence run South along said
305 East line to the Southeast corner of said W 1/2 of NW
306 1/4 of the NE 1/4 of the NE 1/4 of the NW 1/4; thence
307 run West to the Northeast corner of the SW 1/4 of the
308 NW 1/4 of the NE 1/4 of the NE 1/4 of the NW 1/4 of



309 | Section 22, Township 3 North, Range 19 West; thence
310 | run South to the Southeast corner of NW 1/4 of the SW
311 | 1/4 of the NE 1/4 of the NW 1/4 of Section 22,
312 | Township 3 North, Range 19 West; thence run West along
313 | the South line of said NW 1/4 of SW 1/4 of NE 1/4 of
314 | NW 1/4 to the point of intersection with the east
315 | boundary of Juniper Lake Road; thence run South along
316 | the East boundary to the point of beginning. Also, the
317 | following easements for road and utility purposes;
318 | South 33 feet of SW 1/4 of the SE 1/4 of SW 1/4 of
319 | Section 15, Township 3 North, Range 19 West. The South
320 | 33 feet of the SW 1/4 of the NW 1/4 of the NE 1/4 of
321 | the NW 1/4 Section 22, Township 3 North, Range 19
322 | West. The North 33 feet of the NW 1/4 of the SW 1/4 of
323 | the NE 1/4 of the NW 1/4 of Section 22, Township 3
324 | North, Range 19 West. The North 33 feet of the NW 1/4
325 | of the NE 1/4 of the NW 1/4 of Section 22, Township 3
326 | North, Range 19 West Walton County, Florida. Also
327 | less all property lying East of a line running North
328 | and South from the center of Juniper Lake Dam and not
329 | in the Defuniak Springs City Limits. All of Section
330 | 10, Township 3 North, Range 19 West Walton County,
331 | Florida less and except all lying North of Juniper
332 | Lake, and Southeast corner of the section East of
333 | Juniper Lake Dam.

334 | (2) The purpose of this act is to promote the general
335 | health, welfare, and safety of the citizens and residents of
336 | Walton County who reside within the geographical limits of the



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337 Liberty Fire District by providing for the financial support of
338 the Liberty Fire District of Walton County, a Florida not-for-
339 profit corporation, which currently provides the district with
340 fire protection services, facilities, and firefighting
341 equipment; the establishment and maintenance of fire stations
342 and fire substations; the acquisition and maintenance of all
343 firefighting and protection equipment necessary for the
344 prevention of fires or fighting of fires; the employment and
345 training of such personnel as may be necessary to accomplish
346 fire prevention and firefighting; the establishment and
347 maintenance of emergency services; the acquisition and
348 maintenance of rescue and other emergency equipment; and the
349 employment and training of necessary emergency personnel. The
350 district may provide emergency medical services. The district
351 shall have all other powers necessary to carry out these
352 purposes. The district shall be a fire control district and
353 shall have no responsibility for providing ambulance or similar
354 emergency services within the district's boundaries.

355 (3) Nothing herein shall prevent the district from
356 cooperating with the state or other local governments to render
357 such services to communities adjacent to the land described in
358 this section as evidenced by a signed Aid Agreement.

359 (4) The district charter may be amended only by special
360 act of the Legislature.

361 Section 3. Board of commissioners.--

362 (1) Pursuant to chapter 191, Florida Statutes, the
363 business and affairs of the district shall be governed and
364 administered by a board of five commissioners, who shall be



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365 qualified electoral residing within the district and shall be
366 elected by the qualified electors residing within the district
367 at a special election, subject to the provisions of chapter 189
368 and 191, Florida Statutes, and this act. Each commissioner shall
369 hold office until his or her successor is elected and qualified
370 under the provisions of this act. The procedures for conducting
371 district elections and for qualification of candidates and
372 electors shall be pursuant to chapters 189 and 191, Florida
373 Statutes, as they may be amended from time to time.

374 (2) The five members of the initial board shall be elected
375 by the qualified electors residing within the district. The
376 three elected members for seats 1, 3, and 5 in the initial
377 election under this act shall serve terms of 3 years each. The
378 remaining two selected members for seats 2 and 4 in the initial
379 election under this act shall serve terms of 2 years each.
380 Subsequent elections under this act shall coincide with the
381 general elections of this state. The members of the board shall
382 serve on a nonpartisan basis for a term of 4 years each.

383 (3) Vacancies in office shall be filled by special
384 election, said election to be held coincidental with the next
385 countywide general or special election. The board may appoint a
386 qualified elector of the district to act as commissioner until
387 the vacancy is filled by election. A commissioner must be a
388 qualified elector residing within the district. A commissioner
389 may be removed from office for any reason that a state or county
390 officer may be removed.

391 (4) All elections shall be noticed, called, and held
392 pursuant to the provisions of the general laws of the state,



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393 except as herein otherwise provided. The board shall, to the
394 extent possible, coordinate all elections with countywide
395 general or special elections in order to minimize cost.
396 Elections shall be called through the adoption of an appropriate
397 resolution of the district directed to the Board of County
398 Commissioners of Walton County, the Supervisor of Elections of
399 Walton County, and other appropriate officers of the county. The
400 district shall reimburse county government for the actual cost
401 of district elections. No commissioner shall be a paid employee
402 of the district while holding said position. This shall not
403 prevent volunteers receiving reimbursement for expenses from
404 serving as commissioners.

405 (5) The board may employ such personnel as deemed
406 necessary for the proper function and operation of a fire
407 district. The salaries of fire department and emergency service
408 personnel, and any other wages, shall be determined by the
409 board.

410 Section 4. Officers; board compensation; bond.--

411 (1) In accordance with chapter 191, Florida Statutes, each
412 elected member of the board shall assume office 10 days
413 following the member's election. Annually, within 60 days after
414 election of new members of said board, the members immediately
415 upon their election as herein provided, or within 10 days
416 thereafter and annually in November, shall organize by electing
417 from their number a chair, vice chair, secretary, and treasurer.
418 However, the same member may be both secretary and treasurer, in
419 accordance with chapter 191, Florida Statutes, as amended from
420 time to time.



421 (2) The commissioners may receive reimbursement for actual
 422 expenses incurred while performing the duties of their offices
 423 in accordance with general law governing per diem for public
 424 officials. Commissioners may receive compensation for their
 425 services in accordance with chapter 191, Florida Statutes, as
 426 amended from time to time.

427 (3) Each commissioner, upon taking office and in
 428 accordance with chapters 189 and 191, Florida Statutes, shall
 429 execute to the Governor, for the benefit of the district, a bond
 430 of \$5,000 with a qualified personal or corporate surety,
 431 conditioned upon the faithful performance of the duties of the
 432 commissioner's office and upon an accounting for all funds which
 433 come into his or her hands as commissioner; however, the
 434 treasurer shall furnish a bond of \$10,000, which may be in lieu
 435 of the \$5,000 bond. The premium for such bonds shall be paid
 436 from district funds.

437 Section 5. Powers; duties; responsibilities.--

438 (1) The district shall have and the board may exercise by
 439 majority vote all the powers and duties set forth in this act
 440 and chapters 189, 191, and 197, Florida Statutes, as they may be
 441 amended from time to time, including, but not limited to,
 442 special assessments, other revenue-raising capabilities, budget
 443 preparation and approval, liens and foreclosure of liens, use of
 444 tax deeds and tax certificates as appropriate from non-ad
 445 valorem assessments, contractual agreements, and adoption of
 446 ordinances and resolutions that are necessary to conduct
 447 district business if such ordinances do not conflict with any



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448 ordinance of a local general purpose government within whose
449 jurisdiction the district is located.

450 (2) The board shall continue to have the right, power, and
451 authority to levy annually special assessment against the
452 taxable real estate within the district to provide funds for the
453 purposes of the district, in an amount not to exceed the limit
454 provided in chapter 191, Florida Statutes, as amended from time
455 to time.

456 (3) The methods for assessing and collecting special
457 assessments, fees, or service charges shall be as set
458 forth in this act and chapters 170, 189, 191, and 197, Florida
459 Statutes, as amended from time to time.

460 (4) The district shall levy and collect special
461 assessments in accordance with chapter 200, Florida Statutes, as
462 amended from time to time.

463 (5) The district is authorized to levy and enforce special
464 assessments in accordance with chapters 170, 189, 191, and 197,
465 Florida Statutes, as amended from time to time.

466 (6) The district's planning requirements shall be as set
467 forth in this act and chapters 189 and 191, Florida
468 Statutes, as amended from time to time.

469 (7) Requirements for financial disclosure, meeting
470 notices, reporting, public records maintenance, and per diem
471 expenses for officers and employees shall be as set forth in
472 this act and chapters 112, 119, 189, 191, and 286, Florida
473 Statutes, as amended from time to time.

474 Section 6. Impact fees.--



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475 (1) Pursuant to section 191.009(4), Florida Statutes, it
476 is hereby declared that the cost of new facilities upon fire
477 protection and emergency services should be borne by new users
478 of the district's services to the extent new construction
479 requires new facilities, but only to that extent. It is the
480 legislative intent of this section to transfer to the new users
481 of the district's fire protection and emergency services a fair
482 share of the costs that new users impose on the district for new
483 facilities. This shall only apply in the event that the general
484 purpose local government in which the district is located has
485 not adopted an impact fee for fire services which is distributed
486 to the district for construction within its jurisdictional
487 boundaries.

488 (2) The impact fees collected by the district pursuant to
489 this section shall be kept as a separate fund from other
490 revenues of the district and shall be used exclusively for the
491 acquisition, purchase, or construction of new facilities or
492 portions thereof required to provide fire protection and
493 emergency services to new construction. "New facilities" means
494 land, buildings, and capital equipment, including, but not
495 limited to, fire and emergency vehicles and radio telemetry
496 equipment. The fees shall not be used for the acquisition,
497 purchase, or construction of facilities which must be obtained
498 in any event, regardless of growth within the district. The
499 board of fire commissioners shall maintain adequate records to
500 ensure that impact fees are expended only for permissible new
501 facilities.

502 Section 7. Special assessments.--



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503 (1) The board shall have the right, power, and authority
504 to levy special assessments against the taxable real estate
505 within the district to provide funds for the purpose of the
506 district.

507 (2)(a) The rate of the special assessment for a residence
508 will be \$25 annually.

509 (b) The rate of the special assessment for a business will
510 be \$82 annually.

511 (c) Any increase to the special assessment must be
512 approved by a majority of the electors within the Liberty Fire
513 District.

514 (3) It is the legislative intent that this act shall
515 authorize the Walton County Property Appraiser and the Walton
516 County Tax Collector to take all appropriate action to comply
517 with the intent of the purpose of this act.

518 (4) It is also the legislative intent that the board of
519 commissioners shall be a vehicle to provide funding to
520 accomplish the purpose set out in this act.

521 Section 8. Property appraiser.--

522 (1) The Walton County Property Appraiser shall furnish the
523 commissioners a tax roll covering all taxable properties within
524 the district on or before July 1 of each year.

525 (2) The Walton County Property Appraiser shall include in
526 the Walton County tax roll the assessments made by the board,
527 and the same shall be collected in the manner as provided for by
528 this act and paid over by the Walton County Tax Collector to the
529 board.



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530 (3) The Walton County Property Appraiser shall be
531 reimbursed for assessing such special assessments in the manner
532 and amount authorized by general law, and the Walton County Tax
533 Collector shall receive a commission or fee of 3 percent for
534 collection of such special assessments.

535 Section 9. Special assessment as a lien.--

536 (1) The special assessment levied and assessed by the
537 district shall be a lien upon the property so assessed along
538 with the county taxes assessed against such property until said
539 assessments and taxes have been paid, and if the special
540 assessment levied by the district becomes delinquent, such
541 special assessment shall be considered a part of the county tax
542 subject to the same penalties, charges, fees, and remedies for
543 enforcement and collection of such taxes.

544 Section 10. Deposit of special assessments; fees;
545 authority to disburse funds.--

546 (1) The proceeds of the assessments and funds of the
547 district shall be deposited in qualified public depositories, in
548 accordance with chapters 191 and 280, Florida Statutes, as they
549 may be amended from time to time, in the name of the district in
550 a bank authorized to receive deposits of district funds. The
551 bank shall be designated by a resolution of the board.

552 (2) All warrants for the payment of labor, equipment, and
553 other expenses of the board, and in carrying into effect this
554 act and the purpose thereof, shall be payable by the treasurer
555 of the board on accounts and vouchers approved and authorized by
556 the board. No funds of the district shall be paid out or



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557 disbursed except by check signed by the treasurer of the board
558 and either the chair or vice chair of the board.

559 Section 11. Authority to borrow money.--

560 (1) The board of commissioners shall have the power and
561 authority to borrow money or issue other evidences of
562 indebtedness for the purpose of the district in accordance with
563 chapters 189 and 191, Florida Statutes, as amended from time to
564 time; provided, however, that the total payments in any one
565 year, including principal and interest, on any indebtedness
566 incurred by the district shall not exceed 50 percent of the
567 total estimated
568 annual budgeted revenues of the district.

569 (2) The board of commissioners, board of directors as a
570 body, or any of the members of either board as individuals shall
571 not be personally or individually liable for the repayment of
572 such loan. Such repayment shall be made out of the special
573 assessment receipts of the district, except as provided in this
574 subsection. The commissioners shall not create any indebtedness
575 or incur obligations for any sum or amount which they are unable
576 to repay out of district funds available to them at that time,
577 except as otherwise provided in this act; provided, however,
578 that the commissioners may make purchases of equipment on an
579 installment basis as necessary if funds are available for the
580 payment of the current year's installment on such equipment plus
581 the amount due in that year of any of the installments and the
582 repayment of any bank loan or other existing indebtedness, which
583 may be due that year.

584 Section 12. Use of district funds.--



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585 (1) No funds of the district shall be used for any
586 purposes other than the administration of the affairs and
587 business of the district; the construction, care, maintenance,
588 upkeep operation, and purchase of firefighting and rescue
589 equipment or a fire station; the payment of public utilities;
590 and the payment of salaries of district personnel as the board
591 may from time to time determine to be necessary for the
592 operations and effectiveness
593 of the district.

594 Section 13. Record of board meetings; authority to adopt
595 rules and regulations; annual reports; budget.--

596 (1) A record shall be kept of all meetings of the board,
597 and in such meetings concurrence of a majority of the
598 commissioners present shall be necessary to any affirmative
599 action by the board.

600 (2) The board shall have the authority to adopt and amend
601 policies and regulations for the administration of the affairs
602 of the district under the terms of this act and chapters 189 and
603 191, Florida Statutes, which shall include, but not be limited
604 to, the authority to adopt the necessary rules and regulations
605 for the administration and supervision of the property and
606 personnel of the district; for the prevention of fires, fire
607 control, fire hydrant placement, and flow testing in accordance
608 with current NFPA rules; and for rescue work within the
609 district. Said commissioners shall have all the lawful power and
610 the authority necessary to carry out the purposes of said fire
611 district; to purchase all necessary real and personal property;
612 to purchase and carry standard insurance policies on all such



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613 equipment; to employ such personnel as may be necessary to carry
614 out the purpose of said fire district; to provide adequate
615 insurance for said employees; to purchase and carry appropriate
616 insurance for the protection of all firefighters and personnel
617 as well as all equipment and personal property on loan to the
618 district; to sell surplus real and personal property in the same
619 manner and subject to the same restrictions as provided for such
620 sales by counties; to enter into contracts with qualified
621 service providers, the Liberty Fire District of Walton County,
622 other fire departments, municipalities, and state and federal
623 governmental units for the purpose of obtaining financial aid;
624 and for otherwise carrying out the purposes of the district. The
625 commissioners shall adopt a fiscal year for said fire district,
626 which shall be October 1 to September 30.

627 (3) Any policies, rules, and regulations promulgated and
628 made by the board shall have the force and effect of law after
629 copies thereof, signed by the secretary and chair or vice chair,
630 shall have been posted in three public places within the
631 district in conspicuous locations and advertised by title once a
632 week for 2 consecutive weeks in a newspaper of general paid
633 circulation in the district.

634 (4) The board shall, on or before November 1, make an
635 annual report of its actions and accounting of its funds as of
636 September of that year, and shall file said report in the office
637 of the Clerk of the Circuit Court of Walton County, whose duty
638 it shall be to receive and file said report and hold and keep
639 the same as a public record.



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640 (5) For the purposes of carrying into effect this act, the
641 board shall annually prepare, consider, and adopt a district
642 budget pursuant to the applicable requirements of chapters 189
643 and 191, Florida Statutes, as they may be amended from time to
644 time. The board shall, at the same time as it makes its annual
645 report, file its estimated budget for the fiscal year beginning
646 October 1, which budget shall show the estimated revenue to be
647 received by the district and the estimated expenditures to be
648 incurred by the district in carrying out its operations.

649 Section 14. Authority to enact fire prevention ordinances;
650 appoint fire chief; acquire land; enter contracts; establish
651 salaries; general and special powers; authority to provide
652 emergency medical and rescue services.--

653 (1) The board of commissioners shall have the right and
654 power to enact fire prevention ordinances in the same manner
655 provided for the adoption of policies and regulations in
656 subsection (2) of section 13, and when the provisions of such
657 fire prevention ordinances are determined by the board to be
658 violated, the office of the state attorney, upon written notice
659 of such violation issued by the board, is authorized to
660 prosecute such person or persons held to be in violation
661 thereof. Any person found guilty of a violation may be punished
662 as provided in chapter 775, Florida Statutes, as a misdemeanor
663 of the second degree. The cost of such prosecution shall be paid
664 out of the district funds, unless otherwise provided by law.

665 (2) The board shall have the power to appoint a fire
666 chief, who shall be a person experienced in all types of
667 firefighting and fire prevention and who shall work with and



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668 cooperate with the Florida State Fire Marshal in which the
669 district is situated in the prevention of fires of all types.
670 The district fire chief shall be authorized to enter, at all
671 reasonable hours, any building or premises for the purpose of
672 making any inspection or investigation which the State Fire
673 Marshal is authorized to make pursuant to state law and
674 regulation. The owner, lessee, manager, or operator of any
675 building or premises shall permit the district fire chief to
676 enter and inspect the building or premises at all reasonable
677 hours. The district fire chief shall report any violations of
678 state fire safety laws or regulations to the appropriate
679 officials.

680 (3) The board shall have the power to acquire, by gift or
681 purchase, lands or rights in lands, and any other property, real
682 and personal, tangible or intangible, necessary, desirable, or
683 convenient for carrying out the purposes of the district, and to
684 pay any and all costs of same out of the funds of the district,
685 provided that prior to the acquisition of the location of a fire
686 station site, an appropriate investigation shall be conducted
687 which shall include, but not limited to, obtaining the staff
688 recommendation of the Walton County Planning Department.

689 (4) The board shall have the power to enter into contracts
690 or to otherwise join with the Liberty Fire District of Walton
691 County, or to otherwise join with any other district, city, or
692 town, the United States of America, or any agency or authority
693 thereunder, for the purpose of expanding services, providing
694 effective aid, and accomplishing and carrying out the purposes



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695 for which the district was created and for the further purpose
696 of specifically obtaining financial aid, assistance, or subsidy.

697 (5) The salaries of fire department personnel and any
698 other wages shall be determined by the board.

699 (6) The district is authorized to establish and maintain
700 emergency medical and rescue response services and acquire and
701 maintain rescue, medical, and other emergency equipment, subject
702 to the provisions of chapter 401, Florida Statutes.

703 Section 15. Annexations.--If any municipality or other
704 fire control district annexes any land included in the district,
705 such annexation shall follow the procedures set forth in section
706 171.093, Florida Statutes, as amended from time to time.

707 Section 16. Dissolution.--The district shall exist until
708 dissolved in the same manner as it was created. If the Liberty
709 Fire District of Walton County is dissolved or ceases to exist
710 for any reason, or if the board determines that the Liberty Fire
711 District of Walton County is unable to carry out its objectives
712 as stated or the objectives of the district as stated in
713 subsection (2) of section 2, or the district's published
714 policies, the board shall in its discretion make arrangements
715 for other means of providing fire protection and rescue
716 services.

717 Section 17. Immunity from tort liability.--

718 (1) The district and its officers, agents, and employees
719 shall have the same immunity from tort liability as other
720 agencies and subdivisions of the state. The provisions of
721 chapter 768, Florida Statutes, as from time to time amended,
722 shall apply to all claims asserted against the district.



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723 (2) The district commissioners and all officers, agents,
724 and employees of the district shall have the same immunity and
725 exemption from personal liability as is provided by general law
726 of the state for state, county, and municipal officers.

727 (3) The district shall defend all claims against the
728 commissioners, officers, agents, and employees which arise
729 within the scope of employment or purposes of the district and
730 shall pay all judgments against said persons, except where said
731 persons acted in bad faith or with malicious purpose or in a
732 manner exhibiting wanton and willful disregard of human rights,
733 safety, or property.

734 Section 18. District expansion.--

735 (1) The district boundaries may be extended from time to
736 time as follows:

737 (a) Land contiguous to the boundaries of the district in
738 unincorporated Walton County may be included in the district
739 when petition for inclusion signed and sworn to by a majority of
740 the owners of the real property within the tract or tracts to be
741 included in the district has been presented to the board of
742 commissioners and the proposal has been approved by the
743 affirmative vote of no fewer than three members of the board of
744 commissioners at a regular meeting.

745 (b) The petition must contain the legal description of the
746 property sought to be added to the district and the names and
747 addresses of the owners of the property.

748 (2) If a proposal to add an area to the district as
749 defined in subsection (1) is approved by the affirmative vote of
750 no fewer than three members of the board of commissioners at a



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751 regular meeting, the board of commissioners shall thereafter
752 adopt a resolution describing the lands to be included within
753 the district and shall cause such resolution to be duly enrolled
754 in the record of the meeting and a certified copy of the
755 resolution to be recorded in the Office of the Clerk of the
756 Circuit Court of Walton County.

757 (3) Upon adoption of the resolution by the board, the
758 district shall, pursuant to chapter 191, Florida Statutes,
759 request that its legislative delegation approve said addition
760 and sponsor legislation amending the district boundary. Upon
761 approval by the legislature, the boundary shall be amended.

762 (4) Lands within municipal boundaries of cities contiguous
763 to district boundaries may be included in the district upon
764 request by the governing board of the municipality, approval of
765 said request by affirmative vote of no fewer than three members
766 of the district board, and referendum approval of inclusion by
767 the electors of the municipality. The referendum shall be
768 conducted by the municipality at the next available special or
769 general election.

770 Section 19. Construction.--This act shall be construed as
771 remedial and shall be liberally construed to promote the purpose
772 for which it is intended.

773 Section 20. Effect.--In the event that any part of this
774 act should be held void for any reason, such holding shall not
775 affect any other part thereof.

776 Section 2. This act shall take effect upon becoming a law.