



1                                   A bill to be entitled  
 2           An act relating to Liberty Fire District, Walton County;  
 3           creating a special district; providing definitions;  
 4           providing for creation, status, charter amendments,  
 5           boundaries, and purposes; providing for a board of  
 6           commissioners; providing for election and terms of  
 7           commissioners; providing for employment of board  
 8           personnel; providing for election of board officers;  
 9           providing for compensation and bonds of commissioners;  
 10          providing for powers, duties, and responsibilities of the  
 11          board; preserving the authority to levy non-ad valorem  
 12          special assessments; providing for impact fees;  
 13          authorizing the board to levy special assessments;  
 14          providing legislative intent; providing for duties of the  
 15          property appraiser; providing for special assessment as a  
 16          lien; providing for deposit of such special assessments;  
 17          providing for authority to disburse funds; authorizing the  
 18          board to borrow money; providing for use of district  
 19          funds; requiring a record of all board meetings;  
 20          authorizing the board to adopt policies and regulations;  
 21          providing for the board to make an annual budget;  
 22          requiring an annual report; authorizing the board to enact  
 23          fire prevention ordinances, appoint a district fire chief,  
 24          acquire land, enter contracts, establish salaries, and  
 25          establish and operate a fire rescue service; providing for  
 26          district authority upon annexation of district lands;  
 27          providing for dissolution; providing immunity from tort  
 28          liability for officers, agents, and employees; providing



29 for district expansion; providing for construction and  
 30 effect; providing an effective date.

31

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

33

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

36 Section 1. Definitions.--As used in this act, unless  
 37 otherwise specified:

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

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

41 (3) "Board of directors" means the existing policymaking  
 42 and governing body of the Liberty Fire District of Walton  
 43 County.

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

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

47 (6) "Residence" means one single-family dwelling,  
 48 including one single-apartment dwelling unit, one single-  
 49 condominium dwelling unit, one single duplex, triplex, or other  
 50 attached dwelling unit, one single-family detached dwelling  
 51 unit, or one single mobile or modular home dwelling unit.

52 (7) "Business" means motels, apartments, or rental  
 53 dwelling, along with other standard commercial or industrial  
 54 businesses such as gasoline stations, stores, marinas, and  
 55 similar establishments, as authorized pursuant to the applicable



56 local government comprehensive plan, whether or not such  
 57 businesses are required to pay or collect sales taxes.  
 58 Section 2. Creation; status; charter amendments;  
 59 boundaries; district purposes.--There is hereby created an  
 60 independent special fire control district and rescue service  
 61 district incorporating lands in Walton County described in  
 62 subsection (1), which shall be a public corporation having the  
 63 powers, duties, obligations, and immunities herein set forth,  
 64 under the name of the Liberty Fire District. The district is  
 65 organized and exists for all purposes and shall hold all powers  
 66 set forth in this act and chapters 189 and 191, Florida  
 67 Statutes.

68 (1) The lands to be included within the district are  
 69 the following described lands in Walton County: All  
 70 Sections 2, 3, 4, 5, 8, 9, 10, 11, 13, 14, 15, 16, 17,  
 71 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 35, 36,  
 72 Township 4 North, Range 20 West; Walton County,  
 73 Florida. Also all of Section 33, Township 4 North,  
 74 Range 19 West, Walton County, Florida; less and except  
 75 the North 3/4 of section. Also all Sections 17, 18,  
 76 19, 20, 29, 30, 31, 32, Township 4 North, Range 19  
 77 West; Walton County, Florida. Also Sections 4, 5, 6,  
 78 7, 8, 9, 16, 17, 18, 19, 20, 30, Township 3 North,  
 79 Range 19 West; Walton County, Florida. Also Sections  
 80 1, 2, 11, 12, 13, 14, 23, 24, 25, 26, Township 3  
 81 North, Range 20 West; Walton County, Florida. Also  
 82 Section 29, Township 3 North, Range 19 West, less and  
 83 except; S 1/2 of NE 1/4 of NE 1/4 and SE 1/4 of NE



84 1/4 and S 1/2 of NW 1/4 of the NE 1/4 and also less  
85 the N 1/2 of the E 1/2 of the NE 1/4 of the NE 1/4.  
86 All of Section 28, Township 3 North, Range 19 West;  
87 Walton County, Florida less and except the SW 1/4 of  
88 section and also less and except the E 1/4 of section  
89 also less and except beginning at the Southwest corner  
90 of the NE 1/4 of the NE 1/4 thence run West to the  
91 Southwest corner of the NW 1/4 of the NE 1/4 thence run  
92 West to the Southwest corner of the NW 1/4 of the NE  
93 1/4 run thence North to the South boundary line of the  
94 R/W line of L & N Railroad; thence Westward along the  
95 South boundary line of said L & N Railroad to its  
96 intersection with the West line of Section 28; thence  
97 South along the section line to the Southwest corner  
98 of the NW 1/4 of said Section 28; thence East to the  
99 Southeast corner of the NW 1/4 of said Section 28  
100 thence South to the Southwest corner of the SE 1/4 of  
101 said section; thence East to the Southeast corner of  
102 the SE 1/4 of the SE 1/4 of said Section; thence North  
103 along the line to the point of beginning; also less  
104 and except the E 1/2 of the NW 1/4 of the NE 1/4; also  
105 less and except the commencing at the SW corner of Lot  
106 No. 1, Kam-Akers S/D, thence run Westerly along the  
107 North R/W line of U.S. Highway 90 a distance of 40  
108 feet to the point of beginning; thence continue  
109 Westerly along said highway a distance of 156.10 feet;  
110 thence North perpendicular to said highway a distance  
111 of 144 feet; thence East Parallel with said highway a



112 distance of 97.71 feet; thence South perpendicular  
113 with said highway a distance of 44 feet; thence East  
114 parallel with said highway 60 feet to the Western  
115 boundary of Twin Lake Drive; thence South 100 feet to  
116 the point of beginning; also less and except begin at  
117 the intersection of the Easterly R/W line of U.S.  
118 Highway 331 and the Northerly R/W line of U.S. Highway  
119 90 located in the NE 1/4 of the NW 1/4 of Section 28;  
120 thence N 02 degrees 09'26'' East along the South line  
121 of Wilburn and Linda Cotton property (O.R. Book 329,  
122 Page 433) and the South line of William and Ruth  
123 Wickert (O.R. Book 331, Page 619) at the Northeast  
124 corner of section run South 00 degrees property 550.25  
125 feet to the Westerly R/W line of U.S. Highway 90;  
126 thence run N 79 degrees 06'31'' West along said  
127 Northerly R/W line 199.40 feet to the point of  
128 beginning. All of Section 21, Township 3 North, Range  
129 19 West; less and except commencing at the SE corner  
130 of Block 1 of Plant No. 1 of W.B. Harbeson Lumber  
131 Company's S/D run thence N 10 degrees 30'00'' East  
132 66.5 feet to the North R/W line of U.S. Highway 90;  
133 thence Eastwardly along said Northern highway boundary  
134 a distance of 250 feet to the point of beginning;  
135 thence continue Eastwardly along said Northern highway  
136 boundary a distance of 918 feet; thence N 04 degrees  
137 40'00'' east 636.60 feet; thence North 79 degrees  
138 30'00'' West 833.80 feet; thence South 10 degrees  
139 30'00'' West a distance of 630 feet to the point of



140 beginning; also less and except all of South 3/4 of  
141 section lying East of U.S. Highway 331 North; and also  
142 less and except; commence at the Northeast corner of  
143 Lot 6 Block Z of said Oakwood Lake Estates; thence  
144 North 88 degrees 14'10'' West along the North line of  
145 said Block Z for 1100 feet to the Northwest corner  
146 thereof and its intersection with the East R/W line of  
147 Commerce Blvd.; thence departing said North block line  
148 run North 01 degrees 45'50'' East along the East R/W  
149 line and Northeasterly extension thereof for 787.97  
150 feet; thence departing the Northeasterly extension of  
151 the East R/W line of Commerce Blvd. run South 88  
152 degrees 14'10'' East for 119.62 feet to the West R/W  
153 line of U.S. Highway 331 and a point on a curve being  
154 concave Northwesterly and having a radius of 5696.58  
155 feet; thence run Southwesterly along said curve and  
156 West R/W line an arc distance of 414.27 feet through a  
157 central angle of 04 degrees 10'00'' (chord = 414.18  
158 feet, chord bearing = S 02 degrees 12'04'' West) to  
159 the point of tangency of said curve; thence continue  
160 along said R/W line S 04 degrees 17'04'' West for  
161 374.16 feet to the foresaid Northeast corner of Lot 6  
162 Block Z of said recorded S/D and the point of  
163 beginning; and also less and except; beginning  
164 31'16'' East along the East boundary line of said  
165 section 1848.16 feet; thence N 76 degrees 14'35'' West  
166 along the Northerly R/W line of Shoemaker Drive 36.74  
167 feet; thence North 00 degrees 33'51'' West 529.40



168 | feet; thence N 89 degrees 48'59'' West 387.56 feet;  
169 | thence S 00 degrees 33'51'' East 433.04 feet to the  
170 | Northerly R/W of Shoemaker Drive and a point that is  
171 | North 16 degrees 14'35'' West 436.74 feet and South 00  
172 | degrees 31'16'' East 1848.16 feet from the P.O.B.  
173 | thence run Northwesterly along said R/W line 1680.00  
174 | feet; thence North 12 degrees 33'01'' East 259.06 feet  
175 | to the Northerly R/W line of a 75-foot gas  
176 | transmission easement; thence run along said easement  
177 | North 80 degrees 21'05'' West 790.19 feet more or less  
178 | to the Easterly R/W line of U.S. 331; thence North 05  
179 | degrees 50'00'' West 34.90 feet of a chord; thence  
180 | Northwesterly along the arc of said R/W 600.45 feet;  
181 | thence run East along the North section line to the  
182 | point of beginning. All of Section 22, Township 3  
183 | North, Range 19 West, Walton County, Florida less and  
184 | except; South 3/4 of section and also less and except;  
185 | the N 1/2 of the NE 1/4 of section also less and  
186 | except; the point of beginning shall be the  
187 | intersection of the South line of the NE 1/4 of NW 1/4  
188 | of Section 22 with the East boundary of Juniper Lake  
189 | Road (66 feet wide), a County Road described in Deed  
190 | Book 201, Page 409 Public Records of Walton County,  
191 | Florida; thence run East along said Southline to the  
192 | Southeast corner of said NE 1/4 of NW 1/4, thence run  
193 | North 400 feet along the East line of said NE 1/4 of  
194 | NW 1/4, thence run Northeasterly to the center point  
195 | of the top of the vertical outflow drainage structure



196 (riser pipe) in Blueberry Pond; thence run northerly  
197 to the center point of the termination of the drainage  
198 structure outflow pipe into Magnolia Lake; thence  
199 continue on the same bearing an additional 200 feet;  
200 thence run Northeasterly to the center point of the  
201 top of the vertical outflow drainage structure (riser  
202 pipe) of Magnolia Lake; thence run Westerly to the  
203 center point of the termination of the drainage  
204 structure outflow pipe from Pine Pond into Magnolia  
205 Lake, thence run Southwesterly to the center point of  
206 the top of the vertical outflow drainage structure in  
207 Pine Pond; thence run Southwesterly to a point in Pine  
208 Pond described, as follows; a point located on a  
209 bearing line running south 44 degrees 29'08'' East  
210 from the Southeast corner of NW 1/4 of the NE 1/4 of  
211 the SE 1/4 of the SW 1/4, Section 15, Township 3  
212 North, Range 19 West, which is equidistant from the  
213 points on said bearing line where it intersects the  
214 Northwest waterline and the Southeast water line of  
215 Pine Pond; thence run Southwest on a meander line  
216 through Pine Pond to the center point of Smith Creek  
217 where it normally enters Pine Pond; thence run West to  
218 the intersection with the East line of the SW 1/4 of  
219 the SE 1/4 of the SW 1/4 of Section 15, Township 3  
220 North, Range 19 West; thence run South along said East  
221 line to the Southeast corner of said SW 1/4 of SE 1/4  
222 of SW 1/4; thence run South to the South line of the  
223 North 33 feet of the W 1/2 of the NW 1/4 of the NE 1/4





224 of the NE 1/4 of the NW 1/4, Section 22, Township 3  
225 North, Range 19 West, thence run East along said South  
226 line to the East line of said W 1/2 of NW 1/4 of the  
227 NE 1/4 of the NE 1/4 of the NW 1/4; thence run South  
228 along said East line to the Southeast corner of said W  
229 1/2 of NW 1/4 of the NE 1/4 of the NE 1/4 of the NW  
230 1/4; thence run West to the Northeast corner of the SW  
231 1/4 of the NW 1/4 of the NE 1/4 of the NE 1/4 of the  
232 NW 1/4 of Section 22 Township 3 North, Range 19 West;  
233 thence run South to the Southeast corner of NW 1/4 of  
234 the SW 1/4 of the SW 1/4 of the NE 1/4 of the NW 1/4  
235 of Section 22 Township 3 North. Range 19 West; thence  
236 run West along the South line of said NW 1/4 of SW 1/4  
237 of NE 1/4 of the NW 1/4 to the point of intersection  
238 with the East boundary of Juniper Lake Road; thence  
239 run South along the East boundary to the point of  
240 beginning. so, the following easements for road and  
241 utility purposes; South 33 feet of SW 1/4 of the SE ¼  
242 of the SW 1/4 of Section 15, Township 3 North, Range  
243 19 West. The South 33 feet of the SW 1/4 of the NW 1/4  
244 of the NE 1/4 of the NW 1/4 of Section 22, Township 3  
245 North, Range 19 West. The North 33 feet of the NW 1/4  
246 of the SW 1/4 of the NE 1/4 of the NW 1/4 of Section  
247 22, Township 3 North, Range 19 West. The North 33 feet  
248 of the NW 1/4 of the NE 1/4 of the NW 1/4 of Section  
249 22, Township 3 North, Range 19 West, Walton County,  
250 Florida. All of Section 15, Township 3 North, Range 19  
251 West, Walton County, Florida less and except. The



252 point of beginning shall be the intersection of the  
253 South line of the NE 1/4 of NW 1/4 of Section 22 with  
254 the East boundary of Juniper Lake Road (66 feet wide),  
255 a county road described, in Deed Book 201, Page 409  
256 Public Records of Walton County, Florida; thence run  
257 East along said South line to the Southeast Corner of  
258 said NE 1/4 of NW 1/4, thence run north 400 feet along  
259 the East line of said NE 1/4 of NW 1/4, thence run  
260 Northeasterly to the center point of the top of the  
261 vertical outflow drainage structure (riser pipe) in  
262 Blueberry Pond; thence run Northerly to the center  
263 point of the termination of the drainage structure  
264 outflow pipe into Magnolia Lake; thence continue on  
265 the same bearing an additional 200 feet; thence run  
266 Northeasterly to the center point of the top of the  
267 vertical outflow drainage structure (riser pipe) of  
268 Magnolia Lake; thence run Westerly to the center point  
269 of the termination of the drainage structure outflow  
270 pipe from Pine Pond into Magnolia Lake, thence run  
271 Southwesterly to the center point of the top of the  
272 vertical outflow drainage structure in Pine Pond;  
273 thence run Southwesterly to a point in Pine Pond  
274 Described, as follows; a point located on a bearing  
275 line running South 44 degrees 29'08'' East from the  
276 Southeast corner of NW 1/4 of the NE 1/4 of the SE 1/4  
277 to SW 1/4, Section 15, Township 3 North, Range 19  
278 West, which is equidistant from the points on said  
279 bearing line where it intersects the Northwest



280 waterline and the Southeast water line of Pine Pond;  
281 thence run Southwest on a meander line through Pine  
282 Pond to the center point of Smith Creek where it  
283 normally enters Pine Pond; thence run West to the  
284 intersection with the East line to the Southeast  
285 corner of said SW 1/4 of the SE 1/4 of the SW 1/4 of  
286 Section 15, Township 3 North, Range 19 West; thence  
287 run South along said East line to the Southeast corner  
288 of said SW 1/4 of SE 1/4 of SW 1/4; thence run South  
289 to the South line of the North 33 feet of the W 1/2 of  
290 the NW 1/4 of the NE 1/4 of the NE 1/4 of the NW 1/4,  
291 Section 22, Township 3 North, Range 19 West, thence  
292 run East along said South line to the East line of  
293 said W 1/2 of NW 1/4 of the NE 1/4 of the NE 1/4 of  
294 the NE 1/4 of the NW 1/4; thence run South along said  
295 East line to the Southeast corner of said W 1/2 of NW  
296 1/4 of the NE 1/4 of the NE 1/4 of the NW 1/4; thence  
297 run West to the Northeast corner of the SW 1/4 of the  
298 NW 1/4 of the NE 1/4 of the NE 1/4 of the NW 1/4 of  
299 Section 22, Township 3 North, Range 19 West; thence  
300 run South to the Southeast corner of NW 1/4 of the SW  
301 1/4 of the NE 1/4 of the NW 1/4 of Section 22,  
302 Township 3 North, Range 19 West; thence run West along  
303 the South line of said NW 1/4 of SW 1/4 of NE 1/4 of  
304 NW 1/4 to the point of intersection with the east  
305 boundary of Juniper Lake Road; thence run South along  
306 the East boundary to the point of beginning. Also, the  
307 following easements for road and utility purposes;



308 South 33 feet of SW 1/4 of the SE 1/4 of SW 1/4 of  
309 Section 15, Township 3 North, Range 19 West. The South  
310 33 feet of the SW 1/4 of the NW 1/4 of the NE 1/4 of  
311 the NW 1/4 Section 22, Township 3 North, Range 19  
312 West. The North 33 feet of the NW 1/4 of the SW 1/4 of  
313 the NE 1/4 of the NW 1/4 of Section 22, Township 3  
314 North, Range 19 West. The North 33 feet of the NW 1/4  
315 of the NE 1/4 of the NW 1/4 of Section 22, Township 3  
316 North, Range 19 West Walton County, Florida. Also  
317 less all property lying East of a line running North  
318 and South from the center of Juniper Lake Dam and not  
319 in the Defuniak Springs City Limits. All of Section  
320 10, Township 3 North, Range 19 West Walton County,  
321 Florida less and except all lying North of Juniper  
322 Lake, and Southeast corner of the section East of  
323 Juniper Lake Dam.

324 (2) The purpose of this act is to promote the general  
325 health, welfare, and safety of the citizens and residents of  
326 Walton County who reside within the geographical limits of the  
327 Liberty Fire District by providing for the financial support of  
328 the Liberty Fire District of Walton County, a Florida not-for-  
329 profit corporation, which currently provides the district with  
330 fire protection services, facilities, and firefighting  
331 equipment; the establishment and maintenance of fire stations  
332 and fire substations; the acquisition and maintenance of all  
333 firefighting and protection equipment necessary for the  
334 prevention of fires or fighting of fires; the employment and  
335 training of such personnel as may be necessary to accomplish



336 fire prevention and firefighting; the establishment and  
337 maintenance of emergency services; the acquisition and  
338 maintenance of rescue and other emergency equipment; and the  
339 employment and training of necessary emergency personnel. The  
340 district may provide emergency medical services. The district  
341 shall have all other powers necessary to carry out these  
342 purposes. The district shall be a fire control district and  
343 shall have no responsibility for providing ambulance or similar  
344 emergency services within the district's boundaries.

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

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

351 Section 3. Board of commissioners.--

352 (1) Pursuant to chapter 191, Florida Statutes, the  
353 business and affairs of the district shall be governed and  
354 administered by a board of five commissioners, who shall be  
355 qualified electoral residing within the district and shall be  
356 elected by the qualified electors residing within the district  
357 at a special election, subject to the provisions of chapter 189  
358 and 191, Florida Statutes, and this act. Each commissioner shall  
359 hold office until his or her successor is elected and qualified  
360 under the provisions of this act. The procedures for conducting  
361 district elections and for qualification of candidates and  
362 electors shall be pursuant to chapters 189 and 191, Florida  
363 Statutes, as they may be amended from time to time.



364       (2) The five members of the initial board shall be elected  
365 by the qualified electors residing within the district. The  
366 three elected members for seats 1, 3, and 5 in the initial  
367 election under this act shall serve terms of 3 years each. The  
368 remaining two selected members for seats 2 and 4 in the initial  
369 election under this act shall serve terms of 2 years each.  
370 Subsequent elections under this act shall coincide with the  
371 general elections of this state. The members of the board shall  
372 serve on a nonpartisan basis for a term of 4 years each.

373       (3) Vacancies in office shall be filled by special  
374 election, said election to be held coincidental with the next  
375 countywide general or special election. The board may appoint a  
376 qualified elector of the district to act as commissioner until  
377 the vacancy is filled by election. A commissioner must be a  
378 qualified elector residing within the district. A commissioner  
379 may be removed from office for any reason that a state or county  
380 officer may be removed.

381       (4) All elections shall be noticed, called, and held  
382 pursuant to the provisions of the general laws of the state,  
383 except as herein otherwise provided. The board shall, to the  
384 extent possible, coordinate all elections with countywide  
385 general or special elections in order to minimize cost.  
386 Elections shall be called through the adoption of an appropriate  
387 resolution of the district directed to the Board of County  
388 Commissioners of Walton County, the Supervisor of Elections of  
389 Walton County, and other appropriate officers of the county. The  
390 district shall reimburse county government for the actual cost  
391 of district elections. No commissioner shall be a paid employee



392 of the district while holding said position. This shall not  
393 prevent volunteers receiving reimbursement for expenses from  
394 serving as commissioners.

395 (5) The board may employ such personnel as deemed  
396 necessary for the proper function and operation of a fire  
397 district. The salaries of fire department and emergency service  
398 personnel, and any other wages, shall be determined by the  
399 board.

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

401 (1) In accordance with chapter 191, Florida Statutes, each  
402 elected member of the board shall assume office 10 days  
403 following the member's election. Annually, within 60 days after  
404 election of new members of said board, the members immediately  
405 upon their election as herein provided, or within 10 days  
406 thereafter and annually in November, shall organize by electing  
407 from their number a chair, vice chair, secretary, and treasurer.  
408 However, the same member may be both secretary and treasurer, in  
409 accordance with chapter 191, Florida Statutes, as amended from  
410 time to time.

411 (2) The commissioners may receive reimbursement for actual  
412 expenses incurred while performing the duties of their offices  
413 in accordance with general law governing per diem for public  
414 officials. Commissioners may receive compensation for their  
415 services in accordance with chapter 191, Florida Statutes, as  
416 amended from time to time.

417 (3) Each commissioner, upon taking office and in  
418 accordance with chapters 189 and 191, Florida Statutes, shall  
419 execute to the Governor, for the benefit of the district, a bond



420 of \$5,000 with a qualified personal or corporate surety,  
421 conditioned upon the faithful performance of the duties of the  
422 commissioner's office and upon an accounting for all funds which  
423 come into his or her hands as commissioner; however, the  
424 treasurer shall furnish a bond of \$10,000, which may be in lieu  
425 of the \$5,000 bond. The premium for such bonds shall be paid  
426 from district funds.

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

428 (1) The district shall have and the board may exercise by  
429 majority vote all the powers and duties set forth in this act  
430 and chapters 189, 191, and 197, Florida Statutes, as they may be  
431 amended from time to time, including, but not limited to,  
432 special assessments, other revenue-raising capabilities, budget  
433 preparation and approval, liens and foreclosure of liens, use of  
434 tax deeds and tax certificates as appropriate from non-ad  
435 valorem assessments, contractual agreements, and adoption of  
436 ordinances and resolutions that are necessary to conduct  
437 district business if such ordinances do not conflict with any  
438 ordinance of a local general purpose government within whose  
439 jurisdiction the district is located.

440 (2) The board shall continue to have the right, power, and  
441 authority to levy annually special assessment against the  
442 taxable real estate within the district to provide funds for the  
443 purposes of the district, in an amount not to exceed the limit  
444 provided in chapter 191, Florida Statutes, as amended from time  
445 to time.

446 (3) The methods for assessing and collecting special  
447 assessments, fees, or service charges shall be as set





448 forth in this act and chapters 170, 189, 191, and 197, Florida  
449 Statutes, as amended from time to time.

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

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

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

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

464 Section 6. Impact fees.--

465 (1) Pursuant to section 191.009(4), Florida Statutes, it  
466 is hereby declared that the cost of new facilities upon fire  
467 protection and emergency services should be borne by new users  
468 of the district's services to the extent new construction  
469 requires new facilities, but only to that extent. It is the  
470 legislative intent of this section to transfer to the new users  
471 of the district's fire protection and emergency services a fair  
472 share of the costs that new users impose on the district for new  
473 facilities. This shall only apply in the event that the general  
474 purpose local government in which the district is located has  
475 not adopted an impact fee for fire services which is distributed



476 to the district for construction within its jurisdictional  
477 boundaries.

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

492 Section 7. Special assessments.--

493 (1) The board shall have the right, power, and authority  
494 to levy special assessments against the taxable real estate  
495 within the district to provide funds for the purpose of the  
496 district.

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

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

501 (c) Any increase to the special assessment must be  
502 approved by a majority of the electors within the Liberty Fire  
503 District.



504       (3) It is the legislative intent that this act shall  
505 authorize the Walton County Property Appraiser and the Walton  
506 County Tax Collector to take all appropriate action to comply  
507 with the intent of the purpose of this act.

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

511       Section 8. Property appraiser.--

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

515       (2) The Walton County Property Appraiser shall include in  
516 the Walton County tax roll the assessments made by the board,  
517 and the same shall be collected in the manner as provided for by  
518 this act and paid over by the Walton County Tax Collector to the  
519 board.

520       (3) The Walton County Property Appraiser shall be  
521 reimbursed for assessing such special assessments in the manner  
522 and amount authorized by general law, and the Walton County Tax  
523 Collector shall receive a commission or fee of 3 percent for  
524 collection of such special assessments.

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

526       (1) The special assessment levied and assessed by the  
527 district shall be a lien upon the property so assessed along  
528 with the county taxes assessed against such property until said  
529 assessments and taxes have been paid, and if the special  
530 assessment levied by the district becomes delinquent, such  
531 special assessment shall be considered a part of the county tax



532 subject to the same penalties, charges, fees, and remedies for  
533 enforcement and collection of such taxes.

534 Section 10. Deposit of special assessments; fees;  
535 authority to disburse funds.--

536 (1) The proceeds of the assessments and funds of the  
537 district shall be deposited in qualified public depositories, in  
538 accordance with chapters 191 and 280, Florida Statutes, as they  
539 may be amended from time to time, in the name of the district in  
540 a bank authorized to receive deposits of district funds. The  
541 bank shall be designated by a resolution of the board.

542 (2) All warrants for the payment of labor, equipment, and  
543 other expenses of the board, and in carrying into effect this  
544 act and the purpose thereof, shall be payable by the treasurer  
545 of the board on accounts and vouchers approved and authorized by  
546 the board. No funds of the district shall be paid out or  
547 disbursed except by check signed by the treasurer of the board  
548 and either the chair or vice chair of the board.

549 Section 11. Authority to borrow money.--

550 (1) The board of commissioners shall have the power and  
551 authority to borrow money or issue other evidences of  
552 indebtedness for the purpose of the district in accordance with  
553 chapters 189 and 191, Florida Statutes, as amended from time to  
554 time; provided, however, that the total payments in any one  
555 year, including principal and interest, on any indebtedness  
556 incurred by the district shall not exceed 50 percent of the  
557 total estimated  
558 annual budgeted revenues of the district.



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

574       Section 12. Use of district funds.--

575       (1) No funds of the district shall be used for any  
576 purposes other than the administration of the affairs and  
577 business of the district; the construction, care, maintenance,  
578 upkeep operation, and purchase of firefighting and rescue  
579 equipment or a fire station; the payment of public utilities;  
580 and the payment of salaries of district personnel as the board  
581 may from time to time determine to be necessary for the  
582 operations and effectiveness  
583 of the district.

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



586           (1) A record shall be kept of all meetings of the board,  
587 and in such meetings concurrence of a majority of the  
588 commissioners present shall be necessary to any affirmative  
589 action by the board.

590           (2) The board shall have the authority to adopt and amend  
591 policies and regulations for the administration of the affairs  
592 of the district under the terms of this act and chapters 189 and  
593 191, Florida Statutes, which shall include, but not be limited  
594 to, the authority to adopt the necessary rules and regulations  
595 for the administration and supervision of the property and  
596 personnel of the district; for the prevention of fires, fire  
597 control, fire hydrant placement, and flow testing in accordance  
598 with current NFPA rules; and for rescue work within the  
599 district. Said commissioners shall have all the lawful power and  
600 the authority necessary to carry out the purposes of said fire  
601 district; to purchase all necessary real and personal property;  
602 to purchase and carry standard insurance policies on all such  
603 equipment; to employ such personnel as may be necessary to carry  
604 out the purpose of said fire district; to provide adequate  
605 insurance for said employees; to purchase and carry appropriate  
606 insurance for the protection of all firefighters and personnel  
607 as well as all equipment and personal property on loan to the  
608 district; to sell surplus real and personal property in the same  
609 manner and subject to the same restrictions as provided for such  
610 sales by counties; to enter into contracts with qualified  
611 service providers, the Liberty Fire District of Walton County,  
612 other fire departments, municipalities, and state and federal  
613 governmental units for the purpose of obtaining financial aid;



614 and for otherwise carrying out the purposes of the district. The  
615 commissioners shall adopt a fiscal year for said fire district,  
616 which shall be October 1 to September 30.

617 (3) Any policies, rules, and regulations promulgated and  
618 made by the board shall have the force and effect of law after  
619 copies thereof, signed by the secretary and chair or vice chair,  
620 shall have been posted in three public places within the  
621 district in conspicuous locations and advertised by title once a  
622 week for 2 consecutive weeks in a newspaper of general paid  
623 circulation in the district.

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

630 (5) For the purposes of carrying into effect this act, the  
631 board shall annually prepare, consider, and adopt a district  
632 budget pursuant to the applicable requirements of chapters 189  
633 and 191, Florida Statutes, as they may be amended from time to  
634 time. The board shall, at the same time as it makes its annual  
635 report, file its estimated budget for the fiscal year beginning  
636 October 1, which budget shall show the estimated revenue to be  
637 received by the district and the estimated expenditures to be  
638 incurred by the district in carrying out its operations.

639 Section 14. Authority to enact fire prevention ordinances;  
640 appoint fire chief; acquire land; enter contracts; establish



641 salaries; general and special powers; authority to provide  
642 emergency medical and rescue services.--

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

655 (2) The board shall have the power to appoint a fire  
656 chief, who shall be a person experienced in all types of  
657 firefighting and fire prevention and who shall work with and  
658 cooperate with the Florida State Fire Marshal in which the  
659 district is situated in the prevention of fires of all types.  
660 The district fire chief shall be authorized to enter, at all  
661 reasonable hours, any building or premises for the purpose of  
662 making any inspection or investigation which the State Fire  
663 Marshal is authorized to make pursuant to state law and  
664 regulation. The owner, lessee, manager, or operator of any  
665 building or premises shall permit the district fire chief to  
666 enter and inspect the building or premises at all reasonable  
667 hours. The district fire chief shall report any violations of





668 state fire safety laws or regulations to the appropriate  
669 officials.

670 (3) The board shall have the power to acquire, by gift or  
671 purchase, lands or rights in lands, and any other property, real  
672 and personal, tangible or intangible, necessary, desirable, or  
673 convenient for carrying out the purposes of the district, and to  
674 pay any and all costs of same out of the funds of the district,  
675 provided that prior to the acquisition of the location of a fire  
676 station site, an appropriate investigation shall be conducted  
677 which shall include, but not limited to, obtaining the staff  
678 recommendation of the Walton County Planning Department.

679 (4) The board shall have the power to enter into contracts  
680 or to otherwise join with the Liberty Fire District of Walton  
681 County, or to otherwise join with any other district, city, or  
682 town, the United States of America, or any agency or authority  
683 thereunder, for the purpose of expanding services, providing  
684 effective aid, and accomplishing and carrying out the purposes  
685 for which the district was created and for the further purpose  
686 of specifically obtaining financial aid, assistance, or subsidy.

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

689 (6) The district is authorized to establish and maintain  
690 emergency medical and rescue response services and acquire and  
691 maintain rescue, medical, and other emergency equipment, subject  
692 to the provisions of chapter 401, Florida Statutes.

693 Section 15. Annexations.--If any municipality or other  
694 fire control district annexes any land included in the district,



695 such annexation shall follow the procedures set forth in section  
696 171.093, Florida Statutes, as amended from time to time.

697 Section 16. Dissolution.--The district shall exist until  
698 dissolved in the same manner as it was created. If the Liberty  
699 Fire District of Walton County is dissolved or ceases to exist  
700 for any reason, or if the board determines that the Liberty Fire  
701 District of Walton County is unable to carry out its objectives  
702 as stated or the objectives of the district as stated in  
703 subsection (2) of section 2, or the district's published  
704 policies, the board shall in its discretion make arrangements  
705 for other means of providing fire protection and rescue  
706 services.

707 Section 17. Immunity from tort liability.--

708 (1) The district and its officers, agents, and employees  
709 shall have the same immunity from tort liability as other  
710 agencies and subdivisions of the state. The provisions of  
711 chapter 768, Florida Statutes, as from time to time amended,  
712 shall apply to all claims asserted against the district.

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

717 (3) The district shall defend all claims against the  
718 commissioners, officers, agents, and employees which arise  
719 within the scope of employment or purposes of the district and  
720 shall pay all judgments against said persons, except where said  
721 persons acted in bad faith or with malicious purpose or in a



722 manner exhibiting wanton and willful disregard of human rights,  
723 safety, or property.

724 Section 18. District expansion.--

725 (1) The district boundaries may be extended from time to  
726 time as follows:

727 (a) Land contiguous to the boundaries of the district in  
728 unincorporated Walton County may be included in the district  
729 when petition for inclusion signed and sworn to by a majority of  
730 the owners of the real property within the tract or tracts to be  
731 included in the district has been presented to the board of  
732 commissioners and the proposal has been approved by the  
733 affirmative vote of no fewer than three members of the board of  
734 commissioners at a regular meeting.

735 (b) The petition must contain the legal description of the  
736 property sought to be added to the district and the names and  
737 addresses of the owners of the property.

738 (2) If a proposal to add an area to the district as  
739 defined in subsection (1) is approved by the affirmative vote of  
740 no fewer than three members of the board of commissioners at a  
741 regular meeting, the board of commissioners shall thereafter  
742 adopt a resolution describing the lands to be included within  
743 the district and shall cause such resolution to be duly enrolled  
744 in the record of the meeting and a certified copy of the  
745 resolution to be recorded in the Office of the Clerk of the  
746 Circuit Court of Walton County.

747 (3) Upon adoption of the resolution by the board, the  
748 district shall, pursuant to chapter 191, Florida Statutes,  
749 request that its legislative delegation approve said addition



750 and sponsor legislation amending the district boundary. Upon  
751 approval by the legislature, the boundary shall be amended.

752 (4) Lands within municipal boundaries of cities contiguous  
753 to district boundaries may be included in the district upon  
754 request by the governing board of the municipality, approval of  
755 said request by affirmative vote of no fewer than three members  
756 of the district board, and referendum approval of inclusion by  
757 the electors of the municipality. The referendum shall be  
758 conducted by the municipality at the next available special or  
759 general election.

760 Section 19. Construction.--This act shall be construed as  
761 remedial and shall be liberally construed to promote the purpose  
762 for which it is intended.

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

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