

CHAMBER ACTION

1 The Local Government Council recommends the following:

2  
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to the North Springs Improvement District,  
7 Broward County; codifying, amending, reenacting, and  
8 repealing chapters 71-580, 84-398, 85-387, 87-505, 89-440,  
9 91-353, 92-245, 94-445, and 96-537, Laws of Florida,  
10 relating to the district; providing legislative intent;  
11 deleting gender-specific references; providing a district  
12 charter; providing an effective date.

13  
14 Be It Enacted by the Legislature of the State of Florida:

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

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24           Section 2. Chapters 71-580, 84-398, 85-387, 87-505, 89-  
 25 440, 91-353, 92-245, 94-445, and 96-537, Laws of Florida,  
 26 relating to the North Springs Improvement District are codified,  
 27 amended, reenacted, and repealed as herein provided.

28           Section 3. The charter for the North Springs Improvement  
 29 District is re-created and reenacted to read:

30           Section 1. Creation of the district ratified and approved;  
 31 change of name of district to North Springs Improvement  
 32 District.--The decree of the circuit court in and for the  
 33 Seventeenth Judicial Circuit in and for Broward County, Florida,  
 34 entered in Case Number 71-1724, creating and incorporating the  
 35 North Springs Drainage District as a public corporation of this  
 36 state, and all subsequent proceedings taken in the circuit court  
 37 concerning that district, are hereby ratified, confirmed, and  
 38 approved, except that the boundaries of said district shall be  
 39 as hereinafter described. The North Springs Drainage District  
 40 shall henceforth be known by the name of North Springs  
 41 Improvement District, an independent special district, and shall  
 42 continue to be a public corporation of this state and have  
 43 perpetual existence. All lawful debts, bonds, obligations,  
 44 contracts, franchises, promissory notes, audits, minutes,  
 45 resolutions, and other undertakings of the North Springs  
 46 Drainage District are hereby validated and shall continue to be  
 47 valid and binding on the North Springs Improvement District in  
 48 accordance with their respective terms, conditions, covenants,  
 49 and tenor. Any proceeding heretofore begun by the North Springs  
 50 Drainage District under chapter 298, Florida Statutes, or any  
 51 other law, for the construction of any improvements, works, or

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52 facilities, for the assessment of benefits and damages or for  
 53 the borrowing of money shall not be impaired or avoided by this  
 54 act, but may be continued and completed in the name of the North  
 55 Springs Improvement District.

56 Section 2. Boundaries.--The boundaries of the district  
 57 shall be:

58  
 59 A tract of land being Sections 5, 6, 7, 8, 9 and 10, a  
 60 portion of Sections 3 and 4, all in Township 48 South,  
 61 Range 41 East, Broward County, Florida, and Sections  
 62 31, 32 and 33, Township 47 South, Range 41 East,  
 63 Broward County, Florida, described as follows:

64 BEGINNING at the southwest corner of said Section 7;

65  
 66 thence North 00°03'12" West (Bearings are relative to  
 67 State Plane Coordinates as shown on STONER/KEITH  
 68 RESURVEY OF A PORTION OF TOWNSHIP 47 SOUTH, RANGE 41  
 69 EAST, ALL OF TOWNSHIP 48 SOUTH, RANGE 41 EAST, & ALL  
 70 OF TOWNSHIP 49 SOUTH, RANGE 41 EAST, according to the  
 71 plat thereof, recorded in Miscellaneous Plat Book 3 at  
 72 Page 44 of the Public Records of said Broward County),  
 73 along the west line of the Southwest Quarter (SW 1/4)  
 74 of said Section 7, a distance of 2647.42 feet to the  
 75 northwest corner of said Southwest Quarter (SW 1/4);

76  
 77 thence continue North 00°03'12" West, along the west  
 78 line of the Northwest Quarter (NW 1/4) of said Section  
 79 7, a distance of 2647.42 feet to the northwest corner

80 | of said Section 7 and the southwest corner of said  
 81 | Section 6;

82 |  
 83 | thence North 00°02'58" West, along the west line of  
 84 | the Southwest Quarter (SW 1/4) of said Section 6, a  
 85 | distance of 3252.81 feet to the northwest corner of  
 86 | said Southwest Quarter (SW 1/4);

87 |  
 88 | thence North 00°02'27" West, along the west line of  
 89 | the Northwest Quarter (NW 1/4) of said Section 6, a  
 90 | distance of 3253.12 feet to the northwest corner of  
 91 | said Section 6 and the southwest corner of said  
 92 | Section 31;

93 |  
 94 | thence North 00°03'47" West, along the west line of  
 95 | the Southwest Quarter (SW 1/4) of said Section 31, a  
 96 | distance of 2642.42 feet to the northwest corner of  
 97 | said Southwest Quarter (SW 1/4);

98 |  
 99 | thence continue North 00°03'47" West, along the west  
 100 | line of the Northwest Quarter (NW 1/4) of said Section  
 101 | 31, a distance of 2642.42 feet to the northwest corner  
 102 | of said Section 31;

103 |  
 104 | thence South 89°52'50" East, along the north line of  
 105 | said Northwest Quarter (NW 1/4), a distance of 2246.01  
 106 | feet to the northeast corner of said Northwest Quarter  
 107 | (NW 1/4);

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thence South 89°52'10" East, along the north line of the Northeast Quarter (NE 1/4) of said Section 31, a distance of 2245.70 feet to the northeast corner of said Section 31 and the northwest corner of said Section 32;

thence North 89°36'52" East, along the north line of the Northwest Quarter (NW 1/4) of said Section 32, a distance of 2640.43 feet to the northeast corner of said Northwest Quarter (NW 1/4);

thence North 89°37'21" East, along the north line of the Northeast Quarter (NE 1/4) of said Section 32, a distance of 2639.40 feet to the northeast corner of said Section 32 and the northwest corner of said Section 33;

thence North 89°36'55" East, along the north line of the Northwest Quarter (NW 1/4) of said Section 33, a distance of 2640.59 feet to the northeast corner of said Northwest Quarter (NW 1/4);

thence North 89°36'56" East, along the north line of the Northeast Quarter (NE 1/4) of said Section 33, a distance of 2640.59 feet to the northeast corner of said Section 33;

136 thence South 01°21'19" East, along the east line of  
 137 said Northeast Quarter (NE 1/4), a distance of 2638.16  
 138 feet to the southeast corner of said Northeast Quarter  
 139 (NE 1/4);

140  
 141 thence South 01°21'20" East, along the east line of  
 142 the Southeast Quarter (SE 1/4) of said Section 33, a  
 143 distance of 2638.16 feet to the southeast corner of  
 144 said Section 33 and the northeast corner of said  
 145 Section 4;

146  
 147 thence South 89°44'30" West, along the north line of  
 148 the Northeast Quarter (NE 1/4) of said Section 4, a  
 149 distance of 60.00 feet to the most westerly corner of  
 150 that parcel of land described in Official Record Book  
 151 55 at Page 500 of said Public Records of Broward  
 152 County;

153  
 154 thence South 45°33'09" East, along the southwesterly  
 155 line of said parcel, a distance of 85.29 feet to the  
 156 most southerly corner of said parcel on the east line  
 157 of said Northeast Quarter (NE 1/4);

158  
 159 thence South 00°50'47" East, along said east line, a  
 160 distance of 3303.78 feet to the southeast corner of  
 161 said Northeast Quarter (NE 1/4) and the northwest  
 162 corner of the Southwest Quarter (SW 1/4) of said  
 163 Section 3;

164  
165 thence South 89°52'36" East, along the north line of  
166 said Southwest Quarter (SW 1/4), a distance of 2640.57  
167 feet to the northeast corner of said Southwest Quarter  
168 (SW 1/4);

169  
170 thence South 89°52'36" East, along the north line of  
171 the Southeast Quarter (SE 1/4) of said Section 3, a  
172 distance of 2639.23 feet to the northeast corner of  
173 said Southeast Quarter (SE 1/4);

174  
175 thence South 00°53'22" East, along the east line of  
176 said Southeast Quarter (SE 1/4), a distance of 3401.43  
177 feet to the southeast corner of said Section 3 and the  
178 northeast corner of said Section 10;

179  
180 thence South 00°59'18" East, along the east line of  
181 the Northeast Quarter (NE 1/4) of said Section 10, a  
182 distance of 2637.04 feet to the southeast corner of  
183 said Northeast Quarter (NE 1/4);

184  
185 thence South 00°59'17" East, along the east line of  
186 the Southeast Quarter (SE 1/4) of said Section 10, a  
187 distance of 2637.03 feet to the southeast corner of  
188 said Section 10;

189  
190 thence North 89°25'05" West, along the south line of  
191 said Southeast Quarter (SE 1/4), a distance of 2637.48

192 | feet to the southwest corner of said Southeast Quarter  
 193 | (SE 1/4);

194 |  
 195 | thence continue North 89°25'05" West, along the south  
 196 | line of the Southwest Quarter (SW 1/4) of said Section  
 197 | 10, a distance of 2637.47 feet to the southwest corner  
 198 | of said Section 10 and the southeast corner of said  
 199 | Section 9;

200 |  
 201 | thence North 89°26'06" West, along the south line of  
 202 | the Southeast Quarter (SE 1/4) of said Section 9, a  
 203 | distance of 2641.24 feet to the southwest corner of  
 204 | said Southeast Quarter (SE 1/4);

205 |  
 206 | thence continue North 89°26'06" West, along the south  
 207 | line of the Southwest Quarter (SW 1/4) of said Section  
 208 | 9, a distance of 2641.24 feet to the southwest corner  
 209 | of said Section 9 and the southeast corner of said  
 210 | Section 8;

211 |  
 212 | thence North 89°25'53" West, along the south line of  
 213 | the Southeast Quarter (SE 1/4) of said Section 8, a  
 214 | distance of 2639.96 feet to the southwest corner of  
 215 | said Southeast Quarter (SE 1/4);

216 |  
 217 | thence North 89°25'52" West, along the south line of  
 218 | the Southwest Quarter (SW 1/4) of said Section 8, a  
 219 | distance of 2639.96 feet to the southwest corner of



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220 said Section 8 and the southeast corner of said  
 221 Section 7;

222  
 223 thence North 89°46'06" West, along the south line of  
 224 the Southeast Quarter (SE 1/4) of said Section 7, a  
 225 distance of 2399.06 feet to the southwest corner of  
 226 said Southeast Quarter (SE 1/4);

227  
 228 thence North 89°46'05" West, along the south line of  
 229 the Southwest Quarter (SW 1/4) of said Section 7, a  
 230 distance of 2399.06 feet to the POINT OF BEGINNING.

231  
 232 Said land being in Broward County, Florida.

233  
 234 Containing 7040.325 acres, more or less.

235  
 236 Section 3. Applicability of certain provisions of chapter  
 237 298, Florida Statutes, to the North Springs Improvement  
 238 District; inconsistent laws inapplicable.--The provisions of  
 239 chapter 298, Florida Statutes, and all amendments thereto, now  
 240 existing or hereafter enacted, are declared to be applicable to  
 241 the North Springs Improvement District insofar as not  
 242 inconsistent with the provisions of this act or any subsequent  
 243 special acts relating to the North Springs Improvement District.  
 244 Notwithstanding the foregoing, the provisions of sections  
 245 298.11, 298.12, 298.14, 298.15, 298.17, 298.18, 298.19, 298.20,  
 246 298.23, 298.24, 298.25, 298.401, 298.41, 298.48, 298.52, 298.54,  
 247 298.56, 298.57, 298.61, 298.70, 298.71, 298.73, and 298.74,

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248 Florida Statutes, and amendments thereto, shall not be  
 249 applicable to the North Springs Improvement District.

250 Section 4. Definitions.--Unless the context shall indicate  
 251 otherwise, the following words as used in this act shall have  
 252 the following meanings:

253 (1) "Assessable improvements" includes without limitation  
 254 any and all drainage and land reclamation works and facilities,  
 255 sewer systems, storm sewers and drains, water systems, streets,  
 256 roads, school buildings and related structures, parks, and  
 257 recreational, cultural, and educational facilities,  
 258 streetlights, or other projects of the district, or that portion  
 259 or portions thereof, local in nature and of special benefit to  
 260 the premises or lands served thereby, and any and all  
 261 modifications, improvements, and enlargements thereof.

262 (2) "Bond" includes "certificate," and provisions  
 263 applicable to bonds shall be equally applicable to certificates.  
 264 "Bond" includes general obligation bonds, assessment bonds,  
 265 refunding bonds, revenue bonds, and such other obligations in  
 266 the nature of bonds as are provided for in this act, as the case  
 267 may be.

268 (3) "Board" means the Board of Supervisors of the North  
 269 Springs Improvement District, or if such board shall be  
 270 abolished, the board, body, or commission succeeding to the  
 271 principal functions thereof or to whom the powers given by this  
 272 act to the board shall be given by law.

273 (4) "Cost," when used with reference to any project,  
 274 includes, but is not limited to, the expenses of determining the  
 275 feasibility or practicability of acquisition, construction, or

276 reconstruction; the cost of surveys, estimates, plans, and  
 277 specifications; the cost of acquisition, construction, or  
 278 reconstruction; the cost of improvements; engineering, fiscal,  
 279 and legal expenses and charges; the cost of all labor,  
 280 materials, machinery, and equipment; the cost of all lands,  
 281 properties, rights, easements, and franchises acquired; federal,  
 282 state, and local taxes and assessments; financing charges; the  
 283 creation of initial reserve and debt service funds; working  
 284 capital; interest charges incurred or estimated to be incurred  
 285 on money borrowed prior to and during construction and  
 286 acquisition and for such period of time after completion of  
 287 construction or acquisition as the board may determine; the cost  
 288 of issuance of bonds pursuant to this act, including  
 289 advertisements and printing, the cost of any election held  
 290 pursuant to this act, and all other expenses of issuance of  
 291 bonds; discount, if any, on the sale or exchange of bonds;  
 292 administrative expenses; such other expenses as may be necessary  
 293 or incidental to the acquisition, construction, or  
 294 reconstruction of any project or to the financing thereof, or  
 295 the development of any lands within the district; and  
 296 reimbursement of any public or private body, person, firm, or  
 297 corporation for any moneys advanced in connection with any of  
 298 the foregoing items of cost. Any obligation or expense incurred  
 299 prior to the issuance of bonds in connection with the  
 300 acquisition, construction, or reconstruction of any project or  
 301 improvements thereon, or in connection with any other  
 302 development of land that the board of the district shall

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303 determine to be necessary or desirable in carrying out the  
 304 purposes of this act, may be treated as a part of such cost.

305 (5) "District" means the North Springs Improvement  
 306 District and "district manager" means the manager of the  
 307 district.

308 (6) "Landowner" means the owner of the freehold estate, as  
 309 appears by the deed record, including trustees, private  
 310 corporations, and owners of cooperative and condominium units;  
 311 it does not include reversioners, remaindermen, or mortgagees,  
 312 who shall not be counted and need not be notified of proceedings  
 313 under this act.

314 (7) "Project" means any development, improvement,  
 315 property, utility, facility, works, road, enterprise, service,  
 316 or convenience, now existing or hereafter undertaken or  
 317 established under the provisions of this act or under chapter  
 318 298, Florida Statutes.

319 (8) "Sewer system" means any plant, system, facility, or  
 320 property and additions, extensions, and improvements thereto at  
 321 any future time constructed or acquired as part thereof useful  
 322 or necessary or having the present capacity for future use in  
 323 connection with the collection, treatment, purification, or  
 324 disposal of sewage, including, without limitation, industrial  
 325 wastes resulting from any processes of industry, manufacture,  
 326 trade, or business or from the development of any natural  
 327 resources; and, without limiting the generality of the  
 328 foregoing, shall include treatment plants, pumping stations,  
 329 lift stations, valves, force mains, intercepting sewers,  
 330 laterals, pressure lines, mains, and all necessary appurtenances

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331 and equipment, all sewer mains, laterals, and other devices for  
 332 the reception and collection of sewage from premises connected  
 333 therewith, and all real and personal property and any interest  
 334 therein rights, easements, and franchises of any nature  
 335 whatsoever relating to any such system and necessary or  
 336 convenient for operation thereof.

337 (9) "Water and flood control facilities" means any canals,  
 338 ditches, or other drainage facilities, reservoirs, dams, levees,  
 339 sluiceways, dredging holding basins, floodways, pumping  
 340 stations, or any other works, structures, or facilities for the  
 341 conservation, control, development, utilization, and disposal of  
 342 water, and any purposes appurtenant, necessary, or incidental  
 343 thereto, and includes all real and personal property and any  
 344 interest therein, rights, easements, and franchises of any  
 345 nature relating to any such water and flood control facilities  
 346 or necessary or convenient for the acquisition, construction,  
 347 reconstruction, operation, or maintenance thereof.

348 (10) "Water system" means any plant, system, facility, or  
 349 property and additions, extensions, and improvements thereto at  
 350 any future time constructed or acquired as part thereof, useful  
 351 or necessary or having the present capacity for future use in  
 352 connection with the development of sources, treatment, or  
 353 purification and distribution of water and, without limiting the  
 354 generality of the foregoing, includes dams, reservoirs, storage  
 355 tanks, mains, lines, valves, pumping stations, laterals, and  
 356 pipes for the purpose of carrying water to the premises  
 357 connected with such system, and all rights, easements, and

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358 franchises of any nature whatsoever relating to any such system  
 359 and necessary or convenient for the operation thereof.

360 Section 5. Board; election; organization; terms of office;  
 361 quorum; report and minutes.--

362 (1) The board of the district shall be the governing body  
 363 of the district and shall exercise the powers granted to the  
 364 district under this act and under chapter 298, Florida Statutes.  
 365 The board shall consist of three members and, except as  
 366 otherwise provided herein, each member shall hold office for a  
 367 term of 4 years and until his or her successor shall be chosen  
 368 and shall qualify. A majority of the members of the board shall  
 369 be residents of Broward County, and all members shall be  
 370 residents of the state. All members of the board shall be  
 371 landowners within the district.

372 (2) In the month of June of each fourth year commencing  
 373 June of 1972, there shall be held a meeting of the landowners of  
 374 the district at the office of the district in Broward County,  
 375 for the purpose of electing three supervisors for said district.  
 376 One supervisor shall be elected solely by those landowners  
 377 owning property within the city limits of the City of Parkland,  
 378 and this supervisor must be a landowner who owns property within  
 379 the city limits of the City of Parkland. One supervisor shall be  
 380 elected solely by those landowners owning property within the  
 381 city limits of the City of Coral Springs, and this supervisor  
 382 must be a landowner who owns property within the city limits of  
 383 the City of Coral Springs. One supervisor shall be elected at  
 384 large by all landowners of the district, regardless of where his  
 385 or her property is located. Candidates for each supervisor

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386 position will be nominated during the meeting of landowners, and  
 387 the nominee who receives the highest number of votes for a  
 388 supervisor position shall be declared elected. Notice of said  
 389 landowners' meeting shall be published once a week for 2  
 390 consecutive weeks in a newspaper in Broward County which is in  
 391 general circulation within the district, the last of said  
 392 publication to be not less than 14 days nor more than 28 days  
 393 before the date of the election. The landowners when assembled  
 394 at such meeting shall organize by electing a chair that shall  
 395 conduct the meeting. At such meeting each landowner shall be  
 396 entitled to cast one vote per acre of land owned by him or her  
 397 and located within the district. A landowner may vote in person  
 398 or by proxy in writing. Fractions of an acre shall be treated as  
 399 1 acre, entitling the landowner to one vote with respect  
 400 thereto.

401 (3) Each supervisor, before entering upon his or her  
 402 official duties, shall take and subscribe to an oath of office  
 403 as prescribed in section 298.13, Florida Statutes.

404 (4) All supervisors shall hold office for the terms for  
 405 which they are elected or appointed and until their successors  
 406 shall be chosen and qualify. In case of a vacancy in the office  
 407 of any supervisor, the remaining supervisor or supervisors (even  
 408 though less than a quorum) may fill such vacancy by appointment  
 409 of a new supervisor or supervisors for the unexpired term of the  
 410 supervisor who vacated his or her office.

411 (5) As soon as practicable after each election, the board  
 412 shall organize by choosing one of their number president of the

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413 board and by electing a secretary, who need not be a member of  
414 the board.

415 (6) A majority of the members of the board shall  
416 constitute a quorum.

417 (7) The board shall keep a permanent record book entitled  
418 "Record of Proceedings of North Springs Improvement District,"  
419 in which shall be recorded minutes of all meetings, resolutions,  
420 proceedings, certificates, bonds given by all employees, and any  
421 and all corporate acts, which book shall at reasonable times be  
422 opened to the inspection of any landowner, taxpayer, resident,  
423 or bondholder of the district, and such other persons as the  
424 board may determine to have a proper interest in the proceedings  
425 of the board. Such record book shall be kept at any office or  
426 other regular place of business maintained by the board in  
427 Broward County.

428 (8) Whenever any election shall be authorized or required  
429 by this act to be held by the landowners at any particular or  
430 stated time or day, and if for any reasons such election is not  
431 held at such time or on such day, then in such event the power  
432 or duty to hold such election shall not cease or lapse, but such  
433 election shall be held thereafter when practicable, and in  
434 accordance with the procedures provided by this act.

435 Section 6. Appointment and duties of district  
436 manager.--For the purpose of preserving and maintaining any  
437 facility constructed or erected under the provisions of this act  
438 or under the provisions of chapter 298, Florida Statutes, and  
439 for maintaining and operating the equipment owned by the  
440 district and such other duties as may be prescribed by the



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441 board, the board may employ and fix the compensation of a  
 442 district manager who shall have charge and supervision of the  
 443 works of the district.

444 Section 7. Treasurer; depositories; fiscal agent.--

445 (1) The board shall designate a person who is a resident  
 446 of the state, or a bank or trust company organized under the  
 447 laws of the state or under the National Banking Act, as  
 448 treasurer of the district, who shall have charge of the funds of  
 449 the district. Such funds shall be disbursed only upon the order  
 450 of or pursuant to the resolution of the board by warrant or  
 451 check signed by the treasurer, or by such other person as may be  
 452 authorized by the board. The board may give the treasurer such  
 453 other or additional powers and duties as the board may deem  
 454 appropriate, and fix his or her compensation. The board may  
 455 require the treasurer to give a bond in such amount, on such  
 456 terms, and with such sureties as may be deemed satisfactory to  
 457 the board to secure the performance by the treasurer of his or  
 458 her powers and duties. The board shall audit or have audited the  
 459 books of the treasurer at least once a year.

460 (2) The board is authorized to select as depositories, in  
 461 which the bonds of the board and of the district shall be  
 462 deposited, any banking corporation organized under the laws of  
 463 the state or under the national banking act doing business in  
 464 the state, upon such terms and conditions as to the payment of  
 465 interest by such depository upon the funds so deposited as the  
 466 board may deem just and reasonable.

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467       (3) The board may employ a fiscal agent to perform such  
 468 duties and services at such rate of compensation as the board  
 469 may determine.

470       Section 8. Compensation of board.--Each supervisor is  
 471 entitled to receive for his or her services an amount not to  
 472 exceed \$200 per month. In addition, each supervisor shall  
 473 receive reasonable traveling expenses for attending the place of  
 474 meeting from his or her residence. Unless the board by  
 475 resolution otherwise provides, such traveling expenses may not  
 476 be in excess of the amounts provided by law for state and county  
 477 officials.

478       Section 9. Powers.--The district shall have, and the board  
 479 may exercise, any or all of the following powers:

480       (1) To contract and be contracted with; to sue and be sued  
 481 in the name of the district; to adopt and use a seal; to acquire  
 482 by purchase, gift, devise, eminent domain (except as limited  
 483 herein), or otherwise, property, real or personal, or any estate  
 484 therein, within the district, to be used for any of the purposes  
 485 of this act.

486       (2) To adopt a water control plan; and to establish,  
 487 construct, operate, and maintain a system of main and lateral  
 488 canals, drains, ditches, levees, dikes, dams, sluices, locks,  
 489 revetments, reservoirs, holding basins, floodways, pumping  
 490 stations, syphons, culverts, and storm sewers to drain and  
 491 reclaim the lands within the district and to connect some or any  
 492 of them with roads and bridges as in the judgment of the board  
 493 is deemed advisable to provide access to such facilities.

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494       (3) To acquire and maintain appropriate sites for storage  
 495 and maintenance of the equipment of the district; and to acquire  
 496 and maintain and construct a suitable building to house the  
 497 office and records of the district.

498       (4) To clean out, straighten, widen, open up, or change  
 499 the course and flow, alter, or deepen any canal, ditch, drain,  
 500 river, water course, or natural stream as within the judgment of  
 501 the board is deemed advisable to drain and reclaim the lands  
 502 within the district; to acquire, purchase, operate, and maintain  
 503 pumps, plants, and pumping systems for drainage purposes; and to  
 504 construct, operate, and maintain irrigation works and machinery  
 505 in connection with the purposes herein set forth.

506       (5) To regulate and set forth by appropriate resolution  
 507 the drainage requirements and conditions to be met for plats to  
 508 be entitled to record on any land within the district, including  
 509 authority to require as a condition precedent for any platting  
 510 that good and sufficient bond be posted to ensure proper  
 511 drainage for the area to be platted.

512       (6) To borrow money and issue bonds, certificates,  
 513 warrants, notes, or other evidences of indebtedness of the  
 514 district as hereinafter provided.

515       (7) To build and construct any other works, any and all of  
 516 said works and improvements across, through, or over any public  
 517 right-of-way, highway, grade, fill, or cut in or out of the  
 518 district.

519       (8) To hold, control, and acquire by donation, purchase,  
 520 or condemnation, any easement, reservation, or dedication in the  
 521 district, for any of the purposes herein provided. To condemn as

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522 provided by chapters 73 and 74, Florida Statutes, or acquire, by  
 523 purchase or grant for use in the district any land or property  
 524 within the district necessary for the purposes of this act.  
 525 These powers may be exercised without the district to the extent  
 526 necessary for the district to obtain not more than two outfall  
 527 canals not to exceed 200 feet in width, extending from the  
 528 northern boundary of the district to the Hillsboro Canal. The  
 529 exact routes shall be determined by resolutions of the board of  
 530 supervisors.

531 (9) To assess and impose upon all of the lands in the  
 532 district an ad valorem tax, an annual drainage tax, and a  
 533 maintenance tax as hereinafter provided.

534 (10) To impose and foreclose special assessments liens as  
 535 hereinafter provided.

536 (11) To prohibit, regulate, and restrict by appropriate  
 537 resolution all structures, materials, and things, whether solid,  
 538 liquid, or gas, whether permanent or temporary in nature, which  
 539 come upon, come into, connect to, or be a part of any facility  
 540 owned or operated by the district.

541 (12) To administer and provide for the enforcement of all  
 542 of the provisions herein, including the making, adopting,  
 543 promulgating, amending, and repealing of all rules and  
 544 regulations necessary or convenient for the carrying out of the  
 545 duties, obligations, and powers conferred on the district  
 546 created hereby.

547 (13) To cooperate with or contract with other water  
 548 control districts or other governmental agencies as may be  
 549 necessary, convenient, incidental, or proper in connection with

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550 any of the powers, duties, or purposes of the district as stated  
551 in this act.

552 (14) To employ engineers, attorneys, agents, employees,  
553 and representatives as the board of supervisors may from time to  
554 time determine necessary and to fix their compensation and  
555 duties.

556 (15) To exercise all of the powers necessary, convenient,  
557 incidental, or proper in connection with any of the powers,  
558 duties, or purposes of said district as stated in this act.

559 (16) To construct, improve, and maintain roadways and  
560 roads necessary and convenient to provide access to and  
561 efficient development of areas made suitable and available for  
562 cultivation, settlement, urban subdivision, homesites, and other  
563 beneficial developments as a result of the drainage operations  
564 of the district.

565 (17) To make use of any public easements, dedications to  
566 public use, platted reservations for public purposes, or any  
567 reservations for drainage purposes within the boundaries of the  
568 district.

569 (18) To lease as lessor or lessee to or from any person,  
570 firm, corporation, association, or body, public or private, any  
571 projects of the type that the district is authorized to  
572 undertake and facilities or property of any nature for the use  
573 of the district to carry out any of the purposes of this act.

574 (19) To regulate the supply and level of water within the  
575 district; to divert waters from one area, lake, pond, river,  
576 stream, basin, or drainage or water flood control facility to  
577 any other area, lake, pond, river, stream, basin, or drainage

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578 and water flood control facility; to regulate, control, and  
 579 restrict the development and use of natural or artificial  
 580 streams or bodies of water, lakes, or ponds; and to take all  
 581 measures determined by the board to be necessary or desirable to  
 582 prevent or alleviate land erosion. The powers granted to the  
 583 district by this subsection shall be concurrent within the  
 584 boundaries of the district with other public bodies, agencies,  
 585 or authorities as may be authorized by law. The district is  
 586 eligible to receive moneys, disbursements, and assistance from  
 587 the state available to flood control or water management  
 588 districts and the navigation districts or agencies.

589 (20) To own, acquire, construct, reconstruct, equip,  
 590 operate, maintain, extend, and improve water systems and sewer  
 591 systems or combined water and sewer systems; to regulate the use  
 592 of sewers and the supply of water within the district and to  
 593 prohibit or regulate the use and maintenance of outhouses,  
 594 privies, septic tanks, or other sanitary structures or  
 595 appliances within the district; to prescribe methods of  
 596 pretreatment of wastes not amenable to treatment with domestic  
 597 sewage before accepting such wastes for treatment and to refuse  
 598 to accept such wastes when not sufficiently pretreated as may be  
 599 prescribed, and to prescribe penalties for the refusal of any  
 600 person or corporation to so pretreat such wastes; to sell or  
 601 otherwise dispose of the effluent, sludge, or other byproducts  
 602 as a result of sewage treatment; and to construct and operate  
 603 connecting, intercepting, or outlet sewers and sewer mains and  
 604 pipes and water mains, conduits, or pipelines in, along, or  
 605 under any street, alleys, highways, or other public places or

606 ways within or without the district, when deemed necessary or  
 607 desirable by the board. The plans for any water or sewer system  
 608 shall be subject to the approval of the state board of health.

609 (21) To own, acquire, construct, operate, and maintain  
 610 parks, playgrounds, picnic grounds, camping facilities, and  
 611 water recreation facilities within or without the district.

612 (22) To issue general obligation bonds, revenue bonds,  
 613 assessment bonds, or any other bonds or obligations authorized  
 614 by the provisions of this act or any other law, or any  
 615 combination of the foregoing, to pay all or part of the cost of  
 616 the acquisition, construction, reconstruction, extension,  
 617 repair, improvement, maintenance, or operation of any project or  
 618 combination of projects, to provide for any facility, service,  
 619 or other activity of the district and to provide for the  
 620 retirement or refunding of any bonds or obligations of the  
 621 district, or for any combination of the foregoing purposes.

622 (23) To exercise any and all other powers conferred upon  
 623 water control districts by chapter 298, Florida Statutes; to  
 624 build, install, maintain, and operate streetlights; and to plan,  
 625 establish, acquire, construct or reconstruct, enlarge or extend,  
 626 equip, operate, and maintain parks and facilities for indoor and  
 627 outdoor community recreational and cultural uses, when  
 628 authorized by resolution of the general purpose unit of local  
 629 government, in its sole discretion, in which the parks and  
 630 facilities are or will be located and also authorized by  
 631 resolution of each municipality served by the district if the  
 632 parks and facilities are or will be located in the  
 633 unincorporated area.

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634 (24) When authorized by the local district school board,  
635 to construct or renovate school buildings and related  
636 structures, which may be leased, sold, or donated to the school  
637 district, for use in the public educational system.

638 Section 10. Seal.--The official seal of the district shall  
639 bear the legend "North Springs Improvement District, Broward  
640 County, Florida, Seal, Established 1971."

641 Section 11. Fiscal year.--The board by resolution shall  
642 establish the fiscal year for the district.

643 Section 12. Annual budget.--Prior to May 15 of each year  
644 after this act is effective, the secretary of the district shall  
645 prepare a proposed budget to be submitted to the board for its  
646 approval. The proposed budget shall include an estimate of all  
647 necessary expenditures of the district for the next ensuing  
648 fiscal year and an estimate of income to the district from the  
649 taxes and assessments provided in this act. The board shall  
650 consider the proposed budget item by item and may either approve  
651 the budget as proposed by the district manager or modify the  
652 same in part or in whole. The board shall indicate its approval  
653 of the budget by resolution, which resolution shall provide for  
654 a hearing on the budget as approved. Notice of the hearing on  
655 the budget shall be published in a newspaper in general  
656 circulation within the district in Broward County once a week  
657 for two consecutive weeks, providing that the second publication  
658 shall not be less than 7 days after the first publication. The  
659 notice shall be directed to all landowners in the district and  
660 shall state the purpose of the meeting. The notice shall further  
661 contain a designation of the date, time, and place of the public



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662 hearing, which shall be not less than 7 days after the second  
 663 publication. At the time and place designated in the notice, the  
 664 board shall hear all objections to the budget as proposed and  
 665 make such changes as the board deems necessary. At the  
 666 conclusion of the budget hearing the board shall, by resolution,  
 667 adopt the budget as finally approved by the board.

668 Section 13. Notice and call of meetings of landowners;  
 669 quorum; adjournments; representation at meetings; taking action  
 670 without meeting.--

671 (1) The board shall publish notice of all meetings of  
 672 landowners once a week for 2 consecutive weeks prior to such  
 673 meeting in a newspaper published in Broward County in general  
 674 circulation within the district. Meetings of landowners shall be  
 675 held in a public place, or any other place made available for  
 676 the purpose of such meeting in the Broward County Courthouse and  
 677 the place, date, and hour of holding such meeting and the  
 678 purpose thereof shall be stated in the notice. Landowners  
 679 representing a majority of the number of acres in the district,  
 680 present in person or by proxy, shall constitute a quorum at any  
 681 meeting of the landowners; provided that irrespective of the  
 682 number of acres represented, there shall be a minimum of five  
 683 landowners owning separate parcels of land, at each meeting.

684 (2) The board may call special meetings of the landowners  
 685 at any time to receive reports of the board or for such other  
 686 purpose as the board may determine. A special meeting of the  
 687 landowners may also be called at any time upon notice as  
 688 provided hereinabove at the written request of the owners of not  
 689 less than 25 percent in acreage of the land within the district

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690 for the purpose of taking any lawful action by the landowners of  
 691 the district. Such special meeting shall be called by any court  
 692 of competent jurisdiction in the event that the board fails to  
 693 do so upon request as provided in the preceding sentence. Except  
 694 as otherwise provided in section 5 of this act, with respect to  
 695 the election of supervisors, action taken at a meeting of the  
 696 landowners shall be by affirmative vote of the owners of at  
 697 least a majority in acreage of the land within the district  
 698 represented at such meeting.

699 (3) If no quorum is present or represented at a meeting of  
 700 the landowners at the time and place the same is called to be  
 701 held, the landowners present and represented, although less than  
 702 a quorum, may adjourn to another time or day, and at such or any  
 703 subsequent adjourned meeting may, if a quorum is then present or  
 704 represented, take any action that the landowners could have  
 705 taken at the meeting or meetings so adjourned for lack of a  
 706 quorum.

707 (4) At any meeting of the landowners, guardians may  
 708 represent their wards; executors and administrators may  
 709 represent the estate of deceased persons; trustees may represent  
 710 lands held by them in trust; and private corporations may be  
 711 represented by their duly authorized proxy. All landowners,  
 712 including guardians, executors, administrators, trustees, and  
 713 corporations, may be represented and vote by proxy.

714 Section 14. Water control plan; proceedings thereof.--The  
 715 board may proceed to adopt a water control plan in accordance  
 716 with the provisions of chapter 298, Florida Statutes, or in

717 accordance with the provisions of this section, in which case  
 718 the following shall apply:

719 (1) The board shall cause to be made by the chief engineer  
 720 or such other engineer or engineers as the board may employ for  
 721 that purpose, a complete and comprehensive plan for the drainage  
 722 and reclamation of the lands located within the district. The  
 723 engineer or engineers designated by the board to make said plan  
 724 shall make all necessary surveys of the lands within the  
 725 boundary lines of said district and of all lands adjacent  
 726 thereto that will be improved or reclaimed in part or in whole  
 727 by any system of drainage that may be outlined and adopted, and  
 728 shall make a report in writing to the board with maps and  
 729 profiles of said surveys, which report shall contain a full and  
 730 complete plan for drainage and reclaiming the lands located  
 731 within the district from overflow or damage by water, with the  
 732 length, width, and depth of such canals, ditches, dikes, or  
 733 levees or other works as may be necessary in conjunction with  
 734 any canals, drains, ditches, dikes, levees, or other works  
 735 heretofore constructed by any other drainage or reclamation  
 736 district, or any other person or persons, or which may hereafter  
 737 be built by any or either of such agencies that may be necessary  
 738 or which can be advantageously used in such plan and also an  
 739 estimate of the cost of carrying out and completing the water  
 740 control plan, including the cost of superintending the same and  
 741 all incidental expenses in connection therewith.

742 (2) Upon the completion of such plan, the board shall hold  
 743 a hearing thereon to hear objections thereto and shall give  
 744 notice of the time and place fixed for such hearing by

745 publication once each week for 2 consecutive weeks in a  
 746 newspaper published in Broward County in general circulation  
 747 within the district, and shall permit the inspection of said  
 748 plan at the office of the district by all persons interested.  
 749 All objections to said plan shall be filed at or before the time  
 750 fixed in said notice for the hearing and shall be in writing.

751 (3) After said hearing the board shall consider the  
 752 proposed plan and any objections thereto, and may modify,  
 753 reject, or adopt the plan, or may continue the hearing to a day  
 754 certain for further consideration of the proposed plan or  
 755 modifications thereof.

756 (4) When the board shall approve a plan a resolution shall  
 757 be adopted and a certified copy thereof shall be filed in the  
 758 office of the secretary and incorporated into the records of the  
 759 district.

760 (5) The water control plan may be altered in detail from  
 761 time to time until the appraisal record herein provided is  
 762 filed, but not in such manner as materially to effect the  
 763 conditions of its adoption. After the appraisal record has been  
 764 filed no alterations of the plan or reclamation shall be made,  
 765 except as provided by this act.

766 (6) Within 20 days after the final adoption of the water  
 767 control plan by the board, the secretary of the district shall  
 768 prepare and transmit a certified copy thereof to the clerk of  
 769 the circuit court and at the same time the board shall file with  
 770 said clerk a petition that the said court appoint three  
 771 commissioners to appraise the lands to be acquired for rights-  
 772 of-way, holding basins, and other drainage works of the district

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773 and to assess benefits and damages accruing to all lands within  
 774 the district by reason of the execution of the water control  
 775 plan. Immediately after the filing of such petition the judge of  
 776 said court in whose division the petition shall have been  
 777 assigned shall by an order appoint three commissioners, who  
 778 shall be freeholders residing within the state, and who shall  
 779 not be landowners in said district, nor of kin within the fourth  
 780 degree of consanguinity to any person owning land in said  
 781 district. A majority of said commissioners shall constitute a  
 782 quorum and shall control the action of the commissioners on all  
 783 questions.

784 (7) Immediately upon the filing of said order of  
 785 appointment, the secretary of the district shall notify each of  
 786 said commissioners of his or her appointment, and in said notice  
 787 he or she shall state the time and place for the first meeting  
 788 of said commissioners. The secretary of the district, or his or  
 789 her deputy, shall attend such meeting and shall furnish to said  
 790 commissioners a complete list of lands embraced in the district,  
 791 or adjacent thereto, that will be affected by the execution of  
 792 the water control plan. The secretary shall also furnish to the  
 793 commissioners a copy of the water control plan and such other  
 794 papers, documents, and information as the commissioners require.  
 795 The commissioners at the meeting shall each take and subscribe  
 796 to an oath that he or she will faithfully and impartially  
 797 discharge his or her duties as such commissioner and make a true  
 798 report of the work performed by such commissioners, and shall  
 799 elect one of their number chair. The secretary of the district,  
 800 or his or her deputy, shall be ex officio secretary to the

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801 commissioners, and the attorney for the district, other agents,  
 802 and employees thereof shall cooperate with the commissioners and  
 803 furnish to them such advice, assistance, and cooperation as they  
 804 shall require.

805 (8)(a) Immediately after qualifying, the commissioners  
 806 shall commence the performance of their duties and the chief  
 807 engineer, or one of his or her assistants, shall accompany said  
 808 commissioners when engaged in the discharge of their duties and  
 809 shall render his or her opinion in writing when called for. Said  
 810 commissioners shall proceed to view the premises and determine  
 811 the value of the lands within or without the district to be  
 812 acquired and used for rights-of-way, holding basins, and other  
 813 works described in the water control plan, and they shall  
 814 appraise all benefits and damages which will accrue to all lands  
 815 by reason of the execution of the water control plan. The  
 816 commissioners in appraising benefits to lands, public highways,  
 817 railroads, and other rights-of-way shall not consider what  
 818 benefits will be derived by such property after other ditches,  
 819 improvements, or other plans of reclamation shall have been  
 820 constructed, but they shall appraise only such benefits as will  
 821 be derived from the construction of the works and improvements  
 822 described in the water control plan or as the same may afford an  
 823 outlet for drainage or protection from overflow of such  
 824 property. The commissioners shall give due consideration and  
 825 credit to any other drainage works which have already been  
 826 constructed and which afford partial or complete protection to  
 827 any tract or parcel of land within the district. The public  
 828 highways, railroads, and other rights-of-way shall be appraised

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829 according to the increased physical efficiency and decreased  
 830 maintenance cost of roadways by reason of the improvements. The  
 831 commissioners shall have no power to change the water control  
 832 plan. The commissioners shall prepare a report of their  
 833 findings, which shall be arranged in tabular form, the columns  
 834 of which shall be headed as follows: Column 1 "Owner of Property  
 835 Appraised"; Column 2 "Description of Property Appraised"; Column  
 836 3 "Number of Acres Appraised"; Column 4 "Amount of Benefits  
 837 Appraised"; Column 5 "Amount of Damages Appraised"; Column 6  
 838 "Number of Acres to be Taken for Rights-of-way, Holding Basins,  
 839 etc."; and Column 7 "Value of Property to be Taken." They shall  
 840 also, by and with the advice of the chief engineer, estimate the  
 841 cost of the works described in the water control plan, which  
 842 estimate shall include the cost of property required for rights-  
 843 of-way, holding basins, and other works, the probable expense of  
 844 organization and administration as estimated by the board of  
 845 supervisors, and all of the expenses of the district during the  
 846 period of executing the water control plan. Before appraisals of  
 847 compensation and damages are made, the board may report to the  
 848 commissioners the parcels of land it may wish to purchase and  
 849 for which it may wish appraisals to be made, both for easement  
 850 and for purchase in fee simple, and the board may specify the  
 851 particular purpose for which, and the extent to which, an  
 852 easement in any property is desired, describing definitely such  
 853 purpose and extent. Wherever so instructed to do by the board,  
 854 the commissioners shall appraise lands that may be necessary or  
 855 desirable for the district to own and, when so requested by the  
 856 board, the commissioners shall also appraise both the total

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857 value of the land and also the damages due to any easement  
 858 required for the purposes of the district.

859 (b) The report of the commissioners shall be signed by at  
 860 least a majority of the commissioners and filed in the office of  
 861 the clerk of the circuit court of Broward County. Each  
 862 commissioner shall be paid \$100 per day for his or her services  
 863 and necessary expenses in addition thereto.

864 (9) Upon the filing of the report of the commissioners,  
 865 the clerk shall give notice thereof by causing publication to be  
 866 made once a week for 2 consecutive weeks in a newspaper  
 867 published in Broward County in general circulation within the  
 868 district. It shall not be necessary for the clerk to name the  
 869 parties interested, nor to describe separate lots or tracts of  
 870 land in giving said notice, but it shall be sufficient to  
 871 publish the said notice in the following form:

872  
 873 "NOTICE OF FILING COMMISSIONERS' REPORT FOR NORTH SPRINGS  
 874 IMPROVEMENT DISTRICT.

875  
 876 Notice is hereby given that the Commissioners heretofore  
 877 appointed to appraise benefits and damages to property and lands  
 878 located within North Springs Improvement District in the State  
 879 of Florida and to appraise the cash value of the land necessary  
 880 to be taken for rights-of-way, holding basins, and other works  
 881 of said district did file their report in the office of the  
 882 undersigned Clerk of the Circuit Court, upon the ..... day of  
 883 ....., 20....., and you, and each of you, are hereby  
 884 notified that you may examine said report and file exceptions to



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885 same on or before the ..... day of ....., 20.....  
886 (which date shall be not less than 28 days nor more than 30 days  
887 after the first date of publication).

888  
889 .....  
890 Clerk of the Circuit Court  
891 of Broward County, Florida"

892  
893 (10) The state board of drainage commissioners, the  
894 drainage district, or any owner of land or other property to be  
895 affected by said report, may file exception to any part, or all,  
896 of the report of said commissioners within the time specified in  
897 the notice prescribed in subsection (9). All exceptions shall be  
898 heard and determined by the court. If no exceptions are filed,  
899 or if it is shown, upon the hearing of all of said exceptions,  
900 that the estimated cost of construction of improvements  
901 contemplated in the water control plan is less than the benefits  
902 assessed against the lands in said district, the court shall  
903 approve and confirm said commissioners' report. However, if the  
904 court upon hearing the objections filed, finds that any or all  
905 such objections should be sustained, it shall order the report  
906 changed to conform with such findings, and when so changed the  
907 court shall approve and confirm such report and enter its decree  
908 accordingly. The court shall adjudge and apportion the costs  
909 incurred by the exceptions filed, and shall condemn any land or  
910 other property that is shown by the report of the commissioners  
911 to be needed for rights-of-way, holding basins or other works,  
912 following the procedure provided in chapters 73 and 74, Florida

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913 Statutes; provided, however, that any property owner may accept  
 914 the assessment of damages in his or her favor made by the  
 915 commissioners, or acquiesce in their failure to assess damages  
 916 in his or her favor, and shall be construed to have done so,  
 917 unless he or she gives the supervisors of the district, on or  
 918 before the time shall have expired for filing exceptions, as  
 919 provided in this act, notice in writing that he or she demands  
 920 an assessment of his or her damages by a jury. If the property  
 921 owner demands an assessment of his or her damages by a jury, the  
 922 supervisors of the district shall institute in the Circuit Court  
 923 of Broward County an action to condemn the lands and other  
 924 property that must be taken or damaged in the making of such  
 925 improvements, with the right and privilege of paying into the  
 926 court a sum to be fixed by the circuit court or judge, and  
 927 proceeding with the work, before the assessment by the jury. Any  
 928 person or party interested may prosecute and appeal to the  
 929 appropriate district court of appeal in the manner and within  
 930 the time provided by the Florida appellate rules.

931 (11) The Clerk of the Circuit Court of Broward County  
 932 shall transmit a certified copy of the court decree and copy of  
 933 the commissioners' report, as confirmed or amended by the court,  
 934 to the secretary of the board, and such clerk shall receive a  
 935 fee of \$5 for receiving, filing, and preserving same as a  
 936 permanent record.

937 Section 15. Adoption, revision, and revocation of water  
 938 control plan.--In addition to and not in limitation of its power  
 939 to provide for and adopt a water control plan provided in  
 940 section 14 and under chapter 298, Florida Statutes, and

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941 amendments thereto, the board may at any time and from time to  
 942 time adopt, revoke, or modify in whole or in part, any water  
 943 control plan or any plan providing for the drainage of lands  
 944 within the district, and may provide for such new and additional  
 945 drainage facilities, canals, ditches, levees, and other works as  
 946 the board may determine. In connection with the revision of any  
 947 water control plan or the providing of any new or additional  
 948 drainage facilities, canals, ditches, levees, or other works, or  
 949 in the event the total taxes and assessments theretofore levied  
 950 or the funds derived from the sale of bonds are insufficient to  
 951 pay the cost of any drainage works, benefits may be reassessed,  
 952 additional assessments made, and taxes levied in accordance with  
 953 the procedures provided in this act or in chapter 298, Florida  
 954 Statutes. The board may at any time approve and make effective  
 955 technical changes or modifications in any water control plan or  
 956 drainage not affecting assessed benefits, levy of taxes, or the  
 957 security of bondholders.

958 Section 16. Assessing land for reclamation; apportionment  
 959 of tax; lands belonging to state assessed; drainage tax  
 960 record.--After the lists of lands, with the assessed benefits  
 961 and the decree and judgment of court, have been filed in the  
 962 office of the clerk of the circuit court as provided in section  
 963 14, the board shall, without any unnecessary delay, levy a tax  
 964 of such portion of said benefits on all lands in the district to  
 965 which benefits have been assessed, as may be found necessary by  
 966 the board of supervisors to pay the costs of the completion of  
 967 the proposed works and improvements, as shown in said water  
 968 control plan and in carrying out the objects of said district;

969 and, in addition thereto, 10 percent of said total amount for  
 970 emergencies. The said tax shall be apportioned to, and levied  
 971 on, each tract of land in said district in proportion to the  
 972 benefits assessed, and not in excess thereof; and in case bonds  
 973 are issued, as provided in this chapter, a tax shall be levied  
 974 in a sum not less than an amount 90 percent of which shall be  
 975 equal to the principal of said bonds. The amount of bonds to be  
 976 issued for paying the cost of the works as set forth in the  
 977 water control plan shall be ascertained and determined by the  
 978 board; provided, however, that the total amount of all bonds to  
 979 be issued by the district shall in no case exceed 90 per cent of  
 980 the benefits assessed upon the lands of the district. The amount  
 981 of the interest (as estimated by said board), which will accrue  
 982 on such bonds, shall be included and added to the said tax, but  
 983 the interest to accrue on account of the issuing of said bonds  
 984 shall not be construed as a part of the costs of construction in  
 985 determining whether or not the expenses and costs of making said  
 986 improvements are equal to, or in excess of, the benefits  
 987 assessed. The secretary of the board of supervisors, as soon as  
 988 said total tax is levied, shall, at the expense of the district,  
 989 prepare a list of all taxes levied, in the form of a well bound  
 990 book, the book shall be endorsed and named "DRAINAGE TAX RECORD  
 991 OF NORTH SPRINGS IMPROVEMENT DISTRICT, BROWARD COUNTY, FLORIDA"  
 992 which endorsement shall be printed or written at the top of each  
 993 page in said book, signed and certified by the president and  
 994 secretary of the board, attested by the seal of the district,  
 995 and the same shall thereafter become a permanent record in the  
 996 office of said secretary.

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997       Section 17. Prepayment of taxes or assessments.--The board  
 998 may provide that any tax or assessment may be paid at any time  
 999 before due, together with interest accrued thereon to the date  
 1000 of prepayment, and any prepayment premiums or penalties, if such  
 1001 prior payment shall be permitted by the proceedings authorizing  
 1002 any bonds or other obligations for the payment of which special  
 1003 assessments have been pledged or taxes levied.

1004       Section 18. Tax liens.--All taxes of the district provided  
 1005 for in this act or chapter 298, Florida Statutes, together with  
 1006 all penalties for default in the payment of the same and all  
 1007 costs in collecting the same including a reasonable attorney's  
 1008 fees fixed by the court and taxed as cost in the action brought  
 1009 to enforce payment, shall from January 1 for each year the  
 1010 property is liable to assessment and until paid constitute a  
 1011 lien of equal dignity with the liens for state and county taxes  
 1012 and other taxes of equal dignity with state and county taxes  
 1013 upon all the lands against which such taxes shall be levied. A  
 1014 sale of any of the real property within the district for state  
 1015 and county or other taxes shall not operate to relieve or  
 1016 release the property so sold from the lien for subsequent  
 1017 district taxes or installments of district taxes which lien may  
 1018 be enforced against such property as though no such sale thereof  
 1019 had been made. The provisions of chapter 192, Florida Statutes,  
 1020 and amendments thereto shall be applicable to district taxes  
 1021 with the same force and effect as if said provisions were  
 1022 expressly set forth in this act.

1023       Section 19. Issuance of bond anticipation notes.--In  
 1024 addition to the other powers provided for in this act and not in

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1025 limitation thereof, the district shall have the power, at any  
 1026 time and from time to time after the issuance of any bonds of  
 1027 the district shall have been authorized to borrow money for the  
 1028 purposes for which such bonds are to be issued in anticipation  
 1029 of the proceeds of the sale of such bonds and to issue bond  
 1030 anticipation notes in a principal sum not in excess of the  
 1031 authorized maximum amount of such bond issue. Such notes shall  
 1032 be in such denomination or denominations, bear interest at such  
 1033 rate as the board may determine not to exceed 10 percent per  
 1034 year, mature at such time or times not later than 5 years from  
 1035 the date of issuance, and be in such form and executed in such  
 1036 manner as the board shall prescribe. Such notes may be sold at  
 1037 either public or private sale, or if such notes shall be renewal  
 1038 notes, may be exchanged for notes then outstanding on such terms  
 1039 as the board shall determine. Such notes shall be paid from the  
 1040 proceeds of such bonds when issued. The board may, in its  
 1041 discretion, in lieu of retiring the notes by means of bonds,  
 1042 retire them by means of current revenues or from any taxes or  
 1043 assessments levied for the payment of such bonds, but in such  
 1044 event a like amount of the bonds authorized shall not be issued.

1045 Section 20. Short-term borrowing.--The district at any  
 1046 time may obtain loans, in such amount and on such terms and  
 1047 conditions as the board may approve, for the purpose of paying  
 1048 any of the expenses of the district or any costs incurred or  
 1049 that may be incurred in connection with any of the projects of  
 1050 the district, which loans shall have a term not exceeding 2  
 1051 years from the date of issuance thereof, and may be renewable  
 1052 for a like term or terms shall bear such interest as the board

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1053 may determine, not to exceed 10 percent per year, and may be  
 1054 payable from and secured by a pledge of such funds, revenues,  
 1055 taxes, and assessments as the board may determine. For the  
 1056 purpose of defraying such costs and expenses, the district may  
 1057 issue negotiable notes, warrants, or other evidences of debt  
 1058 signed on behalf of the district by any one of the board duly  
 1059 authorized by the board, such notes or other evidences of  
 1060 indebtedness to be payable at such times, to bear such interest  
 1061 as the board may determine not to exceed 10 percent per year,  
 1062 and to be sold or discounted at such price or prices and on such  
 1063 terms as the board may deem advisable. The board shall have the  
 1064 right to provide for the payment thereof by pledging the whole  
 1065 or any part of the funds, revenues, taxes, and assessments of  
 1066 the district. The approval of the qualified electors who are  
 1067 freeholders residing in the district shall not be necessary  
 1068 except where required by the State Constitution.

1069 Section 21. Trust agreements.--In the discretion of the  
 1070 board, any issue of bonds may be secured by a trust agreement by  
 1071 and between the district and a corporate trustee or trustees,  
 1072 which may be any trust company or bank having the powers of a  
 1073 trust company within or without the state. The resolution  
 1074 authorizing the issuance of the bonds or such trust agreement  
 1075 may pledge the revenues to be received from any projects of the  
 1076 district and may contain such provisions for protecting and  
 1077 enforcing the rights and remedies of the bondholders as the  
 1078 board may approve, including, without limitation, covenants  
 1079 setting forth the duties of the district in relation to the  
 1080 acquisition, construction, reconstructions, improvements,

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1081 maintenance, repair, operation, and insurance of any projects;  
 1082 the fixing and revising of the rates, fees, and charges; the  
 1083 custody, safeguarding, and application of all moneys; and for  
 1084 the employment of counseling engineers in connection with such  
 1085 acquisition, construction, reconstruction, improvement,  
 1086 maintenance, repair, or operation. It shall be lawful for any  
 1087 bank or trust company incorporated under the laws of the state  
 1088 which may act as a depository of the proceeds of bonds or of  
 1089 revenues to furnish such indemnifying bonds or to pledge such  
 1090 securities as may be required by the district. Such resolution  
 1091 or trust agreement may set forth the rights and remedies of the  
 1092 bondholders and of the trustee, if any, and may restrict the  
 1093 individual right of action by bondholders. The board may provide  
 1094 for the payment of the proceeds of the sale of the bonds and the  
 1095 revenues of any project to such officer, board, or depository as  
 1096 it may designate for the custody thereof, and for the method of  
 1097 disbursement thereof with such safeguards and restrictions as it  
 1098 may determine. All expenses incurred in carrying out the  
 1099 provisions of such resolution or trust agreement may be treated  
 1100 as part of the cost of operation of the project to which such  
 1101 trust agreement pertains.

1102 Section 22. Sale of bonds.--Bonds may be sold in blocks or  
 1103 installments at different times, or an entire issue or series  
 1104 may be sold at one time. Bonds may be sold at public or private  
 1105 sale after such advertisement, if any, as the board may deem  
 1106 advisable but not in any event at less than 90 percent of the  
 1107 par value thereof, together with accrued interest thereon. Bonds  
 1108 may be sold or exchanged for refunding bonds. Special assessment



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1109 and revenue bonds may be delivered as payment by the district of  
 1110 the purchase price or lease of any project or part thereof, or a  
 1111 combination of projects or parts thereof, or as the purchase  
 1112 price or exchanged for any property, real, personal, or mixed,  
 1113 including franchises, or services rendered by any contractor,  
 1114 engineer, or other person, all at one time or in blocks from  
 1115 time to time, in such manner and upon such terms as the board in  
 1116 its discretion shall determine. The price or prices for any  
 1117 bonds sold, exchanged, or delivered may be the money paid for  
 1118 the bonds; the principal amount, plus accrued interest to the  
 1119 date of redemption or exchange, or outstanding obligations  
 1120 exchanged for refunding bonds; or in the case of special  
 1121 assessment or revenue bonds, the amount of any indebtedness to  
 1122 contractors or other persons paid with such bonds, or the fair  
 1123 value of any properties exchanged for the bonds, as determined  
 1124 by the board.

1125 Section 23. Authorization and form of bonds.--Bonds may be  
 1126 authorized by resolution or resolutions of the board which shall  
 1127 be adopted by a majority of all of the members thereof then in  
 1128 office. Such resolution or resolutions may be adopted at the  
 1129 same meeting at which they are introduced, and need not be  
 1130 published or posted. The board may by resolution authorize the  
 1131 issuance of bonds, fix the aggregate amount of bonds to be  
 1132 issued, the purpose or purposes for which the moneys derived  
 1133 therefrom shall be expended, the rate or rates of interest, not  
 1134 to exceed 10 percent per year, the denomination of the bonds,  
 1135 whether or not the bonds are to be issued in one or more series,  
 1136 the date or dates of maturity, which shall not exceed 40 years

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1137 from their respective dates of issuance, the medium of payment,  
 1138 the place or places within or without the state where payment  
 1139 shall be made, registration privileges, redemption terms and  
 1140 privileges (whether with or without premium), the manner of  
 1141 execution, the form of the bonds including any interest coupons  
 1142 to be attached thereto, the manner of execution of bonds and  
 1143 coupons, any and all other terms, covenants, and conditions  
 1144 thereof, and the establishment of revenue or other funds. Such  
 1145 authorizing resolution may further provide that such bonds may  
 1146 be executed manually or by engraved, lithographed or facsimile  
 1147 signature, provided that where signatures are engraved,  
 1148 lithographed, or otherwise reproduced in facsimile no bond shall  
 1149 be valid unless countersigned by a registrar or other officer  
 1150 designated by appropriate resolution of the board. The seal of  
 1151 the district may be affixed, lithographed, engraved, or  
 1152 otherwise reproduced in facsimile on such bonds. In case any  
 1153 officer whose signature shall appear on any bonds or coupons  
 1154 shall cease to be such officer before the delivery of such  
 1155 bonds, such signature or facsimile shall nevertheless be valid  
 1156 and sufficient for all purposes the same as if he or she had  
 1157 remained in office until such delivery.

1158 Section 24. Interim certificates; replacement  
 1159 certificates.--Pending the preparation of definitive bonds, the  
 1160 board may issue interim certificates or receipts or temporary  
 1161 bonds, in such form and with such provisions as the board may  
 1162 determine, exchangeable for definitive bonds when such bonds  
 1163 shall have been executed and are available for delivery. The

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1164 | board may also provide for the replacement of any bonds that  
 1165 | become mutilated, lost, or destroyed.

1166 |       Section 25. Negotiability of bonds.--Any bond issued under  
 1167 | this act and any interim certificate, receipt, or temporary bond  
 1168 | shall, in the absence of an express recital on the face thereof  
 1169 | that it is nonnegotiable, be fully negotiable and shall be and  
 1170 | constitute negotiable instruments within the meaning and for all  
 1171 | purposes of the law merchant and the laws of Florida.

1172 |       Section 26. Defeasance.--The board may make such provision  
 1173 | with respect to the defeasance of the right, title, and interest  
 1174 | of the holders of any of the bonds and obligations of the  
 1175 | district in any revenues, funds, or other properties by which  
 1176 | such bonds are secured as the board deems appropriate and,  
 1177 | without limitation on the foregoing, may provide that when such  
 1178 | bonds or obligations become due and payable or shall have been  
 1179 | called for redemption, and the whole amount of the principal and  
 1180 | interest and premium, if any, due and payable upon the bonds or  
 1181 | obligations then outstanding shall be paid, or sufficient moneys  
 1182 | or direct obligations of the United States Government the  
 1183 | principal of and the interest on which when due will provide,  
 1184 | sufficient moneys, shall be held or deposited in trust for such  
 1185 | purpose, and provision shall also be made for paying all other  
 1186 | sums payable in connection with such bonds or other obligations,  
 1187 | then and in such event the right, title, and interest of the  
 1188 | holders of the bonds in any revenues, funds, or other properties  
 1189 | by which such bonds are secured shall thereupon cease,  
 1190 | determine, and become void, and the board may apply any surplus  
 1191 | in any sinking fund established in connection with such bonds or

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1192 obligations and all balances remaining in all other funds or  
 1193 accounts other than money held for the redemption or payment of  
 1194 the bonds or other obligations to any lawful purpose of the  
 1195 district as the board shall determine.

1196 Section 27. Issuance of additional bonds.--If the proceeds  
 1197 of any bonds shall be less than the cost of completing the  
 1198 project in connection with which such bonds are issued, the  
 1199 board may authorize the issuance of additional bonds, upon such  
 1200 terms and conditions as the board may provide in the resolution  
 1201 authorizing the issuance thereof, but only in compliance with  
 1202 the resolution or other proceedings authorizing the issuance of  
 1203 the original bonds.

1204 Section 28. Refunding bonds.--The district shall have the  
 1205 power to issue bonds to provide for the retirement or refunding  
 1206 of any bonds or obligations of the district that at the time of  
 1207 such issuance are or subsequently thereto become due and  
 1208 payable, or that at the time of issuance have been called or are  
 1209 or will be subject to call for redemption within 10 years  
 1210 thereafter, or the surrender of which can be procured from the  
 1211 holders thereof at prices satisfactory to the board. Refunding  
 1212 bonds may be issued at any time when in the judgment of the  
 1213 board such issuance will be advantageous to the district. No  
 1214 approval of the qualified electors who are freeholders residing  
 1215 in the district shall be required for the issuance of refunding  
 1216 bonds except in cases where such approval is required by the  
 1217 State Constitution. The board may by resolution confer upon the  
 1218 holders of such refunding bonds all rights, powers, and remedies  
 1219 to which the holders would be entitled if they continued to be

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1220 the owners and had possession of the bonds for the refinancing  
 1221 of which said refunding bonds are issued, including, but not  
 1222 limited to, the preservation of the lien of such bonds on the  
 1223 revenues of any project or on pledged funds, without  
 1224 extinguishment, impairment, or diminution thereof. The  
 1225 provisions of this act pertaining to bonds of the district  
 1226 shall, unless the context otherwise requires, govern the  
 1227 issuance of refunding bonds, the form and other details thereof,  
 1228 the rights of the holders thereof, and the duties of the board  
 1229 with respect to the same.

1230 Section 29. Revenue bonds.--

1231 (1) The district shall have the power to issue revenue  
 1232 bonds from time to time without limitation as to amount. Such  
 1233 revenue bonds may be secured by or payable from the gross or net  
 1234 pledge of the revenues to be derived from any project or  
 1235 combination of projects; from the rates, fees, or other charges  
 1236 to be collected from the users of any project or projects; from  
 1237 any revenue-producing undertaking or activity of the district;  
 1238 or from any other source or pledged security. Such bonds shall  
 1239 not constitute an indebtedness of the district, and the approval  
 1240 neither of the qualified electors nor of the qualified electors  
 1241 who are freeholders shall be required unless such bonds are  
 1242 additionally secured by the full faith, credit, and taxing  
 1243 power of the district.

1244 (2) Any two or more projects may be combined and  
 1245 consolidated into a single project, and may thereafter be  
 1246 operated and maintained as a single project. The revenue bonds  
 1247 authorized herein may be issued to finance any one or more such

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1248 projects, regardless of whether or not such projects have been  
 1249 combined and consolidated into a single project. If the board  
 1250 deems it advisable, the proceedings authorizing such revenue  
 1251 bonds may provide that the district may thereafter combine the  
 1252 projects then being financed or theretofore financed with other  
 1253 projects to be subsequently financed by the district, and that  
 1254 revenue bonds to be thereafter issued by the district shall be  
 1255 on parity with the revenue bonds then being issued, all on such  
 1256 terms, conditions, and limitations as shall be provided, and may  
 1257 further provide that the revenues to be derived from the  
 1258 subsequent projects shall at the time of the issuance of such  
 1259 parity revenue bonds be also pledged to the holders of any  
 1260 revenue bonds theretofore issued to finance the revenue  
 1261 undertakings which are later combined with such subsequent  
 1262 projects. The district may pledge for the security of the  
 1263 revenue bonds a fixed amount, without regard to any fixed  
 1264 proportion of the gross revenues of any project.

1265 Section 30. General obligation bonds.--

1266 (1) The district shall have the power from time to time to  
 1267 issue general obligation bonds in an aggregate principal amount  
 1268 of bonds outstanding at any one time not in excess of 35 percent  
 1269 of the assessed value of the taxable property within the  
 1270 district as shown on the pertinent tax records at the time of  
 1271 the authorization of the general obligation bonds for which the  
 1272 full faith and credit of the district is pledged. Except for  
 1273 refunding bonds, no general obligation bonds shall be issued  
 1274 unless the issuance thereof shall have been approved at an  
 1275 election of freeholders held in accordance with the requirements

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1276 for such election as prescribed by the State Constitution. Such  
 1277 elections shall be called to be held in the district by the  
 1278 Board of County Commissioners of Broward County upon the request  
 1279 of the board of the district. The expenses of calling and  
 1280 holding such referendum elections shall be borne by the district  
 1281 and the district shall reimburse the county for any expenses  
 1282 incurred in calling or holding such elections. In the  
 1283 alternative, at the option of the board, the board may make such  
 1284 other provision for the registration of such qualified electors  
 1285 who are freeholders and the calling and holding of such  
 1286 elections as the board may from time to time deem appropriate.

1287 (2) The district may pledge its full faith and credit for  
 1288 the payment of the principal and interest on such general  
 1289 obligation bonds, and for any reserve or other funds provided  
 1290 therefor, and may unconditionally and irrevocably pledge itself  
 1291 to levy ad valorem taxes on all taxable property in the  
 1292 district, to the extent necessary for the payment thereof,  
 1293 without limitations as to rate or amount.

1294 (3) If the board shall determine to issue general  
 1295 obligation bonds for more than one different purpose, the  
 1296 approval of the issuance of the bonds for each and all such  
 1297 purposes may be submitted to the freeholders on one and the same  
 1298 ballot. The failure of the freeholders to approve the issuance  
 1299 of bonds for any one or more purposes shall not defeat the  
 1300 approval of bonds for any purpose that shall be approved by the  
 1301 freeholders.

1302 Section 31. Bonds as legal investment or  
 1303 security.--Notwithstanding any provisions of any other law to

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1304 the contrary, all bonds issued under the provisions of this act  
 1305 shall constitute legal investments for savings banks, banks,  
 1306 trust companies, insurance companies, executors, administrators,  
 1307 trustees, guardians, and other fiduciaries, and for any board,  
 1308 body, agency, instrumentality, county, municipality, or other  
 1309 political subdivision of the state, and shall be and constitute  
 1310 securities which may be deposited by banks or trust companies as  
 1311 security for deposits of state, county, municipal, or other  
 1312 public funds, or by insurance companies as required for  
 1313 voluntary statutory deposits.

1314 Section 32. Covenants.--Any resolution authorizing the  
 1315 issuance of bonds may contain such covenants as the board may  
 1316 deem advisable and all such covenants shall constitute valid and  
 1317 legally binding and enforceable contracts between the district  
 1318 and the bondholders, regardless of the time of issuance thereof.  
 1319 Such covenants may include, without limitation, covenants  
 1320 concerning the disposition of the bond proceeds; the use and  
 1321 disposition of project revenues; the pledging of revenues,  
 1322 taxes, and assessments; the obligations of the district with  
 1323 respect to the operation of the project and the maintenance of  
 1324 adequate project revenues; the issuance of additional bonds; the  
 1325 appointment, powers, and duties of trustees and receivers; the  
 1326 acquisition of outstanding bonds and obligations; restrictions  
 1327 on the establishing of competing projects or facilities;  
 1328 restrictions on the sale or disposal of the assets and property  
 1329 of the district; the priority of assessment liens; the priority  
 1330 of claims by bondholders on the taxing power of the district;  
 1331 the maintenance of deposits to ensure the payment of revenues by



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1332 users of district facilities and services; the discontinuance of  
 1333 district services by reason of delinquent payments; acceleration  
 1334 upon default; the execution of necessary instruments; the  
 1335 procedure for amending or abrogating covenants with the  
 1336 bondholders; and such other covenants as may be deemed necessary  
 1337 or desirable for the security of the bondholders.

1338 Section 33. Validity of bonds; validation proceedings.--

1339 (1) Any bonds issued by the district shall be  
 1340 incontestable in the hands of bona fide purchasers or holders  
 1341 for value and shall not be invalid because of any irregularity  
 1342 or defects in the proceedings for the issue and sale thereof.  
 1343 Prior to the issuance of any bonds, the district may, but is not  
 1344 required to, publish a notice at least once in a newspaper or  
 1345 newspapers published or of general circulation in Broward County  
 1346 and within the district stating the date of adoption of the  
 1347 resolution authorizing such obligations, the amount, the maximum  
 1348 rate of interest and maturity of such obligations, and the  
 1349 purpose in general terms for which such obligations are to be  
 1350 issued, and further stating that any action or proceeding  
 1351 questioning the validity of such obligations or of the  
 1352 proceedings authorizing the issuance thereof, or of any of the  
 1353 covenants made therein, must be instituted within 20 days after  
 1354 the first publication of such notice, or the validity of such  
 1355 obligations, proceedings, and covenants shall not be thereafter  
 1356 questioned in any court whatsoever. If no such action or  
 1357 proceeding is so instituted within such 20-day period then the  
 1358 validity of such obligations, proceedings, and covenants shall  
 1359 be conclusive, and all persons or parties whatsoever shall be

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1360 forever barred from questioning the validity of such  
 1361 obligations, proceedings, or covenants in any court whatsoever.

1362 (2) The power of the district to issue bonds under the  
 1363 provisions of this act may be determined and any of the bonds of  
 1364 the district may be validated and confirmed by circuit court  
 1365 decree, under the provisions of chapter 75, Florida Statutes,  
 1366 and laws amendatory thereof or supplementary thereto.

1367 Section 34. Within act furnishes full authority for  
 1368 issuance of bonds.--This act constitutes full and complete  
 1369 authority for the issuance of bonds and the exercise of the  
 1370 powers of the district provided herein. No procedures or  
 1371 proceedings, publications, notices, consents, approvals, orders,  
 1372 acts, or things by the board, or any board, officers,  
 1373 commission, department, agency, or instrumentality of the  
 1374 district, other than those required by this act, shall be  
 1375 required to issue any bonds or to do any act or perform anything  
 1376 under this act, and the issuance or sale of bonds pursuant to  
 1377 the provisions of this act need not comply with the requirements  
 1378 of any other law applicable to the issuance or sale of bonds,  
 1379 except as otherwise provided in this act, and shall not require  
 1380 the consent or approval of the board of drainage commissioners  
 1381 of the state or of any other board, officers, commission,  
 1382 department, agency, or instrumentality of the state or any  
 1383 political subdivision thereof. Except as otherwise provided  
 1384 herein, no proceedings or procedures of any character whatever  
 1385 shall be necessary or required for the issuance of bonds other  
 1386 than the adoption of an appropriate resolution by the board as  
 1387 provided in this act with respect to the issuance of the same.

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1388 The powers conferred by this act on the district with respect to  
 1389 the issuance and sale of bonds shall be in addition and  
 1390 supplemental to the powers conferred by any other law.

1391 Section 35. Pledge by the state to the bondholders of the  
 1392 district and to the Federal Government.--The state pledges to  
 1393 the holders of any bonds issued under this act that it will not  
 1394 limit or alter the rights of the district to own, acquire,  
 1395 construct, reconstruct, improve, maintain, operate, or furnish  
 1396 the projects or to levy and collect the taxes, assessments,  
 1397 rentals, rates, fees, and other charges provided for herein and  
 1398 to fulfill the terms of any agreement made with the holders of  
 1399 such bonds or other obligations, and that it will not in any way  
 1400 impair the rights or remedies of the holders.

1401 Section 36. Ad valorem taxes.--The board shall have the  
 1402 power to levy and assess an ad valorem tax on all the taxable  
 1403 real and tangible personal property in the district to pay the  
 1404 principal of and interest on any general obligation bonds of the  
 1405 district, to provide for any sinking or other funds established  
 1406 in connection with any such bonds. The ad valorem tax provided  
 1407 for herein shall be in addition to county and all other ad  
 1408 valorem taxes provided for by law. Such tax shall be assessed,  
 1409 levied, and collected in the same manner and same time as county  
 1410 taxes.

1411 Section 37. Annual installment taxes.--  
 1412 (1) The board shall annually determine, order, and levy  
 1413 the annual installment of the total taxes which are levied under  
 1414 section 298.36, Florida Statutes, which shall be due and be  
 1415 collected during each year that county taxes are due and

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1416 collected and said annual installment and levy shall be  
 1417 evidenced to and certified by the board not later than August  
 1418 31st of each year to the Broward County Property Appraiser. Said  
 1419 tax shall be entered by the county property appraiser on the  
 1420 county tax rolls and shall be collected by the Broward County  
 1421 Tax Collector in the same manner and the same time as county  
 1422 taxes and the proceeds thereof paid to the district. The tax  
 1423 shall be a lien until paid on the property against which  
 1424 assessed and enforceable in like manner as county taxes.

1425 (2) In the alternative, the board may by resolution  
 1426 determine the amount of taxes as provided by chapter 298,  
 1427 Florida Statutes, and thereafter the annual installments shall  
 1428 be levied, collected and enforced as provided in chapter 298,  
 1429 Florida Statutes.

1430 Section 38. Maintenance tax.--To maintain and preserve the  
 1431 drainage improvements of the district a maintenance tax shall be  
 1432 evidenced to and certified by the board of supervisors not later  
 1433 than August 31 of each year to the property appraiser and shall  
 1434 be entered by the property appraiser on the county tax rolls and  
 1435 shall be collected by the tax collector in the same manner and  
 1436 time as county taxes and the proceeds therefrom paid to the  
 1437 district. The tax shall be a lien until paid on the property  
 1438 against which assessed and enforceable in like manner as county  
 1439 taxes. If the maintenance is for original construction based  
 1440 upon an apportionment of benefits, the maintenance tax shall be  
 1441 apportioned on the same basis of the net assessments of benefits  
 1442 assessed or accruing for original construction and shall not  
 1443 exceed 10 percent thereof in any one year. If the maintenance is

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1444 for other drainage improvements owned, operated, or acquired by  
 1445 the district, the amount of said maintenance tax shall be  
 1446 determined by the board based upon a report of the chief  
 1447 engineer and assessed by the board, upon such lands, which may  
 1448 be all of the lands within the district benefited by the  
 1449 maintenance thereof, apportioned between the benefited lands in  
 1450 proportion to the benefits received by each tract of land.

1451 Section 39. Enforcement of taxes.--The collection and  
 1452 enforcement of all taxes levied by the district shall be at the  
 1453 same time and in like manner as county taxes and the provision  
 1454 of the Florida Statutes relating to the sale of lands for unpaid  
 1455 and delinquent county taxes, the issuance, sale, and delivery of  
 1456 tax certificates for such unpaid and delinquent county taxes,  
 1457 the redemption thereof, the issuance to individuals of tax deeds  
 1458 based thereon, and all other procedures in connection therewith  
 1459 shall be applicable to the district to the same extent as if  
 1460 said statutory provisions were expressly set forth herein. All  
 1461 taxes shall be subject to the same discounts as county taxes.

1462 Section 40. When unpaid tax is delinquent; penalty.--All  
 1463 taxes provided for in this act shall become delinquent and bear  
 1464 penalties on the amount of said taxes in the same manner as  
 1465 county taxes.

1466 Section 41. Tax exemption.--As the exercise of the powers  
 1467 conferred by this act constitute the performance of essential  
 1468 public functions, and as the projects of the district will  
 1469 constitute public property used for public purposes, all assets  
 1470 and properties of the district, and all bonds issued hereunder  
 1471 and interest paid thereon, and all fees, charges, and other

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1472 revenues derived by the district from the projects provided by  
 1473 this act shall be exempt from all taxes by the state or by any  
 1474 political subdivision, agency, or instrumentality thereof;  
 1475 provided, however, that nothing in this act shall be deemed to  
 1476 exempt from taxation any property, project, facility, or  
 1477 business activity or enterprise that cannot validly be  
 1478 undertaken as a public function by special taxing districts or  
 1479 other public bodies under the laws and constitution of this  
 1480 state; and further, that nothing in this act shall be deemed to  
 1481 exempt any property, project, facility, or business activity or  
 1482 enterprise of the district, or revenues derived therefrom, which  
 1483 would be subject to taxation under the general laws of Florida  
 1484 if such property, project, or facility were owned or undertaken  
 1485 by a municipal corporation.

1486 Section 42. Special assessments.--

1487 (1) The board may provide for the construction or  
 1488 reconstruction of assessable improvements as defined in section  
 1489 4, and for the levying of special assessments upon benefited  
 1490 property for the payment thereof, under the provisions of this  
 1491 section.

1492 (2) Such special assessments may be levied and assessed in  
 1493 either of the alternate methods provided in subsection (6) or  
 1494 subsection (7), and except for such procedure, all the other  
 1495 provisions of this section and this act shall apply to levy of  
 1496 such special assessments under either subsection (6) or  
 1497 subsection (7).

1498 (3) The initial proceeding under subsection (6) or  
 1499 subsection (7) of this section shall be the passage by the board

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1500 of a resolution ordering the construction or reconstruction of  
 1501 such assessable improvements, indicating the location by  
 1502 terminal points and routes and either giving a description of  
 1503 the improvements by its material, nature, character, and size or  
 1504 giving two or more descriptions with the directions that the  
 1505 material, nature, character, and size shall be subsequently  
 1506 determined in conformity with one of such descriptions. Drainage  
 1507 improvements need not be continuous and may be in more than one  
 1508 locality. The resolution ordering any such improvement may give  
 1509 any short and convenient designation to each improvement ordered  
 1510 thereby, and the property against which assessments are to be  
 1511 made for the cost of such improvement may give any short and  
 1512 convenient designation to each improvement ordered thereby, and  
 1513 the property against which assessments are to be made for the  
 1514 cost of such improvement may be designated as an assessment  
 1515 district, followed by a letter, number, or name to distinguish  
 1516 it from other assessment districts, after which it shall be  
 1517 sufficient to refer to such improvement and property by such  
 1518 designation in all proceedings and assessments, except in the  
 1519 notices required by this section.

1520 (4) As soon as possible after the passage of such  
 1521 resolution the engineer for the district shall prepare, in  
 1522 duplicate, plans and specifications for each improvement ordered  
 1523 thereby and an estimate of the cost thereof. Such cost shall  
 1524 include, in addition to the items of cost as defined in this  
 1525 act, the following items of incidental expenses:

- 1526 (a) Printing and publishing notices and proceedings.
- 1527 (b) Costs of abstracts of title.

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1528        (c) Any other expense necessary or proper in conducting  
 1529 the proceedings and work provided for in this section, including  
 1530 the estimated amount of discount, if any, financial expenses  
 1531 upon the sale of assessment bonds or any other obligations  
 1532 issued hereunder for which such special assessment bonds or any  
 1533 other obligations issued hereunder for which such special  
 1534 assessments are to be pledged, and interest prior to and until  
 1535 not more than 2 years after the completion of said assessable  
 1536 improvements. If the resolution shall provide alternative  
 1537 descriptions of material, nature, character and size, such  
 1538 estimate shall include an estimate of the cost of the  
 1539 improvement of each such description.

1540        (5) The district engineer shall next prepare in duplicate  
 1541 a tentative apportionment of the estimated total cost of the  
 1542 improvement as between the district and each lot or parcel of  
 1543 land subject to special assessment under the resolution, such  
 1544 apportionment to be made in accordance with the provisions of  
 1545 the resolution and in relation to apportionment of cost provided  
 1546 herein for the preliminary assessment roll. Such tentative  
 1547 apportionment of total estimated cost shall not be held to limit  
 1548 or restrict the duties of the engineer in the preparation of  
 1549 such preliminary assessment roll under subsection (6). One of  
 1550 the duplicates of such plans, specifications, and estimates and  
 1551 such tentative apportionment shall be filed with the secretary  
 1552 of the board and the other duplicate shall be retained by the  
 1553 engineer in his or her files, all thereof to remain open to  
 1554 public inspection.



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1555        (6)(a) If the special assessments are to be levied under  
 1556 this subsection, the secretary of the board upon filing with him  
 1557 or her of such plans, specifications, estimates, and tentative  
 1558 apportionment of cost shall publish once in a newspaper  
 1559 published in Broward County in general circulation within the  
 1560 district, a notice stating that at a meeting of the board on a  
 1561 certain day and hour, not earlier than 15 days after such  
 1562 publication, the board will hear objections of all interested  
 1563 persons to the confirmation of such resolution, which notice  
 1564 shall state in brief and general terms a description of the  
 1565 proposed assessable improvements with the location thereof, and  
 1566 shall also state that plans, specifications, estimates, and  
 1567 tentative apportionment of cost thereof are on file with the  
 1568 secretary of the board. A copy of the notice shall be mailed to  
 1569 the landowners of the land to be benefited by construction of  
 1570 the assessable improvement. The landowners shall be determined  
 1571 by reference to the last available tax roll of Broward County.  
 1572 The secretary of the board shall keep a record in which shall be  
 1573 inscribed, at the request of any person, firm, or corporation  
 1574 having or claiming to have any interest in any lot or parcel of  
 1575 land, the name and post office address of such person, firm, or  
 1576 corporation, together with a brief description or designation of  
 1577 such lot or parcel, and it shall be the duty of the secretary of  
 1578 the board to mail a copy of such notice to such person, firm, or  
 1579 corporation at such address at least 10 days before the time for  
 1580 the hearing as stated in such notice, but the failure of the  
 1581 secretary of the board to keep such record or so to inscribe any  
 1582 name or address or to mail any such notice shall not constitute

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1583 a valid objection to holding the hearing as provided in this  
 1584 section or to any other action taken under the authority of this  
 1585 section.

1586 (b) At the time named in such notice, or to which an  
 1587 adjournment may be taken by the board, the board shall receive  
 1588 any objections of interested persons and may then or thereafter  
 1589 repeal or confirm such resolution with such amendments, if any,  
 1590 as may be desired by the board and which do not cause any  
 1591 additional property to be specially assessed.

1592 (c) All objections to any such resolution on the ground  
 1593 that it contains items which cannot be properly assessed against  
 1594 property, or that it is, for any default or defect in the  
 1595 passage or character of the resolution or the plans or  
 1596 specifications or estimate, void or voidable in whole or in  
 1597 part, or that it exceeds the power of the board, shall be made  
 1598 in writing in person or by attorney, and filed with the  
 1599 secretary of the board at or before the time or adjourned time  
 1600 of such hearing. Any objections against the making of any  
 1601 assessable improvements not so made shall be considered as  
 1602 waived, and if any objection shall be made and overruled or  
 1603 shall not be sustained, the confirmation of the resolution shall  
 1604 be the final adjudication of the issue presented unless proper  
 1605 steps shall be taken in a court of competent jurisdiction to  
 1606 secure relief within 20 days.

1607 (d) Whenever any resolution providing for the construction  
 1608 or reconstruction of assessable improvements and for the levying  
 1609 of special assessments upon benefited property for the payment  
 1610 thereof shall have been confirmed, and said special assessments

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1611 are levied under this subsection as herein above provided, or at  
 1612 any time thereafter, the board may issue assessment bonds  
 1613 payable out of such assessments when collected. Such bonds shall  
 1614 mature not later than 2 years after the maturity of the last  
 1615 annual installment in which said special assessments may be  
 1616 paid, as provided in subsection (7), and shall bear such  
 1617 interest as the board may determine not to exceed 10 percent per  
 1618 year. Such assessment bonds shall be executed, shall have such  
 1619 provisions for redemption prior to maturity, and shall be sold  
 1620 in the manner and be subject to all of the applicable provisions  
 1621 contained in this act applicable to other bonds, except as the  
 1622 same are inconsistent with the provisions of this section. The  
 1623 amount of such assessment bonds for any assessable improvement,  
 1624 prior to the confirmation of the preliminary assessment roll  
 1625 provided for in this subsection shall not exceed the estimated  
 1626 amount of the cost of such assessable improvements which are to  
 1627 be specially assessed against the lands and real estate of the  
 1628 engineer referred to in this section.

1629 (e) After the passage of the resolution authorizing the  
 1630 construction or reconstruction of assessable improvements has  
 1631 been confirmed as provided for above where special assessments  
 1632 are levied under this subsection or after the final confirmation  
 1633 of the assessment roll where such assessments are levied under  
 1634 subsection (7), the board may publish at least once in a  
 1635 newspaper published in Broward County in general circulation  
 1636 within the district, a notice calling for sealed bids to be  
 1637 received by the board on a date not earlier than 15 days after  
 1638 the first publication for the construction of the work, unless

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1639 in the initial resolution the board shall have declared its  
 1640 intention to have the work done by district forces without  
 1641 contract. The notice shall refer in general terms to the extent  
 1642 and nature of the improvements and may identify the same by the  
 1643 short designation indicated in the initial resolution and by  
 1644 reference to the plans and specifications on file. If the  
 1645 initial resolution shall have given two or more alternative  
 1646 descriptions of the assessable improvements as to its material,  
 1647 nature, character, and size, and if the board shall not have  
 1648 theretofore determined upon a definite description, the notice  
 1649 shall call for bids upon each of such descriptions. Bids may be  
 1650 requested for the work as whole or for any part thereof  
 1651 separately and bids may be asked for any one or more of such  
 1652 assessable improvements authorized by the same or different  
 1653 resolutions, but any bid covering work upon more than one  
 1654 improvement shall be in such form as to permit a separation of  
 1655 cost as to each improvement. The notice shall require bidders to  
 1656 file with their bids either a certified check drawn upon an  
 1657 incorporated bank or trust company in such amount or percentage  
 1658 of their respective bids, as the board shall deem advisable, or  
 1659 a bid bond in like amount with corporate surety satisfactory to  
 1660 the board to insure the execution of a contract to carry out the  
 1661 work in accordance with such plans and specifications and insure  
 1662 the filing at the making of such contract, of a bond in the  
 1663 amount of the contract price with corporate surety satisfactory  
 1664 to the board conditioned for the performance of the work in  
 1665 accordance with such contract. The board shall have the right to  
 1666 reject any or all bids, and if all bids are rejected the board

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1667 may readvertise or may determine to do the work by the district  
 1668 forces without contract.

1669 (f) Promptly after the completion of the work, in the case  
 1670 of special assessments levied under subsection (6), the engineer  
 1671 for the district, who is hereby designated as the official of  
 1672 the district to make the preliminary assessment of benefits from  
 1673 assessable improvements, shall prepare a preliminary assessment  
 1674 roll and file the same with the secretary of the board which  
 1675 roll shall contain the following:

1676 1. A description of abutting lots and parcels of land or  
 1677 lands which will benefit from such assessable improvements and  
 1678 the amount of such benefits to each such lot or parcel of land.  
 1679 Such lots and parcels shall include the property of Broward  
 1680 County and any school district or other political subdivision.  
 1681 There shall also be given the name of the owner of record of  
 1682 each lot or parcel where practicable, and in all cases there  
 1683 shall be given a statement of the method of assessment used by  
 1684 the engineer for determining the benefits.

1685 2. The total cost of the improvements and the amount of  
 1686 incidental expense.

1687 (g) The preliminary roll shall be advisory only and shall  
 1688 be subject to the action of the board as hereafter provided.  
 1689 Upon the filing with the secretary of the board of the  
 1690 preliminary assessment roll, the secretary of the board shall  
 1691 publish at least once in a newspaper published in Broward County  
 1692 in general circulation within the district a notice stating that  
 1693 at a meeting of the board to be held on a certain day and hour,  
 1694 not less than 15 days from the date of such publication, which

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1695 meeting may be a regular, adjourned, or special meeting, all  
 1696 interested persons may appear and file written objections to the  
 1697 confirmation of such roll. Such notice shall state the class of  
 1698 the assessable improvements and the location thereof by terminal  
 1699 points and route.

1700 (h) At the time and place stated in such notice, the board  
 1701 shall meet and receive the objections in writing of all  
 1702 interested persons as stated in such notice. The board may  
 1703 adjourn the hearing from time to time. After the completion  
 1704 thereof the board shall annul, sustain, or modify in whole or in  
 1705 part the prima facie assessment as indicated on such roll,  
 1706 either by confirming the prima facie assessment against any or  
 1707 all lots or parcels described therein or by canceling,  
 1708 increasing, or reducing the same, according to the special  
 1709 benefits which the board decides each such lot or parcel has  
 1710 received or will receive on account of such improvement. If any  
 1711 property that may be chargeable under this section shall have  
 1712 been omitted from the preliminary roll or if the prima facie  
 1713 assessment shall not have been made against it, the board may  
 1714 place on such roll an apportionment to such property. The board  
 1715 shall not confirm any assessment in excess of the special  
 1716 benefits to the property assessed and the assessments so  
 1717 confirmed shall be in proportion to the special benefits.  
 1718 Forthwith after such confirmation such assessment roll shall be  
 1719 delivered to the secretary of the board. The assessment so made  
 1720 shall be final and conclusive as to each lot or parcel assessed  
 1721 unless proper steps are taken within 30 days in a court of  
 1722 competent jurisdiction to secure relief. If the assessment

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1723 against any property shall be sustained or reduced or abated by  
 1724 the court, the secretary of the board shall note that fact on  
 1725 the assessment roll opposite the description of the property  
 1726 affected thereby. The amount of the special assessment against  
 1727 any lot or parcel which may be abated by the court, unless the  
 1728 assessment upon all benefited property be abated, or the amount  
 1729 by which such assessment is so reduced, may by resolution of the  
 1730 board be made chargeable against the district at large; or, at  
 1731 the discretion of the board, a new assessment roll may be  
 1732 prepared and confirmed in the manner herein above provided for  
 1733 the preparation and confirmation of the original assessment  
 1734 roll.

1735 (i) Pending the final confirmation of such special  
 1736 assessments in the manner provided in this subsection, the  
 1737 district shall have a lien on all such lands and real estate  
 1738 after the confirmation of the initial resolution, in the manner  
 1739 provided in this subsection.

1740 (7)(a) The district engineer, under the procedure provided  
 1741 for in this subsection shall next, after the passage of the  
 1742 initial resolution and filing of the plans and estimates of cost  
 1743 by the district engineer, prepare an assessment roll for the  
 1744 district in duplicate, which assessment roll shall contain an  
 1745 apportionment of the estimated total cost of the improvement as  
 1746 between the district and each lot or parcel of land subject to  
 1747 the special assessment under the initial resolution, such  
 1748 apportionment to be made in accordance with the provisions of  
 1749 the initial resolution. One of the duplicates of said assessment  
 1750 roll shall be filed with the secretary of the board and the

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1751 other duplicate shall be retained by the district engineer in  
 1752 his or her files, all thereof to remain open to public  
 1753 inspection.

1754 (b) Upon the completion and filing of said assessment roll  
 1755 the secretary to the board shall cause a copy thereof to be  
 1756 published once in a newspaper published in Broward County and in  
 1757 general circulation within the district, together with a notice  
 1758 directed to all property owners interested in said special  
 1759 assessments, stating that at a meeting of the board on a certain  
 1760 day and hour, not earlier than 15 days after such publication,  
 1761 the board sitting as an equalizing board, will hear objections  
 1762 of all interested persons to the final confirmation of such  
 1763 assessment roll, and will finally confirm such assessment roll  
 1764 or take such action relative thereto as it deems necessary and  
 1765 advisable. A copy of the notice shall be mailed to the  
 1766 landowners of the land to be benefited by construction of the  
 1767 assessable improvement. The landowners shall be determined by  
 1768 reference to the last available tax roll of Broward County. The  
 1769 secretary of the board shall keep a record in which shall be  
 1770 inscribed, at the request of any person, firm, or corporation  
 1771 having or claiming to have any interest in any lot or parcel of  
 1772 land, the name and post office address of such person, firm, or  
 1773 corporation, together with a brief description or designation of  
 1774 such lot or parcel, and it shall be the duty of the secretary of  
 1775 the board to mail a copy of such notice to such person, firm, or  
 1776 corporation at such address at least 10 days before the time for  
 1777 the hearing as stated in such notice, but the failure of the  
 1778 secretary of the board to keep such record or so to inscribe any



1779 name or address or to mail any such notice shall not constitute  
 1780 a valid objection to holding the hearing as provided in this  
 1781 section or to any other action taken under the authority of this  
 1782 section.

1783 (c) At the time and place named in the notice provided for  
 1784 in the paragraph (b), the board shall meet as an equalizing  
 1785 board to hear and consider any and all complaints as to said  
 1786 special assessments, and shall adjust and equalize the said  
 1787 special assessments on a basis of justice and right, and when so  
 1788 equalized and approved such special assessments shall stand  
 1789 confirmed and remain legal, valid, and binding liens upon the  
 1790 properties upon which such special assessments are made, until  
 1791 paid in accordance with the provisions of this act; provided,  
 1792 however, that upon the completion of such improvements, if the  
 1793 actual cost of such assessable improvements is less than the  
 1794 amount of such special assessments levied, the district shall  
 1795 rebate to the owners of any properties which shall have been  
 1796 specially assessed for such assessable improvements the  
 1797 difference in the special assessments as originally made,  
 1798 levied, and confirmed, and the proportionate part of the actual  
 1799 cost of said assessable improvements as finally determined upon  
 1800 the completion of said assessable improvements; and in the event  
 1801 that the actual cost of said assessable improvements shall be  
 1802 more than the amount of such special assessments confirmed and  
 1803 levied, finally determined upon the completion of said  
 1804 assessable improvements, the proportionate part of such excess  
 1805 cost of such assessable improvements may be levied against all  
 1806 of the lands and properties against which such special

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1807 assessments were originally levied, or, in the alternative, the  
 1808 board may, in its discretion, pay such excess cost from any  
 1809 legally available funds.

1810 (d) All objections to any such assessment roll on the  
 1811 ground that it contains items which cannot be properly assessed  
 1812 against property, or that it is, for any default or defect in  
 1813 the passage or character of the assessment roll or the plans or  
 1814 specifications or estimate, void or voidable in whole or in  
 1815 part, or that it exceeds the power of the board, shall be made  
 1816 in writing in person or by attorney, and filed with the  
 1817 secretary of the board at or before the time or adjourned time  
 1818 of such hearing on the assessment roll. Any objections against  
 1819 the making of any assessable improvements not so made shall be  
 1820 considered as waived, and if any objections shall be made and  
 1821 overruled or shall not be sustained, the confirmation of the  
 1822 assessment roll shall be the final adjudication of the issue  
 1823 presented unless proper steps shall be taken in a court of  
 1824 competent jurisdiction to secure relief within 20 days.

1825 (e) All the provisions of subsection (6) not inconsistent  
 1826 with this subsection shall apply to the levy of special  
 1827 assessments under this subsection.

1828 (8)(a) Any assessment may be paid at the office of the  
 1829 secretary of the board within 60 days after the confirmation  
 1830 thereof, without interest. Thereafter all assessments shall be  
 1831 payable in equal installments, with interest as determined by  
 1832 the board, not to exceed 10 percent per year, from the  
 1833 expiration of said 60 days in each of the succeeding number of  
 1834 years which the board shall determine by resolution, not

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1835 exceeding 20; provided, however, that the board may provide that  
 1836 any assessment may be paid at any time before due, together with  
 1837 interest accrued thereon to the date of payment, if such prior  
 1838 payment shall be permitted by the proceedings authorizing any  
 1839 assessment bonds or other obligations for the payment of which  
 1840 such special assessments have been pledged.

1841 (b) All such special assessments levied pursuant to this  
 1842 act may, in the discretion of the board, be collected by the tax  
 1843 collector of the county at the same time as the general county  
 1844 taxes are collected by the tax collector of the county, and the  
 1845 board shall in such event certify to the county tax collector in  
 1846 each year a list of all such special assessments and a  
 1847 description of and names of the owners of the properties against  
 1848 such special assessments have been levied and the amounts due  
 1849 thereof in such year, and interest thereon for any deficiencies  
 1850 for prior years. The amount to be collected in such year may  
 1851 include, in the discretion of the board, the principal  
 1852 installment of such special assessments which will become due at  
 1853 any time in the next succeeding fiscal year, and all or any part  
 1854 of the interest which will become due on such special  
 1855 assessments during such next fiscal year, together with any  
 1856 deficiencies for prior years.

1857 (c) The board may, in lieu of providing for the collection  
 1858 of said special assessments by the tax collector of the county,  
 1859 provide for the collection of said special assessments by the  
 1860 district under such terms and conditions as the board shall  
 1861 determine. In such event, the bills or statements for the  
 1862 amounts due in any fiscal year shall be mailed to the owners of

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1863 all properties affected by such special assessments at such time  
 1864 or times as the board shall determine and such bills or  
 1865 statements may include all or any part of the principal and  
 1866 interest which will mature and become due on the annual  
 1867 installments of such special assessments during the fiscal year  
 1868 in which installments of such special assessments are payable.

1869 (d) All charges of the county tax collector or of the  
 1870 district, and the fees, costs, and expenses of any paying  
 1871 agents, trustees, or other fiduciaries for assessment bonds  
 1872 issued under this act, shall be deemed to be costs of the  
 1873 operation and maintenance of any drainage improvements in  
 1874 connection with which such special assessments were levied and  
 1875 the board shall be authorized and directed to provide for the  
 1876 payment each year of such costs of collection, fees, and other  
 1877 expenses from the maintenance tax as provided in this act as  
 1878 shall be mutually agreed upon between the board and the county  
 1879 tax collector as additional compensation for his or her services  
 1880 for each such assessment district in which the special  
 1881 assessments are collected by him or her.

1882 (e) All assessments shall constitute a lien upon the  
 1883 property so assessed from the date of final confirmation  
 1884 thereof, of the same nature and to the same extent as the lien  
 1885 for general county taxes falling due in the same year or years  
 1886 in which such assessments or installments thereof fall due, and  
 1887 any assessment or installment not paid when due shall be  
 1888 collectable with such interest and with reasonable attorney's  
 1889 fee and costs, but without penalties, by the district by  
 1890 proceedings in a court of equity to foreclose the line of

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1891 assessments as a lien for mortgages is or may be foreclosed  
 1892 under the laws of the state; provided that any such proceedings  
 1893 to foreclose shall embrace all installments of principal  
 1894 remaining unpaid with accrued interest thereon, which  
 1895 installments shall, by virtue of the institution of such  
 1896 proceedings, immediately become due and payable. Nevertheless,  
 1897 if, prior to any sale of the property under decree of  
 1898 foreclosure in such proceedings, payment is made of the  
 1899 installment or installments which are shown to be due under the  
 1900 provisions of subsection (6) or subsection (7), and by this  
 1901 subsection and all costs, including interest and reasonable  
 1902 attorney's fees, such payment shall have the effect of restoring  
 1903 the remaining installments to their original maturities as  
 1904 provided by the resolution passed pursuant to subsection (8) and  
 1905 the proceedings shall be dismissed. It shall be the duty of the  
 1906 board to enforce the prompt collection of assessment by the  
 1907 means herein provided, and such duty may be enforced at the suit  
 1908 of any holder of bonds issued under this act in a court of  
 1909 competent jurisdiction by mandamus or other appropriate  
 1910 proceedings or action. Not later than 30 days after the annual  
 1911 installments are due and payable, it shall be the duty of the  
 1912 board to direct the attorney for the district to institute  
 1913 actions within 2 months after such direction to enforce the  
 1914 collection of all special assessments for assessable  
 1915 improvements made under this section and remaining due and  
 1916 unpaid at the time of such direction. Such action shall be  
 1917 prosecuted in the manner and under the conditions in and under  
 1918 which mortgages are foreclosed under the laws of the state. It

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1919 shall be lawful to join in one action the collection of  
 1920 assessments against any or all property assessed by virtue of  
 1921 the same assessment roll unless the court shall deem such  
 1922 joinder prejudicial to the interest of any defendant. The court  
 1923 shall allow a reasonable attorney's fee for the attorney for the  
 1924 district and the same shall be collectable as a part of or in  
 1925 addition to the costs of the action. At the sale pursuant to  
 1926 decree in any such action, the district may be a purchaser to  
 1927 the same extent as an individual person or corporation, except  
 1928 that the part of the purchase price represented by the  
 1929 assessments sued upon and the interest thereon need not be paid  
 1930 in cash. Property so acquired by the district may be sold or  
 1931 otherwise disposed of.

1932 (f) All assessments and charges made under the provisions  
 1933 of this section for the payment of all or any part of the cost  
 1934 of any assessable improvements for which assessment bonds shall  
 1935 have been issued under the provisions of this act, or which have  
 1936 been pledged as additional security for any other bonds or  
 1937 obligations issued under this act, shall be maintained in a  
 1938 special fund or funds and be used only for the payment of  
 1939 principal or interest on such assessment bonds or other bonds or  
 1940 obligations.

1941 (g) Broward County and each school district and other  
 1942 political subdivision wholly or partly within the district shall  
 1943 possess the same power and be subject to the same duties and  
 1944 liabilities in respect of assessments under this section  
 1945 affecting the real estate of such county, school district, or  
 1946 other political subdivision which private owners of real estate

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1947 possess or are subject to hereunder, and such real estate of any  
 1948 such county, school district, and political subdivision shall be  
 1949 subject to liens for said assessments in all cases where the  
 1950 same property would be subject to such liens had it at the time  
 1951 the lien attached been owned by a private owner.

1952 Section 43. Issuance of certificates of indebtedness based  
 1953 on assessments for assessable improvements; assessment bonds.--

1954 (1) The board may, after any assessments for assessable  
 1955 improvements are made, determined, and confirmed as provided in  
 1956 section 42, issue certificates of indebtedness for the amount so  
 1957 assessed against the abutting property or property otherwise  
 1958 benefited, as the case may be, and separate certificates shall  
 1959 be issued against each part or parcel of land or property  
 1960 assessed, which certificates shall state the general nature of  
 1961 the improvement for which the said assessment is made. Said  
 1962 certificates shall be payable in annual installments in  
 1963 accordance with the installments of the special assessment for  
 1964 which they are issued. The board may determine the interest to  
 1965 be borne by such certificates, not to exceed 10 percent per  
 1966 year, and may sell such certificates at either private or public  
 1967 sale and determine the form, manner of execution, and other  
 1968 details of such certificates. Such certificates shall recite  
 1969 that they are payable only from the special assessments levied  
 1970 and collected from the part or parcel of land or property  
 1971 against which they are issued. The proceeds of such certificates  
 1972 may be pledged for the payment of principal of and interest on  
 1973 any revenue bonds or general obligation bonds issued to finance  
 1974 in whole or in part such assessable improvement, or, if not so

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1975 | pledged, may be used to pay the cost or part of the cost of such  
 1976 | assessable improvements.

1977 |       (2) The district may also issue assessment bonds or other  
 1978 | obligations payable from a special fund into which such  
 1979 | certificates of indebtedness referred to in the subsection (1)  
 1980 | may be deposited; or, if such certificates of indebtedness have  
 1981 | not been issued, the district may assign to such special fund  
 1982 | for the benefit of the holders of such assessment bonds or other  
 1983 | obligations, or to a trustee for such bondholders, the  
 1984 | assessment liens provided for in this act unless such  
 1985 | certificates of indebtedness or assessment liens have been  
 1986 | theretofore pledged for any bonds or other obligations  
 1987 | authorized hereunder. In the event of the creation of such  
 1988 | special fund and the issuance of such assessment bonds or other  
 1989 | obligations, the proceeds of such certificates of indebtedness  
 1990 | of assessment liens deposited therein shall be used only for the  
 1991 | payment of the assessment bonds or other obligations issued as  
 1992 | provided in this section. The district is hereby authorized to  
 1993 | covenant with the holders of such assessment bonds or other  
 1994 | obligations that it will diligently and faithfully enforce and  
 1995 | collect all the special assessments and interest and penalties  
 1996 | thereon for which such certificates of indebtedness or  
 1997 | assessment liens have been deposited in or assigned to such fund  
 1998 | and to foreclose such assessment liens so assigned to such  
 1999 | special fund or represented by the certificates of indebtedness  
 2000 | deposited in said special fund, after such assessment liens have  
 2001 | become delinquent, and deposit the proceeds derived from such  
 2002 | foreclosure, including interest and penalties, in such special



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2003 fund, and to make any other covenants deemed necessary or  
 2004 advisable in order to properly secure the holders of such  
 2005 assessment bonds or other obligations.

2006 (3) The assessment bonds or other obligations issued  
 2007 pursuant to this section shall have such dates of issue and  
 2008 maturity as shall be deemed advisable by the board, provided,  
 2009 however, that the maturities of such assessment bonds or other  
 2010 obligations shall not be more than 2 years after the due date of  
 2011 the last installment which will be payable on any of the special  
 2012 assessments for which such assessment liens, or the certificates  
 2013 of indebtedness representing such assessment liens, are assigned  
 2014 to or deposited in such special fund.

2015 (4) Such assessment bonds or other obligations issued  
 2016 under this section shall bear such interest as the board may  
 2017 determine not to exceed 10 percent per year, shall be executed,  
 2018 shall have such provisions for redemption prior to maturity, and  
 2019 shall be sold in the manner and be subject to all of the  
 2020 applicable provisions contained in this act for revenue bonds,  
 2021 except as the same may be inconsistent with the provisions of  
 2022 this section.

2023 (5) All assessment bonds or other obligations issued under  
 2024 the provisions of this act, except certificates of indebtedness  
 2025 issued against separate lots or parcels of land or property as  
 2026 provided in this section, shall be and constitute and have all  
 2027 the qualities and incidents of negotiable instruments under the  
 2028 law merchant and the laws of the state.

2029 Section 44. Foreclosure of liens.--Any lien in favor of  
 2030 the district arising under chapter 298, Florida Statutes, or

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2031 under this act may be foreclosed by the district by foreclosure  
 2032 proceedings in the name of the district in the circuit court in  
 2033 like manner as is provided in chapter 173, Florida Statutes, and  
 2034 amendments thereto, and the provisions of said chapter shall be  
 2035 applicable to such proceedings with the same force and effect as  
 2036 if said provisions were expressly set forth in this act. Any act  
 2037 required or authorized to be done by or on behalf of a city or  
 2038 town in foreclosure proceedings under chapter 173, Florida  
 2039 Statutes, may be performed by such officer or agent of the  
 2040 district as the board of supervisors may designate. Such  
 2041 foreclosure proceedings may be brought at any time after the  
 2042 expiration of 1 year after the date any tax, or installment  
 2043 thereof, becomes delinquent.

2044 Section 45. Payment of taxes and redemption of tax liens  
 2045 by the district; sharing in proceeds of tax sale under section  
 2046 197.520, Florida Statutes, as amended.--

2047 (1) The district has the right to:

2048 (a) Pay any delinquent state, county, district, municipal,  
 2049 or other tax or assessment upon lands located wholly or  
 2050 partially within the boundaries of the district.

2051 (b) Redeem or purchase any tax sales certificate issued or  
 2052 sold on account of any state, county, district, municipal, or  
 2053 other taxes or assessments upon lands located wholly or  
 2054 partially within the boundaries of the district.

2055 (2) Delinquent taxes paid, or tax sales certificates  
 2056 redeemed or purchased, by the district, together with all  
 2057 penalties for the default in payment of the same and all costs  
 2058 in collecting the same and a reasonable attorney's fee, shall

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2059 constitute a lien in favor of the district of equal dignity with  
 2060 the liens of state and county taxes and other taxes of equal  
 2061 dignity with state and county taxes, upon all the real property  
 2062 against which said taxes were levied. The lien of the district  
 2063 may be foreclosed in the manner provided in this act.

2064 (3) In any sale of land pursuant to section 197.520,  
 2065 Florida Statutes, and amendments thereto, the district may  
 2066 certify to the clerk of the circuit court of the county holding  
 2067 such sale, the amount of taxes due to the district upon the  
 2068 lands sought to be sold, and the district shall share in the  
 2069 disbursement of the sales proceeds in accordance with the  
 2070 provisions of this act and under law.

2071 Section 46. Mandatory use of certain district facilities  
 2072 and services.--The district may require all lands, buildings,  
 2073 and premises, and all persons, firms, and corporations within  
 2074 the district to use the drainage, reclamation, and water and  
 2075 sewer facilities of the district. Subject to such exceptions as  
 2076 may be provided by the resolutions, rules, or bylaws of the  
 2077 board, and subject to the terms and provisions of any resolution  
 2078 authorizing any bonds and agreements with bondholders, no  
 2079 drainage and reclamation or water and sewer facilities shall be  
 2080 constructed or operated within the district unless the board  
 2081 gives its consent thereto and approves the plans and  
 2082 specifications therefor.

2083 Section 47. Bids required.--No contract shall be let by  
 2084 the board for the construction or maintenance of any project  
 2085 authorized by this act, nor shall any goods, supplies, or  
 2086 materials be purchased when the amount thereof to be paid by

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2087 said district shall exceed \$4,000, unless notice of bids shall  
 2088 be advertised once a week for 2 consecutive weeks in a newspaper  
 2089 published in Broward County and in general circulation within  
 2090 the district, and in each case the bid of the lowest responsible  
 2091 bidder shall be accepted, unless all bids are rejected because  
 2092 the bids are too high. The board may require the bidders to  
 2093 furnish bond with responsible surety to be approved by the  
 2094 board. Nothing in this section shall prevent the board from  
 2095 undertaking and performing the construction, operation, and  
 2096 maintenance of any project or facility authorized by this act,  
 2097 by the employment of labor, material, and machinery.

2098 Section 48. Maintenance of projects across rights-of-  
 2099 way.--The district shall have the power to construct and operate  
 2100 its projects in, along, or under any dedications to the public,  
 2101 platted rights-of-way, platted reservations, streets, alleys,  
 2102 highways, or other public places or ways, and across any drain,  
 2103 ditch, canal, floodway, holding basin, excavation, grade, fill,  
 2104 or cut, within or without the district.

2105 Section 49. Agreements with state commissions and  
 2106 others.--The board shall have the power to retain and enter into  
 2107 agreements with fiscal agents, financial advisors, state  
 2108 commissions, engineers, and other consultants or advisors with  
 2109 respect to the issuance and sale of any bonds, and the cost and  
 2110 expense thereof may be treated as part of the cost and expense  
 2111 of such project. Upon request of the board any state commission  
 2112 may provide such technical assistance or other services relating  
 2113 to bond issues as may be necessary or desirable under the  
 2114 circumstances.

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2115       Section 50. Agreements with other political bodies for the  
 2116 joint discharge of common functions.--The board and any other  
 2117 political bodies, whether now in existence or hereafter created,  
 2118 are authorized to enter into and carry into effect contracts and  
 2119 agreements relating to the common powers, duties, and functions  
 2120 of the board and any other political bodies, to the end that  
 2121 there may be effective cooperation and coordination in  
 2122 discharging their common functions, powers, and duties.

2123       Section 51. Fees, rentals, and charges; procedure for  
 2124 adoption and modifications; minimum revenue requirements.--

2125       (1) The district is authorized to prescribe, fix,  
 2126 establish, and collect rates, fees, rentals, or other charges  
 2127 (hereinafter sometimes referred to as "revenues"), and to revise  
 2128 the same from time to time, for the facilities and services  
 2129 furnished by the district, within or without the limits of the  
 2130 district; including, but not limited to, drainage facilities,  
 2131 recreation facilities, and water and sewer systems, to recover  
 2132 the costs of making connection with any district facility or  
 2133 system; and to provide for reasonable penalties against any user  
 2134 or property for any such rates, fees, rentals, or other charges  
 2135 that are delinquent.

2136       (2) No such rates, fees, rentals, or other charges for any  
 2137 of the facilities or services of the district shall be fixed  
 2138 until after a public hearing at which all the users of the  
 2139 proposed facility or services, owners, tenants, or occupants  
 2140 served or to be served thereby and all other interested persons  
 2141 shall have an opportunity to be heard concerning the proposed  
 2142 rates, fees, rentals, or other charges. Notice of such public

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2143 | hearing setting forth the proposed schedule or schedules of  
 2144 | rates, fees, rentals, and other charges shall have been  
 2145 | published in a newspaper in Broward County in general  
 2146 | circulation within the district at least once at least 10 days  
 2147 | prior to such public hearing, which may be adjourned from time  
 2148 | to time. After such hearing such schedule or schedules, either  
 2149 | as initially proposed, or as modified or amended, may be finally  
 2150 | adopted. A copy of the schedule or schedules of such rates,  
 2151 | fees, rentals, or charges as finally adopted shall be kept on  
 2152 | file in an office designated by the board and shall be open at  
 2153 | all reasonable times to public inspection. The rates, fees,  
 2154 | rentals, or charges so fixed for any class of users or property  
 2155 | served shall be extended to cover any additional users or  
 2156 | properties thereafter served which shall fall in the same class,  
 2157 | without the necessity of any notice or hearing. Any change or  
 2158 | revision of rates, fees, rentals, or charges may be made in the  
 2159 | same manner as the same were originally established, as  
 2160 | hereinabove provided, except that if such changes or revisions  
 2161 | are made substantially pro rata as to all classes of the type of  
 2162 | service involved no notice or hearing shall be required.

2163 |       (3) Such rates, fees, rentals, and charges shall be just,  
 2164 | equitable, and uniform for users of the same class, and where  
 2165 | appropriate may be based or computed either upon the amount of  
 2166 | service furnished or upon the number or average number of  
 2167 | persons residing or working or otherwise occupying the premises  
 2168 | served, or upon any other factor affecting the use of the  
 2169 | facilities furnished, or upon any combination of the foregoing

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2170 factors, as may be determined by the board on an equitable  
 2171 basis.

2172 (4) The rates, fees, rentals, or other charges prescribed  
 2173 shall be such as will produce revenues, together with any other  
 2174 assessments, taxes, revenues, or funds available or pledged for  
 2175 such purpose, at least sufficient to provide for the items  
 2176 hereinafter listed, but not necessarily in the order stated:

2177 (a) To provide for all expenses of operation and  
 2178 maintenance of such facility or service.

2179 (b) To pay when due all bonds and interest thereon for the  
 2180 payment of which such revenues are, or shall have been, pledged  
 2181 or encumbered, including reserves for such purpose.

2182 (c) To provide for any other funds which may be required  
 2183 under the resolution or resolutions authorizing the issuance of  
 2184 bonds pursuant to this act.

2185 (5) The board shall have the power to enter into contracts  
 2186 for the use of the projects of the district and with respect to  
 2187 the services and facilities furnished or to be furnished by the  
 2188 district, including, but not limited to, service agreements with  
 2189 landowners and others within or without the district providing  
 2190 for the drainage of land by the district or the furnishing of  
 2191 any of the other services and facilities of the district, for  
 2192 such consideration and on such other terms and conditions as the  
 2193 board may approve. No hearing or notice thereof shall be  
 2194 required prior to the authorization or execution by the board of  
 2195 any such contract or agreement, and the same shall not be  
 2196 subject to revision except in accordance with their terms. Such  
 2197 contracts or agreements, and revenues or service charges

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2198 | received or to be received by the district thereunder, may be  
 2199 | pledged as security for any of the lands of the district.

2200 | Section 52. Recovery of delinquent charges.--In the event  
 2201 | that any of the rates, fees, rentals, charges, or delinquent  
 2202 | penalties shall not be paid as and when due and shall be in  
 2203 | default for 30 days or more, the unpaid balance thereof and all  
 2204 | interest accrued thereon, together with reasonable attorney's  
 2205 | fees and costs, may be recovered by the district in a civil  
 2206 | action.

2207 | Section 53. Discontinuance of service.--In the event that  
 2208 | the fees, rentals, or other charges for the services and  
 2209 | facilities of any project are not paid when due, the board shall  
 2210 | have the power to discontinue and shut off the same until such  
 2211 | fees, rentals, or other charges, including interest, penalties,  
 2212 | and charges for the shutting off and discontinuance and the  
 2213 | restoration of such services and facilities, are fully paid, and  
 2214 | for such purposes may enter on any lands, waters, and premises  
 2215 | of any person, firm, corporation, or body, public or private,  
 2216 | within or without the district limits. Such delinquent fees,  
 2217 | rentals, or other charges, together with interest, penalties,  
 2218 | and charges for the shutting off and discontinuance and the  
 2219 | restoration of such services and facilities, and the reasonable  
 2220 | attorney's fees and other costs, may be recovered by the  
 2221 | district, which may also enforce payment of such delinquent  
 2222 | fees, rentals, or other charges by any other lawful method of  
 2223 | enforcement.

2224 | Section 54. Action taken on consent of landowners.--Any  
 2225 | action required under this act or under chapter 298, Florida



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2226 Statutes, to be taken on public hearing for the purpose of  
 2227 receiving and passing on objections by landowners may be taken  
 2228 without such notice or hearing upon the written consent of all  
 2229 of the landowners affected by such action.

2230 Section 55. Enforcement and penalties.--The board or any  
 2231 aggrieved person may have recourse to such remedies in law and  
 2232 equity as may be necessary to ensure compliance with the  
 2233 provisions of this act, including injunctive relief to enjoin or  
 2234 restrain any person violating the provisions of this act; and  
 2235 any bylaws, resolutions, regulations, rules, codes, and orders  
 2236 adopted under this act. In case any building or structure is  
 2237 erected, constructed, reconstructed, altered, repaired,  
 2238 converted, or maintained, or any building, structure, land, or  
 2239 water is used, in violation of this act, or of any code, order,  
 2240 resolution or other regulation made under authority conferred by  
 2241 this act or under law, the board and any citizen residing in the  
 2242 district may institute any appropriate action or proceeding to  
 2243 prevent such unlawful erection, construction, reconstruction,  
 2244 alteration, repair, conversion, maintenance, or use; to  
 2245 restrain, correct, or avoid such violation; to prevent the  
 2246 occupancy of such building, structure, land, or water; and to  
 2247 prevent any illegal act, conduct, business, or use in or about  
 2248 such premises, land, or water.

2249 Section 56. Suits against the district.--No suit or action  
 2250 shall be brought or maintained against the North Springs  
 2251 Improvement District, an independent establishment of the state,  
 2252 for damages arising out of tort unless such suit or action

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2253 complies in all respects with the requirements of section  
 2254 768.28, Florida Statutes.

2255 Section 57. Exemption of district property from  
 2256 execution.--All district property shall be exempt from levy and  
 2257 sale by virtue of an execution and no execution or other  
 2258 judicial process shall issue against such property, nor shall  
 2259 any judgment against the district be a charge or lien on its  
 2260 property or revenues, provided that nothing herein contained  
 2261 shall apply to or limit the rights of bondholders to pursue any  
 2262 remedy for the enforcement of any lien or pledge given by the  
 2263 district in connection with any of the bonds or obligations of  
 2264 the district.

2265 Section 4. Chapters 71-580, 84-398, 85-387, 87-505, 89-  
 2266 440, 91-353, 92-245, 94-445, and 96-537, Laws of Florida, are  
 2267 repealed.

2268 Section 5. If any one or more of the sections or  
 2269 provisions of this act or the application of such sections or  
 2270 provisions to any situation, circumstances, or person, shall for  
 2271 any reason be held to be unconstitutional, such  
 2272 unconstitutionality shall not affect any other sections or  
 2273 provisions as to any other situation, circumstances or person,  
 2274 and it is intended that this law shall be construed and applied  
 2275 as if such section or provision had not been included herein for  
 2276 any unconstitutional application.

2277 Section 6. This act shall take effect upon becoming a law.