

1 A bill to be entitled

2 An act relating to the North Springs Improvement District,
3 Broward County; codifying, amending, reenacting, and
4 repealing chapters 71-580, 84-398, 85-387, 87-505, 89-440,
5 91-353, 92-245, 94-445, and 96-537, Laws of Florida,
6 relating to the district; providing legislative intent;
7 deleting gender-specific references; providing a district
8 charter; providing an effective date.
9

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

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

20 Section 2. Chapters 71-580, 84-398, 85-387, 87-505, 89-
21 440, 91-353, 92-245, 94-445, and 96-537, Laws of Florida,
22 relating to the North Springs Improvement District are codified,
23 amended, reenacted, and repealed as herein provided.

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

26 Section 1. Creation of the district ratified and approved;
27 change of name of district to North Springs Improvement
28 District.--The decree of the circuit court in and for the

29 Seventeenth Judicial Circuit in and for Broward County, Florida,
30 entered in Case Number 71-1724, creating and incorporating the
31 North Springs Drainage District as a public corporation of this
32 state, and all subsequent proceedings taken in the circuit court
33 concerning that district, are hereby ratified, confirmed, and
34 approved, except that the boundaries of said district shall be
35 as hereinafter described. The North Springs Drainage District
36 shall henceforth be known by the name of North Springs
37 Improvement District, an independent special district, and shall
38 continue to be a public corporation of this state and have
39 perpetual existence. All lawful debts, bonds, obligations,
40 contracts, franchises, promissory notes, audits, minutes,
41 resolutions, and other undertakings of the North Springs
42 Drainage District are hereby validated and shall continue to be
43 valid and binding on the North Springs Improvement District in
44 accordance with their respective terms, conditions, covenants,
45 and tenor. Any proceeding heretofore begun by the North Springs
46 Drainage District under chapter 298, Florida Statutes, or any
47 other law, for the construction of any improvements, works, or
48 facilities, for the assessment of benefits and damages or for
49 the borrowing of money shall not be impaired or avoided by this
50 act, but may be continued and completed in the name of the North
51 Springs Improvement District.

52 Section 2. Boundaries.--The boundaries of the district
53 shall be:

54
55 A tract of land being Sections 5, 6, 7, 8, 9 and 10, a
56 portion of Sections 3 and 4, all in Township 48 South,

57 | Range 41 East, Broward County, Florida, and Sections
58 | 31, 32 and 33, Township 47 South, Range 41 East,
59 | Broward County, Florida, described as follows:
60 | BEGINNING at the southwest corner of said Section 7;
61 |
62 | thence North 00°03'12" West (Bearings are relative to
63 | State Plane Coordinates as shown on STONER/KEITH
64 | RESURVEY OF A PORTION OF TOWNSHIP 47 SOUTH, RANGE 41
65 | EAST, ALL OF TOWNSHIP 48 SOUTH, RANGE 41 EAST, & ALL
66 | OF TOWNSHIP 49 SOUTH, RANGE 41 EAST, according to the
67 | plat thereof, recorded in Miscellaneous Plat Book 3 at
68 | Page 44 of the Public Records of said Broward County),
69 | along the west line of the Southwest Quarter (SW 1/4)
70 | of said Section 7, a distance of 2647.42 feet to the
71 | northwest corner of said Southwest Quarter (SW 1/4);
72 |
73 | thence continue North 00°03'12" West, along the west
74 | line of the Northwest Quarter (NW 1/4) of said Section
75 | 7, a distance of 2647.42 feet to the northwest corner
76 | of said Section 7 and the southwest corner of said
77 | Section 6;
78 |
79 | thence North 00°02'58" West, along the west line of
80 | the Southwest Quarter (SW 1/4) of said Section 6, a
81 | distance of 3252.81 feet to the northwest corner of
82 | said Southwest Quarter (SW 1/4);
83 |

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

89
 90 thence North 00°03'47" West, along the west line of
 91 the Southwest Quarter (SW 1/4) of said Section 31, a
 92 distance of 2642.42 feet to the northwest corner of
 93 said Southwest Quarter (SW 1/4);

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

99
 100 thence South 89°52'50" East, along the north line of
 101 said Northwest Quarter (NW 1/4), a distance of 2246.01
 102 feet to the northeast corner of said Northwest Quarter
 103 (NW 1/4);

104
 105 thence South 89°52'10" East, along the north line of
 106 the Northeast Quarter (NE 1/4) of said Section 31, a
 107 distance of 2245.70 feet to the northeast corner of
 108 said Section 31 and the northwest corner of said
 109 Section 32;

110

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

115
116 thence North 89°37'21" East, along the north line of
117 the Northeast Quarter (NE 1/4) of said Section 32, a
118 distance of 2639.40 feet to the northeast corner of
119 said Section 32 and the northwest corner of said
120 Section 33;

121
122 thence North 89°36'55" East, along the north line of
123 the Northwest Quarter (NW 1/4) of said Section 33, a
124 distance of 2640.59 feet to the northeast corner of
125 said Northwest Quarter (NW 1/4);

126
127 thence North 89°36'56" East, along the north line of
128 the Northeast Quarter (NE 1/4) of said Section 33, a
129 distance of 2640.59 feet to the northeast corner of
130 said Section 33;

131
132 thence South 01°21'19" East, along the east line of
133 said Northeast Quarter (NE 1/4), a distance of 2638.16
134 feet to the southeast corner of said Northeast Quarter
135 (NE 1/4);

136
137 thence South 01°21'20" East, along the east line of
138 the Southeast Quarter (SE 1/4) of said Section 33, a

139 distance of 2638.16 feet to the southeast corner of
140 said Section 33 and the northeast corner of said
141 Section 4;
142
143 thence South 89°44'30" West, along the north line of
144 the Northeast Quarter (NE 1/4) of said Section 4, a
145 distance of 60.00 feet to the most westerly corner of
146 that parcel of land described in Official Record Book
147 55 at Page 500 of said Public Records of Broward
148 County;
149
150 thence South 45°33'09" East, along the southwesterly
151 line of said parcel, a distance of 85.29 feet to the
152 most southerly corner of said parcel on the east line
153 of said Northeast Quarter (NE 1/4);
154
155 thence South 00°50'47" East, along said east line, a
156 distance of 3303.78 feet to the southeast corner of
157 said Northeast Quarter (NE 1/4) and the northwest
158 corner of the Southwest Quarter (SW 1/4) of said
159 Section 3;
160
161 thence South 89°52'36" East, along the north line of
162 said Southwest Quarter (SW 1/4), a distance of 2640.57
163 feet to the northeast corner of said Southwest Quarter
164 (SW 1/4);
165

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

170
171 thence South 00°53'22" East, along the east line of
172 said Southeast Quarter (SE 1/4), a distance of 3401.43
173 feet to the southeast corner of said Section 3 and the
174 northeast corner of said Section 10;

175
176 thence South 00°59'18" East, along the east line of
177 the Northeast Quarter (NE 1/4) of said Section 10, a
178 distance of 2637.04 feet to the southeast corner of
179 said Northeast Quarter (NE 1/4);

180
181 thence South 00°59'17" East, along the east line of
182 the Southeast Quarter (SE 1/4) of said Section 10, a
183 distance of 2637.03 feet to the southeast corner of
184 said Section 10;

185
186 thence North 89°25'05" West, along the south line of
187 said Southeast Quarter (SE 1/4), a distance of 2637.48
188 feet to the southwest corner of said Southeast Quarter
189 (SE 1/4);

190
191 thence continue North 89°25'05" West, along the south
192 line of the Southwest Quarter (SW 1/4) of said Section
193 10, a distance of 2637.47 feet to the southwest corner

194 of said Section 10 and the southeast corner of said
 195 Section 9;

196
 197 thence North 89°26'06" West, along the south line of
 198 the Southeast Quarter (SE 1/4) of said Section 9, a
 199 distance of 2641.24 feet to the southwest corner of
 200 said Southeast Quarter (SE 1/4);

201
 202 thence continue North 89°26'06" West, along the south
 203 line of the Southwest Quarter (SW 1/4) of said Section
 204 9, a distance of 2641.24 feet to the southwest corner
 205 of said Section 9 and the southeast corner of said
 206 Section 8;

207
 208 thence North 89°25'53" West, along the south line of
 209 the Southeast Quarter (SE 1/4) of said Section 8, a
 210 distance of 2639.96 feet to the southwest corner of
 211 said Southeast Quarter (SE 1/4);

212
 213 thence North 89°25'52" West, along the south line of
 214 the Southwest Quarter (SW 1/4) of said Section 8, a
 215 distance of 2639.96 feet to the southwest corner of
 216 said Section 8 and the southeast corner of said
 217 Section 7;

218
 219 thence North 89°46'06" West, along the south line of
 220 the Southeast Quarter (SE 1/4) of said Section 7, a

221 | distance of 2399.06 feet to the southwest corner of
 222 | said Southeast Quarter (SE 1/4);

223 |
 224 | thence North 89°46'05" West, along the south line of
 225 | the Southwest Quarter (SW 1/4) of said Section 7, a
 226 | distance of 2399.06 feet to the POINT OF BEGINNING.

227 |
 228 | Said land being in Broward County, Florida.

229 |
 230 | Containing 7040.325 acres, more or less.

231 |
 232 | Section 3. Applicability of certain provisions of chapter
 233 | 298, Florida Statutes, to the North Springs Improvement
 234 | District; inconsistent laws inapplicable.--The provisions of
 235 | chapter 298, Florida Statutes, and all amendments thereto, now
 236 | existing or hereafter enacted, are declared to be applicable to
 237 | the North Springs Improvement District insofar as not
 238 | inconsistent with the provisions of this act or any subsequent
 239 | special acts relating to the North Springs Improvement District.

240 | Notwithstanding the foregoing, the provisions of sections
 241 | 298.11, 298.12, 298.14, 298.15, 298.17, 298.18, 298.19, 298.20,
 242 | 298.23, 298.24, 298.25, 298.401, 298.41, 298.48, 298.52, 298.54,
 243 | 298.56, 298.57, 298.61, 298.70, 298.71, 298.73, and 298.74,
 244 | Florida Statutes, and amendments thereto, shall not be
 245 | applicable to the North Springs Improvement District.

246 | Section 4. Definitions.--Unless the context shall indicate
 247 | otherwise, the following words as used in this act shall have
 248 | the following meanings:

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

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

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

269 (4) "Cost," when used with reference to any project,
 270 includes, but is not limited to, the expenses of determining the
 271 feasibility or practicability of acquisition, construction, or
 272 reconstruction; the cost of surveys, estimates, plans, and
 273 specifications; the cost of acquisition, construction, or
 274 reconstruction; the cost of improvements; engineering, fiscal,
 275 and legal expenses and charges; the cost of all labor,
 276 materials, machinery, and equipment; the cost of all lands,

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

301 (5) "District" means the North Springs Improvement
302 District and "district manager" means the manager of the
303 district.

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

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

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

331 whatsoever relating to any such system and necessary or
332 convenient for operation thereof.

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

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

356 Section 5. Board; election; organization; terms of office;
357 quorum; report and minutes.--

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

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

386 consecutive weeks in a newspaper in Broward County which is in
387 general circulation within the district, the last of said
388 publication to be not less than 14 days nor more than 28 days
389 before the date of the election. The landowners when assembled
390 at such meeting shall organize by electing a chair that shall
391 conduct the meeting. At such meeting each landowner shall be
392 entitled to cast one vote per acre of land owned by him or her
393 and located within the district. A landowner may vote in person
394 or by proxy in writing. Fractions of an acre shall be treated as
395 1 acre, entitling the landowner to one vote with respect
396 thereto.

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

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

407 (5) As soon as practicable after each election, the board
408 shall organize by choosing one of their number president of the
409 board and by electing a secretary, who need not be a member of
410 the board.

411 (6) A majority of the members of the board shall
412 constitute a quorum.

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

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

431 Section 6. Appointment and duties of district
 432 manager.--For the purpose of preserving and maintaining any
 433 facility constructed or erected under the provisions of this act
 434 or under the provisions of chapter 298, Florida Statutes, and
 435 for maintaining and operating the equipment owned by the
 436 district and such other duties as may be prescribed by the
 437 board, the board may employ and fix the compensation of a
 438 district manager who shall have charge and supervision of the
 439 works of the district.

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

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

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

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

466 Section 8. Compensation of board.--Each supervisor is
467 entitled to receive for his or her services an amount not to
468 exceed \$200 per month. In addition, each supervisor shall

469 receive reasonable traveling expenses for attending the place of
470 meeting from his or her residence. Unless the board by
471 resolution otherwise provides, such traveling expenses may not
472 be in excess of the amounts provided by law for state and county
473 officials.

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

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

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

490 (3) To acquire and maintain appropriate sites for storage
491 and maintenance of the equipment of the district; and to acquire
492 and maintain and construct a suitable building to house the
493 office and records of the district.

494 (4) To clean out, straighten, widen, open up, or change
495 the course and flow, alter, or deepen any canal, ditch, drain,
496 river, water course, or natural stream as within the judgment of

497 the board is deemed advisable to drain and reclaim the lands
 498 within the district; to acquire, purchase, operate, and maintain
 499 pumps, plants, and pumping systems for drainage purposes; and to
 500 construct, operate, and maintain irrigation works and machinery
 501 in connection with the purposes herein set forth.

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

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

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

515 (8) To hold, control, and acquire by donation, purchase,
 516 or condemnation, any easement, reservation, or dedication in the
 517 district, for any of the purposes herein provided. To condemn as
 518 provided by chapters 73 and 74, Florida Statutes, or acquire, by
 519 purchase or grant for use in the district any land or property
 520 within the district necessary for the purposes of this act.

521 These powers may be exercised without the district to the extent
 522 necessary for the district to obtain not more than two outfall
 523 canals not to exceed 200 feet in width, extending from the
 524 northern boundary of the district to the Hillsboro Canal. The

525 exact routes shall be determined by resolutions of the board of
 526 supervisors.

527 (9) To assess and impose an ad valorem tax, an annual
 528 drainage tax, and a maintenance tax as hereinafter provided.

529 (10) To impose and foreclose special assessments liens as
 530 hereinafter provided.

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

536 (12) To administer and provide for the enforcement of all
 537 of the provisions herein, including the making, adopting,
 538 promulgating, amending, and repealing of all rules and
 539 regulations necessary or convenient for the carrying out of the
 540 duties, obligations, and powers conferred on the district
 541 created hereby.

542 (13) To cooperate with or contract with other water
 543 control districts or other governmental agencies as may be
 544 necessary, convenient, incidental, or proper in connection with
 545 any of the powers, duties, or purposes of the district as stated
 546 in this act.

547 (14) To employ engineers, attorneys, agents, employees,
 548 and representatives as the board of supervisors may from time to
 549 time determine necessary and to fix their compensation and
 550 duties.

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

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

560 (17) To make use of any public easements, dedications to
561 public use, platted reservations for public purposes, or any
562 reservations for drainage purposes within the boundaries of the
563 district.

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

569 (19) To regulate the supply and level of water within the
570 district; to divert waters from one area, lake, pond, river,
571 stream, basin, or drainage or water flood control facility to
572 any other area, lake, pond, river, stream, basin, or drainage
573 and water flood control facility; to regulate, control, and
574 restrict the development and use of natural or artificial
575 streams or bodies of water, lakes, or ponds; and to take all
576 measures determined by the board to be necessary or desirable to
577 prevent or alleviate land erosion. The powers granted to the
578 district by this subsection shall be concurrent within the

579 boundaries of the district with other public bodies, agencies,
580 or authorities as may be authorized by law. The district is
581 eligible to receive moneys, disbursements, and assistance from
582 the state available to flood control or water management
583 districts and the navigation districts or agencies.

584 (20) To own, acquire, construct, reconstruct, equip,
585 operate, maintain, extend, and improve water systems and sewer
586 systems or combined water and sewer systems; to regulate the use
587 of sewers and the supply of water within the district and to
588 prohibit or regulate the use and maintenance of outhouses,
589 privies, septic tanks, or other sanitary structures or
590 appliances within the district; to prescribe methods of
591 pretreatment of wastes not amenable to treatment with domestic
592 sewage before accepting such wastes for treatment and to refuse
593 to accept such wastes when not sufficiently pretreated as may be
594 prescribed, and to prescribe penalties for the refusal of any
595 person or corporation to so pretreat such wastes; to sell or
596 otherwise dispose of the effluent, sludge, or other byproducts
597 as a result of sewage treatment; and to construct and operate
598 connecting, intercepting, or outlet sewers and sewer mains and
599 pipes and water mains, conduits, or pipelines in, along, or
600 under any street, alleys, highways, or other public places or
601 ways within or without the district, when deemed necessary or
602 desirable by the board. The plans for any water or sewer system
603 shall be subject to the approval of the state board of health.

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

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

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

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

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

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

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

661 conclusion of the budget hearing the board shall, by resolution,
 662 adopt the budget as finally approved by the board.

663 Section 13. Notice and call of meetings of landowners;
 664 quorum; adjournments; representation at meetings; taking action
 665 without meeting.--

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

679 (2) The board may call special meetings of the landowners
 680 at any time to receive reports of the board or for such other
 681 purpose as the board may determine. A special meeting of the
 682 landowners may also be called at any time upon notice as
 683 provided hereinabove at the written request of the owners of not
 684 less than 25 percent in acreage of the land within the district
 685 for the purpose of taking any lawful action by the landowners of
 686 the district. Such special meeting shall be called by any court
 687 of competent jurisdiction in the event that the board fails to
 688 do so upon request as provided in the preceding sentence. Except

689 as otherwise provided in section 5 of this act, with respect to
690 the election of supervisors, action taken at a meeting of the
691 landowners shall be by affirmative vote of the owners of at
692 least a majority in acreage of the land within the district
693 represented at such meeting.

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

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

709 Section 14. Water control plan; proceedings thereof.--The
710 board may proceed to adopt a water control plan in accordance
711 with the provisions of chapter 298, Florida Statutes, or in
712 accordance with the provisions of this section, in which case
713 the following shall apply:

714 (1) The board shall cause to be made by the chief engineer
715 or such other engineer or engineers as the board may employ for
716 that purpose, a complete and comprehensive plan for the drainage

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

737 (2) Upon the completion of such plan, the board shall hold
738 a hearing thereon to hear objections thereto and shall give
739 notice of the time and place fixed for such hearing by
740 publication once each week for 2 consecutive weeks in a
741 newspaper published in Broward County in general circulation
742 within the district, and shall permit the inspection of said
743 plan at the office of the district by all persons interested.

744 All objections to said plan shall be filed at or before the time
745 fixed in said notice for the hearing and shall be in writing.

746 (3) After said hearing the board shall consider the
747 proposed plan and any objections thereto, and may modify,
748 reject, or adopt the plan, or may continue the hearing to a day
749 certain for further consideration of the proposed plan or
750 modifications thereof.

751 (4) When the board shall approve a plan a resolution shall
752 be adopted and a certified copy thereof shall be filed in the
753 office of the secretary and incorporated into the records of the
754 district.

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

761 (6) Within 20 days after the final adoption of the water
762 control plan by the board, the secretary of the district shall
763 prepare and transmit a certified copy thereof to the clerk of
764 the circuit court and at the same time the board shall file with
765 said clerk a petition that the said court appoint three
766 commissioners to appraise the lands to be acquired for rights-
767 of-way, holding basins, and other drainage works of the district
768 and to assess benefits and damages accruing to all lands within
769 the district by reason of the execution of the water control
770 plan. Immediately after the filing of such petition the judge of
771 said court in whose division the petition shall have been

772 assigned shall by an order appoint three commissioners, who
773 shall be freeholders residing within the state, and who shall
774 not be landowners in said district, nor of kin within the fourth
775 degree of consanguinity to any person owning land in said
776 district. A majority of said commissioners shall constitute a
777 quorum and shall control the action of the commissioners on all
778 questions.

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

800 (8) (a) Immediately after qualifying, the commissioners
801 shall commence the performance of their duties and the chief
802 engineer, or one of his or her assistants, shall accompany said
803 commissioners when engaged in the discharge of their duties and
804 shall render his or her opinion in writing when called for. Said
805 commissioners shall proceed to view the premises and determine
806 the value of the lands within or without the district to be
807 acquired and used for rights-of-way, holding basins, and other
808 works described in the water control plan, and they shall
809 appraise all benefits and damages which will accrue to all lands
810 by reason of the execution of the water control plan. The
811 commissioners in appraising benefits to lands, public highways,
812 railroads, and other rights-of-way shall not consider what
813 benefits will be derived by such property after other ditches,
814 improvements, or other plans of reclamation shall have been
815 constructed, but they shall appraise only such benefits as will
816 be derived from the construction of the works and improvements
817 described in the water control plan or as the same may afford an
818 outlet for drainage or protection from overflow of such
819 property. The commissioners shall give due consideration and
820 credit to any other drainage works which have already been
821 constructed and which afford partial or complete protection to
822 any tract or parcel of land within the district. The public
823 highways, railroads, and other rights-of-way shall be appraised
824 according to the increased physical efficiency and decreased
825 maintenance cost of roadways by reason of the improvements. The
826 commissioners shall have no power to change the water control
827 plan. The commissioners shall prepare a report of their

828 findings, which shall be arranged in tabular form, the columns
829 of which shall be headed as follows: Column 1 "Owner of Property
830 Appraised"; Column 2 "Description of Property Appraised"; Column
831 3 "Number of Acres Appraised"; Column 4 "Amount of Benefits
832 Appraised"; Column 5 "Amount of Damages Appraised"; Column 6
833 "Number of Acres to be Taken for Rights-of-way, Holding Basins,
834 etc."; and Column 7 "Value of Property to be Taken." They shall
835 also, by and with the advice of the chief engineer, estimate the
836 cost of the works described in the water control plan, which
837 estimate shall include the cost of property required for rights-
838 of-way, holding basins, and other works, the probable expense of
839 organization and administration as estimated by the board of
840 supervisors, and all of the expenses of the district during the
841 period of executing the water control plan. Before appraisals of
842 compensation and damages are made, the board may report to the
843 commissioners the parcels of land it may wish to purchase and
844 for which it may wish appraisals to be made, both for easement
845 and for purchase in fee simple, and the board may specify the
846 particular purpose for which, and the extent to which, an
847 easement in any property is desired, describing definitely such
848 purpose and extent. Wherever so instructed to do by the board,
849 the commissioners shall appraise lands that may be necessary or
850 desirable for the district to own and, when so requested by the
851 board, the commissioners shall also appraise both the total
852 value of the land and also the damages due to any easement
853 required for the purposes of the district.

854 (b) The report of the commissioners shall be signed by at
855 least a majority of the commissioners and filed in the office of

856 the clerk of the circuit court of Broward County. Each
 857 commissioner shall be paid \$100 per day for his or her services
 858 and necessary expenses in addition thereto.

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

867
 868 "NOTICE OF FILING COMMISSIONERS' REPORT FOR NORTH SPRINGS
 869 IMPROVEMENT DISTRICT.

870
 871 Notice is hereby given that the Commissioners heretofore
 872 appointed to appraise benefits and damages to property and lands
 873 located within North Springs Improvement District in the State
 874 of Florida and to appraise the cash value of the land necessary
 875 to be taken for rights-of-way, holding basins, and other works
 876 of said district did file their report in the office of the
 877 undersigned Clerk of the Circuit Court, upon the day of
 878, 20....., and you, and each of you, are hereby
 879 notified that you may examine said report and file exceptions to
 880 same on or before the day of, 20.....
 881 (which date shall be not less than 28 days nor more than 30 days
 882 after the first date of publication).

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Clerk of the Circuit Court
of Broward County, Florida"

(10) The state board of drainage commissioners, the drainage district, or any owner of land or other property to be affected by said report, may file exception to any part, or all, of the report of said commissioners within the time specified in the notice prescribed in subsection (9). All exceptions shall be heard and determined by the court. If no exceptions are filed, or if it is shown, upon the hearing of all of said exceptions, that the estimated cost of construction of improvements contemplated in the water control plan is less than the benefits assessed against the lands in said district, the court shall approve and confirm said commissioners' report. However, if the court upon hearing the objections filed, finds that any or all such objections should be sustained, it shall order the report changed to conform with such findings, and when so changed the court shall approve and confirm such report and enter its decree accordingly. The court shall adjudge and apportion the costs incurred by the exceptions filed, and shall condemn any land or other property that is shown by the report of the commissioners to be needed for rights-of-way, holding basins or other works, following the procedure provided in chapters 73 and 74, Florida Statutes; provided, however, that any property owner may accept the assessment of damages in his or her favor made by the commissioners, or acquiesce in their failure to assess damages in his or her favor, and shall be construed to have done so,

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

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

932 Section 15. Adoption, revision, and revocation of water
933 control plan.--In addition to and not in limitation of its power
934 to provide for and adopt a water control plan provided in
935 section 14 and under chapter 298, Florida Statutes, and
936 amendments thereto, the board may at any time and from time to
937 time adopt, revoke, or modify in whole or in part, any water
938 control plan or any plan providing for the drainage of lands
939 within the district, and may provide for such new and additional

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

953 Section 16. Assessing land for reclamation; apportionment
954 of tax; lands belonging to state assessed; drainage tax
955 record.--After the lists of lands, with the assessed benefits
956 and the decree and judgment of court, have been filed in the
957 office of the clerk of the circuit court as provided in section
958 14, the board shall, without any unnecessary delay, levy a tax
959 of such portion of said benefits on all lands in the district to
960 which benefits have been assessed, as may be found necessary by
961 the board of supervisors to pay the costs of the completion of
962 the proposed works and improvements, as shown in said water
963 control plan and in carrying out the objects of said district;
964 and, in addition thereto, 10 percent of said total amount for
965 emergencies. The said tax shall be apportioned to, and levied
966 on, each tract of land in said district in proportion to the
967 benefits assessed, and not in excess thereof; and in case bonds

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

992 Section 17. Prepayment of taxes or assessments.--The board
993 may provide that any tax or assessment may be paid at any time
994 before due, together with interest accrued thereon to the date
995 of prepayment, and any prepayment premiums or penalties, if such

996 prior payment shall be permitted by the proceedings authorizing
 997 any bonds or other obligations for the payment of which special
 998 assessments have been pledged or taxes levied.

999 Section 18. Tax liens.--All taxes of the district provided
 1000 for in this act or chapter 298, Florida Statutes, together with
 1001 all penalties for default in the payment of the same and all
 1002 costs in collecting the same including a reasonable attorney's
 1003 fees fixed by the court and taxed as cost in the action brought
 1004 to enforce payment, shall from January 1 for each year the
 1005 property is liable to assessment and until paid constitute a
 1006 lien of equal dignity with the liens for state and county taxes
 1007 and other taxes of equal dignity with state and county taxes
 1008 upon all the lands against which such taxes shall be levied. A
 1009 sale of any of the real property within the district for state
 1010 and county or other taxes shall not operate to relieve or
 1011 release the property so sold from the lien for subsequent
 1012 district taxes or installments of district taxes which lien may
 1013 be enforced against such property as though no such sale thereof
 1014 had been made. The provisions of chapter 192, Florida Statutes,
 1015 and amendments thereto shall be applicable to district taxes
 1016 with the same force and effect as if said provisions were
 1017 expressly set forth in this act.

1018 Section 19. Issuance of bond anticipation notes.--In
 1019 addition to the other powers provided for in this act and not in
 1020 limitation thereof, the district shall have the power, at any
 1021 time and from time to time after the issuance of any bonds of
 1022 the district shall have been authorized to borrow money for the
 1023 purposes for which such bonds are to be issued in anticipation

1024 of the proceeds of the sale of such bonds and to issue bond
1025 anticipation notes in a principal sum not in excess of the
1026 authorized maximum amount of such bond issue. Such notes shall
1027 be in such denomination or denominations, bear interest at such
1028 rate as the board may determine not to exceed 10 percent per
1029 year, mature at such time or times not later than 5 years from
1030 the date of issuance, and be in such form and executed in such
1031 manner as the board shall prescribe. Such notes may be sold at
1032 either public or private sale, or if such notes shall be renewal
1033 notes, may be exchanged for notes then outstanding on such terms
1034 as the board shall determine. Such notes shall be paid from the
1035 proceeds of such bonds when issued. The board may, in its
1036 discretion, in lieu of retiring the notes by means of bonds,
1037 retire them by means of current revenues or from any taxes or
1038 assessments levied for the payment of such bonds, but in such
1039 event a like amount of the bonds authorized shall not be issued.

1040 Section 20. Short-term borrowing.--The district at any
1041 time may obtain loans, in such amount and on such terms and
1042 conditions as the board may approve, for the purpose of paying
1043 any of the expenses of the district or any costs incurred or
1044 that may be incurred in connection with any of the projects of
1045 the district, which loans shall have a term not exceeding 2
1046 years from the date of issuance thereof, and may be renewable
1047 for a like term or terms shall bear such interest as the board
1048 may determine, not to exceed 10 percent per year, and may be
1049 payable from and secured by a pledge of such funds, revenues,
1050 taxes, and assessments as the board may determine. For the
1051 purpose of defraying such costs and expenses, the district may

1052 issue negotiable notes, warrants, or other evidences of debt
 1053 signed on behalf of the district by any one of the board duly
 1054 authorized by the board, such notes or other evidences of
 1055 indebtedness to be payable at such times, to bear such interest
 1056 as the board may determine not to exceed 10 percent per year,
 1057 and to be sold or discounted at such price or prices and on such
 1058 terms as the board may deem advisable. The board shall have the
 1059 right to provide for the payment thereof by pledging the whole
 1060 or any part of the funds, revenues, taxes, and assessments of
 1061 the district. The approval of the qualified electors who are
 1062 freeholders residing in the district shall not be necessary
 1063 except where required by the State Constitution.

1064 Section 21. Trust agreements.--In the discretion of the
 1065 board, any issue of bonds may be secured by a trust agreement by
 1066 and between the district and a corporate trustee or trustees,
 1067 which may be any trust company or bank having the powers of a
 1068 trust company within or without the state. The resolution
 1069 authorizing the issuance of the bonds or such trust agreement
 1070 may pledge the revenues to be received from any projects of the
 1071 district and may contain such provisions for protecting and
 1072 enforcing the rights and remedies of the bondholders as the
 1073 board may approve, including, without limitation, covenants
 1074 setting forth the duties of the district in relation to the
 1075 acquisition, construction, reconstructions, improvements,
 1076 maintenance, repair, operation, and insurance of any projects;
 1077 the fixing and revising of the rates, fees, and charges; the
 1078 custody, safeguarding, and application of all moneys; and for
 1079 the employment of counseling engineers in connection with such

1080 acquisition, construction, reconstruction, improvement,
 1081 maintenance, repair, or operation. It shall be lawful for any
 1082 bank or trust company incorporated under the laws of the state
 1083 which may act as a depository of the proceeds of bonds or of
 1084 revenues to furnish such indemnifying bonds or to pledge such
 1085 securities as may be required by the district. Such resolution
 1086 or trust agreement may set forth the rights and remedies of the
 1087 bondholders and of the trustee, if any, and may restrict the
 1088 individual right of action by bondholders. The board may provide
 1089 for the payment of the proceeds of the sale of the bonds and the
 1090 revenues of any project to such officer, board, or depository as
 1091 it may designate for the custody thereof, and for the method of
 1092 disbursement thereof with such safeguards and restrictions as it
 1093 may determine. All expenses incurred in carrying out the
 1094 provisions of such resolution or trust agreement may be treated
 1095 as part of the cost of operation of the project to which such
 1096 trust agreement pertains.

1097 Section 22. Sale of bonds.--Bonds may be sold in blocks or
 1098 installments at different times, or an entire issue or series
 1099 may be sold at one time. Bonds may be sold at public or private
 1100 sale after such advertisement, if any, as the board may deem
 1101 advisable but not in any event at less than 90 percent of the
 1102 par value thereof, together with accrued interest thereon. Bonds
 1103 may be sold or exchanged for refunding bonds. Special assessment
 1104 and revenue bonds may be delivered as payment by the district of
 1105 the purchase price or lease of any project or part thereof, or a
 1106 combination of projects or parts thereof, or as the purchase
 1107 price or exchanged for any property, real, personal, or mixed,

1108 including franchises, or services rendered by any contractor,
 1109 engineer, or other person, all at one time or in blocks from
 1110 time to time, in such manner and upon such terms as the board in
 1111 its discretion shall determine. The price or prices for any
 1112 bonds sold, exchanged, or delivered may be the money paid for
 1113 the bonds; the principal amount, plus accrued interest to the
 1114 date of redemption or exchange, or outstanding obligations
 1115 exchanged for refunding bonds; or in the case of special
 1116 assessment or revenue bonds, the amount of any indebtedness to
 1117 contractors or other persons paid with such bonds, or the fair
 1118 value of any properties exchanged for the bonds, as determined
 1119 by the board.

1120 Section 23. Authorization and form of bonds.--Bonds may be
 1121 authorized by resolution or resolutions of the board which shall
 1122 be adopted by a majority of all of the members thereof then in
 1123 office. Such resolution or resolutions may be adopted at the
 1124 same meeting at which they are introduced, and need not be
 1125 published or posted. The board may by resolution authorize the
 1126 issuance of bonds, fix the aggregate amount of bonds to be
 1127 issued, the purpose or purposes for which the moneys derived
 1128 therefrom shall be expended, the rate or rates of interest which
 1129 may not exceed the rate allowed by general law, the denomination
 1130 of the bonds, whether or not the bonds are to be issued in one
 1131 or more series, the date or dates of maturity, which shall not
 1132 exceed 40 years from their respective dates of issuance, the
 1133 medium of payment, the place or places within or without the
 1134 state where payment shall be made, registration privileges,
 1135 redemption terms and privileges (whether with or without

1136 premium), the manner of execution, the form of the bonds
 1137 including any interest coupons to be attached thereto, the
 1138 manner of execution of bonds and coupons, any and all other
 1139 terms, covenants, and conditions thereof, and the establishment
 1140 of revenue or other funds. Such authorizing resolution may
 1141 further provide that such bonds may be executed manually or by
 1142 engraved, lithographed or facsimile signature, provided that
 1143 where signatures are engraved, lithographed, or otherwise
 1144 reproduced in facsimile no bond shall be valid unless
 1145 countersigned by a registrar or other officer designated by
 1146 appropriate resolution of the board. The seal of the district
 1147 may be affixed, lithographed, engraved, or otherwise reproduced
 1148 in facsimile on such bonds. In case any officer whose signature
 1149 shall appear on any bonds or coupons shall cease to be such
 1150 officer before the delivery of such bonds, such signature or
 1151 facsimile shall nevertheless be valid and sufficient for all
 1152 purposes the same as if he or she had remained in office until
 1153 such delivery.

1154 Section 24. Interim certificates; replacement
 1155 certificates.--Pending the preparation of definitive bonds, the
 1156 board may issue interim certificates or receipts or temporary
 1157 bonds, in such form and with such provisions as the board may
 1158 determine, exchangeable for definitive bonds when such bonds
 1159 shall have been executed and are available for delivery. The
 1160 board may also provide for the replacement of any bonds that
 1161 become mutilated, lost, or destroyed.

1162 Section 25. Negotiability of bonds.--Any bond issued under
 1163 this act and any interim certificate, receipt, or temporary bond

1164 shall, in the absence of an express recital on the face thereof
1165 that it is nonnegotiable, be fully negotiable and shall be and
1166 constitute negotiable instruments within the meaning and for all
1167 purposes of the law merchant and the laws of Florida.

1168 Section 26. Defeasance.--The board may make such provision
1169 with respect to the defeasance of the right, title, and interest
1170 of the holders of any of the bonds and obligations of the
1171 district in any revenues, funds, or other properties by which
1172 such bonds are secured as the board deems appropriate and,
1173 without limitation on the foregoing, may provide that when such
1174 bonds or obligations become due and payable or shall have been
1175 called for redemption, and the whole amount of the principal and
1176 interest and premium, if any, due and payable upon the bonds or
1177 obligations then outstanding shall be paid, or sufficient moneys
1178 or direct obligations of the United States Government the
1179 principal of and the interest on which when due will provide,
1180 sufficient moneys, shall be held or deposited in trust for such
1181 purpose, and provision shall also be made for paying all other
1182 sums payable in connection with such bonds or other obligations,
1183 then and in such event the right, title, and interest of the
1184 holders of the bonds in any revenues, funds, or other properties
1185 by which such bonds are secured shall thereupon cease,
1186 determine, and become void, and the board may apply any surplus
1187 in any sinking fund established in connection with such bonds or
1188 obligations and all balances remaining in all other funds or
1189 accounts other than money held for the redemption or payment of
1190 the bonds or other obligations to any lawful purpose of the
1191 district as the board shall determine.

1192 Section 27. Issuance of additional bonds.--If the proceeds
1193 of any bonds shall be less than the cost of completing the
1194 project in connection with which such bonds are issued, the
1195 board may authorize the issuance of additional bonds, upon such
1196 terms and conditions as the board may provide in the resolution
1197 authorizing the issuance thereof, but only in compliance with
1198 the resolution or other proceedings authorizing the issuance of
1199 the original bonds.

1200 Section 28. Refunding bonds.--The district shall have the
1201 power to issue bonds to provide for the retirement or refunding
1202 of any bonds or obligations of the district that at the time of
1203 such issuance are or subsequently thereto become due and
1204 payable, or that at the time of issuance have been called or are
1205 or will be subject to call for redemption within 10 years
1206 thereafter, or the surrender of which can be procured from the
1207 holders thereof at prices satisfactory to the board. Refunding
1208 bonds may be issued at any time when in the judgment of the
1209 board such issuance will be advantageous to the district. No
1210 approval of the qualified electors who are freeholders residing
1211 in the district shall be required for the issuance of refunding
1212 bonds except in cases where such approval is required by the
1213 State Constitution. The board may by resolution confer upon the
1214 holders of such refunding bonds all rights, powers, and remedies
1215 to which the holders would be entitled if they continued to be
1216 the owners and had possession of the bonds for the refinancing
1217 of which said refunding bonds are issued, including, but not
1218 limited to, the preservation of the lien of such bonds on the
1219 revenues of any project or on pledged funds, without

1220 extinguishment, impairment, or diminution thereof. The
1221 provisions of this act pertaining to bonds of the district
1222 shall, unless the context otherwise requires, govern the
1223 issuance of refunding bonds, the form and other details thereof,
1224 the rights of the holders thereof, and the duties of the board
1225 with respect to the same.

1226 Section 29. Revenue bonds.--

1227 (1) The district shall have the power to issue revenue
1228 bonds from time to time without limitation as to amount. Such
1229 revenue bonds may be secured by or payable from the gross or net
1230 pledge of the revenues to be derived from any project or
1231 combination of projects; from the rates, fees, or other charges
1232 to be collected from the users of any project or projects; from
1233 any revenue-producing undertaking or activity of the district;
1234 or from any other source or pledged security. Such bonds shall
1235 not constitute an indebtedness of the district, and the approval
1236 neither of the qualified electors nor of the qualified electors
1237 who are freeholders shall be required unless such bonds are
1238 additionally secured by the full faith, credit, and taxing
1239 power of the district.

1240 (2) Any two or more projects may be combined and
1241 consolidated into a single project, and may thereafter be
1242 operated and maintained as a single project. The revenue bonds
1243 authorized herein may be issued to finance any one or more such
1244 projects, regardless of whether or not such projects have been
1245 combined and consolidated into a single project. If the board
1246 deems it advisable, the proceedings authorizing such revenue
1247 bonds may provide that the district may thereafter combine the

1248 projects then being financed or theretofore financed with other
1249 projects to be subsequently financed by the district, and that
1250 revenue bonds to be thereafter issued by the district shall be
1251 on parity with the revenue bonds then being issued, all on such
1252 terms, conditions, and limitations as shall be provided, and may
1253 further provide that the revenues to be derived from the
1254 subsequent projects shall at the time of the issuance of such
1255 parity revenue bonds be also pledged to the holders of any
1256 revenue bonds theretofore issued to finance the revenue
1257 undertakings which are later combined with such subsequent
1258 projects. The district may pledge for the security of the
1259 revenue bonds a fixed amount, without regard to any fixed
1260 proportion of the gross revenues of any project.

1261 Section 30. General obligation bonds.--

1262 (1) The district shall have the power from time to time to
1263 issue general obligation bonds in an aggregate principal amount
1264 of bonds outstanding at any one time not in excess of 35 percent
1265 of the assessed value of the taxable property within the
1266 district as shown on the pertinent tax records at the time of
1267 the authorization of the general obligation bonds for which the
1268 full faith and credit of the district is pledged. Except for
1269 refunding bonds, no general obligation bonds shall be issued
1270 unless the issuance thereof shall have been approved at an
1271 election of freeholders held in accordance with the requirements
1272 for such election as prescribed by the State Constitution. Such
1273 elections shall be called to be held in the district by the
1274 Board of County Commissioners of Broward County upon the request
1275 of the board of the district. The expenses of calling and

1276 holding such referendum elections shall be borne by the district
 1277 and the district shall reimburse the county for any expenses
 1278 incurred in calling or holding such elections. In the
 1279 alternative, at the option of the board, the board may make such
 1280 other provision for the registration of such qualified electors
 1281 who are freeholders and the calling and holding of such
 1282 elections as the board may from time to time deem appropriate.

1283 (2) The district may pledge its full faith and credit for
 1284 the payment of the principal and interest on such general
 1285 obligation bonds, and for any reserve or other funds provided
 1286 therefor, and may unconditionally and irrevocably pledge itself
 1287 to levy ad valorem taxes on all taxable property in the
 1288 district, to the extent necessary for the payment thereof,
 1289 without limitations as to rate or amount.

1290 (3) If the board shall determine to issue general
 1291 obligation bonds for more than one different purpose, the
 1292 approval of the issuance of the bonds for each and all such
 1293 purposes may be submitted to the freeholders on one and the same
 1294 ballot. The failure of the freeholders to approve the issuance
 1295 of bonds for any one or more purposes shall not defeat the
 1296 approval of bonds for any purpose that shall be approved by the
 1297 freeholders.

1298 Section 31. Bonds as legal investment or
 1299 security.--Notwithstanding any provisions of any other law to
 1300 the contrary, all bonds issued under the provisions of this act
 1301 shall constitute legal investments for savings banks, banks,
 1302 trust companies, insurance companies, executors, administrators,
 1303 trustees, guardians, and other fiduciaries, and for any board,

1304 body, agency, instrumentality, county, municipality, or other
1305 political subdivision of the state, and shall be and constitute
1306 securities which may be deposited by banks or trust companies as
1307 security for deposits of state, county, municipal, or other
1308 public funds, or by insurance companies as required for
1309 voluntary statutory deposits.

1310 Section 32. Covenants.--Any resolution authorizing the
1311 issuance of bonds may contain such covenants as the board may
1312 deem advisable and all such covenants shall constitute valid and
1313 legally binding and enforceable contracts between the district
1314 and the bondholders, regardless of the time of issuance thereof.
1315 Such covenants may include, without limitation, covenants
1316 concerning the disposition of the bond proceeds; the use and
1317 disposition of project revenues; the pledging of revenues,
1318 taxes, and assessments; the obligations of the district with
1319 respect to the operation of the project and the maintenance of
1320 adequate project revenues; the issuance of additional bonds; the
1321 appointment, powers, and duties of trustees and receivers; the
1322 acquisition of outstanding bonds and obligations; restrictions
1323 on the establishing of competing projects or facilities;
1324 restrictions on the sale or disposal of the assets and property
1325 of the district; the priority of assessment liens; the priority
1326 of claims by bondholders on the taxing power of the district;
1327 the maintenance of deposits to ensure the payment of revenues by
1328 users of district facilities and services; the discontinuance of
1329 district services by reason of delinquent payments; acceleration
1330 upon default; the execution of necessary instruments; the
1331 procedure for amending or abrogating covenants with the

1332 bondholders; and such other covenants as may be deemed necessary
 1333 or desirable for the security of the bondholders.

1334 Section 33. Validity of bonds; validation proceedings.--

1335 (1) Any bonds issued by the district shall be
 1336 incontestable in the hands of bona fide purchasers or holders
 1337 for value and shall not be invalid because of any irregularity
 1338 or defects in the proceedings for the issue and sale thereof.
 1339 Prior to the issuance of any bonds, the district may, but is not
 1340 required to, publish a notice at least once in a newspaper or
 1341 newspapers published or of general circulation in Broward County
 1342 and within the district stating the date of adoption of the
 1343 resolution authorizing such obligations, the amount, the maximum
 1344 rate of interest and maturity of such obligations, and the
 1345 purpose in general terms for which such obligations are to be
 1346 issued, and further stating that any action or proceeding
 1347 questioning the validity of such obligations or of the
 1348 proceedings authorizing the issuance thereof, or of any of the
 1349 covenants made therein, must be instituted within 20 days after
 1350 the first publication of such notice, or the validity of such
 1351 obligations, proceedings, and covenants shall not be thereafter
 1352 questioned in any court whatsoever. If no such action or
 1353 proceeding is so instituted within such 20-day period then the
 1354 validity of such obligations, proceedings, and covenants shall
 1355 be conclusive, and all persons or parties whatsoever shall be
 1356 forever barred from questioning the validity of such
 1357 obligations, proceedings, or covenants in any court whatsoever.

1358 (2) The power of the district to issue bonds under the
 1359 provisions of this act may be determined and any of the bonds of

1360 the district may be validated and confirmed by circuit court
1361 decree, under the provisions of chapter 75, Florida Statutes,
1362 and laws amendatory thereof or supplementary thereto.

1363 Section 34. Within act furnishes full authority for
1364 issuance of bonds.--This act constitutes full and complete
1365 authority for the issuance of bonds and the exercise of the
1366 powers of the district provided herein. No procedures or
1367 proceedings, publications, notices, consents, approvals, orders,
1368 acts, or things by the board, or any board, officers,
1369 commission, department, agency, or instrumentality of the
1370 district, other than those required by this act, shall be
1371 required to issue any bonds or to do any act or perform anything
1372 under this act, and the issuance or sale of bonds pursuant to
1373 the provisions of this act need not comply with the requirements
1374 of any other law applicable to the issuance or sale of bonds,
1375 except as otherwise provided in this act, and shall not require
1376 the consent or approval of the board of drainage commissioners
1377 of the state or of any other board, officers, commission,
1378 department, agency, or instrumentality of the state or any
1379 political subdivision thereof. Except as otherwise provided
1380 herein, no proceedings or procedures of any character whatever
1381 shall be necessary or required for the issuance of bonds other
1382 than the adoption of an appropriate resolution by the board as
1383 provided in this act with respect to the issuance of the same.
1384 The powers conferred by this act on the district with respect to
1385 the issuance and sale of bonds shall be in addition and
1386 supplemental to the powers conferred by any other law.

1387 Section 35. Pledge by the state to the bondholders of the
 1388 district and to the Federal Government.--The state pledges to
 1389 the holders of any bonds issued under this act that it will not
 1390 limit or alter the rights of the district to own, acquire,
 1391 construct, reconstruct, improve, maintain, operate, or furnish
 1392 the projects or to levy and collect the taxes, assessments,
 1393 rentals, rates, fees, and other charges provided for herein and
 1394 to fulfill the terms of any agreement made with the holders of
 1395 such bonds or other obligations, and that it will not in any way
 1396 impair the rights or remedies of the holders.

1397 Section 36. Ad valorem taxes.--The board shall have the
 1398 power to levy and assess an ad valorem tax on all the taxable
 1399 real and tangible personal property in the district to pay the
 1400 principal of and interest on any general obligation bonds of the
 1401 district, to provide for any sinking or other funds established
 1402 in connection with any such bonds. The ad valorem tax provided
 1403 for herein shall be in addition to county and all other ad
 1404 valorem taxes provided for by law. Such tax shall be assessed,
 1405 levied, and collected in the same manner and same time as county
 1406 taxes.

1407 Section 37. Annual installment taxes.--

1408 (1) The board shall annually determine, order, and levy
 1409 the annual installment of the total taxes which are levied under
 1410 section 298.36, Florida Statutes, which shall be due and be
 1411 collected during each year that county taxes are due and
 1412 collected and said annual installment and levy shall be
 1413 evidenced to and certified by the board not later than August
 1414 31st of each year to the Broward County Property Appraiser. Said

1415 tax shall be entered by the county property appraiser on the
 1416 county tax rolls and shall be collected by the Broward County
 1417 Tax Collector in the same manner and the same time as county
 1418 taxes and the proceeds thereof paid to the district. The tax
 1419 shall be a lien until paid on the property against which
 1420 assessed and enforceable in like manner as county taxes.

1421 (2) In the alternative, the board may by resolution
 1422 determine the amount of taxes as provided by chapter 298,
 1423 Florida Statutes, and thereafter the annual installments shall
 1424 be levied, collected and enforced as provided in chapter 298,
 1425 Florida Statutes.

1426 Section 38. Maintenance tax.--To maintain and preserve the
 1427 drainage improvements of the district a maintenance tax shall be
 1428 evidenced to and certified by the board of supervisors not later
 1429 than August 31 of each year to the property appraiser and shall
 1430 be entered by the property appraiser on the county tax rolls and
 1431 shall be collected by the tax collector in the same manner and
 1432 time as county taxes and the proceeds therefrom paid to the
 1433 district. The tax shall be a lien until paid on the property
 1434 against which assessed and enforceable in like manner as county
 1435 taxes. If the maintenance is for original construction based
 1436 upon an apportionment of benefits, the maintenance tax shall be
 1437 apportioned on the same basis of the net assessments of benefits
 1438 assessed or accruing for original construction and shall not
 1439 exceed 10 percent thereof in any one year. If the maintenance is
 1440 for other drainage improvements owned, operated, or acquired by
 1441 the district, the amount of said maintenance tax shall be
 1442 determined by the board based upon a report of the chief

1443 engineer and assessed by the board, upon such lands, which may
 1444 be all of the lands within the district benefited by the
 1445 maintenance thereof, apportioned between the benefited lands in
 1446 proportion to the benefits received by each tract of land.

1447 Section 39. Enforcement of taxes.--The collection and
 1448 enforcement of all taxes levied by the district shall be at the
 1449 same time and in like manner as county taxes and the provision
 1450 of the Florida Statutes relating to the sale of lands for unpaid
 1451 and delinquent county taxes, the issuance, sale, and delivery of
 1452 tax certificates for such unpaid and delinquent county taxes,
 1453 the redemption thereof, the issuance to individuals of tax deeds
 1454 based thereon, and all other procedures in connection therewith
 1455 shall be applicable to the district to the same extent as if
 1456 said statutory provisions were expressly set forth herein. All
 1457 taxes shall be subject to the same discounts as county taxes.

1458 Section 40. When unpaid tax is delinquent; penalty.--All
 1459 taxes provided for in this act shall become delinquent and bear
 1460 penalties on the amount of said taxes in the same manner as
 1461 county taxes.

1462 Section 41. Tax exemption.--As the exercise of the powers
 1463 conferred by this act constitute the performance of essential
 1464 public functions, and as the projects of the district will
 1465 constitute public property used for public purposes, all assets
 1466 and properties of the district, and all bonds issued hereunder
 1467 and interest paid thereon, and all fees, charges, and other
 1468 revenues derived by the district from the projects provided by
 1469 this act shall be exempt from all taxes by the state or by any
 1470 political subdivision, agency, or instrumentality thereof;

1471 provided, however, that nothing in this act shall be deemed to
1472 exempt from taxation any property, project, facility, or
1473 business activity or enterprise that cannot validly be
1474 undertaken as a public function by special taxing districts or
1475 other public bodies under the laws and constitution of this
1476 state; and further, that nothing in this act shall be deemed to
1477 exempt any property, project, facility, or business activity or
1478 enterprise of the district, or revenues derived therefrom, which
1479 would be subject to taxation under the general laws of Florida
1480 if such property, project, or facility were owned or undertaken
1481 by a municipal corporation.

1482 Section 42. Special assessments.--

1483 (1) The board may provide for the construction or
1484 reconstruction of assessable improvements as defined in section
1485 4, and for the levying of special assessments upon benefited
1486 property for the payment thereof, under the provisions of this
1487 section.

1488 (2) Such special assessments may be levied and assessed in
1489 either of the alternate methods provided in subsection (6) or
1490 subsection (7), and except for such procedure, all the other
1491 provisions of this section and this act shall apply to levy of
1492 such special assessments under either subsection (6) or
1493 subsection (7).

1494 (3) The initial proceeding under subsection (6) or
1495 subsection (7) of this section shall be the passage by the board
1496 of a resolution ordering the construction or reconstruction of
1497 such assessable improvements, indicating the location by
1498 terminal points and routes and either giving a description of

1499 the improvements by its material, nature, character, and size or
1500 giving two or more descriptions with the directions that the
1501 material, nature, character, and size shall be subsequently
1502 determined in conformity with one of such descriptions. Drainage
1503 improvements need not be continuous and may be in more than one
1504 locality. The resolution ordering any such improvement may give
1505 any short and convenient designation to each improvement ordered
1506 thereby, and the property against which assessments are to be
1507 made for the cost of such improvement may give any short and
1508 convenient designation to each improvement ordered thereby, and
1509 the property against which assessments are to be made for the
1510 cost of such improvement may be designated as an assessment
1511 district, followed by a letter, number, or name to distinguish
1512 it from other assessment districts, after which it shall be
1513 sufficient to refer to such improvement and property by such
1514 designation in all proceedings and assessments, except in the
1515 notices required by this section.

1516 (4) As soon as possible after the passage of such
1517 resolution the engineer for the district shall prepare, in
1518 duplicate, plans and specifications for each improvement ordered
1519 thereby and an estimate of the cost thereof. Such cost shall
1520 include, in addition to the items of cost as defined in this
1521 act, the following items of incidental expenses:

1522 (a) Printing and publishing notices and proceedings.

1523 (b) Costs of abstracts of title.

1524 (c) Any other expense necessary or proper in conducting
1525 the proceedings and work provided for in this section, including
1526 the estimated amount of discount, if any, financial expenses

1527 upon the sale of assessment bonds or any other obligations
1528 issued hereunder for which such special assessment bonds or any
1529 other obligations issued hereunder for which such special
1530 assessments are to be pledged, and interest prior to and until
1531 not more than 2 years after the completion of said assessable
1532 improvements. If the resolution shall provide alternative
1533 descriptions of material, nature, character and size, such
1534 estimate shall include an estimate of the cost of the
1535 improvement of each such description.

1536 (5) The district engineer shall next prepare in duplicate
1537 a tentative apportionment of the estimated total cost of the
1538 improvement as between the district and each lot or parcel of
1539 land subject to special assessment under the resolution, such
1540 apportionment to be made in accordance with the provisions of
1541 the resolution and in relation to apportionment of cost provided
1542 herein for the preliminary assessment roll. Such tentative
1543 apportionment of total estimated cost shall not be held to limit
1544 or restrict the duties of the engineer in the preparation of
1545 such preliminary assessment roll under subsection (6). One of
1546 the duplicates of such plans, specifications, and estimates and
1547 such tentative apportionment shall be filed with the secretary
1548 of the board and the other duplicate shall be retained by the
1549 engineer in his or her files, all thereof to remain open to
1550 public inspection.

1551 (6) (a) If the special assessments are to be levied under
1552 this subsection, the secretary of the board upon filing with him
1553 or her of such plans, specifications, estimates, and tentative
1554 apportionment of cost shall publish once in a newspaper

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

1582 (b) At the time named in such notice, or to which an
1583 adjournment may be taken by the board, the board shall receive
1584 any objections of interested persons and may then or thereafter
1585 repeal or confirm such resolution with such amendments, if any,
1586 as may be desired by the board and which do not cause any
1587 additional property to be specially assessed.

1588 (c) All objections to any such resolution on the ground
1589 that it contains items which cannot be properly assessed against
1590 property, or that it is, for any default or defect in the
1591 passage or character of the resolution or the plans or
1592 specifications or estimate, void or voidable in whole or in
1593 part, or that it exceeds the power of the board, shall be made
1594 in writing in person or by attorney, and filed with the
1595 secretary of the board at or before the time or adjourned time
1596 of such hearing. Any objections against the making of any
1597 assessable improvements not so made shall be considered as
1598 waived, and if any objection shall be made and overruled or
1599 shall not be sustained, the confirmation of the resolution shall
1600 be the final adjudication of the issue presented unless proper
1601 steps shall be taken in a court of competent jurisdiction to
1602 secure relief within 20 days.

1603 (d) Whenever any resolution providing for the construction
1604 or reconstruction of assessable improvements and for the levying
1605 of special assessments upon benefited property for the payment
1606 thereof shall have been confirmed, and said special assessments
1607 are levied under this subsection as herein above provided, or at
1608 any time thereafter, the board may issue assessment bonds
1609 payable out of such assessments when collected. Such bonds shall

1610 mature not later than 2 years after the maturity of the last
1611 annual installment in which said special assessments may be
1612 paid, as provided in subsection (7), and shall bear such
1613 interest as the board may determine not to exceed 10 percent per
1614 year. Such assessment bonds shall be executed, shall have such
1615 provisions for redemption prior to maturity, and shall be sold
1616 in the manner and be subject to all of the applicable provisions
1617 contained in this act applicable to other bonds, except as the
1618 same are inconsistent with the provisions of this section. The
1619 amount of such assessment bonds for any assessable improvement,
1620 prior to the confirmation of the preliminary assessment roll
1621 provided for in this subsection shall not exceed the estimated
1622 amount of the cost of such assessable improvements which are to
1623 be specially assessed against the lands and real estate of the
1624 engineer referred to in this section.

1625 (e) After the passage of the resolution authorizing the
1626 construction or reconstruction of assessable improvements has
1627 been confirmed as provided for above where special assessments
1628 are levied under this subsection or after the final confirmation
1629 of the assessment roll where such assessments are levied under
1630 subsection (7), the board may publish at least once in a
1631 newspaper published in Broward County in general circulation
1632 within the district, a notice calling for sealed bids to be
1633 received by the board on a date not earlier than 15 days after
1634 the first publication for the construction of the work, unless
1635 in the initial resolution the board shall have declared its
1636 intention to have the work done by district forces without
1637 contract. The notice shall refer in general terms to the extent

1638 and nature of the improvements and may identify the same by the
1639 short designation indicated in the initial resolution and by
1640 reference to the plans and specifications on file. If the
1641 initial resolution shall have given two or more alternative
1642 descriptions of the assessable improvements as to its material,
1643 nature, character, and size, and if the board shall not have
1644 theretofore determined upon a definite description, the notice
1645 shall call for bids upon each of such descriptions. Bids may be
1646 requested for the work as whole or for any part thereof
1647 separately and bids may be asked for any one or more of such
1648 assessable improvements authorized by the same or different
1649 resolutions, but any bid covering work upon more than one
1650 improvement shall be in such form as to permit a separation of
1651 cost as to each improvement. The notice shall require bidders to
1652 file with their bids either a certified check drawn upon an
1653 incorporated bank or trust company in such amount or percentage
1654 of their respective bids, as the board shall deem advisable, or
1655 a bid bond in like amount with corporate surety satisfactory to
1656 the board to insure the execution of a contract to carry out the
1657 work in accordance with such plans and specifications and insure
1658 the filing at the making of such contract, of a bond in the
1659 amount of the contract price with corporate surety satisfactory
1660 to the board conditioned for the performance of the work in
1661 accordance with such contract. The board shall have the right to
1662 reject any or all bids, and if all bids are rejected the board
1663 may readvertise or may determine to do the work by the district
1664 forces without contract.

1665 (f) Promptly after the completion of the work, in the case
1666 of special assessments levied under subsection (6), the engineer
1667 for the district, who is hereby designated as the official of
1668 the district to make the preliminary assessment of benefits from
1669 assessable improvements, shall prepare a preliminary assessment
1670 roll and file the same with the secretary of the board which
1671 roll shall contain the following:

1672 1. A description of abutting lots and parcels of land or
1673 lands which will benefit from such assessable improvements and
1674 the amount of such benefits to each such lot or parcel of land.
1675 Such lots and parcels shall include the property of Broward
1676 County and any school district or other political subdivision.
1677 There shall also be given the name of the owner of record of
1678 each lot or parcel where practicable, and in all cases there
1679 shall be given a statement of the method of assessment used by
1680 the engineer for determining the benefits.

1681 2. The total cost of the improvements and the amount of
1682 incidental expense.

1683 (g) The preliminary roll shall be advisory only and shall
1684 be subject to the action of the board as hereafter provided.
1685 Upon the filing with the secretary of the board of the
1686 preliminary assessment roll, the secretary of the board shall
1687 publish at least once in a newspaper published in Broward County
1688 in general circulation within the district a notice stating that
1689 at a meeting of the board to be held on a certain day and hour,
1690 not less than 15 days from the date of such publication, which
1691 meeting may be a regular, adjourned, or special meeting, all
1692 interested persons may appear and file written objections to the

1693 confirmation of such roll. Such notice shall state the class of
1694 the assessable improvements and the location thereof by terminal
1695 points and route.

1696 (h) At the time and place stated in such notice, the board
1697 shall meet and receive the objections in writing of all
1698 interested persons as stated in such notice. The board may
1699 adjourn the hearing from time to time. After the completion
1700 thereof the board shall annul, sustain, or modify in whole or in
1701 part the prima facie assessment as indicated on such roll,
1702 either by confirming the prima facie assessment against any or
1703 all lots or parcels described therein or by canceling,
1704 increasing, or reducing the same, according to the special
1705 benefits which the board decides each such lot or parcel has
1706 received or will receive on account of such improvement. If any
1707 property that may be chargeable under this section shall have
1708 been omitted from the preliminary roll or if the prima facie
1709 assessment shall not have been made against it, the board may
1710 place on such roll an apportionment to such property. The board
1711 shall not confirm any assessment in excess of the special
1712 benefits to the property assessed and the assessments so
1713 confirmed shall be in proportion to the special benefits.
1714 Forthwith after such confirmation such assessment roll shall be
1715 delivered to the secretary of the board. The assessment so made
1716 shall be final and conclusive as to each lot or parcel assessed
1717 unless proper steps are taken within 30 days in a court of
1718 competent jurisdiction to secure relief. If the assessment
1719 against any property shall be sustained or reduced or abated by
1720 the court, the secretary of the board shall note that fact on

1721 the assessment roll opposite the description of the property
1722 affected thereby. The amount of the special assessment against
1723 any lot or parcel which may be abated by the court, unless the
1724 assessment upon all benefited property be abated, or the amount
1725 by which such assessment is so reduced, may by resolution of the
1726 board be made chargeable against the district at large; or, at
1727 the discretion of the board, a new assessment roll may be
1728 prepared and confirmed in the manner herein above provided for
1729 the preparation and confirmation of the original assessment
1730 roll.

1731 (i) Pending the final confirmation of such special
1732 assessments in the manner provided in this subsection, the
1733 district shall have a lien on all such lands and real estate
1734 after the confirmation of the initial resolution, in the manner
1735 provided in this subsection.

1736 (7) (a) The district engineer, under the procedure provided
1737 for in this subsection shall next, after the passage of the
1738 initial resolution and filing of the plans and estimates of cost
1739 by the district engineer, prepare an assessment roll for the
1740 district in duplicate, which assessment roll shall contain an
1741 apportionment of the estimated total cost of the improvement as
1742 between the district and each lot or parcel of land subject to
1743 the special assessment under the initial resolution, such
1744 apportionment to be made in accordance with the provisions of
1745 the initial resolution. One of the duplicates of said assessment
1746 roll shall be filed with the secretary of the board and the
1747 other duplicate shall be retained by the district engineer in

1748 his or her files, all thereof to remain open to public
1749 inspection.

1750 (b) Upon the completion and filing of said assessment roll
1751 the secretary to the board shall cause a copy thereof to be
1752 published once in a newspaper published in Broward County and in
1753 general circulation within the district, together with a notice
1754 directed to all property owners interested in said special
1755 assessments, stating that at a meeting of the board on a certain
1756 day and hour, not earlier than 15 days after such publication,
1757 the board sitting as an equalizing board, will hear objections
1758 of all interested persons to the final confirmation of such
1759 assessment roll, and will finally confirm such assessment roll
1760 or take such action relative thereto as it deems necessary and
1761 advisable. A copy of the notice shall be mailed to the
1762 landowners of the land to be benefited by construction of the
1763 assessable improvement. The landowners shall be determined by
1764 reference to the last available tax roll of Broward County. The
1765 secretary of the board shall keep a record in which shall be
1766 inscribed, at the request of any person, firm, or corporation
1767 having or claiming to have any interest in any lot or parcel of
1768 land, the name and post office address of such person, firm, or
1769 corporation, together with a brief description or designation of
1770 such lot or parcel, and it shall be the duty of the secretary of
1771 the board to mail a copy of such notice to such person, firm, or
1772 corporation at such address at least 10 days before the time for
1773 the hearing as stated in such notice, but the failure of the
1774 secretary of the board to keep such record or so to inscribe any
1775 name or address or to mail any such notice shall not constitute

1776 a valid objection to holding the hearing as provided in this
1777 section or to any other action taken under the authority of this
1778 section.

1779 (c) At the time and place named in the notice provided for
1780 in the paragraph (b), the board shall meet as an equalizing
1781 board to hear and consider any and all complaints as to said
1782 special assessments, and shall adjust and equalize the said
1783 special assessments on a basis of justice and right, and when so
1784 equalized and approved such special assessments shall stand
1785 confirmed and remain legal, valid, and binding liens upon the
1786 properties upon which such special assessments are made, until
1787 paid in accordance with the provisions of this act; provided,
1788 however, that upon the completion of such improvements, if the
1789 actual cost of such assessable improvements is less than the
1790 amount of such special assessments levied, the district shall
1791 rebate to the owners of any properties which shall have been
1792 specially assessed for such assessable improvements the
1793 difference in the special assessments as originally made,
1794 levied, and confirmed, and the proportionate part of the actual
1795 cost of said assessable improvements as finally determined upon
1796 the completion of said assessable improvements; and in the event
1797 that the actual cost of said assessable improvements shall be
1798 more than the amount of such special assessments confirmed and
1799 levied, finally determined upon the completion of said
1800 assessable improvements, the proportionate part of such excess
1801 cost of such assessable improvements may be levied against all
1802 of the lands and properties against which such special
1803 assessments were originally levied, or, in the alternative, the

1804 board may, in its discretion, pay such excess cost from any
1805 legally available funds.

1806 (d) All objections to any such assessment roll on the
1807 ground that it contains items which cannot be properly assessed
1808 against property, or that it is, for any default or defect in
1809 the passage or character of the assessment roll or the plans or
1810 specifications or estimate, void or voidable in whole or in
1811 part, or that it exceeds the power of the board, shall be made
1812 in writing in person or by attorney, and filed with the
1813 secretary of the board at or before the time or adjourned time
1814 of such hearing on the assessment roll. Any objections against
1815 the making of any assessable improvements not so made shall be
1816 considered as waived, and if any objections shall be made and
1817 overruled or shall not be sustained, the confirmation of the
1818 assessment roll shall be the final adjudication of the issue
1819 presented unless proper steps shall be taken in a court of
1820 competent jurisdiction to secure relief within 20 days.

1821 (e) All the provisions of subsection (6) not inconsistent
1822 with this subsection shall apply to the levy of special
1823 assessments under this subsection.

1824 (8) (a) Any assessment may be paid at the office of the
1825 secretary of the board within 60 days after the confirmation
1826 thereof, without interest. Thereafter all assessments shall be
1827 payable in equal installments, with interest as determined by
1828 the board, not to exceed 10 percent per year, from the
1829 expiration of said 60 days in each of the succeeding number of
1830 years which the board shall determine by resolution, not
1831 exceeding 20; provided, however, that the board may provide that

1832 any assessment may be paid at any time before due, together with
1833 interest accrued thereon to the date of payment, if such prior
1834 payment shall be permitted by the proceedings authorizing any
1835 assessment bonds or other obligations for the payment of which
1836 such special assessments have been pledged.

1837 (b) All such special assessments levied pursuant to this
1838 act may, in the discretion of the board, be collected by the tax
1839 collector of the county at the same time as the general county
1840 taxes are collected by the tax collector of the county, and the
1841 board shall in such event certify to the county tax collector in
1842 each year a list of all such special assessments and a
1843 description of and names of the owners of the properties against
1844 such special assessments have been levied and the amounts due
1845 thereof in such year, and interest thereon for any deficiencies
1846 for prior years. The amount to be collected in such year may
1847 include, in the discretion of the board, the principal
1848 installment of such special assessments which will become due at
1849 any time in the next succeeding fiscal year, and all or any part
1850 of the interest which will become due on such special
1851 assessments during such next fiscal year, together with any
1852 deficiencies for prior years.

1853 (c) The board may, in lieu of providing for the collection
1854 of said special assessments by the tax collector of the county,
1855 provide for the collection of said special assessments by the
1856 district under such terms and conditions as the board shall
1857 determine. In such event, the bills or statements for the
1858 amounts due in any fiscal year shall be mailed to the owners of
1859 all properties affected by such special assessments at such time

1860 or times as the board shall determine and such bills or
1861 statements may include all or any part of the principal and
1862 interest which will mature and become due on the annual
1863 installments of such special assessments during the fiscal year
1864 in which installments of such special assessments are payable.

1865 (d) All charges of the county tax collector or of the
1866 district, and the fees, costs, and expenses of any paying
1867 agents, trustees, or other fiduciaries for assessment bonds
1868 issued under this act, shall be deemed to be costs of the
1869 operation and maintenance of any drainage improvements in
1870 connection with which such special assessments were levied and
1871 the board shall be authorized and directed to provide for the
1872 payment each year of such costs of collection, fees, and other
1873 expenses from the maintenance tax as provided in this act as
1874 shall be mutually agreed upon between the board and the county
1875 tax collector as additional compensation for his or her services
1876 for each such assessment district in which the special
1877 assessments are collected by him or her.

1878 (e) All assessments shall constitute a lien upon the
1879 property so assessed from the date of final confirmation
1880 thereof, of the same nature and to the same extent as the lien
1881 for general county taxes falling due in the same year or years
1882 in which such assessments or installments thereof fall due, and
1883 any assessment or installment not paid when due shall be
1884 collectable with such interest and with reasonable attorney's
1885 fee and costs, but without penalties, by the district by
1886 proceedings in a court of equity to foreclose the line of
1887 assessments as a lien for mortgages is or may be foreclosed

1888 under the laws of the state; provided that any such proceedings
1889 to foreclose shall embrace all installments of principal
1890 remaining unpaid with accrued interest thereon, which
1891 installments shall, by virtue of the institution of such
1892 proceedings, immediately become due and payable. Nevertheless,
1893 if, prior to any sale of the property under decree of
1894 foreclosure in such proceedings, payment is made of the
1895 installment or installments which are shown to be due under the
1896 provisions of subsection (6) or subsection (7), and by this
1897 subsection and all costs, including interest and reasonable
1898 attorney's fees, such payment shall have the effect of restoring
1899 the remaining installments to their original maturities as
1900 provided by the resolution passed pursuant to subsection (8) and
1901 the proceedings shall be dismissed. It shall be the duty of the
1902 board to enforce the prompt collection of assessment by the
1903 means herein provided, and such duty may be enforced at the suit
1904 of any holder of bonds issued under this act in a court of
1905 competent jurisdiction by mandamus or other appropriate
1906 proceedings or action. Not later than 30 days after the annual
1907 installments are due and payable, it shall be the duty of the
1908 board to direct the attorney for the district to institute
1909 actions within 2 months after such direction to enforce the
1910 collection of all special assessments for assessable
1911 improvements made under this section and remaining due and
1912 unpaid at the time of such direction. Such action shall be
1913 prosecuted in the manner and under the conditions in and under
1914 which mortgages are foreclosed under the laws of the state. It
1915 shall be lawful to join in one action the collection of

1916 assessments against any or all property assessed by virtue of
 1917 the same assessment roll unless the court shall deem such
 1918 joinder prejudicial to the interest of any defendant. The court
 1919 shall allow a reasonable attorney's fee for the attorney for the
 1920 district and the same shall be collectable as a part of or in
 1921 addition to the costs of the action. At the sale pursuant to
 1922 decree in any such action, the district may be a purchaser to
 1923 the same extent as an individual person or corporation, except
 1924 that the part of the purchase price represented by the
 1925 assessments sued upon and the interest thereon need not be paid
 1926 in cash. Property so acquired by the district may be sold or
 1927 otherwise disposed of.

1928 (f) All assessments and charges made under the provisions
 1929 of this section for the payment of all or any part of the cost
 1930 of any assessable improvements for which assessment bonds shall
 1931 have been issued under the provisions of this act, or which have
 1932 been pledged as additional security for any other bonds or
 1933 obligations issued under this act, shall be maintained in a
 1934 special fund or funds and be used only for the payment of
 1935 principal or interest on such assessment bonds or other bonds or
 1936 obligations.

1937 (g) Broward County and each school district and other
 1938 political subdivision wholly or partly within the district shall
 1939 possess the same power and be subject to the same duties and
 1940 liabilities in respect of assessments under this section
 1941 affecting the real estate of such county, school district, or
 1942 other political subdivision which private owners of real estate
 1943 possess or are subject to hereunder, and such real estate of any

1944 such county, school district, and political subdivision shall be
 1945 subject to liens for said assessments in all cases where the
 1946 same property would be subject to such liens had it at the time
 1947 the lien attached been owned by a private owner.

1948 Section 43. Issuance of certificates of indebtedness based
 1949 on assessments for assessable improvements; assessment bonds.--

1950 (1) The board may, after any assessments for assessable
 1951 improvements are made, determined, and confirmed as provided in
 1952 section 42, issue certificates of indebtedness for the amount so
 1953 assessed against the abutting property or property otherwise
 1954 benefited, as the case may be, and separate certificates shall
 1955 be issued against each part or parcel of land or property
 1956 assessed, which certificates shall state the general nature of
 1957 the improvement for which the said assessment is made. Said
 1958 certificates shall be payable in annual installments in
 1959 accordance with the installments of the special assessment for
 1960 which they are issued. The board may determine the interest to
 1961 be borne by such certificates, not to exceed 10 percent per
 1962 year, and may sell such certificates at either private or public
 1963 sale and determine the form, manner of execution, and other
 1964 details of such certificates. Such certificates shall recite
 1965 that they are payable only from the special assessments levied
 1966 and collected from the part or parcel of land or property
 1967 against which they are issued. The proceeds of such certificates
 1968 may be pledged for the payment of principal of and interest on
 1969 any revenue bonds or general obligation bonds issued to finance
 1970 in whole or in part such assessable improvement, or, if not so

1971 pledged, may be used to pay the cost or part of the cost of such
 1972 assessable improvements.

1973 (2) The district may also issue assessment bonds or other
 1974 obligations payable from a special fund into which such
 1975 certificates of indebtedness referred to in the subsection (1)
 1976 may be deposited; or, if such certificates of indebtedness have
 1977 not been issued, the district may assign to such special fund
 1978 for the benefit of the holders of such assessment bonds or other
 1979 obligations, or to a trustee for such bondholders, the
 1980 assessment liens provided for in this act unless such
 1981 certificates of indebtedness or assessment liens have been
 1982 theretofore pledged for any bonds or other obligations
 1983 authorized hereunder. In the event of the creation of such
 1984 special fund and the issuance of such assessment bonds or other
 1985 obligations, the proceeds of such certificates of indebtedness
 1986 of assessment liens deposited therein shall be used only for the
 1987 payment of the assessment bonds or other obligations issued as
 1988 provided in this section. The district is hereby authorized to
 1989 covenant with the holders of such assessment bonds or other
 1990 obligations that it will diligently and faithfully enforce and
 1991 collect all the special assessments and interest and penalties
 1992 thereon for which such certificates of indebtedness or
 1993 assessment liens have been deposited in or assigned to such fund
 1994 and to foreclose such assessment liens so assigned to such
 1995 special fund or represented by the certificates of indebtedness
 1996 deposited in said special fund, after such assessment liens have
 1997 become delinquent, and deposit the proceeds derived from such
 1998 foreclosure, including interest and penalties, in such special

1999 fund, and to make any other covenants deemed necessary or
 2000 advisable in order to properly secure the holders of such
 2001 assessment bonds or other obligations.

2002 (3) The assessment bonds or other obligations issued
 2003 pursuant to this section shall have such dates of issue and
 2004 maturity as shall be deemed advisable by the board, provided,
 2005 however, that the maturities of such assessment bonds or other
 2006 obligations shall not be more than 2 years after the due date of
 2007 the last installment which will be payable on any of the special
 2008 assessments for which such assessment liens, or the certificates
 2009 of indebtedness representing such assessment liens, are assigned
 2010 to or deposited in such special fund.

2011 (4) Such assessment bonds or other obligations issued
 2012 under this section shall bear such interest as the board may
 2013 determine not to exceed 10 percent per year, shall be executed,
 2014 shall have such provisions for redemption prior to maturity, and
 2015 shall be sold in the manner and be subject to all of the
 2016 applicable provisions contained in this act for revenue bonds,
 2017 except as the same may be inconsistent with the provisions of
 2018 this section.

2019 (5) All assessment bonds or other obligations issued under
 2020 the provisions of this act, except certificates of indebtedness
 2021 issued against separate lots or parcels of land or property as
 2022 provided in this section, shall be and constitute and have all
 2023 the qualities and incidents of negotiable instruments under the
 2024 law merchant and the laws of the state.

2025 Section 44. Foreclosure of liens.--Any lien in favor of
 2026 the district arising under chapter 298, Florida Statutes, or

2027 under this act may be foreclosed by the district by foreclosure
 2028 proceedings in the name of the district in the circuit court in
 2029 like manner as is provided in chapter 173, Florida Statutes, and
 2030 amendments thereto, and the provisions of said chapter shall be
 2031 applicable to such proceedings with the same force and effect as
 2032 if said provisions were expressly set forth in this act. Any act
 2033 required or authorized to be done by or on behalf of a city or
 2034 town in foreclosure proceedings under chapter 173, Florida
 2035 Statutes, may be performed by such officer or agent of the
 2036 district as the board of supervisors may designate. Such
 2037 foreclosure proceedings may be brought at any time after the
 2038 expiration of 1 year after the date any tax, or installment
 2039 thereof, becomes delinquent.

2040 Section 45. Payment of taxes and redemption of tax liens
 2041 by the district; sharing in proceeds of tax sale under section
 2042 197.520, Florida Statutes, as amended.--

2043 (1) The district has the right to:

2044 (a) Pay any delinquent state, county, district, municipal,
 2045 or other tax or assessment upon lands located wholly or
 2046 partially within the boundaries of the district.

2047 (b) Redeem or purchase any tax sales certificate issued or
 2048 sold on account of any state, county, district, municipal, or
 2049 other taxes or assessments upon lands located wholly or
 2050 partially within the boundaries of the district.

2051 (2) Delinquent taxes paid, or tax sales certificates
 2052 redeemed or purchased, by the district, together with all
 2053 penalties for the default in payment of the same and all costs
 2054 in collecting the same and a reasonable attorney's fee, shall

2055 constitute a lien in favor of the district of equal dignity with
 2056 the liens of state and county taxes and other taxes of equal
 2057 dignity with state and county taxes, upon all the real property
 2058 against which said taxes were levied. The lien of the district
 2059 may be foreclosed in the manner provided in this act.

2060 (3) In any sale of land pursuant to section 197.520,
 2061 Florida Statutes, and amendments thereto, the district may
 2062 certify to the clerk of the circuit court of the county holding
 2063 such sale, the amount of taxes due to the district upon the
 2064 lands sought to be sold, and the district shall share in the
 2065 disbursement of the sales proceeds in accordance with the
 2066 provisions of this act and under law.

2067 Section 46. Mandatory use of certain district facilities
 2068 and services.--The district may require all lands, buildings,
 2069 and premises, and all persons, firms, and corporations within
 2070 the district to use the drainage, reclamation, and water and
 2071 sewer facilities of the district. Subject to such exceptions as
 2072 may be provided by the resolutions, rules, or bylaws of the
 2073 board, and subject to the terms and provisions of any resolution
 2074 authorizing any bonds and agreements with bondholders, no
 2075 drainage and reclamation or water and sewer facilities shall be
 2076 constructed or operated within the district unless the board
 2077 gives its consent thereto and approves the plans and
 2078 specifications therefor.

2079 Section 47. Bids required.--No contract shall be let by
 2080 the board for the construction or maintenance of any project
 2081 authorized by this act, nor shall any goods, supplies, or
 2082 materials be purchased when the amount thereof to be paid by

2083 said district shall exceed \$4,000, unless notice of bids shall
 2084 be advertised once a week for 2 consecutive weeks in a newspaper
 2085 published in Broward County and in general circulation within
 2086 the district, and in each case the bid of the lowest responsible
 2087 bidder shall be accepted, unless all bids are rejected because
 2088 the bids are too high. The board may require the bidders to
 2089 furnish bond with responsible surety to be approved by the
 2090 board. Nothing in this section shall prevent the board from
 2091 undertaking and performing the construction, operation, and
 2092 maintenance of any project or facility authorized by this act,
 2093 by the employment of labor, material, and machinery.

2094 Section 48. Maintenance of projects across rights-of-
 2095 way.--The district shall have the power to construct and operate
 2096 its projects in, along, or under any dedications to the public,
 2097 platted rights-of-way, platted reservations, streets, alleys,
 2098 highways, or other public places or ways, and across any drain,
 2099 ditch, canal, floodway, holding basin, excavation, grade, fill,
 2100 or cut, within or without the district.

2101 Section 49. Agreements with state commissions and
 2102 others.--The board shall have the power to retain and enter into
 2103 agreements with fiscal agents, financial advisors, state
 2104 commissions, engineers, and other consultants or advisors with
 2105 respect to the issuance and sale of any bonds, and the cost and
 2106 expense thereof may be treated as part of the cost and expense
 2107 of such project. Upon request of the board any state commission
 2108 may provide such technical assistance or other services relating
 2109 to bond issues as may be necessary or desirable under the
 2110 circumstances.

2111 Section 50. Agreements with other political bodies for the
 2112 joint discharge of common functions.--The board and any other
 2113 political bodies, whether now in existence or hereafter created,
 2114 are authorized to enter into and carry into effect contracts and
 2115 agreements relating to the common powers, duties, and functions
 2116 of the board and any other political bodies, to the end that
 2117 there may be effective cooperation and coordination in
 2118 discharging their common functions, powers, and duties.

2119 Section 51. Fees, rentals, and charges; procedure for
 2120 adoption and modifications; minimum revenue requirements.--

2121 (1) The district is authorized to prescribe, fix,
 2122 establish, and collect rates, fees, rentals, or other charges
 2123 (hereinafter sometimes referred to as "revenues"), and to revise
 2124 the same from time to time, for the facilities and services
 2125 furnished by the district, within or without the limits of the
 2126 district; including, but not limited to, drainage facilities,
 2127 recreation facilities, and water and sewer systems, to recover
 2128 the costs of making connection with any district facility or
 2129 system; and to provide for reasonable penalties against any user
 2130 or property for any such rates, fees, rentals, or other charges
 2131 that are delinquent.

2132 (2) No such rates, fees, rentals, or other charges for any
 2133 of the facilities or services of the district shall be fixed
 2134 until after a public hearing at which all the users of the
 2135 proposed facility or services, owners, tenants, or occupants
 2136 served or to be served thereby and all other interested persons
 2137 shall have an opportunity to be heard concerning the proposed
 2138 rates, fees, rentals, or other charges. Notice of such public

2139 hearing setting forth the proposed schedule or schedules of
2140 rates, fees, rentals, and other charges shall have been
2141 published in a newspaper in Broward County in general
2142 circulation within the district at least once at least 10 days
2143 prior to such public hearing, which may be adjourned from time
2144 to time. After such hearing such schedule or schedules, either
2145 as initially proposed, or as modified or amended, may be finally
2146 adopted. A copy of the schedule or schedules of such rates,
2147 fees, rentals, or charges as finally adopted shall be kept on
2148 file in an office designated by the board and shall be open at
2149 all reasonable times to public inspection. The rates, fees,
2150 rentals, or charges so fixed for any class of users or property
2151 served shall be extended to cover any additional users or
2152 properties thereafter served which shall fall in the same class,
2153 without the necessity of any notice or hearing. Any change or
2154 revision of rates, fees, rentals, or charges may be made in the
2155 same manner as the same were originally established, as
2156 hereinabove provided, except that if such changes or revisions
2157 are made substantially pro rata as to all classes of the type of
2158 service involved no notice or hearing shall be required.

2159 (3) Such rates, fees, rentals, and charges shall be just,
2160 equitable, and uniform for users of the same class, and where
2161 appropriate may be based or computed either upon the amount of
2162 service furnished or upon the number or average number of
2163 persons residing or working or otherwise occupying the premises
2164 served, or upon any other factor affecting the use of the
2165 facilities furnished, or upon any combination of the foregoing

2166 factors, as may be determined by the board on an equitable
 2167 basis.

2168 (4) The rates, fees, rentals, or other charges prescribed
 2169 shall be such as will produce revenues, together with any other
 2170 assessments, taxes, revenues, or funds available or pledged for
 2171 such purpose, at least sufficient to provide for the items
 2172 hereinafter listed, but not necessarily in the order stated:

2173 (a) To provide for all expenses of operation and
 2174 maintenance of such facility or service.

2175 (b) To pay when due all bonds and interest thereon for the
 2176 payment of which such revenues are, or shall have been, pledged
 2177 or encumbered, including reserves for such purpose.

2178 (c) To provide for any other funds which may be required
 2179 under the resolution or resolutions authorizing the issuance of
 2180 bonds pursuant to this act.

2181 (5) The board shall have the power to enter into contracts
 2182 for the use of the projects of the district and with respect to
 2183 the services and facilities furnished or to be furnished by the
 2184 district, including, but not limited to, service agreements with
 2185 landowners and others within or without the district providing
 2186 for the drainage of land by the district or the furnishing of
 2187 any of the other services and facilities of the district, for
 2188 such consideration and on such other terms and conditions as the
 2189 board may approve. No hearing or notice thereof shall be
 2190 required prior to the authorization or execution by the board of
 2191 any such contract or agreement, and the same shall not be
 2192 subject to revision except in accordance with their terms. Such
 2193 contracts or agreements, and revenues or service charges

2194 received or to be received by the district thereunder, may be
 2195 pledged as security for any of the lands of the district.

2196 Section 52. Recovery of delinquent charges.--In the event
 2197 that any of the rates, fees, rentals, charges, or delinquent
 2198 penalties shall not be paid as and when due and shall be in
 2199 default for 30 days or more, the unpaid balance thereof and all
 2200 interest accrued thereon, together with reasonable attorney's
 2201 fees and costs, may be recovered by the district in a civil
 2202 action.

2203 Section 53. Discontinuance of service.--In the event that
 2204 the fees, rentals, or other charges for the services and
 2205 facilities of any project are not paid when due, the board shall
 2206 have the power to discontinue and shut off the same until such
 2207 fees, rentals, or other charges, including interest, penalties,
 2208 and charges for the shutting off and discontinuance and the
 2209 restoration of such services and facilities, are fully paid, and
 2210 for such purposes may enter on any lands, waters, and premises
 2211 of any person, firm, corporation, or body, public or private,
 2212 within or without the district limits. Such delinquent fees,
 2213 rentals, or other charges, together with interest, penalties,
 2214 and charges for the shutting off and discontinuance and the
 2215 restoration of such services and facilities, and the reasonable
 2216 attorney's fees and other costs, may be recovered by the
 2217 district, which may also enforce payment of such delinquent
 2218 fees, rentals, or other charges by any other lawful method of
 2219 enforcement.

2220 Section 54. Action taken on consent of landowners.--Any
 2221 action required under this act or under chapter 298, Florida

2222 Statutes, to be taken on public hearing for the purpose of
 2223 receiving and passing on objections by landowners may be taken
 2224 without such notice or hearing upon the written consent of all
 2225 of the landowners affected by such action.

2226 Section 55. Enforcement and penalties.--The board or any
 2227 aggrieved person may have recourse to such remedies in law and
 2228 equity as may be necessary to ensure compliance with the
 2229 provisions of this act, including injunctive relief to enjoin or
 2230 restrain any person violating the provisions of this act; and
 2231 any bylaws, resolutions, regulations, rules, codes, and orders
 2232 adopted under this act. In case any building or structure is
 2233 erected, constructed, reconstructed, altered, repaired,
 2234 converted, or maintained, or any building, structure, land, or
 2235 water is used, in violation of this act, or of any code, order,
 2236 resolution or other regulation made under authority conferred by
 2237 this act or under law, the board and any citizen residing in the
 2238 district may institute any appropriate action or proceeding to
 2239 prevent such unlawful erection, construction, reconstruction,
 2240 alteration, repair, conversion, maintenance, or use; to
 2241 restrain, correct, or avoid such violation; to prevent the
 2242 occupancy of such building, structure, land, or water; and to
 2243 prevent any illegal act, conduct, business, or use in or about
 2244 such premises, land, or water.

2245 Section 56. Exemption of district property from
 2246 execution.--All district property shall be exempt from levy and
 2247 sale by virtue of an execution and no execution or other
 2248 judicial process shall issue against such property, nor shall
 2249 any judgment against the district be a charge or lien on its

2250 property or revenues, provided that nothing herein contained
2251 shall apply to or limit the rights of bondholders to pursue any
2252 remedy for the enforcement of any lien or pledge given by the
2253 district in connection with any of the bonds or obligations of
2254 the district.

2255 Section 4. Chapters 71-580, 84-398, 85-387, 87-505, 89-
2256 440, 91-353, 92-245, 94-445, and 96-537, Laws of Florida, are
2257 repealed.

2258 Section 5. If any one or more of the sections or
2259 provisions of this act or the application of such sections or
2260 provisions to any situation, circumstances, or person, shall for
2261 any reason be held to be unconstitutional, such
2262 unconstitutionality shall not affect any other sections or
2263 provisions as to any other situation, circumstances or person,
2264 and it is intended that this law shall be construed and applied
2265 as if such section or provision had not been included herein for
2266 any unconstitutional application.

2267 Section 6. This act shall take effect upon becoming a law.