

CHAMBER ACTION

1 The Finance & Tax Committee recommends the following:

2
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to Walton County; creating the Glendale
7 Fire District, an independent special district; providing
8 definitions; providing for creation, status, charter
9 amendments, boundaries, and purposes; providing for a
10 board of commissioners; providing for election and terms
11 of commissioners; providing for employment of board
12 personnel; providing for election of board officers;
13 providing for compensation and bonds of commissioners;
14 providing powers, duties, and responsibilities of the
15 board; preserving the authority to levy non-ad valorem
16 special assessments; providing for impact fees;
17 authorizing the board to levy special assessments;
18 providing legislative intent; providing duties of the
19 property appraiser; providing for special assessment as a
20 lien; providing for deposit of such special assessments;
21 providing for authority to disburse funds; authorizing the
22 board to borrow money; providing for use of district
23 funds; requiring a record of all board meetings;

24 | authorizing the board to adopt policies and regulations;
 25 | providing for the board to make an annual budget;
 26 | requiring an annual report; authorizing the board to enact
 27 | fire prevention ordinances, appoint a district fire chief,
 28 | acquire land, enter contracts, establish salaries, and
 29 | establish and operate a fire rescue service; providing for
 30 | district authority upon annexation of district lands;
 31 | providing for dissolution; providing immunity from tort
 32 | liability for officers, agents, and employees; providing
 33 | for construction and effect; requiring a referendum;
 34 | providing an effective date.

35 |

36 | Be It Enacted by the Legislature of the State of Florida:

37 |

38 | Section 1. Definitions.--As used in this act, unless
 39 | otherwise specified:

40 | (1) "District" means the Glendale Fire District.

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

43 | (3) "Board of directors" means the existing policymaking
 44 | and governing body of the Glendale Fire District of Walton
 45 | County.

46 | (4) "Commissioner" means a member of the board of
 47 | commissioners of and for the district.

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

49 | (6) "Residence" means one single-family dwelling,
 50 | including one single-apartment dwelling unit; one single-
 51 | condominium dwelling unit; one single duplex, triplex, or other

52 attached dwelling unit; one single-family detached dwelling
 53 unit; or one single mobile or modular home dwelling unit.

54 (7) "Business" means a motel, apartment, or rental
 55 dwelling, along with any other standard commercial or industrial
 56 business such as a gasoline station, store, marina, or similar
 57 establishment, as authorized pursuant to the applicable local
 58 government comprehensive plan, whether or not such businesses
 59 are required to pay or collect sales taxes.

60 Section 2. Creation; status; charter amendments;
 61 boundaries; district purposes.--There is created an independent
 62 special fire control district and rescue service district
 63 incorporating lands in Walton County described in subsection
 64 (1), which shall be a public corporation having the powers,
 65 duties, obligations, and immunities set forth in this act, under
 66 the name of the Glendale Fire District. The district is
 67 organized and exists for all purposes and shall hold all powers
 68 set forth in this act and chapters 189 and 191, Florida
 69 Statutes.

70 (1) The lands to be included within the district are the
 71 following described lands in Walton County:

72 All Sections 24, 25, 26, 35, 36, Township 5 North,
 73 Range 20 West; Walton County, Florida. Also all
 74 Sections 19, 20, 21, 25, 26, 27, 28, 29, 30, 31, 32,
 75 33, 34, 35, 36, Township 5 North, Range 19 West;
 76 Walton County, Florida. Also all Sections 28, 29, 30,
 77 31, 32, 33, Township 5 North, Range 18 West; Walton
 78 County, Florida. Also all Sections 1, 12, Township 4
 79 North, Range 20 West; Walton County, Florida. Also all

80 | sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13,
 81 | 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 34, 35,
 82 | Township 4 North, Range 19 West, Walton County,
 83 | Florida. Also all Sections 4, 5, 6, 7, 8, 9, 16, 17,
 84 | 18, 19, 20, 21, 28, 29, 30, Township 4 North, Range 18
 85 | West, Walton County, Florida. Also all of Section 33,
 86 | Township 4 North, Range 19 West, Walton County,
 87 | Florida: less and except the south 1/4 of section 33.
 88 | Those portions in Township 3 North, Range 19 West,
 89 | which include, those parts of Section 1 and 2 lying
 90 | North of the centerline of County Road 1883 and
 91 | Sunrise Road. The portion in Township 3 North, Range
 92 | 19 West, which includes, the part of Section 3 lying
 93 | North of the centerline of Sunrise Road. The portion
 94 | in Township 4 North, Range 19 West which includes, the
 95 | part Section 36 lying North and East of the centerline
 96 | of County Road 1883 and Coy Ellis Road. Those portions
 97 | within Township 4 North, Range 18 West, which include,
 98 | those portions of Section 31, lying North of the
 99 | centerline of Coy Ellis Road. Those portions in
 100 | Township 4 North, Range 18 West which includes,
 101 | Sections 32, 33, lying North of the centerline of
 102 | County Road 183 North. The portion in Township 4
 103 | North, Range 18 West which includes, Section 33 lying
 104 | Northeast of County Road 183B.

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

108 Glendale Fire District by providing for the financial support of
 109 the Glendale Fire District of Walton County, a Florida not-for-
 110 profit corporation, which currently provides the district with
 111 fire protection services, facilities, and firefighting
 112 equipment; the establishment and maintenance of fire stations
 113 and fire substations; the acquisition and maintenance of all
 114 firefighting and protection equipment necessary for the
 115 prevention of fires or fighting of fires; the employment and
 116 training of such personnel as may be necessary to accomplish
 117 fire prevention and firefighting; the establishment and
 118 maintenance of emergency services; the acquisition and
 119 maintenance of rescue and other emergency equipment; and the
 120 employment and training of necessary emergency personnel. The
 121 district may provide emergency medical services. The district
 122 shall have all other powers necessary to carry out these
 123 purposes. The district shall be a fire control district and
 124 shall have no responsibility for providing ambulance or similar
 125 emergency services within the district's boundaries.

126 (3) Nothing in this act shall prevent the district from
 127 cooperating with the state or other local governments to render
 128 such services to communities adjacent to the lands described in
 129 this section as evidenced by a signed aid agreement.

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

132 Section 3. Board of commissioners.--

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

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136 qualified electors residing within the district and shall be
137 elected by the qualified electors residing within the district
138 at a special election, subject to the provisions of chapters 189
139 and 191, Florida Statutes, and this act. Each commissioner shall
140 hold office until his or her successor is elected and qualified
141 under the provisions of this act. The procedures for conducting
142 district elections and for qualification of candidates and
143 electors shall be pursuant to chapters 189 and 191, Florida
144 Statutes.

145 (2) The five members of the initial board shall be elected
146 by the qualified electors residing within the district. The
147 three elected members for seats 1, 3, and 5 in the initial
148 election under this act shall serve terms of 3 years each. The
149 remaining two elected members for seats 2 and 4 in the initial
150 election under this act shall serve terms of 2 years each.
151 Subsequent elections under this act shall coincide with the
152 general elections of this state, and members of the board shall
153 serve on a nonpartisan basis for terms of 4 years each.

154 (3) Vacancies in office shall be filled by special
155 election, said election to be held coincident with the next
156 countywide general or special election. The board may appoint a
157 qualified elector of the district to act as commissioner until
158 the vacancy is filled by election. A commissioner must be a
159 qualified elector residing within the district. A commissioner
160 may be removed from office for any reason that a state or county
161 officer may be removed.

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

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164 except as otherwise provided in this act. The board shall, to
165 the extent possible, coordinate all elections with countywide
166 general or special elections in order to minimize cost.
167 Elections shall be called through the adoption of an appropriate
168 resolution of the district directed to the Board of County
169 Commissioners of Walton County, the Supervisor of Elections of
170 Walton County, and other appropriate officers of the county. The
171 district shall reimburse county government for the actual cost
172 of district elections. No commissioner shall be paid a employee
173 of the district while holding said position. This shall not
174 prevent volunteers receiving reimbursement for expenses from
175 servng as commissioners.

176 (5) The board may employ such personnel as deemed
177 necessary for the proper function and operation of a fire
178 district. The salaries of fire department and emergency service
179 personnel, and any other wages, shall be determined by the
180 board.

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

182 (1) In accordance with chapter 191, Florida Statutes, each
183 elected member of the board shall assume office 10 days
184 following the member's election. Annually, within 60 days after
185 election of new members of said board, the members immediately
186 upon their election as herein provided, or within 10 days
187 thereafter and annually in November, shall organize by electing
188 from their number a chair, vice chair, secretary, and treasurer.
189 However, the same member may be both secretary and treasurer, in
190 accordance with chapter 191, Florida Statutes, as amended from
191 time to time.

192 (2) The commissioners may receive reimbursement for actual
 193 expenses incurred while performing the duties of their offices
 194 in accordance with general law governing per diem for public
 195 officials. Commissioners may receive compensation for their
 196 services in accordance with chapter 191, Florida Statutes, as
 197 amended from time to time.

198 (3) Each commissioner, upon taking office and in
 199 accordance with chapters 189 and 191, Florida Statutes, shall
 200 execute to the Governor, for the benefit of the district, a bond
 201 of \$5,000 with a qualified personal or corporate surety,
 202 conditioned upon the faithful performance of the duties of the
 203 commissioner's office and upon an accounting for all funds that
 204 come into his or her hands as commissioner; however, the
 205 treasurer shall furnish a bond of \$10,000, which may be in lieu
 206 of the \$5,000 bond. The premium for such bonds shall be paid
 207 from district funds.

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

209 (1) The district shall have and the board may exercise by
 210 majority vote all the powers and duties set forth in this act
 211 and chapters 189, 191, and 197, Florida Statutes, as they may be
 212 amended from time to time, including, but not limited to,
 213 special assessments, other revenue-raising capabilities, budget
 214 preparation and approval, liens and foreclosure of liens, use of
 215 tax deeds and tax certificates as appropriate from non-ad
 216 valorem assessments, contractual agreements, and adoptions of
 217 ordinances and resolutions that are necessary to conduct
 218 district business if such ordinances do not conflict with an

219 ordinance of a local general purpose government within whose
 220 jurisdiction the district is located.

221 (2) The board shall continue to have the right, power, and
 222 authority to levy annually special assessments against the
 223 taxable real estate within the district to provide funds for the
 224 purposes of the district, in an amount not to exceed the limit
 225 provided in chapter 191, Florida Statutes.

226 (3) The methods for assessing and collecting special
 227 assessments, fees, or service charges shall be as set forth in
 228 this act and chapters 170, 189, 191, and 197, Florida Statutes.

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

232 (5) The district is authorized to levy and enforce special
 233 assessments in accordance with chapters 170, 189, 191, and 197,
 234 Florida Statutes.

235 (6) The district's planning requirements shall be as set
 236 forth in this act and chapters 189 and 191, Florida Statutes.

237 (7) Requirements for financial disclosure, meeting
 238 notices, reporting, public records maintenance, and per diem
 239 expenses for officers and employees shall be as set forth in
 240 this act and chapters 112, 119, 189, 191, and 286, Florida
 241 Statutes.

242 Section 6. Impact fees.--

243 (1) Pursuant to section 191.009(4), Florida Statutes, it
 244 is hereby declared that the cost of new facilities upon fire
 245 protection and emergency services should be borne by new users
 246 of the district's services to the extent new construction

247 requires new facilities, but only to that extent. It is the
 248 legislative intent of this section to transfer to the new users
 249 of the district's fire protection and emergency services a fair
 250 share of the costs that new users impose on the district for new
 251 facilities. This shall only apply in the event that the general
 252 purpose local government in which the district is located has
 253 not adopted an impact fee for fire services that is distributed
 254 to the district for construction within its jurisdictional
 255 boundaries.

256 (2) The impact fees collected by the district pursuant to
 257 this section shall be kept as a separate fund from other
 258 revenues of the district and shall be used exclusively for the
 259 acquisition, purchase, or construction of new facilities or
 260 portions thereof required to provide fire protection and
 261 emergency services to new construction. "New facilities" means
 262 land, buildings, and capital equipment, including, but not
 263 limited to, fire and emergency vehicles and radio telemetry
 264 equipment. The fees shall not be used for the acquisition,
 265 purchase, or construction of facilities that must be obtained in
 266 any event, regardless of growth within the district. The board
 267 of fire commissioners shall maintain adequate records to ensure
 268 that impact fees are expended only for permissible new
 269 facilities.

270 Section 7. Special assessments.--

271 (1) The board shall have the right, power, and authority
 272 to levy special assessments against the taxable real estate
 273 within the district to provide funds for the purposes of the
 274 district.

275 (2)(a) The annual rate of the special assessment for a
 276 residence will be \$25.

277 (b) The annual rates of the special assessments for
 278 nonresidential property shall be as follows:

- 279 1. Commercial property: \$0.04 per square foot.
- 280 2. Industrial/warehouse property: \$0.01 per square foot.
- 281 3. Institutional property: \$0.05 per square foot.

282 (c) Any increase in the special assessments must be
 283 approved by a majority of the electors within the Glendale Fire
 284 District.

285 (3) It is the legislative intent that this act shall
 286 authorize the Walton County Property Appraiser and the Walton
 287 County Tax Collector to take all appropriate action to comply
 288 with the intent and the purpose of this act.

289 (4) It is also the legislative intent that the board of
 290 commissioners shall be a vehicle to provide funding to
 291 accomplish the purposes set out in this act.

292 Section 8. Property appraiser.--

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

296 (2) The Walton County Property Appraiser shall include in
 297 the Walton County tax roll the assessments made by the board,
 298 and the same shall be collected in the manner as provided for by
 299 this act and paid over by the Walton County Tax Collector to the
 300 board.

301 (3) The Walton County Property Appraiser shall be
 302 reimbursed for assessing such special assessments in the manner

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303 and amount authorized by general law, and the Walton County Tax
 304 Collector shall receive a commission or fee of 3 percent for
 305 collection of such special assessments.

306 Section 9. Special assessment as a lien.--The special
 307 assessment levied and assessed by the district shall be a lien
 308 upon the property so assessed along with the county taxes
 309 assessed against such property until said assessments and taxes
 310 have been paid, and if the special assessment levied by the
 311 district becomes delinquent, such special assessment shall be
 312 considered a part of the county tax subject to the same
 313 penalties, charges, fees, and remedies for enforcement and
 314 collection of such taxes.

315 Section 10. Deposit of special assessments; fees;
 316 authority to disburse funds.--

317 (1) The proceeds of the assessments and funds of the
 318 district shall be deposited in qualified public depositories, in
 319 accordance with chapters 191 and 280, Florida Statutes, as they
 320 may be amended from time to time, in the name of the district in
 321 a bank authorized to receive deposits of district funds. The
 322 bank shall be designated by a resolution of the board.

323 (2) All warrants for the payment of labor, equipment, and
 324 other expenses of the board, and in carrying into effect this
 325 act and the purposes thereof, shall be payable by the treasurer
 326 of the board on accounts and vouchers approved and authorized by
 327 the board. No funds of the district shall be paid out or
 328 disbursed except by check signed by the treasurer of the board
 329 and either the chair or vice chair of the board.

330 Section 11. Authority to borrow money.--

331 (1) The board of commissioners shall have the power and
 332 authority to borrow money or issue other evidences of
 333 indebtedness for the purpose of the district in accordance with
 334 chapters 189 and 191, Florida Statutes, provided that the total
 335 payments in any one year, including principal and interest, on
 336 any indebtedness incurred by the district shall not exceed 50
 337 percent of the total estimated annual budgeted revenues of the
 338 district.

339 (2) The board of commissioners, board of directors as a
 340 body, or any of the members of either board as individuals shall
 341 not be personally or individually liable for the repayment of
 342 such loan. Such repayment shall be made out of the special
 343 assessment receipts of the district, except as provided in this
 344 subsection. The commissioners shall not create any indebtedness
 345 or incur obligations for any sum or amount that they are unable
 346 to repay out of district funds available to them at that time,
 347 except as otherwise provided in this act; however, the
 348 commissioners may make purchases of equipment on an installment
 349 basis as necessary if funds are available for the payment of the
 350 current year's installment on such equipment and the amount due
 351 in that year of any of the installments and the repayment of any
 352 bank loan or other existing indebtedness that may be due that
 353 year.

354 Section 12. Use of district funds.--No funds of the
 355 district shall be used for any purposes other than the
 356 administration of the affairs and business of the district; the
 357 construction, care, maintenance, upkeep, operation, and purchase
 358 of firefighting and rescue equipment or a fire station; the

359 payment of public utilities; and the payment of salaries of
 360 district personnel as the board may from time to time determine
 361 to be necessary for the operations and effectiveness of the
 362 district.

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

365 (1) A record shall be kept of all meetings of the board,
 366 and in such meetings concurrence of a majority of the
 367 commissioners present shall be necessary to any affirmative
 368 action by the board.

369 (2) The board shall have the authority to adopt and amend
 370 policies and regulations for the administration of the affairs
 371 of the district under the terms of this act and chapters 189 and
 372 191, Florida Statutes, which shall include, but not be limited
 373 to, the authority to adopt the necessary rules and regulations
 374 for the administration and supervision of the property and
 375 personnel of the district; for the prevention of fires, fire
 376 control, fire hydrant placement, and flow testing in accordance
 377 with current NFPA rules; and for rescue work within the
 378 district. Said commissioners shall have all the lawful power and
 379 authority necessary to carry out the purposes of said fire
 380 district; to purchase all necessary real and personal property;
 381 to purchase and carry standard insurance policies on all such
 382 equipment; to employ such personnel as may be necessary to carry
 383 out the purposes of said fire district; to provide adequate
 384 insurance for said employees; to purchase and carry appropriate
 385 insurance for protection of all firefighters and personnel as
 386 well as all equipment and personal property on loan to the

387 district; to sell surplus real and personal property in the same
 388 manner and subject to the same restrictions as provided for such
 389 sales by counties; to enter into contracts with qualified
 390 service providers, the Glendale Fire District of Walton County,
 391 other fire departments, municipalities, and state and federal
 392 governmental units for the purpose of obtaining financial aid;
 393 and for otherwise carrying out the purposes of the district. The
 394 commissioners shall adopt a fiscal year for said fire district,
 395 which shall be October 1 to September 30.

396 (3) Any policies, rules, and regulations adopted and made
 397 by the board shall have the force and effect of law after copies
 398 thereof, signed by the secretary and chair or vice chair, are
 399 posted in three public places within the district in conspicuous
 400 locations and advertised by title once per week for 2
 401 consecutive weeks in a newspaper of general paid circulation in
 402 the district.

403 (4) The board shall, on or before November 1, make an
 404 annual report of its actions and accounting of its funds as of
 405 September of that year and shall file said report in the Office
 406 of the Clerk of the Circuit Court of Walton County, whose duty
 407 it shall be to receive and file said report and hold and keep
 408 the same as a public record.

409 (5) For the purposes of carrying into effect this act, the
 410 board shall annually prepare, consider, and adopt a district
 411 budget pursuant to the applicable requirements of chapters 189
 412 and 191, Florida Statutes. The board shall, at the same time as
 413 it makes its annual report, file its estimated budget for the
 414 fiscal year beginning October 1, which budget shall show the

415 estimated revenue to be received by the district and the
 416 estimated expenditures to be incurred by the district in
 417 carrying out its operations.

418 Section 14. Authority to enact fire prevention ordinances;
 419 appoint fire chief, acquire land, enter contracts, establish
 420 salaries, general and special powers; authority to provide
 421 emergency medical and rescue services.--

422 (1) The board of commissioners shall have the right and
 423 power to enact fire prevention ordinances in the same manner
 424 provided for the adoption of policies and regulations in
 425 subsection (2) of section 13, and when the provisions of such
 426 fire prevention ordinances are determined by the board to be
 427 violated, the office of the state attorney, upon written notice
 428 of such violation issued by the board, is authorized to
 429 prosecute such person or persons held to be in violation
 430 thereof. Any person found guilty of a violation may be punished
 431 as provided in chapter 775, Florida Statutes, as a misdemeanor
 432 of the second degree. The cost of such prosecution shall be paid
 433 out of district funds, unless otherwise provided by law.

434 (2) The board shall have the power to appoint a fire
 435 chief, who shall be a person experienced in all types of
 436 firefighting and fire prevention and who shall work with the
 437 State Fire Marshal in which the district is situated in the
 438 prevention of fires of all types. The district fire chief shall
 439 be authorized to enter, at all reasonable hours, any building or
 440 premises for the purpose of making any inspection or
 441 investigation that the State Fire Marshal is authorized to make
 442 pursuant to state law and regulation. The owner, lessee,

443 manager, or operator of any building or premises shall permit
 444 the district fire chief to enter and inspect the building or
 445 premises at all reasonable hours. The district fire chief shall
 446 report any violations of state firesafety laws or regulations to
 447 the appropriate officials.

448 (3) The board shall have the power to acquire, by gift or
 449 purchase, lands or rights in lands and any other property, real
 450 and personal, tangible or intangible, necessary, desirable, or
 451 convenient for carrying out the purposes of the district and to
 452 pay any and all costs of same out of the funds of the district,
 453 provided that prior to the acquisition of the location of a fire
 454 station site, an appropriate investigation shall be conducted
 455 that shall include, but not be limited to, obtaining the staff
 456 recommendation of the Walton County Planning Department.

457 (4) The board shall have the power to enter into contracts
 458 or to otherwise join with the Glendale Fire District of Walton
 459 County, or to otherwise join with any other district, city, or
 460 town, the United States of America, or any agency or authority
 461 thereof, for the purpose of expanding services, providing
 462 effective aid, and accomplishing and carrying out the purposes
 463 for which the district was created and for the further purpose
 464 of specifically obtaining financial aid, assistance, or subsidy.

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

467 (6) The district is authorized to establish and maintain
 468 emergency medical and rescue response services and acquire and
 469 maintain rescue, medical, and other emergency equipment, subject
 470 to the provisions of chapter 401, Florida Statutes.

471 Section 15. Annexations.--If any municipality or other
 472 fire control district annexes any land included in the district,
 473 such annexation shall follow the procedures set forth in section
 474 171.093, Florida Statutes, as amended from time to time.

475 Section 16. Dissolution.--The district shall exist until
 476 dissolved in the same manner as it was created. If the Glendale
 477 Fire District of Walton County is dissolved or ceases to exist
 478 for any reason, or if the board determines that the Glendale
 479 Fire District of Walton County is unable to carry out its
 480 objectives as stated in subsection (2) of section 2 or the
 481 district's published policies, the board shall in its discretion
 482 make arrangements for other means of providing fire protection
 483 and rescue services.

484 Section 17. Immunity from tort liability.--

485 (1) The district and its officers, agents, and employees
 486 shall have the same immunity from tort liability as other
 487 agencies and subdivisions of the state. The provisions of
 488 chapter 768, Florida Statutes, as from time to time amended,
 489 shall apply to all claims asserted against the district.

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

494 (3) The district shall defend all claims against the
 495 commissioners, officers, agents, and employees that arise within
 496 the scope of employment or purposes of the district and shall
 497 pay all judgments against said persons, except where said
 498 persons acted in bad faith or with malicious purpose or in a

499 manner exhibiting wanton and willful disregard of human rights,
500 safety, or property.

501 Section 18. District expansion.--

502 (1) The district boundaries may be extended from time to
503 time as follows:

504 (a) Land contiguous to the boundaries of the district in
505 unincorporated Walton County may be included in the district
506 when petition for inclusion signed and sworn to by a majority of
507 the owners of the real property within the tract or tracts to be
508 included in the district has been presented to the board of
509 commissioners and the proposal has been approved by the
510 affirmative vote of no fewer than three members of the board of
511 commissioners at a regular meeting.

512 (b) The petition must contain the legal description of the
513 property sought to be added to the district and the names and
514 addresses of the owners of the property.

515 (2) If a proposal to add an area to the district as
516 described in subsection (1) is approved by the affirmative vote
517 of no fewer than three members of the board of commissioners at
518 a regular meeting, the board of commissioners shall thereafter
519 adopt a resolution describing the lands to be included within
520 the district and shall cause such resolution to be duly enrolled
521 in the record of the meeting and a certified copy of the
522 resolution to be recorded in the Office of the Clerk of the
523 Circuit Court of Walton County.

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

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527 and sponsor legislation amending the district boundary. Upon
 528 approval by the Legislature, the boundary shall be amended.

529 Section 19. Construction.--This act shall be construed as
 530 remedial and shall be liberally construed to promote the purpose
 531 for which it is intended.

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

535 Section 21. On or before December 30, 2006, the Board of
 536 County Commissioners of Walton County shall call and the
 537 Supervisor of Elections of Walton County shall conduct a
 538 referendum of the qualified voters of the Glendale Fire District
 539 on the question of whether the Glendale Fire District shall be
 540 created by special act of the Legislature with authority to
 541 impose impact fees pursuant to section 6 of this act and special
 542 assessments pursuant to section 7 of this act.

543 Section 22. This act shall take effect only if a majority
 544 of those qualified electors of the Glendale Fire District voting
 545 in a referendum held pursuant to this act approve the referendum
 546 question in accordance with section 21, except that this section
 547 and section 21 shall take effect upon becoming a law.