

ENROLLED  
 HB 1677, Engrossed 1

2005 Legislature

1                                   A bill to be entitled  
 2           An act relating to the Avalon Beach-Mulat Fire Protection  
 3           District, Santa Rosa County; codifying, amending,  
 4           reenacting, and repealing the special acts pertaining to  
 5           the Avalon Beach-Mulat Fire Protection District; providing  
 6           definitions; requiring the board to make annual reports;  
 7           repealing chapters 80-608, 82-378, 82-379, and 91-392,  
 8           Laws of Florida; providing an effective date.

9  
 10   Be It Enacted by the Legislature of the State of Florida:

11  
 12           Section 1. Pursuant to section 189.429, Florida Statutes,  
 13 this act constitutes the codification of all special acts  
 14 relating to the Avalon Beach-Mulat Fire Protection District. It  
 15 is the intent of the Legislature in enacting this law to provide  
 16 a 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 80-608, 82-378, 82-379, and 91-392,  
 21 Laws of Florida, are codified, reenacted, amended, and repealed  
 22 as provided in this act.

23           Section 3. The charter for the Avalon Beach-Mulat Fire  
 24 Protection District is re-created and reenacted to read:

25           Section 1. Definitions.--As used in this act unless  
 26 otherwise specified:

27           (1) "District" means the Avalon Beach-Mulat Fire  
 28 Protection District.

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29           (2) "Board" and "board of commissioners" mean the board of  
 30 commissioners of and for the district.

31           (3) "Commissioner" means a member of the board of  
 32 commissioners of and for the district.

33           (4) "County" means Santa Rosa County.

34           (5) "Residence" means one single-family dwelling such as  
 35 one single-apartment dwelling unit, one single-condominium  
 36 dwelling unit, one single-duplex dwelling unit, one single-  
 37 family dwelling unit, one single-mobile home dwelling unit.

38 "Single-mobile home dwelling unit" means the realty upon which a  
 39 residential mobile home is located, whether a rental space or  
 40 lot, or otherwise, but does not refer to the mobile home itself.

41           (6) "Business" means motels or apartments subject to sales  
 42 tax along with other standard commercial businesses such as  
 43 gasoline stations, stores, marinas, and similar establishments.

44           Section 2. (1) District created.--There is hereby created  
 45 a special taxing fire protection and rescue service district  
 46 incorporating lands in Santa Rosa County described in subsection  
 47 (2) which shall be a public corporation having the powers,  
 48 duties, obligations, and immunities herein set forth, under the  
 49 name of the Avalon Beach-Mulat Fire Protection District and also  
 50 known as the Avalon Fire/Rescue District with all the powers and  
 51 duties specified in chapter 191, Florida Statutes, including  
 52 non-ad valorem and ad valorem assessments.

53           (2) The lands to be included within the district are the  
 54 following described lands in Santa Rosa County:

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 56           Section 28, township 1 North, range 29 West.

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 58 |       Section 29, township 1 North, range 29 West.  
 59 |  
 60 |       Section 30 , township 1 North, range 29 West.  
 61 |  
 62 |       Section 32, township 1 North, range 29 West.  
 63 |  
 64 |       Section 33, township 1 North, range 29 West.  
 65 |  
 66 |       Section 34, township 1 North, range 29 West.  
 67 |  
 68 |       Section 35, township 1 North, range 29 West.  
 69 |  
 70 |       West 1/2 of North East 1/4, West 1/2 of South East  
 71 |       1/4, that portion lying East of Highway 191-A of North  
 72 |       West 1/4 and all of South West 1/4 of section 17,  
 73 |       township 1 North, range 28 West.  
 74 |  
 75 |       South 1/2 of section 18, township 1 North, range 28  
 76 |       West.  
 77 |  
 78 |       Section 19, township 1 North, range 28 West.  
 79 |  
 80 |       Section 20, less East 1/2 of North East 1/4 and North  
 81 |       East 1/4 of South East 1/4 and East 1/2 of South East  
 82 |       1/4 of South East 1/4 township 1 North, range 28 West.  
 83 |  
 84 |       Section 29, township 1 North, range 28 West.

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Section 30, township 1 North, range 28 West.

Section 32, township 1 North, range 28 West.

Section 37, township 1 North, range 28 West.

Section 40, township 1 North, range 28 West.

Section 41, township 1 North, range 28 West.

Section 42, township 1 North, range 28 West.

Section 3, township 1 South, range 28 West.

Section 4, township 1 South, range 28 West.

Section 5, township 1 South, range 28 West.

Section 6, township 1 South, range 28 West.

Section 8, township 1 South, range 28 West.

Section 9, township 1 South, range 28 West.

Section 10, township 1 South, range 28 West.

Section 11, township 1 South, range 28 West.

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- 114        Section 15, township 1 South, range 28 West.
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- 116        Section 17, township 1 South, range 28 West.
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- 118        Section 18, township 1 South, range 28 West.
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- 120        Section 21, township 1 South, range 28 West.
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- 122        Section 22, township 1 South, range 28 West.
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- 124        Section 23, township 1 South, range 28 West.
- 125
- 126        That portion of section 24 West of Highway 191 plus
- 127        the South West 1/4 lying East of Highway 191, Township
- 128        1 South, range 28 West.
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- 130        Section 1, township 2 South, range 28 West.
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- 132        Section 2, township 2 South, range 28 West.
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- 134        Section 3, township 2 South, range 28 West.
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- 136        Section 4, township 2 South, range 28 West.
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- 138        Section 1, township 2 South, range 29 West.
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- 140        Section 36, township 1 North, range 29 West.

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141  
 142       Section 2, township 1 North, range 29 West, lying  
 143       South of Mulat Bayou, being part of the Peter  
 144       Philabert Grant.  
 145  
 146       Section 3, township 1 North, range 29 West, lying  
 147       South of Mulat Bayou, being a portion of the Peter  
 148       Philabert Grant.  
 149  
 150       Section 27, township 1 North, range 29 West, less and  
 151       except the North West 1/4 thereof.  
 152  
 153       Section 38, township 1 North, range 28 West.  
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 155       Section 39, township 1 North, range 28 West.  
 156  
 157       Section 1, township 1 North and township 1 South,  
 158       range 29 West.  
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 160       Section 3, township 1 South, range 29 West.  
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 162       Section 4, township 1 South, range 29 West.  
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 164       Section 5, township 1 South, range 29 West.  
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 166       Section 16, township 1 South, range 28 West.  
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 168       Section 26, township 1 South, range 28 West.

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Section 27, township 1 South, range 28 West.

Section 28, township 1 South, range 28 West.

(3) Nothing herein shall deny the right of the chief or other governing officials of the district to render such services to communities adjacent to the land described in subsection (2), or such other places as from time to time may be deemed desirable.

Section 3. Ad valorem taxation.--

(1) The board shall have the right, power, and authority to levy ad valorem tax millage within the district to provide funds for the purposes of the district.

(2) The rate of taxation shall be fixed by a resolution of the board; however, the maximum millage proposed in the initial referendum shall not exceed 1 mill, unless increased by referendum pursuant to section 191.009, Florida Statutes.

Section 4. Reports and estimated budget.--

(1) The board shall make an annual report of its actions and accounting of its funds and shall file said report in accordance with Article VII of the State Constitution, and chapters 191, 192, and 218, Florida Statutes.

(2) The board shall file and publish its annual budget showing estimated revenue and estimated expenditures incurred by the district in carrying out its operations pursuant to Article VII of the State Constitution, and chapters 191, 192, and 218, Florida Statutes.

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197        Section 5. Severability.--If any clause, section, or  
198 provision of this act shall be declared to be unconstitutional  
199 or invalid by any court of competent jurisdiction, the same  
200 shall be eliminated from this act, and the remaining portion of  
201 said act shall be in force and effect and be as valid as if such  
202 invalid portion thereof had not been incorporated therein,  
203 provided the same may be so separated.

204        Section 4. Chapters 80-608, 82-378, 82-379, and 91-392,  
205 Laws of Florida, are repealed.

206        Section 5. This act shall take effect upon becoming a law.