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HB 0723

2005 Legislature

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A bill to be entitled  
 An act relating to the Braden River Fire Control and  
 Rescue District, Manatee County; amending chapter 2000-  
 404, Laws of Florida; revising the district charter to  
 rename the district, provide it with specified statutory  
 powers and authority, and delete unnecessary or redundant  
 provisions relating to the district board of  
 commissioners, special powers of the district, and taxes,  
 non-ad valorem assessments, impact fees, and user charges;  
 providing an effective date.

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

Section 1. Sections 1, 2, 3, 4, and 6 through 13 of  
 section 3 of chapter 2000-404, Laws of Florida, are amended to  
 read:

Section 1. Incorporation.--Upon the effective date of this  
 act, all of the unincorporated lands in Manatee County, Florida,  
 as described in this act, shall become and be incorporated into  
 and as an independent special fire control district. Said  
 special fire control district shall become and be a public  
 municipal corporation, having the powers and duties herein set  
 forth under the name of East Manatee Fire ~~Braden River Fire~~  
~~Control and~~ Rescue District.

Section 2. Jurisdiction.--The lands to be incorporated  
 within the East Manatee Fire ~~Braden River Fire Control and~~  
 Rescue District are described as follows:

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29 Begin at the intersection of the centerlines of the  
 30 Manatee River and the Braden River; thence easterly  
 31 along the centerline of the Manatee River to the  
 32 intersection of the Rye Road bridge; thence northerly  
 33 along the centerline of Rye Road to a point of  
 34 intersection of the North section line of Section 24  
 35 Township 34 South, Range 19 East; thence easterly to  
 36 the Northeast corner of Section 24; thence southerly  
 37 along the east line of said Section 24 to the  
 38 centerline of Lake Manatee; thence easterly to S.R.  
 39 64; thence westerly along the centerline of S.R. 64 to  
 40 old S.R. 675; thence south along the centerline of  
 41 S.R. 675 and its southerly extension to the line  
 42 dividing Manatee County and Sarasota County which same  
 43 point being the Southeast corner of Section 33,  
 44 Township 35 South, Range 20 East; thence westerly  
 45 along said dividing line to point being the  
 46 intersection of the line dividing Manatee and Sarasota  
 47 Counties and the Southerly extension of the West  
 48 right-of-way line of Interstate I-75, said point being  
 49 located in Section 36 Township 35 South Range 18 East;  
 50 thence northerly along said west right-of-way line to  
 51 the centerline of the Braden River; thence westerly  
 52 and northerly along said centerline to the centerline  
 53 of the Manatee River, also being the point of  
 54 beginning; specifically excluding all lands lying and  
 55 situate within the corporate limits of the City of  
 56 Bradenton.  
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58 Section 3. District board of commissioners; memberships,  
59 officers, meetings.--

60 (1) The business affairs of the district shall be  
61 conducted and administered by a board of five commissioners who  
62 shall reside within said district and who shall be elected as  
63 provided for in accordance with section 191.005, Florida  
64 Statutes.

65 ~~(2) Each elected member of the board shall assume office~~  
66 ~~10 days following the member's election. Annually, in January,~~  
67 ~~and/or within 60 days after the newly elected members have taken~~  
68 ~~office, the board shall organize by electing from its members a~~  
69 ~~chair, a vice chair, a secretary, and a treasurer. The positions~~  
70 ~~of secretary and treasurer may be held by one member. Funds of~~  
71 ~~the district may be disbursed only upon the order or pursuant to~~  
72 ~~resolution of the board, by warrant or check signed by the~~  
73 ~~treasurer or other person authorized by the board. However, a~~  
74 ~~petty cash account may be authorized by the board. The board may~~  
75 ~~give the treasurer additional powers and duties that it deems~~  
76 ~~appropriate.~~

77 ~~(3) Members of the board may each be paid a salary or~~  
78 ~~honorarium to be determined by at least a majority plus one vote~~  
79 ~~of the board, which salary or honorarium may not exceed \$500 per~~  
80 ~~month for each member. Special notice of any meeting at which~~  
81 ~~the board will consider a salary change for board members shall~~  
82 ~~be published at least once, at least 14 days prior to the~~  
83 ~~meeting, in a newspaper of general circulation in the county in~~  
84 ~~which the district is located. Separate compensation for the~~  
85 ~~board member serving as treasurer may be authorized by like vote~~  
86 ~~so long as total compensation for the board member does not~~

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87 ~~exceed \$500 per month. Members may be reimbursed for travel and~~  
 88 ~~per diem expenses as provided for in section 112.061, Florida~~  
 89 ~~Statutes.~~

90 ~~(4) If a vacancy occurs on the board due to the~~  
 91 ~~resignation, death, or removal of a board member or the failure~~  
 92 ~~of anyone to qualify for a board seat, the remaining members may~~  
 93 ~~appoint a qualified person to fill the seat until the next~~  
 94 ~~general election, at which time an election shall be held to~~  
 95 ~~fill the vacancy for the remaining term, if any. The board shall~~  
 96 ~~remove any member who has three consecutive, unexcused absences~~  
 97 ~~from regularly scheduled meetings. The board shall adopt~~  
 98 ~~policies by resolution defining excused and unexcused absences.~~

99 ~~(5) Each member shall, upon assuming office, take and~~  
 100 ~~subscribe to the oath of office prescribed by s. 5(b), Art. II~~  
 101 ~~of the State Constitution and section 876.05, Florida Statutes.~~  
 102 ~~Each member, within 30 days after assuming office, must give the~~  
 103 ~~Governor a good and sufficient surety bond in the sum of \$5,000,~~  
 104 ~~the cost thereof being borne by the district, conditioned on the~~  
 105 ~~member's faithful performance of his or her duties of office.~~

106 ~~(6) The board shall keep a permanent record book entitled~~  
 107 ~~"Record of Proceedings of (name of district)," in which the~~  
 108 ~~minutes of all meetings, resolutions, proceedings, certificates,~~  
 109 ~~bonds given by commissioners, and corporate acts shall be~~  
 110 ~~recorded. The record book shall be open to inspection in the~~  
 111 ~~same manner as state, county, and municipal records are open~~  
 112 ~~under chapter 119, Florida Statutes, and s. 24, Art. I of the~~  
 113 ~~State Constitution. The record book shall be kept at the office~~  
 114 ~~or other regular place of business maintained by the board in~~  
 115 ~~the county or municipality in which the district is located.~~

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116        (2)~~(7)~~ All meetings of the board shall be open to the  
 117 public consistent with chapter 286, Florida Statutes, section  
 118 189.417, Florida Statutes, and other applicable general laws.

119        Section 4. General powers.--The district shall have, and  
 120 the board may exercise by majority vote, the ~~following~~ powers  
 121 and authority set forth in chapters 189 and 191, Florida  
 122 Statutes, as amended from time to time.+

123        ~~(1) To sue and be sued in the name of the district, to~~  
 124 ~~adopt and use a seal and authorize the use of a facsimile~~  
 125 ~~thereof, and to make and execute contracts and other instruments~~  
 126 ~~necessary or convenient to the exercise of its powers.~~

127        ~~(2) To provide for a pension or retirement plan for its~~  
 128 ~~employees. Notwithstanding the prohibition against extra~~  
 129 ~~compensation as provided in section 215.425, Florida Statutes,~~  
 130 ~~the board may provide for an extra compensation program,~~  
 131 ~~including a lump sum bonus payment program, to reward~~  
 132 ~~outstanding employees whose performances exceed standard, if the~~  
 133 ~~program provides that a bonus payment may not be included in an~~  
 134 ~~employee's regular base rate of pay and may not be carried~~  
 135 ~~forward in subsequent years.~~

136        ~~(3) To contract for the services of consultants to perform~~  
 137 ~~planning, engineering, legal, or other professional services.~~

138        ~~(4) To borrow money and accept gifts, to apply for and use~~  
 139 ~~grants or loans of money or other property from the United~~  
 140 ~~States, the state, a unit of local government, or any person for~~  
 141 ~~any district purposes, and enter into agreements required in~~  
 142 ~~connection therewith, and to hold, use, sell, and dispose of~~  
 143 ~~such moneys or property for any district purpose in accordance~~  
 144 ~~with the terms of the gift, grant, loan, or agreement relating~~

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145 ~~thereto.~~

146 ~~(5) To adopt resolutions and procedures prescribing the~~  
147 ~~powers, duties, and functions of the officers of the district,~~  
148 ~~the conduct of the business of the district, the maintenance of~~  
149 ~~records, and the form of other documents and records of the~~  
150 ~~district. The board may also adopt ordinances and resolutions~~  
151 ~~that are necessary to conduct district business, if such~~  
152 ~~ordinances do not conflict with any ordinances of a local~~  
153 ~~general purpose government within whose jurisdiction the~~  
154 ~~district is located. Any resolution or ordinance adopted by the~~  
155 ~~board and approved by referendum vote of district electors may~~  
156 ~~only be repealed by referendum vote of district electors.~~

157 ~~(6) To maintain an office at places it designates within a~~  
158 ~~county or municipality in which the district is located and~~  
159 ~~appoint an agent of record.~~

160 ~~(7) To acquire, by purchase, lease, gift, dedication,~~  
161 ~~devise, or otherwise, real and personal property or any estate~~  
162 ~~therein for any purpose authorized by this act and to trade,~~  
163 ~~sell, or otherwise dispose of surplus real or personal property.~~  
164 ~~The board may purchase equipment by an installation sales~~  
165 ~~contract if funds are available to pay the current year's~~  
166 ~~installments on the equipment and to pay the amounts due that~~  
167 ~~year on all other installments and indebtedness.~~

168 ~~(8) To hold, control, and acquire by donation or purchase~~  
169 ~~any public easement, dedication to public use, platted~~  
170 ~~reservation for public purposes, or reservation for those~~  
171 ~~purposes authorized by this act consistent with applicable~~  
172 ~~adopted local government comprehensive plans and land~~  
173 ~~development regulations.~~

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174       ~~(9) To lease to or from any person, firm, corporation,~~  
175       ~~association, or body, public or private, any facility or~~  
176       ~~property of any nature for the use of the district when~~  
177       ~~necessary to carry out the district duties and authority under~~  
178       ~~this act.~~

179       ~~(10) To borrow money and issue bonds, revenue anticipation~~  
180       ~~notes, or certificates payable from and secured by a pledge of~~  
181       ~~funds, revenues, taxes and assessments, warrants, notes, or~~  
182       ~~other evidence of indebtedness, and mortgage real and personal~~  
183       ~~property when necessary to carry out the district's duties and~~  
184       ~~authority under this act.~~

185       ~~(11) To charge user and impact fees authorized by~~  
186       ~~resolution of the board, in amounts necessary to conduct~~  
187       ~~district activities and services, and to enforce their receipt~~  
188       ~~and collection in the manner prescribed by resolution and~~  
189       ~~authorized by law. However, the imposition of impact fees may~~  
190       ~~only be authorized as provided by section 191.009(4), Florida~~  
191       ~~Statutes.~~

192       ~~(12) To exercise the right and power of eminent domain,~~  
193       ~~pursuant to chapter 73, Florida Statutes, or chapter 74, Florida~~  
194       ~~Statutes, over any property within the district, except~~  
195       ~~municipal, county, state, special district, or federal property~~  
196       ~~used for a public purpose, for the uses and purposes of the~~  
197       ~~district relating solely to the establishment and maintenance of~~  
198       ~~fire stations and fire substations, specifically including the~~  
199       ~~power to take easements that serve such facilities consistent~~  
200       ~~with applicable adopted local government comprehensive plans and~~  
201       ~~land development regulations.~~

202       ~~(13) To cooperate or contract with other persons or~~

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203 ~~entities, including other governmental agencies, as necessary,~~  
 204 ~~convenient, incidental, or proper in connection with providing~~  
 205 ~~effective mutual aid and furthering any power, duty, or purpose~~  
 206 ~~authorized by this act.~~

207 ~~(14) To assess and impose upon real property in the~~  
 208 ~~district non ad valorem assessments as authorized by this act.~~

209 ~~(15) To impose and foreclose non ad valorem assessment~~  
 210 ~~liens as provided by this act or to impose, collect, and enforce~~  
 211 ~~non ad valorem assessments pursuant to chapter 197, Florida~~  
 212 ~~Statutes.~~

213 ~~(16) To select as a depository for its funds any qualified~~  
 214 ~~public depository as defined in section 280.02, Florida~~  
 215 ~~Statutes, which meets all the requirements of chapter 280,~~  
 216 ~~Florida Statutes, and has been designated by the State Treasurer~~  
 217 ~~as a qualified public depository, upon such terms and conditions~~  
 218 ~~as to the payment of the interest upon the funds deposited as~~  
 219 ~~the board deems just and reasonable.~~

220 ~~(17) To provide adequate insurance on all real and~~  
 221 ~~personal property, equipment, employees, volunteer firefighters,~~  
 222 ~~and other personnel.~~

223 ~~(18) To organize, participate in, and contribute~~  
 224 ~~monetarily to organizations or associations relating to the~~  
 225 ~~delivery of or improvement of fire control, prevention,~~  
 226 ~~emergency rescue services, or district administration.~~

227 ~~Section 6. Special powers. The district shall provide for~~  
 228 ~~fire suppression and prevention by establishing and maintaining~~  
 229 ~~fire stations and fire substations and acquiring and maintaining~~  
 230 ~~such firefighting and fire protection equipment deemed necessary~~  
 231 ~~to prevent or fight fires. All construction shall be in~~



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232 ~~compliance with applicable state, regional, and local~~  
 233 ~~regulations, including adopted comprehensive plans and land~~  
 234 ~~development regulations. The board shall have and may exercise~~  
 235 ~~any or all of the following special powers relating to~~  
 236 ~~facilities and duties authorized by this act:~~

237       ~~(1) Establish and maintain emergency medical and rescue~~  
 238 ~~response services and acquire and maintain rescue, medical, and~~  
 239 ~~other emergency equipment, pursuant to the provisions of chapter~~  
 240 ~~401, Florida Statutes, and any certificate of public convenience~~  
 241 ~~and necessity or its equivalent issued thereunder.~~

242       ~~(2) Employ, train, and equip such personnel, and train,~~  
 243 ~~coordinate, and equip such firefighters and volunteer~~  
 244 ~~firefighters as are necessary to accomplish the duties of the~~  
 245 ~~district. The board may employ and fix the compensation of a~~  
 246 ~~fire chief or chief administrator, who shall reside within the~~  
 247 ~~district. The board shall prescribe the duties of such person,~~  
 248 ~~which shall include supervision and management of the operations~~  
 249 ~~of the district and its employees and maintenance and operation~~  
 250 ~~of its facilities and equipment. The fire chief or chief~~  
 251 ~~administrator may employ or terminate the employment of such~~  
 252 ~~other persons including, without limitation, professional,~~  
 253 ~~supervisory, administrative, maintenance, and clerical~~  
 254 ~~employees, as are necessary and authorized by the board. The~~  
 255 ~~compensation and other conditions of employment of the officers~~  
 256 ~~and employees of the district shall be provided by the board.~~

257       ~~(3) Conduct public education to promote awareness of~~  
 258 ~~methods to prevent fires and reduce the loss of life and~~  
 259 ~~property from fires or other public safety concerns.~~

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260       ~~(4) Adopt and enforce fire safety standards and codes and~~  
 261       ~~enforce the rules of the State Fire Marshal consistent with the~~  
 262       ~~exercise of the duties authorized by chapter 553, Florida~~  
 263       ~~Statutes, or chapter 633, Florida Statutes, with respect to fire~~  
 264       ~~suppression, prevention, and firesafety code enforcement.~~

265       ~~(5) Conduct arson investigations and cause and origin~~  
 266       ~~investigations.~~

267       ~~(6) Adopt hazardous material safety plans and emergency~~  
 268       ~~response plans in coordination with the county emergency~~  
 269       ~~management agency as provided for in chapter 252, Florida~~  
 270       ~~Statutes.~~

271       ~~(7) Contract with general purpose local government for~~  
 272       ~~emergency management planning and services.~~

273       ~~Section 7. Taxes, non ad valorem assessments; impact fees;~~  
 274       ~~and user charges.--~~

275       ~~(1) The district shall have the right, power, and~~  
 276       ~~authority to levy non ad valorem assessments as defined in~~  
 277       ~~section 197.3632, Florida Statutes, to construct, operate, and~~  
 278       ~~maintain district facilities and services. The rate of such~~  
 279       ~~assessments must be fixed by resolution of the board pursuant to~~  
 280       ~~the procedures contained in section 191.011, Florida Statutes.~~  
 281       ~~Non ad valorem assessment rates set by the board may exceed the~~  
 282       ~~maximum rates established by special act, the previous year's~~  
 283       ~~resolution, or referendum in an amount not to exceed the average~~  
 284       ~~annual growth rate in Florida personal income over the previous~~  
 285       ~~5 years. Non ad valorem assessment rate increases within the~~  
 286       ~~personal income threshold are deemed to be within the maximum~~  
 287       ~~rate authorized by law at the time of initial imposition.~~  
 288       ~~Proposed non ad valorem assessment increases which exceed the~~

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289 ~~rate set the previous fiscal year or the rate previously set by~~  
 290 ~~special act by more than the average annual growth rate in~~  
 291 ~~Florida personal income over the last 5 years must be approved~~  
 292 ~~by referendum of the electors of the district. Non ad valorem~~  
 293 ~~assessments shall be imposed, collected, and enforced pursuant~~  
 294 ~~to section 191.011, Florida Statutes.~~

295 ~~(2) The district shall provide to the county property~~  
 296 ~~appraiser a notice of fire tax rates as adopted by resolution~~  
 297 ~~not later than June 1 of each year. The county property~~  
 298 ~~appraiser shall then furnish to the commissioners of the~~  
 299 ~~district a tax roll covering all taxable properties with the tax~~  
 300 ~~rate levy placed on each parcel of property by July 1, which tax~~  
 301 ~~roll is consistent with and as set forth by section 193.1142,~~  
 302 ~~Florida Statutes. Not later than 21 days after receipt of the~~  
 303 ~~tax roll from the county property appraiser, the district shall~~  
 304 ~~return the tax roll, having first checked and noted any~~  
 305 ~~corrections or adjustments to the fire tax levy against each~~  
 306 ~~parcel of property.~~

307 ~~(3) Prior to adopting a rate of assessment, the board of~~  
 308 ~~commissioners of the district shall properly advertise and hold~~  
 309 ~~a public hearing with respect to the proposed rate of~~  
 310 ~~assessment. At such hearing, any property owner in the district~~  
 311 ~~shall have the right to file written protest and/or testify at~~  
 312 ~~such hearing regarding the proposed rate of assessment. After~~  
 313 ~~due consideration of all comments or protests, the board of~~  
 314 ~~commissioners shall adopt a resolution specifying the rate of~~  
 315 ~~assessment on all taxable property.~~

316 ~~(4) The board of commissioners of the district shall, not~~  
 317 ~~earlier than 30 days or later than 45 days after the mailing of~~

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318 ~~the notice of proposed property taxes as required by section~~  
 319 ~~194.011(1), Florida Statutes, hold a properly advertised public~~  
 320 ~~hearing to hear appeals from any property owner in the district~~  
 321 ~~with respect to the method of calculation and/or the amount of~~  
 322 ~~fire tax levied against a parcel of land. Within 20 calendar~~  
 323 ~~days after the conclusion of the public hearing to hear appeals,~~  
 324 ~~the board of commissioners of the district shall notify all~~  
 325 ~~concerned parties and the county property appraiser in writing~~  
 326 ~~of its decision. The decision shall include reasons for granting~~  
 327 ~~or denying the appeal.~~

328 ~~(5) The county property appraiser shall then include the~~  
 329 ~~assessments thus made by the board of commissioners of the~~  
 330 ~~district in the Manatee County tax roll and the same shall be~~  
 331 ~~collected in the manner and form as is provided for the~~  
 332 ~~collection of county taxes and paid over by the county tax~~  
 333 ~~collector to the board of commissioners.~~

334 ~~(6) Such special assessments shall be a lien upon the land~~  
 335 ~~so assessed along with the county taxes assessed against the~~  
 336 ~~same until said assessments have been paid, and, if the same~~  
 337 ~~become delinquent, shall be considered a part of the county tax~~  
 338 ~~subject to the same penalties, fees, and remedies for~~  
 339 ~~enforcement and collection, and shall be enforced and collected~~  
 340 ~~as provided by the laws of the state for the collection of such~~  
 341 ~~taxes.~~

342 Section 6 ~~§~~. Schedule of special assessments.--The  
 343 assessment procedures and amounts, as set forth herein,  
 344 represent the manner to be followed and the maximum allowable  
 345 rates the district may charge but shall not exceed, except as  
 346 provided in section 191.009(2), Florida Statutes. For assessment

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347 purposes, all property within the district shall be divided into  
 348 three general classifications: vacant parcels, residential  
 349 parcels, and commercial/industrial parcels.

350 (1) Vacant parcels shall include all parcels which are  
 351 essentially undeveloped and are usually classified by the  
 352 property appraiser as use code types 00, 10, 40, 99, and 50  
 353 through 69. The maximum annual assessment for these parcels  
 354 shall be:

355  
 356 Vacant Platted Lot \$6.50 per Lot  
 357 Unsubdivided Acreage \$ .80 per Acre  
 358 Except that not more than \$1,500 shall be assessed against  
 359 any one vacant parcel.

360  
 361 Whenever a residential unit is located on a parcel defined  
 362 herein as vacant, the residential plot shall be considered as  
 363 one lot or 1 acre, with the balance of the parcel being assessed  
 364 as vacant land in accordance with the schedule herein. Whenever  
 365 an agricultural or commercial building or structure is located  
 366 on a parcel defined herein as vacant, the building or structure  
 367 shall be assessed in accordance with the schedule of  
 368 commercial/industrial assessments.

369 (2) Residential parcels shall include all parcels which  
 370 are developed for residential purposes and are usually  
 371 classified by the property appraiser as use code types 01  
 372 through 08 and 28. All residential parcels shall be assessed by  
 373 the number of square feet of structures located on the parcel.  
 374 Mobile homes shall be assessed by the number of units located on  
 375 the parcel. Surcharges may be assigned by the district for

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376 dwellings located on the third or higher floors. The maximum  
 377 annual assessment for these parcels shall be:

378 (a) Single Family Residential: The base assessment for  
 379 all buildings and structures shall be \$69 for the first 1,000  
 380 square feet on a parcel. The schedule for all square footage  
 381 above 1,000 square feet is \$.05 per square foot.

382 (b) Condominia Residential: The base assessment for all  
 383 buildings and structures shall be \$69 for the first 1,000 square  
 384 feet on a parcel. The schedule for all square footage above  
 385 1,000 square feet is \$.05 per square foot.

386  
 Mobile Homes (Use Code 02) \$65.70 per Unit/Space

387  
 Multifamily Residential (Use  
 Codes 03 and 08),  
 Cooperatives (Use Code 05),  
 Retirement Homes (Use Code 06),  
 And Miscellaneous Residential  
 Uses (Use Code 07) \$78.90 per Unit/Space

388  
 Any Other Residential Unit,  
 Travel Trailer Parks \$52.60 per Unit/Space

389  
 Mobile Home Parks (Use Code 28) \$53.10 per Unit/Space

390  
 391 (3) Commercial/Industrial: The base assessment for all  
 392 buildings and structures shall be \$348.60 for the first 1,000  
 393 square feet on a parcel. The schedule for all square footage  
 394 above 1,000 square feet is as follows:

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395	Category	Use Codes	Sq. Ft. Assessment
396			
397	Mercantile (M)	11, 12, 13, 14, 15, 16, 29	\$.09
398	Business (B)	17, 18, 19, 22, 23, 24, 25, 26, 30, 36	\$.08
399	Assembly (A)	21, 31, 32, 33, 34, 35, 37, 38, 39, 76, 77, 79	\$.08
400	Factory/ Industrial (F)	41, 44, 45, 46, 47	\$.10
401	Storage (S)	20, 27, 28, 49	\$.10
402	Hazardous (H)	42, 43, 48	\$.13
403	Institutional (I)	70, 73, 74, 75, 78	\$.08
404			
405	Agricultural storage building located on parcels that are		
406	bonafide commercial agriculture, as determined by the property		
407	appraiser's office, shall be fire tax assessed at \$.020 per		
408	square foot.		

409 ~~Section 9. User charges.~~

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410       ~~(1) The board may provide a reasonable schedule of charges~~  
411       ~~for special emergency services, including firefighting,~~  
412       ~~occurring in or to structures outside the district, motor~~  
413       ~~vehicles, marine vessels, aircraft, or rail cars, or as a result~~  
414       ~~of the operation of such motor vehicles or marine vessels, to~~  
415       ~~which the district is called to render such emergency service,~~  
416       ~~and may charge a fee for the services rendered in accordance~~  
417       ~~with the schedule.~~

418       ~~(2) The board may provide a reasonable schedule of charges~~  
419       ~~for fighting fires occurring in or at refuse dumps or as a~~  
420       ~~result of an illegal burn, which fire, dump, or burn is not~~  
421       ~~authorized by general or special law, rule, regulation, order,~~  
422       ~~or ordinance, and which the district is called upon to fight or~~  
423       ~~extinguish.~~

424       ~~(3) The board may provide a reasonable schedule of charges~~  
425       ~~for responding to or assisting or mitigating emergencies that~~  
426       ~~either threaten or could threaten the health and safety of~~  
427       ~~persons, property, or the environment, to which the district has~~  
428       ~~been called, including a charge for responding to false alarms.~~

429       ~~(4) The board may provide a reasonable schedule of charges~~  
430       ~~for inspecting structures, plans, and equipment to determine~~  
431       ~~compliance with firesafety codes and standards.~~

432       ~~(5) The district shall have a lien upon any real property,~~  
433       ~~motor vehicle, marine vessel, aircraft, or rail car for any~~  
434       ~~charge assessed under this section.~~

435       Section 7 ~~10~~. Impact fees.--The board shall establish a  
436       schedule of impact fees in compliance with any standards set by  
437       general law for new construction to pay for the cost of new  
438       facilities and equipment, the need for which is in whole or in



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439 part the result of new construction. The impact fees collected  
 440 by the district under this section shall be kept separate from  
 441 other revenues of the district and must be used exclusively to  
 442 acquire, purchase, or construct new facilities or portions  
 443 thereof needed to provide fire protection and emergency services  
 444 to new construction. As used in this section, "new facilities"  
 445 means land, buildings, and capital equipment, including, but not  
 446 limited to, fire and emergency vehicles, radiotelemetry  
 447 equipment, and other firefighting or rescue equipment. The board  
 448 shall maintain adequate records to ensure that impact fees are  
 449 expended only for permissible new facilities or equipment. The  
 450 board may enter into agreements with general purpose local  
 451 governments to share in the revenues from fire protection impact  
 452 fees imposed by such governments.

453 Section 8 ~~11~~. Borrowing power of the district.--The  
 454 district may issue general obligation bonds, assessment bonds,  
 455 revenue bonds, notes, bond anticipation notes, or other  
 456 evidences of indebtedness to finance all or a part of any  
 457 proposed improvements authorized to be undertaken under this act  
 458 or under general or special law, provided the total annual  
 459 payments for the principal and interest on such indebtedness do  
 460 not exceed 50 percent of the total annual budgeted revenues of  
 461 the district as provided in section 191.012, Florida Statutes.

462 Section 9 ~~12~~. Existence.--The district shall exist until  
 463 dissolved by law. Should any part of the territory covered in  
 464 the act be held not to be included herein, then this act shall  
 465 continue in effect as to the balance of said territory.

466 Section 10 ~~13~~. Definitions.--

467 (1) "District" means the special fire control district.

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468           (2) "Board" and "board of commissioners" mean the board of  
469 commissioners of the special fire control district, unless  
470 otherwise specified.

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