

HB 857

2005

1                                   A bill to be entitled  
 2           An act relating to the Pal-Mar Water Control District,  
 3           Palm Beach and Martin Counties; codifying, amending,  
 4           reenacting, and repealing special acts relating to the  
 5           district; providing boundaries; providing for a board of  
 6           supervisors; providing membership, terms of office,  
 7           removal from office, and powers of the board; repealing  
 8           chapters 82-356 and 85-483, Laws of Florida; providing for  
 9           severability; providing an effective date.

10

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

12

13           Section 1. Pursuant to section 189.429(1), Florida  
 14 Statutes, this act constitutes the codification of all special  
 15 acts relating to the Pal-Mar Water Control District. It is the  
 16 intent of the Legislature in enacting this law to provide a  
 17 single, comprehensive special act charter for the district,  
 18 including all current legislative authority granted to the  
 19 district by its prior legislative enactments and any additional  
 20 authority granted by this act. It is further the intent of this  
 21 act to preserve all district powers and authority as set forth  
 22 herein.

23           Section 2. Chapters 82-356 and 85-483, Laws of Florida,  
 24 are codified, reenacted, amended, and repealed as herein  
 25 provided.

26           Section 3. The Pal-Mar Water Control District is re-  
 27 created and the charter for such district is re-created and  
 28 reenacted to read:

29           Section 1. District created and boundaries thereof.--That

HB 857

2005

30 for the purpose of reclaiming and protecting the lands  
 31 hereinafter described from the effects of water by drainage or  
 32 otherwise, for sanitary and agricultural purposes, to be  
 33 conducive to the public health, convenience, and welfare of  
 34 public utility and benefit, and that such purposes will be  
 35 effected by the drainage of said lands, and for other purposes  
 36 stated in this act, a district is hereby created and established  
 37 in Palm Beach and Martin Counties, to be known as Pal-Mar Water  
 38 Control District, the territorial boundaries of which are as  
 39 follows:

40  
 41 Begin at the point of intersection of the East line of  
 42 Section 32, Township 40 South, Range 41 East and the  
 43 North right of way line of State Road 706; thence run  
 44 Westerly along said right of way line to the  
 45 intersection of said North right of way line of State  
 46 Road 706 with the North right of way line of State  
 47 Road 710 (Bee Line Highway); thence run Northwesterly  
 48 along said North right of way line of said State Road  
 49 710 to the intersection of said right of way line with  
 50 the West line of the East one-half (E½) of Section 23,  
 51 Township 40 South, Range 39 East; thence run Northerly  
 52 along said West line of the East one-half (E½) to the  
 53 Northerly line of said Section 23; thence run  
 54 Northerly along the West line of the East one-half  
 55 (E½) of Section 14, Township 40 South, Range 39 East,  
 56 to the Northerly line of said Section 14; thence run  
 57 Northerly along the West line of the East one-half  
 58 (E½) of Section 11, Township 40 South, Range 39 East,

59 to the Northerly line of Section 11, thence run  
 60 Northerly along the West line of the East one-half  
 61 (E½) of Section 2, Township 40 South, Range 39 East to  
 62 the South right of way line of State Road 76; thence  
 63 run Northeasterly along said South right of way line  
 64 of said State Road 76 to the intersection with the  
 65 East line of the West one-half (W½) of Section 36,  
 66 Township 39 South, Range 39 East; thence run Southerly  
 67 along said East line of the West one-half (W½) of said  
 68 Section 36 to the North line of Section 1, Township 40  
 69 South, Range 39 East; thence run South along the East  
 70 line of the West one-half (W½) of said Section 1,  
 71 Township 40 South, Range 39 East to the North line of  
 72 Section 12, Township 40 South, Range 39 East; thence  
 73 run Southerly along the East line of the West one-half  
 74 (W½) of said Section 12 to the North line of Section  
 75 13, Township 40 South, Range 39 East; thence run  
 76 Easterly along said North line to the Northeast corner  
 77 of said Section 13; thence run Southerly along the  
 78 East line of said Section 13 to an intersection with  
 79 the Old Jupiter Grade; thence meander said Old Jupiter  
 80 Grade Southeasterly through Section 18, Township 40  
 81 South, Range 40 East, to the East line of said Section  
 82 18; thence run Southerly along said East line to the  
 83 Southeast corner of said Section 18; thence run  
 84 Easterly along the North line of Section 20, Township  
 85 40 South, Range 40 East, to the Northeast corner of  
 86 said Section 20; thence run Easterly along the North  
 87 line of Section 21, Township 40 South, Range 40 East,

88 to the Northeast corner of said Section 21; thence run  
 89 Northerly along the West line of Section 15, Township  
 90 40 South, Range 40 East, to an intersection with the  
 91 Old Jupiter Grade; thence meander Southeasterly along  
 92 the Old Jupiter Grade to an intersection with the  
 93 South line of said Section 15; thence run Easterly  
 94 along said South line to the South Quarter Corner of  
 95 said Section 15; thence run Northerly along the West  
 96 line of the East one-half (E½) of said Section 15 to  
 97 the North line of said Section 15; thence run  
 98 Northerly along the West line of the East one-half  
 99 (E½) of Section 10, Township 40 South, Range 40 East,  
 100 to the North line of said Section 10; thence run  
 101 Easterly along said North line to the Northeast corner  
 102 of said Section 10; thence run Easterly along the  
 103 North line of Section 11, Township 40 South, Range 40  
 104 East, to the Northeast corner of said Section 11;  
 105 thence run Easterly along the North line of Section  
 106 12, Township 40 South, Range 40 East, to the Northeast  
 107 corner of said Section 12; thence run Southerly along  
 108 the East line of said Section 12 to the Southeast  
 109 corner of said Section 12; thence run Easterly along  
 110 the North line of Section 18, Township 40 South, Range  
 111 41 East, to the Northeast corner; thence run Southerly  
 112 along the East line of said Section 18 to the  
 113 Southeast corner of said Section 18; thence run  
 114 Easterly along the North line of Section 20, Township  
 115 40 South, Range 41 East, to the Northeast corner of  
 116 said Section 20; thence run Southerly along the East

HB 857

2005

117 line of said Section 20 to the Southeast corner of  
 118 said Section 20; thence run Southerly along the East  
 119 line of Section 29, Township 40 South, Range 41 East,  
 120 to the Southeast corner of said Section 29; thence run  
 121 Southerly along the East line of Section 32, Township  
 122 40 South, Range 41 East, to the Point of Beginning.

123  
 124 the foregoing boundaries containing and including the following  
 125 lands, to-wit:

126  
 127 All that portion of the Southeast Quarter of Section  
 128 35 lying South of State Road 76 and all of that  
 129 portion of the Southwest Quarter of Section 36, lying  
 130 South of State Road 76, Township 39 South, Range 39  
 131 East; the West Half of Section 1, Township 40 South,  
 132 Range 39 East; that portion of the East Half of  
 133 Section 2 lying South of State Road 76, Township 40  
 134 South, Range 39 East; the East Half of Section 11, the  
 135 West Half of Section 12, all of Section 13, the East  
 136 Half of Section 14, that portion of the East Half of  
 137 Section 23 lying North of State Road 710 and that  
 138 portion of Sections 24 and 25 lying North of State  
 139 Road 710, Township 40 South, Range 39 East.

140  
 141 That portion of Section 18 lying South of the Old  
 142 Jupiter Grade, less the West 150 feet of said Section  
 143 18; Section 19, less the West 150 feet of said Section  
 144 19; all of Sections 20 and 21; all of Sections 27, 28,  
 145 29 and 30, LESS the West 150 feet of Section 30, all

HB 857

2005

146 lying North of State Road 706 and 710; Sections 31,  
 147 32, 33, 34, 35 and 36, Township 40 South, Range 40  
 148 East, lying North of State Roads 706 and 710; and  
 149 Section 31, Township 40 South, Range 41 East; the East  
 150 one-half (E½) of Section 20 and all of Sections 29 and  
 151 32, Township 40 South, Range 41 East, Palm Beach  
 152 County; EXCEPTING therefrom rights-of-way for public  
 153 roads.

154  
 155 East Half of Section 10; all of Sections 11, 12, 13,  
 156 14; East half of Section 15; that part of the West  
 157 half of Section 15 lying South of the Old Jupiter  
 158 Road; Section 22, except that part of the Northwest  
 159 Quarter (NW¼) of Section 22, lying North of the Old  
 160 Jupiter Road; Sections 23 and 26; all in Township 40  
 161 South, Range 40 East; the foregoing lands lying and  
 162 being in Martin County, Florida.

163  
 164 West 150 feet of Section 18, South of the Old Jupiter  
 165 Grade and West 150 feet of Sections 19 and 30, North  
 166 of State Road 710, Township 40 South, Range 40 East;  
 167 that part of the Northwest Quarter of Section 22,  
 168 lying North of the Old Jupiter Grade, Township 40  
 169 South, Range 40 East.

170  
 171 Sections 24 and 25, Township 40 South, Range 40 East;  
 172 Section 18, 19 and 30, and the West half of Section  
 173 20, Township 40 South, Range 41 East; EXCEPTING  
 174 therefrom rights-of-way for public roads.

175  
176  
177  
178  
179  
180  
181  
182  
183  
184  
185  
186  
187  
188  
189  
190  
191  
192  
193  
194  
195  
196  
197  
198  
199  
200  
201  
202  
203

All that part of State Road S-711 lying in Sections 18, 19, 30 and 31, Township 40 South, Range 41 East, and also lying in Sections 24, 25 and 36, Township 40 South, Range 40 East.

Easement in Sections 2, 11, 14, 23, 24 and 25, Township 40 South, Range 39 East.

Section 2. Board of supervisors.--

(1) The Board of Supervisors of the Pal-Mar Water Control District shall have five supervisors selected as follows:

(a) One supervisor shall be either a member of the Board of County Commissioners of Palm Beach County or a landowner within the district appointed by the Board of County Commissioners of Palm Beach County.

(b) One supervisor shall be either a member of the Board of County Commissioners of Martin County or a landowner within the district appointed by the Board of County Commissioners of Martin County.

(c) Three supervisors shall be selected by the landowners in accordance with section 298.11, Florida Statutes.

(2) The appointed supervisors of the Pal-Mar Water Control District shall serve 1-year terms of office beginning the second Wednesday in June of each year or until such time as a successor has been selected.

(3) Any supervisor appointed by the Board of County Commissioners of Palm Beach County or the Board of County Commissioners of Martin County may be removed by the appointing

HB 857

2005

204 board for dishonesty, incompetency, or failure to perform the  
 205 duties imposed on that supervisor by chapter 298, Florida  
 206 Statutes.

207 Section 3. Powers of board of supervisors.--

208 (1) The Board of Supervisors of the Pal-Mar Water Control  
 209 District in Palm Beach and Martin Counties is hereby authorized  
 210 to plan, construct, and maintain different water control systems  
 211 by units of development within the district, with different  
 212 assessment areas according to the benefits received, so as to  
 213 most equitably provide for assessments according to benefits,  
 214 based upon the plans and recommendations of the chief engineer  
 215 for the district.

216 (2) The board of supervisors is hereby prohibited from  
 217 planning, constructing, and maintaining different water control  
 218 systems by units of development within the district unless the  
 219 owners of a majority of the acres within the unit to be  
 220 developed express their desire, in writing or by referendum or  
 221 by certified letter, to have the water control system developed.

222 Section 4. Chapters 82-356 and 85-483, Laws of Florida,  
 223 are repealed.

224 Section 5. In case any one or more of the sections or  
 225 provisions of this act or the application of such sections or  
 226 provisions to any situation, circumstances, or person shall for  
 227 any reason be held to be unconstitutional, such  
 228 unconstitutionality shall not affect any other sections or  
 229 provisions of this act or the application of such sections or  
 230 provisions to any other situation, circumstance, or person, and  
 231 it is intended that this act shall be construed and applied as  
 232 if such section or provision had not been included herein for



HB 857

2005

233 | any unconstitutional application.

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