

ENROLLED

HB 1413, Engrossed 1

2006 Legislature

1 A bill to be entitled
2 An act relating to Argyle Fire District, Walton County;
3 creating a special district; providing definitions;
4 providing for creation, status, charter amendments,
5 boundaries, and purposes; providing for a board of
6 commissioners; providing for election and terms of
7 commissioners; providing for employment of board
8 personnel; providing for election of board officers;
9 providing for compensation and bonds of commissioners;
10 providing for powers, duties, and responsibilities of the
11 board; preserving the authority to impose special
12 assessments; providing for impact fees; providing
13 legislative intent; providing for duties of the property
14 appraiser; providing for special assessment as a lien;
15 providing for deposit of such special assessments;
16 providing for authority to disburse funds; authorizing the
17 board to borrow money; providing for use of district
18 funds; requiring a record of all board meetings;
19 authorizing the board to adopt rules and regulations;
20 providing for the board to make an annual budget;
21 requiring an annual report; authorizing the board to enact
22 fire prevention ordinances, appoint a district fire chief,
23 acquire land, enter contracts, establish salaries, and
24 establish and operate a fire rescue service; providing for
25 dissolution; providing for district expansion; providing
26 for construction and effect; providing an effective date.
27

ENROLLED
 HB 1413, Engrossed 1

2006 Legislature

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

29

30 | Section 1. The Argyle Fire District in Walton County is
 31 | hereby created and the charter for the district is created to
 32 | read:

33 | Section 1. Definitions.--As used in the act, unless
 34 | otherwise specified:

35 | (1) "District" means the Argyle Fire District.

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

38 | (3) "Board of directors" means the existing policymaking
 39 | and governing body of the Argyle Fire District of Walton County.

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

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

43 | (6) "Residence" means one single-family dwelling,
 44 | including one single-apartment dwelling unit; one single-
 45 | condominium dwelling unit; one single duplex, triplex, or other
 46 | attached dwelling unit; one single-family detached dwelling
 47 | unit; or one single mobile or modular home dwelling unit.

48 | (7) "Business" means motels, apartments, or rental
 49 | dwelling, along with other standard commercial or industrial
 50 | businesses such as gasoline stations, stores, marinas, and
 51 | similar establishments, as authorized pursuant to the applicable
 52 | local government comprehensive plan, whether or not such
 53 | businesses are required to pay or collect sales taxes.

ENROLLED

HB 1413, Engrossed 1

2006 Legislature

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

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

66 Those portions in Township 2 North, Range 18 West
67 which include, entire sections 1 through 24 inclusive.
68 Sections 26 through 29 inclusive. Sections 33 through
69 35 inclusive. And all of Sections 30 and 32 lying East
70 of the center of Bruce Creek.

71 Those portions within Township 2 North, Range 19 West
72 which include, Sections 13 and 24 lying East of the
73 center of Bruce Creek. Sections 1 and 2 lying outside
74 of the present city limits of DeFuniak Springs.

75 Those portions in Township 3 North, Range 18 West
76 which include, Sections 4 though 9 inclusive. Sections
77 16 through 21 inclusive. Sections 28 through 29
78 inclusive. Sections 32 and 33 inclusive. Those
79 portions of Sections 30 and 31 lying outside of the
80 present city limits of DeFuniak Springs.

ENROLLED

HB 1413, Engrossed 1

2006 Legislature

81 Those portions in Township 3 North, Range 19 West
82 which include, those parts of Sections 1 and 2 lying
83 South of the centerline of County Road 1883 and
84 Sunrise Road. The portion of Section 3 lying south of
85 the centerline of Sunrise Road. The portion of Section
86 10 lying North and Southeast of Lake Juniper. Entire
87 Sections 11, 12, 13, 14 and 24. Those portions of
88 Section 15 lying East of a line running North and
89 South from the center of the Lake Juniper Dam and
90 lying outside of the present city limits of DeFuniak
91 Springs. The portion of Section 22 lying East of a
92 line running North and South from the center of the
93 Lake Juniper Dam and lying outside of the present city
94 limits of DeFuniak Springs. Those portions of section
95 23, 24, 25, and 36 lying North and or East of the
96 present city limits of DeFuniak Springs.

97 Those portions within Township 4 North, Range 18 West
98 which include, those portions of Section 31, lying
99 South of the centerline of Coy Ellis Road. Those parts
100 of Sections 32 and 33 lying South of the centerline of
101 County Road 183 North. The portion of Section 33 lying
102 East of County Road 183A.

103 The portion within Township 4 North, Range 19 West
104 which includes, that part of Section 36 lying South
105 and East of County Road 1883 and Coy Ellis Road.

106 (2) The purpose of this act is to promote the general
107 health, welfare, and safety of the citizens and residents of

ENROLLED
 HB 1413, Engrossed 1

2006 Legislature

108 Walton County who reside within the geographical limits of the
 109 Argyle Fire District by providing for the financial support of
 110 the Argyle Fire District of Walton County, a not-for-profit
 111 corporation, which currently provides the district with fire
 112 protection services, facilities, and firefighting equipment; the
 113 establishment and maintenance of fire stations and fire
 114 substations; the acquisition and maintenance of all firefighting
 115 and protection equipment necessary for the prevention of fires
 116 or fighting of fires; the employment and training of such
 117 personnel as may be necessary to accomplish fire prevention and
 118 firefighting; the establishment and maintenance of emergency
 119 services; the acquisition and maintenance of rescue and other
 120 emergency equipment; and the employment and training of
 121 necessary emergency personnel. The district may provide
 122 emergency medical services. The district shall have all other
 123 powers necessary to carry out these purposes.

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

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

130 Section 3. Board of commissioners.--

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

ENROLLED

HB 1413, Engrossed 1

2006 Legislature

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

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

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

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

ENROLLED

HB 1413, Engrossed 1

2006 Legislature

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

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

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

179 (1) In accordance with chapter 191, Florida Statutes, each
180 elected member of the board shall assume office 10 days
181 following the member's election. Annually, within 60 days after
182 election of new members of said board, the members shall
183 organize by electing from their number a chair, vice chair,
184 secretary, and treasurer. However, the same member may be both
185 secretary and treasurer, in accordance with chapter 191, Florida
186 Statutes.

187 (2) The commissioners may receive reimbursement for actual
188 expenses incurred while performing the duties of their offices

ENROLLED

HB 1413, Engrossed 1

2006 Legislature

189 in accordance with general law governing per diem for public
190 officials. Commissioners may receive compensation for their
191 services in accordance with chapter 191, Florida Statutes.

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

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

203 (1) The district shall have and the board may exercise by
204 majority vote all the powers and duties set forth in this act
205 and chapters 189, 191, and 197, Florida Statutes, including, but
206 not limited to, powers related to special assessments, other
207 revenue-raising capabilities, budget preparation and approval,
208 liens and foreclosure of liens, use of tax deeds and tax
209 certificates as appropriate from non-ad valorem assessments,
210 contractual agreements, and adoption of ordinances and
211 resolutions that are necessary to conduct district business if
212 such ordinances do not conflict with any ordinance of a local
213 general purpose government within whose jurisdiction the
214 district is located.

ENROLLED

HB 1413, Engrossed 1

2006 Legislature

215 (2) The board shall continue to have the right, power, and
 216 authority to levy annually special assessment against the
 217 taxable property within the district to provide funds for the
 218 purposes of the district, in an amount not to exceed the limit
 219 provided in chapter 191, Florida Statutes.

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

223 (4) The district shall impose and collect special
 224 assessments in accordance with chapter 200, Florida Statutes.

225 (5) The district is authorized to impose and enforce
 226 special assessments in accordance with chapters 170, 189, 191,
 227 and 197, Florida Statutes.

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

230 (7) Requirements for financial disclosure, meeting
 231 notices, reporting, public records maintenance, and per diem
 232 expenses for officers and employees shall be as set forth in
 233 this act and chapters 112, 119, 189, 191, and 286, Florida
 234 Statutes.

235 Section 6. Impact fees.--

236 (1) Pursuant to section 191.009(4), Florida Statutes, it
 237 is hereby declared that the cost of new facilities borne by fire
 238 protection and emergency services should be borne by new users
 239 of the district's services to the extent new construction
 240 requires new facilities, but only to that extent. It is the
 241 legislative intent of this section to transfer to the new users

ENROLLED

HB 1413, Engrossed 1

2006 Legislature

242 of the district's fire protection and emergency services a fair
243 share of the costs that new users impose on the district for new
244 facilities. This shall only apply in the event that the general-
245 purpose local government in which the district is located has
246 not adopted an impact fee for fire services which is distributed
247 to the district for construction within its jurisdictional
248 boundaries.

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

263 Section 7. Special assessments.--

264 (1) The board shall have the right, power, and authority
265 to impose special assessments against the real property that is
266 not otherwise exempt or immune within the district to provide
267 funds for the purpose of the district.

ENROLLED
 HB 1413, Engrossed 1

2006 Legislature

268 (2) (a) For each residential dwelling or mobile home
 269 situated on any parcel of land within said district, the charge
 270 shall be \$25 annually. It is expressly understood that mobile
 271 home parks or multiunit dwellings are not included in this
 272 category and shall be included in paragraph (b).

273 (b) For each mobile home park, apartment building, motel,
 274 hotel, condominium, townhouse, or other multifamily residence,
 275 the charge shall not exceed:

- 276 1. 2 to 4 units or lots, \$25 each annually.
- 277 2. 5 to 10 units or lots, \$20 each annually.
- 278 3. 11 to 25 units or lots, \$18 each annually.
- 279 4. Over 25 units or lots, \$15 each annually.

280 (c) For each commercial establishment or business, the
 281 charge shall not exceed the following rates:

- 282 1. Up to 5,000 square feet of floor space: \$50 annually.
- 283 2. Over 5,000 square feet of floor space: \$100 annually.

284

285 The existence of a commercial establishment or business shall be
 286 evidenced by the presence of advertising signs, by tax roll
 287 classification, or by custom. Business enterprises wholly
 288 contained within a residential unit shall not be included in
 289 this category and shall be included under paragraph (a).
 290 Multifamily residential units and mobile home parks shall be
 291 included under paragraph (b).

292 (d) No assessment shall be levied for any parcel of
 293 agricultural, timber, unimproved residential, or other
 294 unimproved property. Adjoining parcels owned by an individual

ENROLLED

HB 1413, Engrossed 1

2006 Legislature

295 taxpayer will be treated as one parcel for assessment purposes,
296 even though they may be shown as separate items on the county
297 tax roll.

298 (e) No assessment shall be levied against churches,
299 schools, governmental property, or property owned by other
300 nonprofit charitable organizations.

301 (f) Any increase in the special assessment must be
302 approved by a majority of the electors within the Argyle Fire
303 District.

304 (3) It is the legislative intent that this act shall
305 authorize the Walton County Property Appraiser and the Walton
306 County Tax Collector to take all appropriate action to comply
307 with the intent of the purpose of this act.

308 (4) It is also the legislative intent that the board of
309 commissioners shall be a vehicle to provide funding to
310 accomplish the purpose set out in this act.

311 Section 8. Property appraiser.--

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

315 (2) The Walton County Property Appraiser shall include in
316 the Walton County tax roll the assessments made by the board,
317 and the same shall be collected in the manner as provided for by
318 this act and paid over by the Walton County Tax Collector to the
319 board.

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

ENROLLED

HB 1413, Engrossed 1

2006 Legislature

322 and amount authorized by general law, and the Walton County Tax
323 Collector shall receive a commission or fee of 1 percent for
324 collection of such special assessments.

325 Section 9. Special assessment as a lien.--The special
326 assessment levied and assessed by the district shall be a lien
327 upon the property so assessed along with the county taxes
328 assessed against such property until said assessment and taxes
329 have been paid, and if the special assessment levied by the
330 district becomes delinquent, such special assessment shall be
331 considered a part of the county tax subject to the same
332 penalties, charges, fees, and remedies for enforcement and
333 collection of such taxes.

334 Section 10. Deposit of special assessments; fees;
335 authority to disburse funds.--

336 (1) The proceeds of the assessments and funds of the
337 district shall be deposited in qualified public depositories in
338 accordance with chapters 191 and 280, Florida Statutes, in the
339 name of the district in a bank authorized to receive deposits of
340 district funds. The bank shall be designated by a resolution of
341 the board.

342 (2) All warrants for the payment of labor, equipment, and
343 other expenses of the board, and in carrying into effect this
344 act and the purpose thereof, shall be payable by the treasurer
345 of the board on accounts and vouchers approved and authorized by
346 two board members. No funds of the district shall be paid out or
347 disbursed except by check signed by two board members.

348 Section 11. Authority to borrow money.--

ENROLLED

HB 1413, Engrossed 1

2006 Legislature

349 (1) The board of commissioners shall have the power and
350 authority to borrow money or issue other evidences of
351 indebtedness for the purpose of the district in accordance with
352 chapters 189 and 191, Florida Statutes, provided, however, that
353 the total payments in any one year, including principal and
354 interest, on any indebtedness incurred by the district shall not
355 exceed 50 percent of the total estimated annual budgeted
356 revenues of the district.

357 (2) The board of commissioners, board of directors as a
358 body, or any of the members of either board as individuals shall
359 not be personally or individually liable for the repayment of
360 such loan. Such repayment shall be made out of the special
361 assessment receipts of the district, except as provided in this
362 subsection. The commissioners shall not create any indebtedness
363 or incur obligations for any sum or amount which they are unable
364 to repay out of district funds available to them at that time,
365 except as otherwise provided in this act, provided, however,
366 that the commissioners may make purchases of equipment on an
367 installment basis as necessary if funds are available for the
368 payment of the current year's installment on such equipment plus
369 the amount due in that year of any of the installments and the
370 repayment of any bank loan or other existing indebtedness which
371 may be due that year.

372 Section 12. Use of district funds.--No funds of the
373 district shall be used for any purposes other than the
374 administration of the affairs and business of the district; the
375 construction, care, maintenance, upkeep, operation, and purchase

ENROLLED

HB 1413, Engrossed 1

2006 Legislature

376 of firefighting and rescue equipment or fire station; the
377 payment of public utilities; and the payment of salaries of
378 district personnel as the board may from time to time determine
379 to be necessary for the operations and effectiveness of the
380 district.

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

383 (1) A record shall be kept of all meetings of the board,
384 and in such meetings concurrence of a majority of the
385 commissioners present shall be necessary to any affirmative
386 action by the board.

387 (2) The board shall have the authority to adopt and amend
388 rules and regulations for the administration of the affairs of
389 the district under the terms of this act and chapters 189 and
390 191, Florida Statutes, which shall include, but not be limited
391 to, the authority to adopt the necessary rules and regulations
392 for the administration and supervision of the property and
393 personnel of the district; for the prevention of fires, fire
394 control, fire hydrant placement, and flow testing in accordance
395 with current NFPA rules; and for rescue work within the
396 district. Said commissioners shall have all the lawful power and
397 the authority necessary to carry out the purposes of said fire
398 district; to purchase all necessary real and personal property;
399 to purchase and carry standard insurance policies on all such
400 equipment; to employ such personnel as may be necessary to carry
401 out the purpose of said fire district; to provide adequate
402 insurance for said employees; to purchase and carry appropriate

ENROLLED

HB 1413, Engrossed 1

2006 Legislature

403 insurance for the protection of all firefighters and personnel
404 as well as all equipment and personal property on loan to the
405 district; to sell surplus real and personal property in the same
406 manner and subject to the same restrictions as provided for such
407 sales by counties; to enter into contracts with qualified
408 service providers, the Argyle Fire District of Walton County,
409 other fire departments, municipalities, and state and federal
410 governmental units for the purpose of obtaining financial aid;
411 and for otherwise carrying out the purposes of the district. The
412 commissioners shall adopt a fiscal year for said fire district,
413 which shall be October 1 to September 30.

414 (3) Any policies, rules, and regulations promulgated and
415 made by the board shall have the force and effect of law after
416 copies thereof, signed by the secretary and chair or vice chair,
417 shall have been posted in three public places within the
418 district in conspicuous locations and advertised by title once a
419 week for 2 consecutive weeks in a newspaper of general paid
420 circulation in the district.

421 (4) The board shall, on or before November 1, make an
422 annual report of its actions and accounting of its funds as of
423 September of that year, and shall file said report in the office
424 of the Clerk of the Circuit Court of Walton County, whose duty
425 it shall be to receive and file said report and hold and keep
426 the same as a public record.

427 (5) For the purposes of carrying into effect this act, the
428 board shall annually prepare, consider, and adopt a district
429 budget pursuant to the applicable requirements of chapters 189

ENROLLED
 HB 1413, Engrossed 1

2006 Legislature

430 and 191, Florida Statutes. The board shall, at the same time as
 431 it makes its annual report, file its estimated budget for the
 432 fiscal year beginning October 1, which budget shall show the
 433 estimated revenue to be received by the district and the
 434 estimated expenditures to be incurred by the district in
 435 carrying out its operations.

436 Section 14. Authority to enact fire prevention ordinances;
 437 appoint or employ a fire chief; acquire land; enter contracts;
 438 establish salaries; general and special powers; authority to
 439 provide emergency medical and rescue services.--

440 (1) The board of commissioners shall have the right and
 441 power to enact fire prevention ordinances in the same manner
 442 provided for the adoption of policies and regulations in
 443 subsection (2) of section 13, and when the provisions of such
 444 fire prevention ordinances are determined by the board to be
 445 violated, the office of the state attorney, upon written notice
 446 of such violation issued by the board, is authorized to
 447 prosecute such person or persons held to be in violation
 448 thereof. Any person found guilty of a violation may be punished
 449 as provided in chapter 775, Florida Statutes, as a misdemeanor
 450 of the second degree. The cost of such prosecution shall be paid
 451 out of the district funds, unless otherwise provided by law.

452 (2) The board shall have the power to appoint or employ a
 453 fire chief, who shall be a person experienced in all types of
 454 firefighting and fire prevention and who shall work with and
 455 cooperate with the Fire Marshal in which the district is
 456 situated in the prevention of fires of all types. The district

ENROLLED

HB 1413, Engrossed 1

2006 Legislature

457 fire chief shall be authorized to enter, at all reasonable
458 hours, any building or premises for the purpose of making any
459 inspection or investigation which the State Fire Marshal is
460 authorized to make pursuant to state law and regulation. The
461 owner, lessee, manager, or operator of any building or premises
462 shall permit the district fire chief to enter and inspect the
463 building or premises at all reasonable hours. The district fire
464 chief shall report any violations of state fire safety laws or
465 regulations to the appropriate officials.

466 (3) The board shall have the power to acquire, by gift or
467 purchase, lands or rights in lands, and any other property, real
468 and personal, tangible or intangible, necessary, desirable, or
469 convenient for carrying out the purposes of the district, and to
470 pay any and all costs of same out of the funds of the district,
471 provided that prior to the acquisition of the location of a fire
472 station site, an appropriate investigation shall be conducted
473 which shall include, but not be limited to, obtaining the staff
474 recommendation of the Walton County Planning Department.

475 (4) The board shall have the power to enter into contracts
476 or to otherwise join with the Argyle Fire District of Walton
477 County, or to otherwise join with any other district, city, or
478 town, the United States of America, or any agency or authority
479 thereunder, for the purpose of expanding services, providing
480 effective aid, and accomplishing and carrying out the purposes
481 for which the district was created and for the further purpose
482 of specifically obtaining financial aid, assistance, or subsidy.

ENROLLED
 HB 1413, Engrossed 1

2006 Legislature

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

485 (6) The district is authorized to establish and maintain
 486 emergency medical and rescue response services and acquire and
 487 maintain rescue, medical, and other emergency equipment, subject
 488 to the provisions of chapter 401, Florida Statutes.

489 Section 15. Annexations.--If any municipality or other
 490 fire control district annexes any land included in the district,
 491 such annexation shall follow the procedures set forth in section
 492 171.093, Florida Statutes.

493 Section 16. Dissolution.--The district shall exist until
 494 dissolved in the same manner as it was created. If the Argyle
 495 Fire District of Walton County is dissolved or ceases to exist
 496 for any reason, or if the board determines that the Argyle Fire
 497 District of Walton County is unable to carry out its objectives
 498 as stated or the objectives of the district as stated in
 499 subsection (2) of section 2, or the district's published
 500 policies, the board shall in its discretion make arrangements
 501 for other means of providing fire protection and rescue
 502 services.

503 Section 17. District expansion.--

504 (1) The district boundaries may be extended from time to
 505 time as follows:

506 (a) Land contiguous to the boundaries of the district in
 507 unincorporated Walton County may be included in the district
 508 when a petition for inclusion signed and sworn to by a majority
 509 of the owners of the real property within the tract or tracts to

ENROLLED

HB 1413, Engrossed 1

2006 Legislature

510 be included in the district has been presented to the board of
511 commissioners and the proposal has been approved by the
512 affirmative vote of no fewer than three members of the board of
513 commissioners at a regular meeting.

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

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

526 (3) Upon adoption of the resolution by the board, the
527 district shall, pursuant to chapter 191, Florida Statutes,
528 request that its legislative delegation approve said addition
529 and sponsor legislation amending the district boundary. Upon
530 approval by the Legislature, the boundary shall be amended.

531 Section 18. Construction.--This act shall be construed as
532 remedial and shall be liberally construed to promote the purpose
533 for which it is intended.

534 Section 19. Effect.--In the event that any part of this
535 act should be held void for any reason, such holding shall not
536 affect any other part thereof.

ENROLLED
HB 1413, Engrossed 1

2006 Legislature

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