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CS/HB 845

2007 Legislature

1                                   A bill to be entitled  
2           An act relating to the North River Fire District, Manatee  
3           County; codifying, amending, and reenacting special acts  
4           relating to the district; providing boundaries; providing  
5           for a board of fire commissioners; providing for  
6           elections; providing for filling of vacancies; providing  
7           authority to levy non-ad valorem assessments; providing  
8           for liens; providing for public hearings; providing for  
9           deposit of funds; providing for use of funds; providing  
10          borrowing power of the district; providing authority and  
11          power to acquire certain property; providing duties of the  
12          board of fire commissioners; providing authority to employ  
13          qualified personnel; providing for financial reporting;  
14          providing for existence of the district; providing  
15          definitions; providing for impact fees; providing a  
16          schedule of non-ad valorem assessments; providing  
17          severability; providing for liberal construction;  
18          repealing chapters 89-502, 91-406, and 96-452, Laws of  
19          Florida, relating to the district; providing an effective  
20          date.

21  
22   Be It Enacted by the Legislature of the State of Florida:

23  
24           Section 1. (1) The reenactment of existing law in this  
25 act shall not be construed as a grant of additional authority to  
26 nor to supersede the authority of any entity pursuant to law.  
27 Exceptions to law contained in any special act that are  
28 reenacted pursuant to this act shall continue to apply.

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29           (2) The reenactment of existing law in this act shall not  
 30 be construed to modify, amend, or alter any covenants,  
 31 contracts, or other obligations of the district with respect to  
 32 bonded indebtedness. Nothing pertaining to the reenactment of  
 33 existing law in this act shall be construed to affect the  
 34 ability of the district to levy and collect taxes, assessments,  
 35 fees, or charges for the purpose of redeeming or servicing  
 36 bonded indebtedness of the district.

37           Section 2. Chapters 89-502, 91-406, and 96-452, Laws of  
 38 Florida, are codified, amended, reenacted, and repealed as  
 39 herein provided.

40           Section 3. The North River Fire District is re-created,  
 41 and the charter is re-created and reenacted to read:

42           Section 1. Incorporation.--Upon this act becoming a law,  
 43 all of the unincorporated lands in Manatee County, as described  
 44 in this act, and the City of Palmetto, shall become and be  
 45 incorporated into an independent special fire district. Said  
 46 special fire district shall become and be a public municipal  
 47 corporation, having the powers and duties herein set forth under  
 48 the name of North River Fire District.

49           Section 2. Jurisdiction.--The lands to be incorporated  
 50 within the North River Fire District are located in Manatee  
 51 County and are described as follows:

52  
 53           All of Sections 1, 12, 13, 14, 21, 22, 23, 24, 25, 26,  
 54 27, 28, 32, 33, 34, 35 and 36, all in Township 33  
 55 South, Range 17 East; all of Sections 1, 2, 3, 4, 5,  
 56 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19,

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57 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32,  
 58 33, 34, 35 and 36, all in Township 33 South, Range 18  
 59 East; all of Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10,  
 60 11, 12, 13, 14, 15, 16 and 17, and that part of  
 61 Sections 18, 22, 23 and 24 North of North bulkhead  
 62 line of the Manatee River, all in Township 34 South,  
 63 Range 17 East; all of Sections 1, 2, 3, 4, 5, 6, 7, 8,  
 64 9, 10, 11, 12, 17, 18, and 19, and that part of  
 65 Section 16 lying North of North bulkhead line of the  
 66 Manatee River, all in Township 34 South, Range 18  
 67 East. Further including the full right of way of all  
 68 abutting roads. Also, all islands and submerged lands  
 69 within the limits of the established bulkhead line  
 70 abutting the specified Sections, more particularly  
 71 described as follows:

72  
 73 Begin at the intersection of the established or to be  
 74 established bulkhead line along the North bank of the  
 75 Manatee River with the West boundary of Section 7,  
 76 Township 34 South, Range 17 East; thence Easterly  
 77 along the established or to be established bulkhead  
 78 line of the Manatee River to the East boundary of  
 79 Section 12, Township 34 South, Range 18 East; thence  
 80 Northerly along the East boundary of Township 34  
 81 South, Range 18 East to the Manatee County  
 82 Hillsborough County boundary line; thence Westerly  
 83 along the Manatee County Hillsborough County boundary  
 84 line to the established or to be established bulkhead

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85 line of the East shore of Tampa Bay; thence Southerly  
 86 and Westerly along the established or to be  
 87 established bulkhead line of Tampa Bay and Terra Ceia  
 88 Bay to the established or to be established bulkhead  
 89 line on the North bank of the Manatee River to the  
 90 West boundary of Section 7, Township 34 South, Range  
 91 17 East and the Point of Beginning.

92  
 93 Section 3. Board of fire commissioners.--The business and  
 94 affairs of the district shall be conducted and administered by a  
 95 board of seven commissioners, who shall be elected as provided  
 96 for in section 4. Upon its election annually in January, the  
 97 board shall organize by electing from its members a chair, a  
 98 vice chair, a secretary, and a treasurer. The positions of  
 99 secretary and treasurer may be held by one member. The  
 100 commissioners may each be paid a salary or honorarium, to be  
 101 determined by the board, that shall not exceed \$500 per month  
 102 and may not be otherwise employed by the district on either a  
 103 full-time or part-time basis and receive compensation for such  
 104 employment, except as specifically provided for herein. Each  
 105 commissioner shall, before he or she enters upon his or her  
 106 duties as commissioner, execute to the state, for the benefit of  
 107 the district, a good and sufficient bond approved by a Circuit  
 108 Judge of Manatee County in the sum of not less than \$5,000 with  
 109 a qualified corporate surety, conditioned to faithfully perform  
 110 the duties of the office of commissioner. All premiums for such  
 111 surety on all such bonds shall be paid from the funds of said  
 112 district. The board of fire commissioners shall have the

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113 authority and power to make and enter into contracts with firms,  
114 individuals, and municipal corporations relating to any and all  
115 of the purposes of the district.

116 Section 4. Election of commissioners.--

117 (1) The board of fire commissioners of the district shall  
118 consist of seven members who shall serve for 4-year terms and  
119 shall be elected in a nonpartisan election as hereinafter set  
120 forth. The seven-member board of fire commissioners shall  
121 consist of one member elected by the entire fire district to  
122 represent each of five fire commissioner districts of the North  
123 River Fire District, plus two commissioners elected by the  
124 entire fire district to hold seats at large. The boundaries of  
125 the fire commissioner districts shall be established by the  
126 board and shall be numerically designated as fire commissioner  
127 districts 1, 2, 3, 4, and 5. The fire commissioner seats on the  
128 board shall be identified as seats 1, 2, 3, 4, and 5,  
129 corresponding to the numerical designation of each fire  
130 commissioner district, respectively, and the at-large seats  
131 shall be identified as seats 6 and 7. In addition to  
132 requirements of candidates for election under general law, in  
133 order to qualify for such election or for maintaining such a  
134 position, a candidate or elected commissioner shall reside  
135 within his or her respective district.

136 (2) Four members of the board of fire commissioners  
137 (district seats 2, 4, and 5 and at-large seat 6) shall be  
138 elected at the general election during each United States  
139 presidential election year. The remaining three members of the  
140 board (district seats 1 and 3 and at-large seat 7) shall be

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141 elected at the general election during each Florida  
 142 gubernatorial election year.

143 (3) Each elected commissioner shall hold office until his  
 144 or her successor is elected and qualified, or until such  
 145 commissioner ceases to qualify as a commissioner or is removed  
 146 from office.

147 (4) Each elected member shall assume office 10 days after  
 148 the member's election.

149 (5) If a vacancy occurs on the board, the remaining  
 150 members may appoint a qualified person to fill the seat until  
 151 the next general election that is held at least 3 months after  
 152 the date the vacancy occurs, at which time an election shall be  
 153 held to fill the vacancy.

154 Section 5. Authority to levy non-ad valorem assessments.--

155 (1) The district shall have the right, power, and  
 156 authority to levy non-ad valorem assessments against the taxable  
 157 real estate lying within its territorial bounds, as well as to  
 158 assess an additional charge for hazardous or emergency  
 159 conditions, in order to provide funds for the purpose of the  
 160 district. The rate of such assessments shall be fixed by a  
 161 resolution of the board of fire commissioners but shall in no  
 162 event exceed the amounts set forth in section 15.

163 (2) The board of fire commissioners is authorized to  
 164 provide a reasonable schedule of charges for emergency services,  
 165 including, but not limited to, firefighting occurring in or to  
 166 motor vehicles, marine vessels including live-aboards, aircraft,  
 167 or rail cars including engines or as a result of the operation  
 168 of such motor vehicles, marine vessels including live-aboards,

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169 aircraft, or rail cars including engines to which the North  
 170 River Fire District is called to render such emergency service,  
 171 and to charge a fee for the services rendered in accordance with  
 172 said schedule. The North River Fire District shall have a lien  
 173 upon said motor vehicles, marine vessels including live-aboards,  
 174 aircraft, or rail cars including engines for the charges so  
 175 assessed. The board of fire commissioners is authorized to enter  
 176 into contracts for firefighting duties that provide a reasonable  
 177 remuneration to the district for such firefighting activities.

178 (3) The board of fire commissioners is authorized to  
 179 provide a reasonable schedule of charges for the fighting of  
 180 fires occurring in or at refuse dumps or as a result of an  
 181 illegal burn, which fire, dump, or burn is not authorized by  
 182 general or special law of the state, rule, regulation, order, or  
 183 ordinance, to which the district is called to fight or  
 184 extinguish. The fee charged in accordance with said schedule  
 185 shall constitute a lien upon the real property where said fire  
 186 or burn is located.

187 (4) The district shall provide to the county property  
 188 appraiser a notice of fire assessment rates as adopted by  
 189 resolution not later than June 1 of each year. The county  
 190 property appraiser shall then furnish to the commissioners of  
 191 the district a tax roll covering all taxable properties with the  
 192 assessment rate levy placed on each parcel of property by July  
 193 1, which tax roll is consistent with and set forth by section  
 194 193.1142, Florida Statutes. Not later than 21 days after receipt  
 195 of the tax roll from the county property appraiser, the district  
 196 shall return the tax roll, having first checked and noted any

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197 corrections or adjustments to the fire assessment levy against  
198 each parcel of property.

199 (5) Prior to adopting a rate of assessment as required in  
200 subsection (4), the board of fire commissioners shall properly  
201 advertise and hold a public hearing with respect to the proposed  
202 rate of assessment. At such hearing, any property owner in the  
203 district shall have the right to file a written objection and  
204 testify at such hearing regarding the proposed rate of  
205 assessment. After due consideration of all comments or protests,  
206 the board of fire commissioners shall adopt a resolution  
207 specifying the rate of assessment on all taxable property.

208 (6) The board of fire commissioners shall, not earlier  
209 than 30 days nor later than 45 days after the mailing of the  
210 notice of proposed property taxes as required by section  
211 194.011(1), Florida Statutes, hold a properly advertised public  
212 hearing to hear appeals from any property owner in the district  
213 with respect to the method of calculation or the amounts of fire  
214 assessment levied against a parcel of land. Within 20 calendar  
215 days after the conclusion of the public hearing to hear appeals,  
216 the board of fire commissioners shall notify all concerned  
217 parties and the county property appraiser in writing of its  
218 decision. The decision shall include reasons for granting or  
219 denying the appeal.

220 (7) The county property appraiser shall then include the  
221 assessments thus made by the board of fire commissioners of the  
222 district in the Manatee County tax roll and the same shall be  
223 collected in the manner and form as is provided for the



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224 collection of county taxes and paid over by the county tax  
225 collector to the board of fire commissioners.

226 (8) Such non-ad valorem assessments shall be a lien upon  
227 the land so assessed along with the county taxes assessed  
228 against the same until said assessments have been paid and, if  
229 the same become delinquent, shall be considered a part of the  
230 county tax subject to the same penalties, fees, and remedies for  
231 enforcement and collections and shall be enforced and collected  
232 as provided by the laws of the state for the collection of such  
233 taxes.

234 Section 6. Deposit of funds.--All proceeds of assessments  
235 and other funds of the district shall be deposited in the name  
236 of the district in a financial institution designated under the  
237 provisions of chapter 280, Florida Statutes, as a qualified  
238 public depository. The approved financial institution shall be  
239 designated by a resolution of the board of fire commissioners.  
240 No funds of the district shall be paid out or disbursed except  
241 by check.

242 Section 7. Use of funds.--Funds of the district shall not  
243 be used for any purpose other than for the administration of the  
244 affairs and business of the district; the acquisition,  
245 construction, care, maintenance, upkeep, and operation of sites  
246 for fire stations; fire station and firefighting and rescue  
247 equipment; the employment of qualified personnel as provided for  
248 herein and payment of the essential personnel benefits such as  
249 health, life, disability, and workers' compensation insurance;  
250 retirement programs and other associated costs designed to  
251 further the purpose of the district; and legal expenses incurred

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252 for the operation, enforcement, and furtherance of the  
 253 district's affairs and business.

254 Section 8. Borrowing power.--The board of fire  
 255 commissioners shall have the power and authority to borrow money  
 256 for the purpose of the district and to mortgage the real and  
 257 personal property of the district or to pledge future  
 258 assessments and liens as security for such loans. The limits of  
 259 such authority shall be that the amount borrowed shall not  
 260 exceed three times the total assessments in the fiscal year the  
 261 loan is contracted; however, the district commissioners shall  
 262 not create any indebtedness or incur obligations for any amount  
 263 that it is unable to pay out of the district's funds. Neither  
 264 the district commissioners as a body nor any one of them as an  
 265 individual shall be personally or individually liable for the  
 266 repayment of such loan or loans. In addition, the board of fire  
 267 commissioners shall have the power and authority to make  
 268 purchases of equipment on an installment basis as necessary, if  
 269 funds are available for the payment of the current year's  
 270 installment on such equipment plus the amount due in that year  
 271 on any other installment or other indebtedness.

272 Section 9. Authority and power to acquire.--The North  
 273 River Fire District shall have all of the corporate powers of a  
 274 Florida municipal corporation as provided by general law,  
 275 including, but not limited to, the right to sue and to be sued;  
 276 to lease, own, possess, and convey real and personal property  
 277 necessary to carry out the purpose of this act; and to acquire  
 278 such property by grant, gift, purchase, devise, or eminent  
 279 domain or any means whatsoever.

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280       Section 10. Duties of officers and authority of  
281 commissioners.--The officers of the board of fire commissioners  
282 shall have the duties usually pertaining to, vested in, and  
283 incumbent upon like officers. A record shall be kept of all  
284 meetings of said board of fire commissioners, and, in such  
285 meetings, concurrence of a majority of said commissioners at the  
286 meeting consisting of a quorum shall be necessary for any  
287 affirmative actions by said board. The board of fire  
288 commissioners of said district shall have the authority to adopt  
289 ordinances and rules and regulations for fire safety and  
290 protection, including, but not limited to, those standards set  
291 out in section 633.025, Florida Statutes.

292       Section 11. Authority to employ qualified personnel.--The  
293 board of fire commissioners shall have the authority to employ  
294 personnel as required to carry out the purpose of the district.  
295 Such personnel may, in addition to others, include a fire chief,  
296 who shall reside in the district, one or more firefighters or  
297 inspectors, and administrative or maintenance personnel as the  
298 board of fire commissioners deems necessary to carry out the  
299 purpose of the district and shall have authority to provide all  
300 things necessary for the prevention, extinguishment, and control  
301 of fires in the district.

302       Section 12. Financial reporting.--The board of fire  
303 commissioners shall comply with all appropriate reporting  
304 requirements for units of local government, including, but not  
305 limited to, sections 11.45, 189.416, 189.417, 189.418, 218.32,  
306 and 218.38, Florida Statutes. These requirements as referenced  
307 herein include the filing on or before September 1 of each year

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308 of the district's estimated budget for the fiscal year beginning  
 309 October 1, the filing of financial statements and audits for the  
 310 fiscal year ending each September 30 within the timeframes  
 311 identified, and other reporting requirements specified.

312 Section 13. Existence.--The North River Fire District  
 313 shall exist until dissolved by law.

314 Section 14. Definitions.--The term "district" means the  
 315 North River Fire District, and the terms "board" and "board of  
 316 fire commissioners" mean the Board of Fire Commissioners of the  
 317 North River Fire District, unless otherwise specified.

318 Section 15. Schedule of non-ad valorem assessments.--The  
 319 assessment procedures and amounts, as set forth herein,  
 320 represent the manner to be followed and the maximum allowable  
 321 rates that shall be charged by the district, if needed. For  
 322 assessment purposes, all property within the district shall be  
 323 divided into three general classifications: vacant parcels,  
 324 residential parcels, and commercial/industrial parcels.

325 (1) Vacant parcels shall include all parcels that are  
 326 essentially undeveloped and are usually classified by the  
 327 property appraiser as Use Code types "0000," "0004," "1000,"  
 328 "4000," "9800," "9900," and "5000" through "7000." The maximum  
 329 annual assessment for these parcels shall be:

330 (a) Vacant residential lots (Use Code 0000): \$8.90 per  
 331 lot.

332 (b) Vacant condominium lots (Use Code 0004): \$8.90 per  
 333 lot.

334 (c) Unsubdivided acreage (Use Codes 5000 through 7000,  
 335 9800, 9900, and 9901): \$4.85 per acre or fraction thereof,

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336 except that not more than \$890 shall be assessed against any one  
 337 parcel.

338 (d) Vacant commercial and industrial parcels (Use Codes  
 339 1000 and 4000): assessed as a platted lot or unsubdivided  
 340 acreage as applicable. Whenever a residential unit is located on  
 341 a parcel classified as vacant, the residential plot shall be  
 342 considered as one lot or one acre with the balance of the parcel  
 343 being assessed as vacant land in accordance with the schedule of  
 344 commercial/industrial assessments. Whenever an agricultural or  
 345 commercial building or structure is located on a parcel  
 346 classified as vacant, the building or structure shall be  
 347 assessed in accordance with the schedule of  
 348 commercial/industrial assessments.

349 (2) Residential parcels shall include all parcels that are  
 350 developed for residential purposes and are usually classified by  
 351 the property appraiser as Use Code types "0100," "0104," "0200,"  
 352 "0204," "0300," "0400," "0500," "0600," "0700," "0800," "0801,"  
 353 "0803," "1200," "2800," and "2802." Surcharges may be assigned  
 354 by the district for dwelling units located on the second, third,  
 355 fourth, fifth, or higher floors. The maximum annual assessment  
 356 for these parcels shall be:

357 (a) Use Codes "0100" and "0104" shall be \$98.00 per  
 358 single-family residence. If said residence is located on a  
 359 parcel of land not in excess of one lot or one acre, no  
 360 additional assessment shall be made for the land on which said  
 361 residence is located. If the land upon which said residence is  
 362 located exceeds one lot or one acre, an additional assessment  
 363 may be made in accordance with subsection (1).

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364           (b) Use Codes "0300," "0800," "0801," and "0803,"  
 365 multifamily residences, shall be \$98 per unit. If said residence  
 366 is located on a parcel of land not in excess of one lot or one  
 367 acre, no additional assessment shall be made for the land on  
 368 which said residence is located. If the land upon which said  
 369 residence is located exceeds one lot or one acre, an additional  
 370 assessment may be made in accordance with subsection (1).

371           (c) Use Code "0400," condominium/apartments and  
 372 residential, shall be \$98 per dwelling unit for any condominium  
 373 or apartment units located on the first and second floors; \$147  
 374 per unit for any condominium or apartment units located on the  
 375 third floor; \$196 per unit for any condominium or apartment  
 376 units located on the fourth floor; \$245 per unit for any  
 377 condominium or apartment units located on the fifth floor; and  
 378 \$294 per unit for any condominium or apartment units located on  
 379 a floor above the fifth floor.

380           (d) Use Codes "0200," "0204," and "2802," mobile homes,  
 381 mobile homes/condominiums and mobile home parks, residential,  
 382 shall be \$98 per dwelling unit.

383           (e) Use Codes "0500," "0600," and "0700," cooperatives,  
 384 retirement homes, miscellaneous, migrant camps, etc., shall be  
 385 assessed \$98 per dwelling unit.

386           (f) Any other residential units, including, but not  
 387 limited to, the residential portion of mixed uses (Use Code  
 388 1200), shall be assessed \$98 per dwelling unit.

389           (g) Travel trailer parks (Use Code 2800) shall be assessed  
 390 \$49 per dwelling unit or available rental space, as applicable.

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391           (3) Commercial/industrial parcels shall include all other  
 392 developed parcels that are not included in the residential  
 393 category in subsection (2). All commercial/industrial parcels  
 394 shall be assessed on a square footage basis for all buildings  
 395 and structures in accordance with the following schedule and  
 396 hazard classification. The district may or may not vary the  
 397 assessment by hazard classifications as set forth herein, based  
 398 on guidelines to be approved by the board of fire commissioners.  
 399 The base assessment for all buildings and structures shall be  
 400 \$178 for the first 1,000 square feet on a parcel. The schedule  
 401 for all square footage above 1,000 square feet is as follows;  
 402 however, the district may grant an improved hazard rating to all  
 403 or part of the building or structures if they are equipped with  
 404 complete internal fire suppression facilities:

Category	<u>Use Codes</u>	<u>Square Foot Assessment</u>
Mercantile (M)	<u>1100, 1200, 1300,</u> <u>1400, 1500, 1600</u> <u>1604, 2900</u>	<u>\$0.09 per square foot</u>
Business (B)	<u>1700, 1704, 1800,</u> <u>1900, 1904, 2200,</u> <u>2300, 2400, 2500,</u> <u>2600, 3000, 3600</u>	<u>\$0.09 per square foot</u>
Assembly (A)	<u>2100, 3100, 3200,</u>	

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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	<u>3300, 3400, 3500,</u>	
	<u>3700, 3800, 3900,</u>	
	<u>7600, 7700, 7900</u>	<u>\$0.10 per square foot</u>
409		
	<u>Factory/</u>	<u>4100, 4104, 4400,</u>
	<u>Industrial (F)</u>	<u>4500, 4600, 4700,</u>
	<u>9100</u>	<u>\$0.10 per square foot</u>
410		
	<u>Storage (S)</u>	<u>2000, 2700, 2800,</u>
	<u>4900</u>	<u>\$0.09 per square foot</u>
411		
	<u>Hazardous (H)</u>	<u>4200, 4300, 4800,</u>
	<u>4804</u>	<u>\$0.20 per square foot</u>
412		
	<u>Institutional (I)</u>	<u>7000, 7100, 7200,</u>
	<u>7300, 7400, 7800,</u>	
	<u>8400, 8500, 9200</u>	<u>\$0.09 per square foot</u>
413		

414 Whenever a parcel is utilized for multiple hazard  
 415 classifications, the district may vary the assessment in  
 416 accordance with actual categories.

417 Section 16. Impact fees.--

418 (1) (a) It is hereby found and determined that the district  
 419 is located in one of the fastest growing areas of Manatee  
 420 County, which is itself experiencing one of the highest growth  
 421 rates in the nation. New construction and resulting population  
 422 growth have placed a strain upon the capabilities of the  
 423 district to continue providing the high level of professional



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424 fire protection and emergency services for which the residents  
425 of the district pay and that they deserve.

426 (b) It is hereby declared that the cost of new facilities  
427 for fire protection and emergency services should be borne by  
428 new users of the district services to the extent new  
429 construction requires new facilities, but only to that extent.  
430 It is the legislative intent of this section to transfer to the  
431 new user of the district's fire protection and emergency  
432 services a fair share of the costs that new users impose on the  
433 district for new facilities.

434 (c) It is hereby declared that the amount of any impact  
435 fees authorized in this section will be just, reasonable, and  
436 equitable.

437 (2) No person shall issue or obtain a building permit for  
438 new residential dwelling units or new commercial or industrial  
439 structures within the district, or issue or obtain construction  
440 plan approval for new mobile home or recreational or travel  
441 trailer park developments located within the district, until the  
442 developer thereof has paid the applicable impact fee to the  
443 district, according to a schedule determined by the board  
444 pursuant to general law.

445 (3) The impact fees collected by the district pursuant to  
446 this section shall be kept as a separate fund from other  
447 revenues of the district and shall be used exclusively for the  
448 acquisition, purchase, or construction of new facilities or  
449 portions thereof required to provide fire protection and  
450 emergency services to new construction. "New facilities" means  
451 land, buildings, and capital equipment, including, but not

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452 limited to, fire and emergency vehicles and radio-telemetry  
 453 equipment, and other firefighting or rescue equipment. Said fees  
 454 shall not be used for the acquisition, purchase, or construction  
 455 of facilities that must be obtained in any event, regardless of  
 456 growth within the district. The board of fire commissioners  
 457 shall maintain adequate records to ensure that impact fees are  
 458 expended only for permissible new facilities or equipment.

459 (4) Any impact fees shall be authorized by resolution of  
 460 the board of fire commissioners and shall comply with the  
 461 requirements of sections 163.31801 and 191.009(4), Florida  
 462 Statutes (2006), or any other applicable general law.

463 Section 17. Other district powers, functions, and  
 464 duties.--In addition to any powers set forth in this act, the  
 465 district shall hold all powers, functions, and duties set forth  
 466 in chapters 189, 191, and 197, Florida Statutes, including, but  
 467 not limited to, ad valorem taxation, bond issuance, other  
 468 revenue-raising capabilities, impact fees, budget preparation  
 469 and approval, liens and foreclosure of liens, use of tax deeds  
 470 and tax certificates as appropriate for non-ad valorem  
 471 assessments, and contractual agreements. The district may be  
 472 financed by any method established in this act, chapter 189,  
 473 Florida Statutes, chapter 191, Florida Statutes, or any other  
 474 applicable general or special law.

475 Section 4. Severability.--If any provision of this act or  
 476 the application thereof to any person or circumstance is held  
 477 invalid, the invalidity shall not affect other provisions or  
 478 applications of the act which can be given effect without the  
 479 invalid provision or application, and to this end the provisions

## ENROLLED

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480 of this act are declared severable.

481 Section 5. Liberal interpretation.--The provisions of this  
482 act shall be liberally construed in order to effectively carry  
483 out the purpose of this act in the interest of the public and  
484 safety.

485 Section 6. Chapters 89-502, 91-406, and 96-452, Laws of  
486 Florida, are repealed.

487 Section 7. This act shall take effect upon becoming a law.