

1 A bill to be entitled
2 An act relating to the Spring Hill Fire Rescue and
3 Emergency Medical Services District, Hernando County;
4 creating a special district; providing definitions;
5 providing for creation, status, charter amendments,
6 boundaries, and purposes; providing for a board of
7 commissioners; providing for election and terms of
8 commissioners; providing for employment of district
9 personnel; providing for election of board officers;
10 providing for compensation, oath, and bonds of
11 commissioners; providing for powers, duties, and
12 responsibilities of the board; providing for ad valorem
13 taxes; providing a cap on the rate of taxation; providing
14 for user charges; providing for impact fees; providing for
15 authority to disburse funds; authorizing the board to
16 borrow money; providing for use of district funds;
17 requiring a record of all board meetings; authorizing the
18 board to adopt policies and regulations; providing for the
19 board to make an annual budget; requiring an annual
20 report; authorizing the board to enact fire prevention
21 ordinances; authorizing the district to appoint a fire
22 marshal; authorizing the district to conduct inspections
23 and establish and operate fire, rescue, and emergency
24 medical services; providing for district authority upon
25 annexation of district lands; providing for dissolution;
26 providing immunity from tort liability for officers,
27 agents, and employees; providing for district expansion;
28 providing for construction and effect; providing for an

29 | exclusive charter; requiring a referendum; providing an
 30 | effective date.

31 |

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

33 |

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

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

38 | (2) "Fire commissioner" means a member of the Board of
 39 | Fire Commissioners of the Spring Hill Fire Rescue and Emergency
 40 | Medical Services District.

41 | (3) "District" means the Spring Hill Fire Rescue and
 42 | Emergency Medical Services District.

43 | (4) "Board of directors" means the existing policymaking
 44 | and governing body of the Spring Hill Fire Rescue and Emergency
 45 | Services District of Hernando County.

46 | (5) "Director" means a member of the board of fire
 47 | commissioners.

48 | (6) "Residence" means one single-family dwelling,
 49 | including one single-apartment dwelling unit; one single-
 50 | condominium dwelling unit; one single duplex, triplex, or other
 51 | attached dwelling unit; one single-family detached dwelling
 52 | unit; or one single mobile or modular home dwelling unit.

53 | (7) "Business" means motels, apartments, or rental
 54 | dwelling, along with other standard commercial or industrial
 55 | businesses such as gasoline stations, stores, marinas, and
 56 | similar establishments, as authorized pursuant to the applicable

57 local government comprehensive plan, whether or not such
 58 businesses are required to pay or collect sales taxes.

59 Section 2. Creation; status; charter amendments;
 60 boundaries; district purposes.--

61 (1) There is hereby created an independent special fire
 62 control district incorporating lands in Hernando County
 63 described in subsection (2), which shall be a public corporation
 64 having the powers, duties, obligations, and immunities herein
 65 set forth under the name of the Spring Hill Fire Rescue and
 66 Emergency Medical Services District. The district is organized
 67 and exists for all purposes and shall hold all powers set forth
 68 in this act and chapters 189 and 191, Florida Statutes.

69 (2) The lands to be included within the district are the
 70 following described lands of Spring Hill, in Hernando County, to
 71 wit:

72 For a Point of Beginning (P.O.B.), commence at the
 73 intersection of the East Section line of Section 34,
 74 Township 23, Range 18 East projected South and the
 75 Centerline of the Right-of-Way of County Line Road.

76
 77 Thence; Go Northerly along the aforementioned East
 78 Section line of Section 34, Township 23, Range 18
 79 East, Section 27, Township 23, Range 18 East.

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 81 Thence; East along the North Section line of Section
 82 26, Township 23, Range 18 East, terminating at the
 83 North East comer of the West V2 of Section 26,
 84 Township 23, Range 18 East.

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Thence; Northerly along the East Section line of the West 1/2 of Section 23, Township 23, Range 18 East terminating at the intersection of that line and the centerline of the Right-of-Way of Spring Hill Drive.

Thence; Easterly along the centerline of the Right-of-Way of Spring Hill Drive to a point of intersection constructed by extending the East boundary of Candy Road, in a Southerly direction.

Thence; Northerly along the Eastern boundary of Candy Lane to the limits of the plat of Quail Meadows, Phase I.

Thence; Southwesterly along the rear property lines of Lots 13-22 inclusive of Quail Meadows, Phase I, to the Northern boundary of Atwater Drive.

Thence; Westerly along said Northern boundary of Atwater Drive to the limits of the plat of Quail Meadows, Phase I, said point being the West Section line of Section 13, Township 23 South, Range 18 East.

Thence; Northerly along said West Section line to the North.

112 Thence; Northerly along the aforementioned West
 113 Section line to a point of intersection with the
 114 centerline of Powell Road and said Section line.
 115
 116 Thence; Westerly along Powell Rd. to a point of
 117 intersection with the East line of the West 1/2 of
 118 Section 10, Township 23 South, Range 18 East.
 119
 120 Thence; Northerly along aforementioned Section line
 121 commencing at the North line of said Section 10,
 122 Township 23 South, Range 18 East.
 123
 124 Thence; Westerly along the North Section line of
 125 Section 10, Township 23 South, Range 18 East
 126 continuing Westerly along the South Section line of
 127 Section 4, Township 23 South, Range 18 East;
 128 terminating at a point, constructed by the
 129 intersection of said Section line and the East
 130 Boundary line of Spring Hill Unit 18-2; Plat Book 17,
 131 Page 30, sheet 2 of 6 as recorded in the Public
 132 Records of Hernando County;
 133
 134 Thence; Northerly-along the East Boundary line of the
 135 aforementioned Plat Book 17, Page 30;
 136
 137 Thence; Northerly along the East Boundary line of Plat
 138 Book #17, Page 69 as recorded in Hernando County
 139 Public Record. (To PB9-65-80)

140
141 Thence: Northerly along the East Boundary line as
142 shown in Plat Book 9, Page 69, Spring Hill Unit 20.
143
144 Thence; Easterly along the South Boundary line as
145 shown in Plat Book 9, Sheet 9, of Spring Hill Unit 20.
146
147 Thence; Run Northerly along the West Right-of-Way line
148 of the Florida Power Corporation Easement as shown on
149 Sheet 9, Sheet 10, and Sheet 12, Plat Book 9; Spring
150 Hill Unit 20, as recorded in Hernando County Public
151 Records.
152
153 Thence; Run $89^{\circ}38'00''$ W, a distance of 377.25 feet
154 from the North East corner of the Platted Boundary as
155 recorded in Plat Book 9, Page 76.
156
157 Thence; $N00^{\circ}07'10''$ W, a distance of 944.51 feet,
158
159 Thence; $N89^{\circ}44'10''$ W, a distance of 1,324.27 feet
160
161 Thence; $N00^{\circ}06'12''$ E; 942.14 feet along the East line
162 of the West 1/2 of Section 33, Township 22 South,
163 Range 18 East.
164
165 Thence; $N00^{\circ}05'42''$ W, 1,848.49 feet to the South Right-
166 of-Way line of State Road #50.
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168 Thence; Westerly along the South Right-of-Way line of
 169 State Road #50; \$89°31'17"W a distance of 1,322.86
 170 feet.

171
 172 Thence; S00°02'58"E, a distance of 916.82 feet;
 173 \$89°50'34"W, a distance of 1,323.56 feet; S00°00'12"E,
 174 a distance of 909.40 feet to the Centerline of the
 175 Florida Power Corp. Right-of-way.

176
 177 Thence; Westerly along the South centerline of a
 178 Florida Power Right-of-Way line as described in O.R.
 179 Book #713, Pages 20 & 22. (Attached)

180
 181 Thence; Northerly along the West Boundary line of
 182 aforementioned O.R. Book #713, to the South Right-of-
 183 Way line of State Road #50.

184
 185 Thence; Approximately 1,015.00 feet, Westerly along
 186 the South Right-of-Way line of State Road #50.

187
 188 Thence; South approximately 750.00 feet.

189
 190 Thence; West approximately 2,500.00 feet.

191
 192 Thence; North approximately 750 feet to the South
 193 Right-of-Way line of State Road #50.

194

195 Thence; In a Westerly direction follow the South
 196 Right-of-Way line of State Road #50 to the
 197 intersection of said line and the East Section line of
 198 Section 2, Township 23 South, Range 17 East.

199
 200 Thence; Run Southerly along the aforementioned East
 201 Section line to the North Boundary line of Spring Hill
 202 Unit 22, Replat, Block 1484, Plat Book 12, Page 81, as
 203 recorded in Hernando County Public Records.

204
 205 Thence; Westerly along the aforementioned Boundary
 206 line to the East Right-of-Way line of U.S. 19.

207
 208 Thence; Southerly along the East Right of Way line of
 209 U.S. 19, to the Centerline of the Right-of-Way of
 210 Northcliffe Boulevard.

211
 212 Thence; Southerly along the centerline of the Right-
 213 of-Way of Northcliffe Boulevard to the West Boundary
 214 line of Spring Hill Unit #26.

215
 216 Thence; Southerly along the West Boundary line of
 217 Spring Hill Unit #26, commencing at the South Section
 218 line of Section 10, Township 23 South, Range 117 East.

219
 220 Thence; West along the aforementioned South Section
 221 line, Westerly to the centerline of the Right-of-Way
 222 of U.S. 19.

223
 224 Thence; South along the centerline of the Right-of-Way
 225 of U.S. 19 to a point, constructed by extending the
 226 Centerline of Greenleaf Way and the aforementioned
 227 centerline of Right-of-Way of U.S. 19.

228
 229 Thence; Westerly from said point to the West Boundary
 230 line of Weeki Wachee Woodlands Unit 2, Plat Book #7,
 231 Page 10.

232
 233 Thence; Southerly along the said West Boundary line to
 234 the North Boundary line of Weeki Wachee Acres Unit 2,
 235 Plat Book 6; Page 46;

236
 237 Thence; Westerly along aforementioned North Boundary
 238 line;

239
 240 Thence; Southerly along the West Boundary line of
 241 aforementioned Weeki Wachee Acres Unit 2;

242
 243 Thence; 240.00 feet East, to the centerline of the
 244 Right-of-Way of U.S. 19.

245
 246 Thence; South along the centerline of the Right-of-Way
 247 of U.S. 19 to the Intersection of said Right-of-Way
 248 and Trenton Avenue.

249

250 Thence; Southerly along Trenton Avenue to a point on
 251 the South Section line of Section 20, Township 23
 252 South, Range 17 East;
 253
 254 Thence; Westerly along said Section line to the
 255 centerline of the Right-of-Way of U.S. 19.
 256
 257 Thence; South along the centerline of the Right-of-Way
 258 of U.S. 19, to a point of Intersection with the North
 259 Boundary line of South Hernando U.S. 19, Commerce
 260 Center; Plat Book #17, Pages 11 through 15.
 261
 262 Thence; West from the aforementioned point; to the
 263 West Boundary line of South Hernando U.S. 19, Commerce
 264 Center.
 265
 266 Thence; Southerly along the West Boundary line, to the
 267 S.W. corner of aforementioned Plat;
 268
 269 Thence: Easterly to the centerline of the Right-of-Way
 270 of U.S. 19.
 271
 272 Thence; South along the centerline of the Right-of-Way
 273 of U.S. 19, to a point of intersection with the North
 274 Boundary of South Hernando U.S. 19 Commerce Center
 275 Plat Book #17, Pages 11 thru 16.
 276

277 Thence; Westerly from said point, along the North
 278 Boundary line.

280 Thence; Southerly along the West Boundary line of the
 281 aforementioned Plat;

283 Thence; Easterly along the South Boundary line of said
 284 Plat terminating at the centerline of the Right-of-Way
 285 of U.S. #19.

287 Thence; Southerly along the centerline of the Right-
 288 of-Way of U.S. 19 terminating at the Intersection of
 289 said Right-of-Way and the centerline of the Right-of-
 290 Way of County Line Road.

292 Thence; Easterly from aforementioned said point along
 293 the centerline of the Right-of-Way of County Line
 294 Road.

296 Thence; Easterly, from the aforementioned terminus,
 297 along the centerline of the Right-of-Way of County
 298 Line Road, to a point of Intersection of the West
 299 Boundary line of Arkays Park Subdivision.

301 Thence; Northerly along the aforementioned West
 302 Boundary line.

303

304 Thence; Easterly along the aforementioned North
 305 Boundary line,

307 Thence; Southerly along the East Boundary line of the
 308 aforementioned Plat terminating at the intersection of
 309 that line and the centerline of the Right-of-Way of
 310 County Line Road.

312 Thence; Easterly, from that terminus point, along the
 313 centerline of the Right-of-Way of County Line Road and
 314 returning to the Point of Beginning. P.O.B.

316 LESS:

318 West 11.5A of Northwest 1/4 of Northwest 1/4 Section
 319 4, Township 23, Range 8

321 Southwest 1/4 of Southwest 1/4 less North 292 feet of
 322 East 825 feet, Section 29, Township 23, Range 17

324 5 acres in Northwest 1/4 of Northeast 1/4 of Section
 325 32, Township 23, Range 17

327 (3) The Spring Hill Fire Rescue and Emergency Medical
 328 Services District is organized and exists for all purposes set
 329 forth in this act and chapter 191, Florida Statutes, including,
 330 but not limited to, providing fire protection and firefighting
 331 services, rescue services, and emergency medical services. Such

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332 emergency medical services shall not be the primary function of
333 the district. The district shall have all other powers necessary
334 to carry out these purposes, including the authority to contract
335 with the Spring Hill Fire Rescue District, which currently
336 provides fire, rescue, and emergency medical services within the
337 district boundaries; to purchase all necessary real and personal
338 property; to purchase and carry standard insurance policies on
339 all such equipment; to employ such personnel as may be necessary
340 to carry out the purpose of said fire district; to provide
341 adequate insurance for said employees; to purchase and carry
342 appropriate insurance for the protection of all firefighters and
343 personnel as well as all equipment and personal property on loan
344 to the district; to sell surplus real and personal property in
345 the same manner and subject to the same restrictions as provided
346 for such sales by counties; and to enter into contracts with
347 qualified service providers to carry out the purposes of the
348 district.

349 (4) Nothing herein shall prevent the district from
350 cooperating with the state or other local governments to render
351 such services to communities adjacent to the land described in
352 this section as evidenced by an executed agreement between the
353 cooperating agencies as approved by the board.

354 (5) The district charter may be amended only by special
355 act of the Legislature.

356 Section 3. Board of fire commissioners.--

357 (1) Pursuant to chapter 191, Florida Statutes, the
358 business and affairs of the district shall be governed and
359 administered by a board of five fire commissioners, who shall be

360 qualified electors residing within the district and shall be
361 elected by the qualified electors residing within the district,
362 subject to the provisions of chapters 189 and 191, Florida
363 Statutes, and this act. Each commissioner shall hold office
364 until his or her successor is elected and qualified under the
365 provisions of this act. The procedures for conducting district
366 elections and for qualification of candidates and electors shall
367 be pursuant to chapters 189 and 191, Florida Statutes. The
368 members of the board shall serve on a nonpartisan basis.

369 (2) The five fire commissioners shall hold their
370 respective seats on the Board of Fire Commissioners of the
371 Spring Hill Fire Rescue and Emergency Medical Services District
372 for terms of 4 years each and shall be elected by a majority
373 vote of the qualified electors of the district voting at a
374 general election, provided that the fire commissioners holding
375 seats on the effective date of this act shall continue to hold
376 their respective seats for the remainder of their terms or until
377 their successors are elected and qualified, whichever occurs
378 first. Any commissioner may be a candidate to succeed himself or
379 herself.

380 (3) Vacancies in office shall be filled by election, said
381 election to be held coincidental with the next countywide
382 general election to fill the remaining term of the seat vacated.
383 The board of fire commissioners may appoint a qualified elector
384 of the district to act as fire commissioner until the vacancy is
385 filled by election. A fire commissioner may be removed from
386 office as provided by chapter 191, Florida Statutes, or for any
387 reason that a state or county officer may be removed.

388 (4) All elections shall be noticed, called, and held
389 pursuant to the provisions of the general laws of the state. The
390 board shall, to the extent possible, coordinate all elections
391 with countywide general or special elections in order to
392 minimize cost. Elections shall be called through the adoption of
393 an appropriate resolution of the district directed to the Board
394 of County Commissioners of Hernando County, the Supervisor of
395 Elections of Hernando County, and other appropriate officers of
396 the county. The district shall reimburse county government for
397 the actual cost of district elections. No fire commissioner
398 shall be a paid employee of the district while holding said
399 position.

400 (5) The board may employ such personnel as deemed
401 necessary for the proper function and operation of the district.

402 (6) The salaries of district personnel and any other wages
403 shall be determined by the board.

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

405 (1) In accordance with chapter 191, Florida Statutes, each
406 elected member of the board shall assume office 10 days after
407 the member's election. Within 60 days after election of new
408 members of said board as herein provided, the newly elected
409 members shall organize by electing from their number a chair,
410 vice chair, secretary, and treasurer. However, the same member
411 may be both secretary and treasurer, in accordance with chapter
412 191, Florida Statutes.

413 (2) Three members of the board shall constitute a quorum.
414 A quorum shall be necessary for the transaction of business.

415 (3) The fire commissioners may receive reimbursement for
 416 actual expenses incurred while performing the duties of their
 417 offices in accordance with general law governing per diem for
 418 public officials. Each fire commissioner may receive from the
 419 funds of the district compensation for his or her services in
 420 accordance with chapter 191, Florida Statutes.

421 (4) Each fire commissioner upon taking office shall take
 422 and subscribe to the oath of office prescribed by s. 5(b), Art.
 423 II of the State Constitution and general law. Upon taking office
 424 and in accordance with chapters 189 and 191, Florida Statutes,
 425 each fire commissioner shall execute to the Governor, for the
 426 benefit of the district, a bond of \$5,000 with a qualified
 427 personal or corporate surety, conditioned upon the faithful
 428 performance of the duties of the fire commissioner's office and
 429 upon an accounting for all funds that come into his or her hands
 430 as fire commissioner. The premium for such bonds shall be paid
 431 from district funds.

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

433 (1) The district shall have and the board may exercise by
 434 majority vote all of the powers and comply with the duties set
 435 forth in this act and chapters 189, 191, and 197, Florida
 436 Statutes, including, but not limited to, ad valorem taxation,
 437 special assessments, bond issuance, and other revenue
 438 capabilities; budget preparation and approval; liens and
 439 foreclosure of liens; use of tax deeds and tax certificates as
 440 appropriate from non-ad valorem assessments; contractual
 441 agreements; and the adoption of ordinances and resolutions that
 442 are necessary to conduct district business if such ordinances do

443 not conflict with any ordinance of a local general-purpose
 444 government within whose jurisdiction the district is located.

445 (2) The board shall have the right, power, and authority
 446 to levy annually ad valorem taxes against the taxable property
 447 within the district to provide funds for the purposes of the
 448 district in an amount not to exceed the limit provided in
 449 chapter 191, Florida Statutes.

450 (3) The methods for assessing and collecting ad valorem
 451 taxes, special assessment fees, services charges, impact fees,
 452 or user charges shall be as set forth in this act and chapter
 453 170, chapter 189, chapter 191, chapter 197, or chapter 200,
 454 Florida Statutes.

455 (4) The district shall levy and collect special
 456 assessments in accordance with chapter 200, Florida Statutes.

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

459 (6) Requirements for financial disclosure, meeting
 460 notices, reporting, public records maintenance, and per diem
 461 expenses for officers and employees shall be as set forth in
 462 this act and chapters 112, 119, 189, 191, and 286, Florida
 463 Statutes.

464 Section 6. Ad valorem taxes.--

465 (1) The board shall have the authority to levy ad valorem
 466 taxes annually against all taxable property within the district
 467 to provide funds for the purposes of the district only upon the
 468 approval by a majority vote of those qualified electors of the
 469 district voting in a referendum election authorizing the use of
 470 ad valorem taxation not to exceed 2.5 mills.

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471 (2) A referendum election of the electors of the district
472 to authorize the use of ad valorem taxation not to exceed 2.5
473 mills shall be held by the supervisor of elections at the next
474 available general election immediately after the adoption of
475 this act in accordance with the provisions of general law
476 relating to elections.

477 (3) Upon the approval of a majority of the electors voting
478 at the initial election or at an election called by the board,
479 the rate of taxation shall thereafter be fixed annually by
480 resolution of the board without further approval by the
481 electors, provided the rate of taxation shall not exceed 2.5
482 mills. The board shall have the authority to increase the
483 millage rate above 2.5 mills only if a majority of the electors
484 voting in a referendum election approve the increased millage
485 rate in an amount not to exceed the limit provided in chapter
486 191, Florida Statutes.

487 (4) The levy and collection of ad valorem taxes shall
488 proceed pursuant to general law.

489 Section 7. User charges.--The board shall have the
490 authority to provide a reasonable schedule of charges for
491 providing the following services:

492 (1) Special emergency services, including firefighting
493 occurring in or to structures outside the district, motor
494 vehicles, marine vessels, or aircraft or as a result of the
495 operation of such motor vessels or marine vessels to which the
496 district is called to render such emergency service.

497 (2) Fighting fires occurring in or at refuse dumps or as a
498 result of an illegal burn, which fire, dump, or burn is not

499 authorized by general or special law, rule, regulation, order,
 500 or ordinance and which the district is called upon to fight or
 501 extinguish.

502 (3) Responding to or assisting or mitigating emergencies
 503 that either threaten or could threaten the health and safety of
 504 persons, property, or the environment to which the district has
 505 been called, including charges for responding to false alarms.

506 (4) Inspecting structures, plans, and equipment to
 507 determine compliance with fire safety codes.

508 Section 8. Impact fees.--

509 (1) Pursuant to section 191.009(4), Florida Statutes, it
 510 is hereby declared that the cost of new facilities should be
 511 borne by new users of the district's services to the extent new
 512 construction requires new facilities, but only to that extent.
 513 It is the legislative intent of this section to transfer to the
 514 new users of the district's fire protection and emergency
 515 services a fair share of the costs that new users impose on the
 516 district for new facilities. This shall only apply in the event
 517 that the general-purpose local government in which the district
 518 is located has not adopted an impact fee for fire services that
 519 is distributed to the district for construction within its
 520 jurisdictional boundaries.

521 (2) The impact fees collected by the district pursuant to
 522 this section shall be kept as a separate fund from other
 523 revenues of the district and shall be used exclusively for the
 524 acquisition, purchase, or construction of new facilities or
 525 portions thereof required to provide fire protection and
 526 emergency services to new construction. "New facilities" means

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527 land, buildings, and capital equipment, including, but not
528 limited to, fire and emergency vehicles and radio telemetry
529 equipment. The fees shall not be used for the acquisition,
530 purchase, or construction of facilities that must be obtained in
531 any event, regardless of growth within the district. The board
532 of fire commissioners shall maintain adequate records to ensure
533 that impact fees are expended only for permissible new
534 facilities.

535 Section 9. Special assessments.--

536 (1) The board shall have the right, power, and authority
537 to levy special assessments against the taxable real estate
538 within the district, including homestead property otherwise
539 exempt from taxation, to provide funds for the purpose of the
540 district. In so doing, the district shall establish a schedule
541 of land-use classifications and a special assessment for each
542 land-use classified. The schedule of land-use classifications
543 shall be established in the manner prescribed in subsection (2).

544 (2) The Board of Fire Commissioners of the Spring Hill
545 Fire Rescue and Emergency Medical Services District shall fix an
546 assessment schedule indicating land-use classifications and the
547 applicable assessment rate for each land-use classified, by
548 resolution, subsequent to April 1 of each year. If the
549 assessment schedule contains no new land-use classification and
550 no increases in the rate of assessment, the assessment shall be
551 effective for the next calendar year after the passage of the
552 resolution without the necessity of a referendum. If, however,
553 the assessment schedule contains any new land-use classification
554 or any increase in the assessment rate of any land-use

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555 classified, the board of fire commissioners shall submit their
556 resolution to the electors residing in the district in
557 accordance with law and if a majority of electors voting in such
558 a referendum election approve, the assessment schedule shall be
559 effective for the next calendar year subsequent to the
560 referendum.

561 (3) The board of fire commissioners of the district shall,
562 on or before September 10 of each year, prepare and complete a
563 special assessment roll showing the assessment rate for each
564 parcel of real estate situated in the district.

565 (4) The board of fire commissioners may, in any year, by
566 resolution, change the date on which the assessment schedule is
567 to be fixed and the date on which the final assessment roll is
568 to be adopted, provided that, in the event of any such change of
569 date, the board shall cause a notice to be published in a
570 newspaper in Hernando County, one time, said notice to be
571 published at least 10 days prior to the date on which it is
572 proposed to fix the rate of assessment.

573 (5) Any property owner in the district may, during the
574 period between November 5 and November 15 of any year, file a
575 protest in writing with the board of fire commissioners against
576 the assessment paid by him or her and appear before the board in
577 support of such protest. The board shall hold such meeting as
578 may be necessary after said period to consider any such protest
579 and to make any such adjustment, refund, or denial as it may
580 determine fair, equitable, and proper.

581 Section 10. Property appraiser.--

582 (1) The Hernando County Property Appraiser shall furnish
 583 the commissioners a tax roll covering all taxable properties
 584 within the district on or before July 1 of each year.

585 (2) The Hernando County Property Appraiser shall include
 586 in the Hernando County tax roll the assessments made by the
 587 board, and the same shall be collected in the nature as provided
 588 for by this act and paid over by the Hernando County Tax
 589 Collector to the board.

590 (3) The Hernando County Property Appraiser shall be
 591 reimbursed for assessing such special assessments in the manner
 592 and amount authorized by general law, and the Hernando County
 593 Tax Collector shall receive a commission or fee of 3 percent for
 594 collection of such special assessments.

595 Section 11. Special assessment as a lien.--The special
 596 assessment levied and assessed by the district shall be a lien
 597 upon the property so assessed along with the county taxes
 598 assessed against such property until said assessments and taxes
 599 have been paid, and if the special assessment levied by the
 600 district becomes delinquent, such special assessment shall be
 601 considered a part of the county tax subject to the same
 602 penalties, charges, fees, and remedies for enforcement and
 603 collection of such taxes.

604 Section 12. Deposit of special assessments; fees;
 605 authority to disburse funds.--

606 (1) The proceeds of the assessments and funds of the
 607 district shall be deposited in qualified public depositories, in
 608 accordance with chapters 191 and 280, Florida Statutes, in the
 609 name of the district in a bank authorized to receive deposits of

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610 district funds. The bank shall be designated by a resolution of
611 the board.

612 (2) All warrants for the payment of labor, equipment, and
613 other expenses of the board, and in carrying into effect this
614 act and the purpose thereof, shall be payable by the treasurer
615 of the board on accounts and vouchers approved and authorized by
616 the board. No funds of the district shall be paid out or
617 disbursed except by check signed by the treasurer of the board
618 and either the chair or vice chair of the board.

619 Section 13. Authority to borrow money.--

620 (1) The board of fire commissioners shall have the power
621 and authority to borrow money or issue other evidences of
622 indebtedness for the purposes of the district in accordance with
623 chapters 189 and 191, Florida Statutes, provided, however, that
624 the total payments in any 1 year, including principal and
625 interest, on any indebtedness incurred by the district shall not
626 exceed 50 percent of the total annual budgeted revenues of the
627 district.

628 (2) The board of fire commissioners as a body, or any of
629 the members of the board as individuals, shall not be personally
630 or individually liable for the repayment of such loan. Such
631 repayment shall be made out of the receipts of the district,
632 except as provided in this subsection. The fire commissioners
633 shall not create any indebtedness or incur obligations for any
634 sum or amount that they are unable to repay out of district
635 funds available to them at that time, except as otherwise
636 provided in this act, provided, however, that the fire
637 commissioners may make purchases of equipment on an installment

638 basis as necessary if funds are available for the payment of the
 639 current year's installment on such equipment plus the amount due
 640 in that year on any other installments and the repayment of any
 641 bank loan or other existing indebtedness that may be due that
 642 year.

643 Section 14. Use of district funds.--No funds of the
 644 district shall be used for any purposes other than the
 645 administration of the affairs and business of the district; the
 646 payment of salaries and expenses to fire commissioners; the
 647 construction, care, maintenance, upkeep, operation, and purchase
 648 of firefighting and rescue equipment or a fire station or
 649 emergency medical station; the payment of public utilities; the
 650 payment of salaries of district personnel; the payment of
 651 expenses of volunteers; the payment to the Spring Hill Fire
 652 Rescue District; and such other payment and expenses as the
 653 board may from time to time determine to be necessary for the
 654 operations and effectiveness of the district.

655 Section 15. Record of board meetings; authority to adopt
 656 rules and regulations; annual reports; budget.--

657 (1) A record shall be kept of all meetings of the board,
 658 and in such meetings concurrence of a majority of the fire
 659 commissioners present shall be necessary to any affirmative
 660 action by the board.

661 (2) The board shall have the authority to adopt and amend
 662 policies and regulations for the administration of the affairs
 663 of the district under the terms of this act and chapters 189 and
 664 191, Florida Statutes, which shall include, but not be limited
 665 to, the authority to adopt the necessary rules and regulations

666 for the administration and supervision of the property and
 667 personnel of the district; for the prevention of fires, fire
 668 control, fire hydrant placement, and flow testing in accordance
 669 with current NFPA rules; and for rescue work within the
 670 district.

671 (3) The board of fire commissioners shall have the
 672 authority to adopt uniform fire prevention ordinances. Such
 673 ordinances shall be signed, dated, and recorded with the Clerk
 674 of the Court of Hernando County and published as provided by
 675 state law. Ordinances shall be effective after publication,
 676 which constitutes legal notice of same.

677 (4) The board shall, on or before November 1, make an
 678 annual report of its actions and accounting of its funds as of
 679 September of that year and shall file said report in the office
 680 of the Clerk of the Circuit Court of Hernando County, whose duty
 681 it shall be to receive and file said report and hold and keep
 682 the same as a public record.

683 (5) For the purposes of carrying into effect this act, the
 684 board shall annually prepare, consider, and adopt a district
 685 budget pursuant to the applicable requirements of chapters 189
 686 and 191, Florida Statutes. The board shall, at the same time as
 687 it makes its annual report, file its estimated budget for the
 688 fiscal year beginning October 1, which budget shall show the
 689 estimated revenue to be received by the district and the
 690 estimated expenditures to be incurred by the district in
 691 carrying out its operations. The fire commissioners shall adopt
 692 a fiscal year for said fire district, which shall be October 1
 693 to September 30.

694 Section 16. Authority to enact fire prevention ordinances
695 and enter land; authority to provide fire, rescue, and emergency
696 medical services.--

697 (1) The board of fire commissioners shall have the right
698 and power to enact fire prevention ordinances as provided by
699 general law. When the provisions of such fire prevention
700 ordinances are determined by the board to be violated, the
701 office of the state attorney, upon written notice of such
702 violation issued by the board, is authorized to prosecute such
703 person or persons held to be in violation thereof. Any person
704 found guilty of a violation may be punished as provided in
705 chapter 775, Florida Statutes, as a misdemeanor of the second
706 degree. The cost of such prosecution shall be paid out of the
707 district funds, unless otherwise provided by law. The district
708 shall have the authority to appoint a fire marshal, who may be a
709 member of the Spring Hill Fire Rescue and Emergency Medical
710 Services District, to carry out the responsibilities of the
711 district fire marshal.

712 (2) The fire marshal or duly authorized inspector shall be
713 authorized to enter, at all reasonable hours, any building or
714 premises for the purpose of making any inspection or
715 investigation which the State Fire Marshal is authorized to make
716 pursuant to state law and regulation. The owner, lessee,
717 manager, or operator of any building or premises shall permit
718 the district fire marshal or duly authorized inspector to enter
719 and inspect the building or premises at all reasonable hours.
720 The fire marshal or duly authorized inspector shall report any

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721 violations of state fire safety laws or regulations to the
722 appropriate officials.

723 (3) The district is authorized to establish and maintain
724 emergency medical and rescue response services and acquire and
725 maintain rescue, medical, and other emergency equipment, subject
726 to the provisions of chapter 401, Florida Statutes.

727 Section 17. Annexations.--If any municipality or other
728 fire control district annexes any land included in the district,
729 such annexation shall follow the procedures set forth in section
730 171.093, Florida Statutes.

731 Section 18. Dissolution.--The district shall exist until
732 dissolved in the same manner as it was created.

733 Section 19. Immunity from tort liability.--

734 (1) The district and its officers, agents, and employees
735 shall have the same immunity from tort liability as other
736 agencies and subdivisions of the state. The provisions of
737 chapter 768, Florida Statutes, shall apply to all claims
738 asserted against the district.

739 (2) The district fire commissioners and all officers,
740 agents, and employees of the district shall have the same
741 immunity and exemption from personal liability as is provided by
742 chapter 768, Florida Statutes.

743 (3) In accordance with chapter 768, Florida Statutes, the
744 district shall defend all claims against the fire commissioners
745 and officers, agents, and employees of the district which arise
746 within the scope of employment or purposes of the district and
747 shall pay all judgments against said persons, except where said
748 persons acted in bad faith or with malicious purpose or in a

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749 manner exhibiting wanton and willful disregard of human rights,
750 safety, or property.

751 Section 20. District expansion.--The corporate limits of
752 the Spring Hill Fire Rescue and Emergency Medical Services
753 District may be extended and enlarged from time to time pursuant
754 to the following procedure:

755 (1) (a) A definitely described tract of land lying
756 contiguous to the boundaries of the district described in
757 section 1, or as the same may from time to time exist, or one or
758 more tracts of land lying contiguous to the boundaries, or one
759 or more tracts of land lying contiguous to each other with one
760 of the tracts lying contiguous to the boundaries of the
761 district, may be included in the district when a written
762 petition for inclusion signed by a majority of the owners of the
763 real property within the tract or tracts to be included in the
764 district has been presented to the board of fire commissioners
765 and the proposal has been approved by the affirmative vote of no
766 fewer than three members of the board of fire commissioners at a
767 regular meeting.

768 (b) The petition must contain the legal description of the
769 property sought to be added to the district and the names and
770 addresses of the owners of the property.

771 (2) If a proposal to add an area to the district as
772 defined in subsection (1) is approved by the affirmative vote of
773 no fewer than three members of the board of Fire Commissioners
774 at a regular meeting, the board of Fire Commissioners shall
775 thereafter adopt a resolution describing the lands to be
776 included within the district and shall cause such resolution to

777 be duly enrolled in the record of the meeting and a certified
 778 copy of the resolution to be recorded in the office of the Clerk
 779 of the Circuit Court in Hernando County.

780 (3) Upon adoption of the resolution by the board, the
 781 district shall, pursuant to chapter 19 I, Florida Statutes,
 782 request its legislative delegation to approve said addition and
 783 sponsor legislation amending the district boundary. Upon
 784 approval by the Legislature, the boundary shall be amended.

785 (4) In lieu of a petition from the property owners, the
 786 Board of County Commissioners of Hernando County by affirmative
 787 resolution and the Board of Commissioners of the Spring Hill
 788 Fire Rescue and Emergency Medical Services District by
 789 affirmative resolution may jointly request its legislative
 790 delegation to approve the addition of land lying contiguous to
 791 the boundaries of the district and sponsor legislation amending
 792 the district boundary. Upon approval by the Legislature, the
 793 boundary shall be amended.

794 Section 21. Construction.--This act shall be construed as
 795 remedial and shall be liberally construed to promote the purpose
 796 for which it is intended.

797 Section 22. Effect.--In the event that any part of this
 798 act should be held void for any reason, such holding shall not
 799 affect any other part thereof.

800 Section 23. Exclusive charter.--This act constitutes the
 801 exclusive charter of the Spring Hill Fire Rescue and Emergency
 802 Medical Services District.

803 Section 24. Referendum.--The provisions of section 6 that
 804 authorize the levy of ad valorem taxation shall take effect only

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805 upon the approval by a vote of the electors of the district as
 806 may be required by the State Constitution. The Board of County
 807 Commissioners of Hernando County shall call and the Supervisor
 808 of Elections of Hernando County shall conduct a referendum at
 809 the next election of the district or at a special election
 810 called by the board for that purpose at which referendum the
 811 qualified electors in the district shall approve or reject the
 812 authority of the district to levy ad valorem taxes provided in
 813 this act. Any subsequent increase in said tax levy may only be
 814 made with the approval of the electors of the district at a
 815 special election called by the board and held for that purpose.

816
 817 The ballot language of the title and question shall be as
 818 follows:

819 SHALL LANDS WITHIN SPRING HILL BE SERVED BY THE SPRING
 820 HILL INDEPENDENT FIRE DISTRICT?

821
 822 The district may charge user fees, impact fees, special
 823 assessments, and levy property taxes up to 2.5 mills on
 824 jurisdictional lands, and shall provide one standard for fire
 825 and rescue services to be provided by the closest responder,
 826 regardless of municipal boundaries within its jurisdiction.

827
 828 Yes

829 No

830
 831 Section 25. This act shall take effect upon becoming a
 832 law, except that the provisions of section 6 that authorize the

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833 | levy of ad valorem taxation shall take effect only upon express
834 | approval by a majority vote of those qualified electors of the
835 | Spring Hill Fire Rescue and Emergency Medical Services District,
836 | as required by Section 9 of Article VII of the State
837 | Constitution, voting in the referendum held pursuant to section
838 | 24. Such election shall be held in accordance with the
839 | provisions of general law relating to elections.