

ENROLLED

CS/HB 821

2024 Legislature

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 2 An act relating to the Melbourne-Tillman Water Control
 3 District, Brevard County; amending chapter 2001-336,
 4 Laws of Florida; deleting obsolete language; revising
 5 maximum stormwater management user fees for
 6 residential, agricultural, and commercial parcels of
 7 land; providing an effective date.

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

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 11 Section 1. Subsection (12) of section 8 of section 3 of
 12 chapter 2001-336, Laws of Florida, is amended to read:

13 Section 8. Powers given the Board to effect a surface
 14 water management system within District boundaries.—In order to
 15 responsibly, efficiently, and effectively secure, operate, and
 16 maintain an adequate, dependable surface water management
 17 system, the Board of Directors, consistent with and supportive
 18 of the state water policy, the state water use plan, the state
 19 land development plan, and the regional policy plan, shall:

20 (12) ~~(a)~~ Levy, assess, and collect an annual stormwater
 21 management user fee to carry out the purposes of the District,
 22 beginning with the 1990-1991 budget year.

23 (a) Such fee must be just and equitable and shall be based
 24 upon the impact that a given parcel of land imposes on the
 25 stormwater management system.

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26 (b) A fee may not be finally set by the Board of Directors
 27 or approved by the Board of County Commissioners of Brevard
 28 County during its annual budget review until after a public
 29 hearing is held by the Board of County Commissioners. The Board
 30 of County Commissioners must hold a special public hearing
 31 within the boundaries of the District. At the public hearing,
 32 all owners of property in the District shall have an opportunity
 33 to be heard concerning the proposed fee.

34 (c) Notice of such public hearing for the 1990-1991 budget
 35 year must be given in the manner prescribed in subsection (2) of
 36 Section 16. Thereafter, notice must be given by publication in a
 37 newspaper of general circulation in Brevard County at least 7
 38 days before the date of the hearing. The stormwater management
 39 user fee, when established, shall be deemed to be reasonable and
 40 necessary to carry out the obligations, responsibilities, and
 41 duties of the District. All of the proceeds of the fee are in
 42 payment for the use of the District stormwater management
 43 system. The fee must be established by resolution of the Board
 44 of Directors and approved by a majority vote of the Board of
 45 County Commissioners of Brevard County, with each County
 46 Commissioner whose county commission residency area lies wholly
 47 or partially within the District voting in the affirmative.

48 (d) The stormwater management user fee structure shall
 49 have three land classifications: Residential, Agricultural, and
 50 Commercial. The Board of Directors, in establishing the annual

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51 fee, must use the Brevard County Land Use Code Index as the
 52 basis for land classification. The annual stormwater management
 53 user fee shall be levied on the parcels, as the Brevard County
 54 Land Use Code Index has them designated, for that respective
 55 budget year.

56 ~~For the 1990-1991 budget year, the residential fee may not~~
 57 ~~exceed \$10 per acre or portion thereof, the agricultural fee may~~
 58 ~~not exceed \$3.50 per acre or portion thereof, and the commercial~~
 59 ~~fee may not exceed \$21 per acre or portion thereof.~~

60 ~~Thereafter,~~ The stormwater management fee for residential
 61 parcels, agricultural parcels, or commercial parcels may not be
 62 more than 10 percent above the fee for the preceding year.
 63 However, the maximum fee per acre or portion thereof for
 64 residential parcels may not exceed \$50 ~~\$25~~, the maximum fee per
 65 acre or portion thereof for agricultural parcels may not exceed
 66 \$17 ~~\$8.50~~, and the maximum fee per acre or portion thereof for
 67 commercial parcels may exceed \$105 ~~\$52.50~~.

68 Section 2. This act shall take effect July 1, 2024.