

## House Bill No. 1613

An act relating to the Tice Fire Protection and Rescue Service District, Lee County; providing legislative intent; codifying, reenacting, and amending all prior special acts relating to the Tice Fire Protection and Rescue Service District; creating and establishing a fire control and rescue district as an independent district in Lee County and fixing the boundaries of the district; providing for a governing body; prescribing the powers of the board; authorizing the board to establish and maintain emergency medical services and equipment; authorizing the board to make policies, rules, regulations, and a fire code; providing for the assessment and collection of taxes, assessments, impact fees, and user charges; providing that this act shall be construed liberally; providing for severability; providing for the repeal of chapters 76-410, 79-498, 81-414, 83-446, 83-454, 87-447, 88-545, and 93-396, Laws of Florida, as said laws relate to the district; providing for control in the event of a conflict of provisions; providing an effective date.

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

Section 1. Pursuant to section 191.015, Florida Statutes, this act constitutes the codification of all special acts relating to the Tice Fire Protection and Rescue Service District. It is the intent of the Legislature to provide a single, comprehensive special act charter for the Tice Fire Protection and Rescue Service District which includes all current legislative authority granted to the district by general law and by its several legislative enactments, as said laws may be amended from time to time, and any additional authority granted by this act.

Section 2. Chapters 76-410, 79-498, 81-414, 83-446, 83-454, 87-447, 88-545, and 93-396, Laws of Florida, relating to the Tice Fire Protection and Rescue Service District, are hereby codified, reenacted, and amended as provided herein.

Section 3. The Tice Fire Protection and Rescue Service District is re-created, and the charter for such district is re-created and reenacted to read:

Section 1. Creation.—There is hereby made, created, and established the Tice Fire Protection and Rescue Service District, an independent special district, hereinafter referred to as the district, through the codification and reenactment of the district's several legislative enactments, which shall include the following described lands:

Beginning at the Northwest corner of Section 3, Township 44 South, Range 26 East; thence Southerly along West line of Section 3 to Southwest corner; thence Easterly along the section line to Southeast corner of Section 3; thence Southerly along the East section line of Section 10 to the Southeast corner; thence East along North section line of Section 14 to a point that is the North-South ¼ line of said Section 14; thence Southerly along said North-South ¼ section line to the North section line

of Section 23; thence West along the South section lines of Sections 14, 15 and 16 to the Southwest corner of Section 16; thence Southerly along the East section line of Section 20 to its intersection with the centerline of Buckingham Road; thence Westerly along centerline of Buckingham Road to point of intersection with North-South  $\frac{1}{4}$  line of Section 19; thence Southerly along North-South  $\frac{1}{4}$  section line of Sections 19 and 30 to point of intersection with centerline of S.R. 82; thence Westerly along said centerline to point of intersection with East line of Section 25, Township 44 South, Range 25 East; thence Southerly along East line of Sections 25 and 36; thence West along the South line of Sections 36 and 35; thence Northerly on the section line between Sections 35 and 34 to the Northeast corner of Section 34; thence westerly along the North line of Sections 34 and 33 to point of intersection of the centerline of Colonial Boulevard extended; thence Southwesterly along said centerline to Easterly limits of the City of Fort Myers; thence Northerly following the Easterly limits of the City of Fort Myers to point of intersection with the South shoreline of the Caloosahatchee River; thence Northeasterly along the South shoreline of the Caloosahatchee River to a point of intersection with West shoreline of the Orange River; thence Southeasterly along said shoreline of the Orange River to a point where said shoreline intersects the North Section line of Section 5, Range 26 East, Township 44 South; thence East on North section lines of Sections 5 and 4 to point of beginning; in addition that portion of Sections 14, 22, 21 and 28, Range 26 East, Township 44 South, not lying in or being part of the Lehigh Acres Fire Control and Rescue District, except all properties located within the Lehigh Acres Fire Control and Rescue District, and less and except that portion of all the above described lands located within the municipal boundaries of the City of Fort Myers.

Section 2. Governing body.—The district shall be governed by a board which shall consist of five (5) resident electors of the district elected by a vote of the electors of the district pursuant to the laws of Florida, as said laws may be amended from time to time.

Section 3. Officers; powers.—Within sixty (60) days after the election of members of the board, the members shall meet and elect from the membership a chair, a vice-chair, a secretary, and a treasurer; provided, however, the same member may be both secretary and treasurer. The district shall have and the board may exercise those general and special powers prescribed by chapter 191, Florida Statutes, chapter 97-340, Laws of Florida, or any other applicable general law or special law, as said laws may be amended from time to time.

Section 4. Emergency medical and rescue response services.—The district is authorized to establish and maintain emergency medical and rescue response services and acquire and maintain rescue, medical, transport, and other emergency equipment as prescribed by general law and special law, as said laws may be amended from time to time.

Section 5. Policies, rules and regulations, and fire code.—The board is authorized to make and adopt policies, rules, regulations, and a fire code for the prevention of fires, for fire control, and for the provision of rescue services within the district. Such policies, rules, regulations, and fire code shall

be adopted in accordance with applicable general law and special law, as said laws may be amended from time to time.

Section 6. Taxes; Non-ad valorem assessments; Impact fees; User charges.—The district board shall fix and cause to be levied on all property of the district, a millage sufficient to meet the requirements of the adopted budget; provided, however, three (3) mills is the maximum that can be levied in any one (1) year, except as provided in chapter 191, Florida Statutes, chapter 97-340, Laws of Florida, or any other applicable general law or special law, as said laws may be amended from time to time. In addition, the district shall have such authority to levy non-ad valorem assessments and charge impact fees and user charges as prescribed in chapter 191, Florida Statutes, chapter 97-340, Laws of Florida, and any other applicable general law or special law, as said laws may be amended from time to time.

Section 7. Assessment and collection of taxes, assessments, impact fees, and user charges.—Taxes, assessments, impact fees, and user charges herein provided for shall be assessed and collected in the manner prescribed by applicable general law or special law, as said laws may be amended from time to time.

Section 4. This act shall be construed as a remedial act and shall be liberally construed to promote the purpose for which it is intended which is a codification, reenactment, and repeal of the several legislative enactments of the Tice Fire Protection and Rescue Service District.

Section 5. If any clause, section, or provision of this act is declared unconstitutional, unenforceable, or invalid for any cause or reason, it shall be eliminated from this act and the remaining portion of the act shall remain in full force and effect as if said unconstitutional, unenforceable, or invalid portion had not been incorporated herein.

Section 6. Except as specifically reenacted herein, chapters 76-410, 79-498, 81-414, 83-446, 83-454, 87-447, 88-545, and 93-396, Laws of Florida, as said laws relate to the Tice Fire Protection and Rescue Service District, are repealed.

Section 7. In the event of a conflict of the provisions of this act with the provisions of any other act, the provisions of this act shall control to the extent of such conflict.

Section 8. This act shall take effect upon becoming a law.

Approved by the Governor June 5, 2000.

Filed in Office Secretary of State June 5, 2000.