

House Bill No. 1685

An act relating to the Alva Fire Protection and Rescue Service District, Lee County; providing legislative intent; providing for codification of the special laws relating to the Alva Fire Protection and Rescue Service District pursuant to s. 191.015, F.S.; codifying, reenacting, and amending all prior special acts; 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 assessing and collecting taxes, assessments, impact fees, and user charges; providing that this act shall be construed liberally; providing for severability; providing for the repeal of chapters 76-413, 81-414, 83-449, 83-454, 87-447, 88-545, and 90-388, Laws of Florida, as said laws relate to the district; providing an effective date.

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

Section 1. Intent.—Pursuant to section 191.015, Florida Statutes, this act constitutes the codification of all special acts relating to the Alva Fire Protection and Rescue Service District. It is the intent of the Legislature to provide a single, comprehensive special act charter for the Alva 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. Codification.—Chapters 76-413, 81-414, 83-449, 83-454, 87-447, 88-545, and 90-388, Laws of Florida, relating to the Alva Fire Protection and Rescue Service District, are hereby codified, reenacted, and amended as provided herein.

Section 3. The Alva Fire Protection and Rescue Service District, an independent special 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 Alva 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:

In Township 43 South, Range 27 East, all of Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 32, 33, 34 and 35 and that portion of Sections 30, 31 and 36 that does not lie in the Lehigh Acres Fire Control and Rescue District, and in Township 43 South, Range 26 East all of Sections 1, 2, 3, 10, 11, 12, 13, 14, 15, and that portion of Sections 22 and 23 lying North of the

Caloosahatchee River and that portion of Section 24 lying North of the Caloosahatchee River or lying South of the Caloosahatchee River and East of Hickeys Creek, and that portion of Section 25 lying North and East of Hickeys Creek, and any portion of Township 44 South, Range 27 East contiguous to the South Township line of Township 43 South that does not lie in the Lehigh Acres Fire Control and Rescue District. All the above is less all properties within the Lehigh Acres Fire Control and Rescue District.

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, two (2) 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 district.

Section 5. Chapters 76-413, 81-414, 83-449, 83-454, 87-447, 88-545 and 90-388, Laws of Florida, are repealed.

Section 6. In the event any section or provision of this act is determined to be invalid or unenforceable, such determination shall not affect the validity of or enforceability of each other section and provision of this act.

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.