

House Bill No. 1133

An act relating to Key Largo Wastewater Treatment District, Monroe County; amending chapter 2002-337, Laws of Florida; providing for liens against real property under certain circumstances involving delinquent fees, rentals, or other charges; providing an effective date.

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

Section 1. Paragraph (j) of subsection (2) of section 4 of section 1 of chapter 2002-337, Laws of Florida, is amended to read:

Section 4. District powers, functions, and duties.—

(2) The district is hereby authorized and empowered:

(j) To fix and collect rates, rentals, fees, and charges for the use of any wastewater management system facilities. The district may provide for reasonable penalties against any user for any such rates, fees, rentals, or other charges that are delinquent. In the event that such delinquency occurs and such fees, rentals, or other charges are not paid and remain delinquent for 30 days or more, the district may discontinue and shut off services until such fees, rentals, or other charges, including interest, penalties, and charges for shutting off, discontinuing, and restoring such services, are fully paid. The district may enter on lands, waters, and premises of any person, firm, corporation, or other body for the purpose of discontinuing and shutting off services under such circumstances. Further, such delinquent fees, rentals, or other charges, together with interest, penalties, and charges for shutting off, discontinuing, and restoring such services, and reasonable attorneys' fees and other expenses shall constitute a lien, subject to the limitations in s. 4, Art. X of the State Constitution, on the real property against which such fees, rentals, or other charges were assessed, coequal with any lien of state, county, or municipal taxes and superior and paramount to all other liens, titles, and claims against such property, and may be recovered by the district by suit in any court of competent jurisdiction. The district may also enforce payment by any other lawful method of enforcement.

Section 2. This act shall take effect upon becoming a law.

Approved by the Governor June 23, 2006.

Filed in Office Secretary of State June 23, 2006.