

## House Bill No. 1677

An act relating to the Avalon Beach-Mulat Fire Protection District, Santa Rosa County; codifying, amending, reenacting, and repealing the special acts pertaining to the Avalon Beach-Mulat Fire Protection District; providing definitions; requiring the board to make annual reports; repealing chapters 80-608, 82-378, 82-379, and 91-392, Laws of Florida; providing an effective date.

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

Section 1. Pursuant to section 189.429, Florida Statutes, this act constitutes the codification of all special acts relating to the Avalon Beach-Mulat Fire Protection District. It is the intent of the Legislature in enacting this law to provide a single, comprehensive special act charter for the district, including all current legislative authority granted to the district by its several legislative enactments and any additional authority granted by this act.

Section 2. Chapters 80-608, 82-378, 82-379, and 91-392, Laws of Florida, are codified, reenacted, amended, and repealed as provided in this act.

Section 3. The charter for the Avalon Beach-Mulat Fire Protection District is re-created and reenacted to read:

Section 1. Definitions.—As used in this act unless otherwise specified:

(1) “District” means the Avalon Beach-Mulat Fire Protection District.

(2) “Board” and “board of commissioners” mean the board of commissioners of and for the district.

(3) “Commissioner” means a member of the board of commissioners of and for the district.

(4) “County” means Santa Rosa County.

(5) “Residence” means one single-family dwelling such as one single-apartment dwelling unit, one single-condominium dwelling unit, one single-duplex dwelling unit, one single-family dwelling unit, one single-mobile home dwelling unit. “Single-mobile home dwelling unit” means the realty upon which a residential mobile home is located, whether a rental space or lot, or otherwise, but does not refer to the mobile home itself.

(6) “Business” means motels or apartments subject to sales tax along with other standard commercial businesses such as gasoline stations, stores, marinas, and similar establishments.

Section 2. (1) District created.—There is hereby created a special taxing fire protection and rescue service district incorporating lands in Santa Rosa County described in subsection (2) which shall be a public corporation having the powers, duties, obligations, and immunities herein set forth.

under the name of the Avalon Beach-Mulat Fire Protection District and also known as the Avalon Fire/Rescue District with all the powers and duties specified in chapter 191, Florida Statutes, including non-ad valorem and ad valorem assessments.

(2) The lands to be included within the district are the following described lands in Santa Rosa County:

Section 28, township 1 North, range 29 West.

Section 29, township 1 North, range 29 West.

Section 30, township 1 North, range 29 West.

Section 32, township 1 North, range 29 West.

Section 33, township 1 North, range 29 West.

Section 34, township 1 North, range 29 West.

Section 35, township 1 North, range 29 West.

West ½ of North East ¼, West ½ of South East ¼, that portion lying East of Highway 191-A of North West ¼ and all of South West ¼ of section 17, township 1 North, range 28 West.

South ½ of section 18, township 1 North, range 28 West.

Section 19, township 1 North, range 28 West.

Section 20, less East ½ of North East ¼ and North East ¼ of South East ¼ and East ½ of South East ¼ of South East ¼ township 1 North, range 28 West.

Section 29, township 1 North, range 28 West.

Section 30, township 1 North, range 28 West.

Section 32, township 1 North, range 28 West.

Section 37, township 1 North, range 28 West.

Section 40, township 1 North, range 28 West.

Section 41, township 1 North, range 28 West.

Section 42, township 1 North, range 28 West.

Section 3, township 1 South, range 28 West.

Section 4, township 1 South, range 28 West.

Section 5, township 1 South, range 28 West.

Section 6, township 1 South, range 28 West.

Section 8, township 1 South, range 28 West.

Section 9, township 1 South, range 28 West.

Section 10, township 1 South, range 28 West.

Section 11, township 1 South, range 28 West.

Section 15, township 1 South, range 28 West.

Section 17, township 1 South, range 28 West.

Section 18, township 1 South, range 28 West.

Section 21, township 1 South, range 28 West.

Section 22, township 1 South, range 28 West.

Section 23, township 1 South, range 28 West.

That portion of section 24 West of Highway 191 plus the South West  $\frac{1}{4}$  lying East of Highway 191, Township 1 South, range 28 West.

Section 1, township 2 South, range 28 West.

Section 2, township 2 South, range 28 West.

Section 3, township 2 South, range 28 West.

Section 4, township 2 South, range 28 West.

Section 1, township 2 South, range 29 West.

Section 36, township 1 North, range 29 West.

Section 2, township 1 North, range 29 West, lying South of Mulat Bayou, being part of the Peter Philibert Grant.

Section 3, township 1 North, range 29 West, lying South of Mulat Bayou, being a portion of the Peter Philibert Grant.

Section 27, township 1 North, range 29 West, less and except the North West  $\frac{1}{4}$  thereof.

Section 38, township 1 North, range 28 West.

Section 39, township 1 North, range 28 West.

Section 1, township 1 North and township 1 South, range 29 West.

Section 3, township 1 South, range 29 West.

Section 4, township 1 South, range 29 West.

Section 5, township 1 South, range 29 West.

Section 16, township 1 South, range 28 West.

Section 26, township 1 South, range 28 West.

Section 27, township 1 South, range 28 West.

Section 28, township 1 South, range 28 West.

(3) Nothing herein shall deny the right of the chief or other governing officials of the district to render such services to communities adjacent to the land described in subsection (2), or such other places as from time to time may be deemed desirable.

Section 3. Ad valorem taxation.—

(1) The board shall have the right, power, and authority to levy ad valorem tax millage within the district to provide funds for the purposes of the district.

(2) The rate of taxation shall be fixed by a resolution of the board; however, the maximum millage proposed in the initial referendum shall not exceed 1 mill, unless increased by referendum pursuant to section 191.009, Florida Statutes.

Section 4. Reports and estimated budget.—

(1) The board shall make an annual report of its actions and accounting of its funds and shall file said report in accordance with Article VII of the State Constitution, and chapters 191, 192, and 218, Florida Statutes.

(2) The board shall file and publish its annual budget showing estimated revenue and estimated expenditures incurred by the district in carrying out its operations pursuant to Article VII of the State Constitution, and chapters 191, 192, and 218, Florida Statutes.

Section 5. Severability.—If any clause, section, or provision of this act shall be declared to be unconstitutional or invalid by any court of competent jurisdiction, the same shall be eliminated from this act, and the remaining portion of said act shall be in force and effect and be as valid as if such invalid portion thereof had not been incorporated therein, provided the same may be so separated.

Section 4. Chapters 80-608, 82-378, 82-379, and 91-392, Laws of Florida, are repealed.

Section 5. This act shall take effect upon becoming a law.

Approved by the Governor June 17, 2005.

Filed in Office Secretary of State June 17, 2005.