

By Senator Carlton

24-1638-99

1 A bill to be entitled
2 An act relating to Charlotte County; providing
3 for codification of special laws regarding
4 special districts pursuant to chapter 97-255,
5 Laws of Florida, relating to the East Charlotte
6 Drainage District, an independent special tax
7 district in Charlotte County; providing
8 legislative intent; codifying and reenacting
9 special acts relating to the district's
10 charter; providing for applicability of
11 chapters 298 and 189, Florida Statutes, and
12 other general laws; providing a district
13 charter; repealing chapter 65-664, Laws of
14 Florida, chapter 80-472, Laws of Florida,
15 chapter 85-395, Laws of Florida, and s. 1(1)(b)
16 of chapter 91-361, Laws of Florida, relating to
17 the East Charlotte Drainage District; providing
18 an effective date.

19
20 Be It Enacted by the Legislature of the State of Florida:

21
22 Section 1. Pursuant to chapter 97-255, Laws of
23 Florida, this act constitutes the codification of all special
24 acts relating to the East Charlotte Drainage District. It is
25 the intent of the Legislature in enacting this law to provide
26 a single, comprehensive special act charter for the district,
27 including all current legislative authority granted to the
28 district by its several legislative enactments and any
29 additional authority granted by this act.

30 Section 2. Chapter 65-664, Laws of Florida, chapter
31 80-472, Laws of Florida, chapter 85-395, Laws of Florida, and

1 paragraph (b) of subsection (1) of section 1 of chapter
2 91-361, Laws of Florida, relating to the East Charlotte
3 Drainage District, are codified, reenacted, amended, and
4 repealed as herein provided.

5 Section 3. District formation ratified, restated, and
6 approved.--The decree of the circuit court in and for the
7 Twelfth Judicial Circuit, Charlotte County, Florida, entered
8 in Chancery No. 4694 with respect to TROPICAL RIVER GROVES
9 WATER CONTROL DISTRICT, a public corporation of this state,
10 subsequent decrees of the circuit court in and for the Twelfth
11 Judicial Circuit, Charlotte County, Florida, entered in
12 Chancery No. 4694 changing the name of said district to EAST
13 CHARLOTTE DRAINAGE DISTRICT, and all subsequent proceedings
14 taken in said circuit court concerning said district,
15 including the provisions setting the boundaries of said
16 drainage district are ratified, confirmed, and approved.

17 Section 4. The East Charlotte Drainage District, an
18 independent special district, is organized and exists for all
19 purposes set forth in this act and chapter 298, Florida
20 Statutes, as may be amended from time to time.

21 Section 5. Provisions of chapter 298, Florida
22 Statutes, made applicable.--The East Charlotte Drainage
23 District, a public corporation of this state, created under
24 chapter 298, Florida Statutes, shall be governed by provisions
25 of the water control laws of Florida applicable to such water
26 control districts which are embodied in chapter 298, Florida
27 Statutes, and all of the laws amendatory thereof, now existing
28 or hereafter enacted, so far as not inconsistent with this act
29 or any subsequent special acts relating to the East Charlotte
30 Drainage District. However, the provisions of section 298.11,
31 Florida Statutes, requiring that members of the board of

1 supervisors be residents of Charlotte County, shall not be
2 applicable to said district. The members of the board of
3 supervisors shall reside within the State of Florida.

4 Section 6. Boundaries of the district.--The
5 territorial boundaries of the district shall be as stated in
6 the various orders and decrees of the circuit court of the
7 Twelfth Judicial Circuit in and for Charlotte County, entered
8 in Chancery No. 4694 and shall include all of the following
9 described property all located in Township 40 South, Range 26
10 East, in Charlotte County, Florida:

11 In Section 14: The West one-half of Section 14
12 and the West one-half of the Northeast
13 one-quarter.

14 Section 15: The Southeast one-quarter of the
15 Northeast one-quarter.

16 Section 21: The South one-half.

17 All of Sections 16 and 22.

18 Section 23: The Northwest one-quarter of the
19 Southwest one-quarter.

20 All of sections 27 and 34, together with all
21 easements and rights-of-way heretofore acquired
22 by East Charlotte Drainage District.

23
24 All are ratified, confirmed, and approved.

25
26 The boundaries are legally described as
27 follows:

28
29 Commencing at the Southeast corner of Section
30 34 run north on the east lines of Section 34,
31 Section 27 and Section 22, to a point on the

1 east line of Section 22, comprising the
2 Southwest corner of the Northwest one-quarter
3 of the Southwest one-quarter of Section 23,
4 thence run east along the south line of the
5 Northwest one-quarter of the Southwest
6 one-quarter of Section 23 to the southeast
7 corner of the Northwest one-quarter of the
8 Southwest one-quarter of said section, thence
9 run north on the east line of the Northwest
10 one-quarter of the Southwest one-quarter of
11 Section 23 to the northeast corner of the
12 Northwest one-quarter of the Southwest
13 one-quarter of Section 23, thence run west on
14 the north line of the Northwest one-quarter of
15 the Southwest one-quarter of Section 23 to the
16 east line of Section 22, thence run north to
17 the Northeast corner of Section 22 and the
18 Southwest corner of Section 14, thence run east
19 on the south line of Section 14 to the
20 Southeast corner of the Southwest one-quarter
21 of Section 14, thence run north on the east
22 line of the Southwest one-quarter of Section 14
23 to the northeast corner of the Southwest
24 one-quarter of Section 14, thence run east on
25 the south line of the west one-half of the
26 Northeast one-quarter of Section 14 to the
27 Southeast corner of the West one-half of the
28 Northeast one-quarter of Section 14, thence run
29 north on the east line of the West one-half of
30 the Northeast one-quarter of Section 14 to the
31 northeast corner of the West one-half of the

1 Northeast one-quarter of Section 14, thence run
2 west on the north line of Section 14 to the
3 Northwest corner of Section 14, thence run
4 south on the west line of Section 14 to the
5 Northeast corner of the Southeast one-quarter
6 of the Northeast one-quarter of Section 15,
7 thence run west on the north line of the
8 Southeast one-quarter of the Northeast
9 one-quarter of Section 15 to the northwest
10 corner of the Southeast one-quarter of the
11 Northeast one-quarter of Section 15, thence run
12 south along the west line of the Southeast
13 one-quarter of the Northeast one-quarter of
14 Section 15 to the southwest corner of the
15 southeast one-quarter of the northeast
16 one-quarter of Section 15, thence run easterly
17 on the south line of the northeast one-quarter
18 of Section 15 to the west line of Section 14,
19 thence run south along the west line of Section
20 14 to the northeast corner of Section 22,
21 thence run west along the north line of Section
22 22 to the Southeast corner of Section 16,
23 thence run north on the east line of Section 16
24 to the Northeast corner of Section 16, thence
25 run west on the north line of Section 16 to the
26 Northwest corner of section 16, thence run
27 south on the west line of Section 16 to the
28 Southwest corner of Section 16, thence run east
29 on the south line of Section 16 to the
30 Southeast corner of Section 16, thence run
31 south on the west line of Section 22 and the

1 east line of Section 21 to the Northeast corner
2 of the South one-half of Section 21, thence run
3 west on the north line of the South one-half of
4 Section 21 to the Northwest corner of the South
5 one-half of Section 21, thence run south on the
6 west line of Section 21 to the Southwest corner
7 of Section 21, thence run east on the south
8 line of Section 21 to the Southeast corner of
9 Section 21 and the Southwest corner of Section
10 22, thence run south on the west line of
11 Section 27 and Section 34 to the Southwest
12 corner of Section 34, thence run east on the
13 south line of Section 34 to the point of
14 beginning.

15 Section 7. Revenue Raising Powers and Duties.--The
16 powers, functions, and duties of the district regarding ad
17 valorem taxation, bond issuance, other revenue-raising
18 capabilities, budget preparation and approval, liens and
19 foreclosure of liens, use of tax deeds and tax certificates as
20 appropriate for non-ad valorem assessments, and contractual
21 agreements shall be as set forth in chapters 170, 189, 197,
22 and 298, Florida Statutes, or any other applicable general or
23 special law, as they may be amended from time to time.

24 Section 8. Charter Amendments.--The district's charter
25 may be amended only by special act of the Legislature.

26 Section 9. Governing Body.--In accordance with chapter
27 189, Florida Statutes, this act, and section 298.11, Florida
28 Statutes, the district is governed by a three-member board,
29 elected on a one-acre, one-vote basis by the landowners in the
30 district. The membership and organization of the board shall
31

1 be as set forth in this act and chapter 298, Florida Statutes,
2 as they may be amended from time to time.

3 Section 10. Board Member Compensation.--The
4 compensation of board members shall be governed by this act
5 and chapter 298, Florida Statutes, as they may be amended from
6 time to time.

7 Section 11. Duties of Governing Board.--The
8 administrative duties of the board of supervisors shall be as
9 set forth in this act and chapter 298, Florida Statutes, as
10 they may be amended from time to time.

11 Section 12. Financial Disclosure, Noticing, and
12 Reporting Requirements.--Requirements for financial
13 disclosure, meeting notices, reporting, public records
14 maintenance, and per diem expenses for officers and employees
15 shall be as set forth in chapters 112, 189, 286, and 298,
16 Florida Statutes, as they may be amended from time to time.

17 Section 13. Issuance of Bonds.--The procedures and
18 requirements governing the issuance of bonds, notes, and other
19 evidence of indebtedness by the district shall be as set forth
20 in chapter 298, Florida Statutes, and applicable general laws,
21 as they may be amended from time to time.

22 Section 14. Elections.--The procedures for conducting
23 district elections and for qualification of electors shall be
24 pursuant to chapters 189 and 298, Florida Statutes, as they
25 may be amended from time to time.

26 Section 15. District Financing.--The district may be
27 financed by any method established in this act, chapter 298,
28 Florida Statutes, and applicable general laws, as they may be
29 amended from time to time.

30 Section 16. Non-Ad Valorem Assessments, Fees, and
31 Charges.--The methods for assessing and collecting non-ad

1 valorem assessments, fees, or service charges shall be as set
2 forth in chapters 170, 197, and 298, Florida Statutes, and
3 other applicable general laws, as they may be amended from
4 time to time.

5 Section 17. Planning Requirements.--The district's
6 planning requirements shall be as set forth in chapters 189
7 and 298, Florida Statutes, as they may be amended from time to
8 time.

9 Section 18. Severability.--In case any one or more of
10 the sections or provisions of this act or the application of
11 such sections or provisions to any situation, circumstances,
12 or persons shall for any reason be held to be
13 unconstitutional, such unconstitutionality shall not affect
14 any of the sections or provisions of this act or the
15 application of such sections or provisions to any other
16 situation, circumstances, or persons and it is intended that
17 this law shall be construed and applied as if such section or
18 provision had not been included herein for any
19 unconstitutional application.

20 Section 19. Effect of Conflict.--In the event of a
21 conflict between the provisions of this act and the provisions
22 of any other act, the provisions of this act shall control to
23 the extent of such conflict.

24 Section 20. Chapter 65-664, Laws of Florida, chapter
25 80-472, Laws of Florida, chapter 85-395, Laws of Florida, and
26 paragraph (b) of subsection (1) of section 1 of chapter
27 91-361, Laws of Florida, are repealed.

28 Section 21. This act shall take effect upon becoming a
29 law.

30
31