CS/HB 821

A bill to be entitled
An act relating to the Melbourne-Tillman Water Control
District, Brevard County; amending chapter 2001-336,
Laws of Florida; deleting obsolete language; revising
maximum stormwater management user fees for
residential, agricultural, and commercial parcels of
land; providing an effective date.
Be It Enacted by the Legislature of the State of Florida:
Section 1. Subsection (12) of section 8 of section 3 of
chapter 2001-336, Laws of Florida, is amended to read:
Section 8. Powers given the Board to effect a surface
water management system within District boundariesIn order to
responsibly, efficiently, and effectively secure, operate, and
maintain an adequate, dependable surface water management
system, the Board of Directors, consistent with and supportive
of the state water policy, the state water use plan, the state
land development plan, and the regional policy plan, shall:
(12) (a) Levy, assess, and collect an annual stormwater
management user fee to carry out the purposes of the District,
beginning with the 1990-1991 budget year.
(a) Such fee must be just and equitable and shall be based
upon the impact that a given parcel of land imposes on the
stormwater management system.
Page 1 of 3

CODING: Words stricken are deletions; words underlined are additions.

2024

CS/HB 821

26 A fee may not be finally set by the Board of Directors (b) 27 or approved by the Board of County Commissioners of Brevard 28 County during its annual budget review until after a public hearing is held by the Board of County Commissioners. The Board 29 30 of County Commissioners must hold a special public hearing within the boundaries of the District. At the public hearing, 31 32 all owners of property in the District shall have an opportunity 33 to be heard concerning the proposed fee.

34 (C) Notice of such public hearing for the 1990-1991 budget year must be given in the manner prescribed in subsection (2) of 35 36 Section 16. Thereafter, notice must be given by publication in a 37 newspaper of general circulation in Brevard County at least 7 38 days before the date of the hearing. The stormwater management 39 user fee, when established, shall be deemed to be reasonable and necessary to carry out the obligations, responsibilities, and 40 41 duties of the District. All of the proceeds of the fee are in 42 payment for the use of the District stormwater management 43 system. The fee must be established by resolution of the Board 44 of Directors and approved by a majority vote of the Board of 45 County Commissioners of Brevard County, with each County 46 Commissioner whose county commission residency area lies wholly 47 or partially within the District voting in the affirmative.

(d) The stormwater management user fee structure shall
have three land classifications: Residential, Agricultural, and
Commercial. The Board of Directors, in establishing the annual

Page 2 of 3

CODING: Words stricken are deletions; words underlined are additions.

2024

CS/HB 821

51 fee, must use the Brevard County Land Use Code Index as the 52 basis for land classification. The annual stormwater management 53 user fee shall be levied on the parcels, as the Brevard County 54 Land Use Code Index has them designated, for that respective 55 budget year.

56 For the 1990-1991 budget year, the residential fee may not 57 exceed \$10 per acre or portion thereof, the agricultural fee may 58 not exceed \$3.50 per acre or portion thereof, and the commercial 59 fee may not exceed \$21 per acre or portion thereof.

Thereafter, The stormwater management fee for residential 60 61 parcels, agricultural parcels, or commercial parcels may not be more than 10 percent above the fee for the preceding year. 62 63 However, the maximum fee per acre or portion thereof for 64 residential parcels may not exceed \$50 \$25, the maximum fee per acre or portion thereof for agricultural parcels may not exceed 65 66 \$17 \$8.50, and the maximum fee per acre or portion thereof for commercial parcels may exceed \$105 \$52.50. 67

68

Section 2. This act shall take effect July 1, 2024.

Page 3 of 3

CODING: Words stricken are deletions; words underlined are additions.

2024