

HOUSE BILL NO. 1741

AN ACT creating and establishing a Fire Control District in North Fort Myers, which is located in Lee County, Florida, North of the Caloosahatchee River, and extending North to the Charlotte County line, providing for the creation and appointment of a Fire Control Board, defining its duties, powers and authority, providing for the raising of funds within such district by taxation on all the property within such districts and the method of levying, collecting and disbursing such funds, and providing for a referendum.

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

Section 1. All that part of Lee County, Florida, that is located and situated in North Fort Myers be and is hereby made and created into a fire control district to be known as North Fort Myers control district, and hereinafter referred to as the district.

Section 2. The ^{governor} of Florida is hereby authorized and directed to appoint three resident freeholders of said district as the North Fort Myers fire control board, hereinafter referred to as the board. The members of the board shall each serve for a period of four years, unless removed for cause by the governor of Florida, and shall receive no compensation. It shall be the duty of the governor of Florida to appoint the first members of the board within ten days after this act shall become law.

Section 3. Within ten days after the appointment and qualification of members of said board, such members shall meet and elect from the membership a president, a secretary and a treasurer, provided, however, the same member may be both secretary and treasurer. The board for and on behalf of the district is hereby authorized and empowered to buy, own and maintain a fire department within the district and to purchase, own and dispose of fire fighting equipment and property, real or personal, that the board may from time to time deem necessary or needful to prevent and extinguish fires within said district.

Section 4. The board is hereby authorized and empowered to make rules and regulations for the prevention of fires and for fire control within the district, such rules and regulations after being made by the board and copies thereof signed by the president and secretary, and posted in at least three public places within said district, within ten days shall have the force and effect as law.

Section 5. For the purposes of carrying into effect this law the board shall annually, during the month of June, make an itemized estimate of the amount of money required to carry out the provisions of this law for the next fiscal year of said board, which fiscal year shall be from the first day of April to and including the thirty-first day of the next succeeding March, and of each year, which estimate shall show for what purpose such moneys are required and the amount necessary to be raised by taxation within the district, and shall be presented in writing, signed by the president and the secretary of the board, to the board of county commissioners of Lee County, Florida, on or before the first Monday in July of each year. Prior to the presentation of such estimate to the board of county commissioners of Lee County, Florida, copies of such itemized estimate, signed by the president and secretary of

the board, shall be posted in at least three public places within the district, and at the time of the presentation of such estimate the board shall also present to the board of county commissioners of Lee County, Florida, a certificate of the board that copies of such estimate have been posted as herein provided.

Section 6. Upon receipt of such estimate and certificate of posting the said board of county commissioners shall cause the same to be recorded in the minutes of the county commissioners' meetings, and at the time of making and fixing the rate of annual taxation for county purposes, said board of county commissioners shall fix and cause to be levied on all property of said district, real and personal, a millage sufficient to meet the requirements of such estimate so made by said fire control board, provided, however, six thousand (\$6,000.00) dollars is the maximum that can be levied in any one year.

Section 7. That taxes herein provided for shall be assessed and collected in the same manner and form as provided for the assessment and collection of county taxes and subject to the same commissions and fees for assessing and collecting the same as for the assessment and collection of county taxes, except as herein otherwise provided.

Section 8. When such taxes as herein provided for shall have been collected by the tax collector of Lee County, Florida, he shall on or before the tenth day of each month report to the secretary of the board the collections made for the preceding month and remit the same to the treasurer of said board and take a receipt for the same from such treasurer. Thereupon the tax collector shall be relieved from all other and further liability as to the amount so paid the treasurer of the board.

Section 9. All warrants for the payment of labor, equipment and other expenses of the board, and in carrying into effect this act and the purpose thereof, shall be payable by the treasurer of the board on accounts and vouchers approved by the board.

Section 10. The treasurer of the board when entering upon his duties shall give a good and sufficient bond to the governor of the state of Florida in the sum of three thousand (\$3,000.00) dollars for the faithful performance of his duties as such treasurer.

Section 11. The treasurer shall on or before the tenth day of April and tenth day of October of each year make his semi-annual

report of receipts and expenditures of the funds of said district to the board. Such report shall be in writing setting forth the amount of money received, from whom received, and itemized amounts of expenditures and to whom paid and for what such payment is made. At the time of making such report to the board the treasurer shall also file a copy of such report with the board of county commissioners of Lee County, Florida.

Section 12. This act shall not become effective until and unless the same is ratified by a majority of the qualified electors of said North Fort Myers control district who vote in an election called by the board of county commissioners of Lee County, Florida, for ratification or rejection thereof. In the event of the ratification of this act, as aforesaid, the same shall immediately become effective.

Section 13. Upon the board of county commissioners of Lee County, Florida, receiving a petition requesting such election as provided for in section 2, signed by not less than 25 electors of said North Fort Myers control district, it shall become the duty of said board of county commissioners to call such election as by law provided for holding of such elections, and such election shall be called as soon as practicable after the receipt of such petition and shall be in all respects conducted as by law provided therefor. The costs of such election to be paid from funds of said district.

Section 14. This act shall be construed as remedial act and shall be liberally construed to promote the purpose for which it is intended.

Section 15. In the event that any part of this act should be held void for any reason, such holding shall not affect any other part thereof.

Section 16. This act shall take effect upon becoming a law, subject, however, to the referendum herein contained.

Became a law without the Governor's approval.

Filed in Office Secretary of State June 15, 1953.

HOUSE BILL NO. 661

AN ACT creating and establishing a Fire Control District in North Fort Myers; providing for boundaries beginning at a point on the North bank of the Caloosahatchee River where the line between Ranges 23 and 24 East in Township 45 South intersects said bank, run North along said Range Line between Ranges 23 and 24 East to the Northeast Corner of Section 25, Township 44 South, Range 23 East; thence run West along the North Line of said Section 25 and the North Line of Sections 26 and 27 of Township 44 South, Range 23 East to the Northwest Corner

of said Section 27; thence run North along the West Line of Sections 22 and 15 to the Northwest Corner of Section 15; thence run East along the North Line of Section 15 to the Northeast Corner thereof; thence run North along the West Line of Section 11 to the Northwest Corner thereof; thence run East along the North Line of said Section 11 to the Northeast Corner thereof; thence run North along the West Line of Section 1 to the Northwest Corner thereof on the North Line of said Township 44 South, Range 23 East; thence run East along the Line between Townships 43 and 44 South to the Southwest Corner of Section 32, Township 43 South, Range 24 East; thence run North along the West Line of Sections 32, 29, 20, 17, 8 and 5 of Township 43 South, Range 24 East to a point on the North Line of said Township and the Line between Lee and Charlotte Counties; thence run East along said Township and County Line to the Range Line between Ranges 24 and 25 East; thence run South along said Range Line to the Northwest Corner of Section 7, Township 43 South, Range 25 East; thence run East along the North Line of said Section 7 to the Northeast Corner thereof; thence run South along the East Line of Sections 7 and 18 to the Southeast Corner of Section 18; thence run East along the North Line of Section 20 to the Northeast Corner thereof; thence run South along the East Line of Sections 20, 29, and 32 in said Township 43 South, Range 25 East to the waters of the Caloosahatchee River; thence run Southwesterly along said waters to the point of beginning; providing referendum.

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

Section 1. The following described area shall be known as the north Fort Myers fire control district, hereafter called the district:

Beginning at a point on the north bank of the Caloosahatchee river where the line between ranges 23 and 24 east in township 45 south intersects said bank, run north along said range line between ranges 23 and 24 east to the northeast corner of section 25, township 44 south, range 23 east; thence run west along the north line of said section 25 and the north line of sections 26 and 27 of township 44 south, range 23 east to the northwest corner of said section 27; thence run north along the west line of sections 22 and 15 to the northwest corner of section

15; thence run east along the north line of section 15 to the northeast corner thereof; thence run north along the west line of section 11 to the northwest corner thereof; thence run east along the north line of said section 11 to the northeast corner thereof; thence run north along the west line of section 1 to the northwest corner thereof on the north line of said township 44 south, range 23 east; thence run east along the line between townships 43 and 44 south to the southwest corner of section 32, township 43 south, range 24 east; thence run north along the west line of sections 32, 29, 20, 17, 8 and 5 of township 43 south, range 24 east to a point on the north line of said township and the line between Lee and Charlotte counties; thence run east along said township and county line to the range line between ranges 24 and 25 east; thence run south along said range line to the northwest corner of section 7, township 43 south, range 25 east; thence run east along the north line of said section 7 to the northeast corner thereof; thence run south along the east line of sections 7 and 18 to the southeast corner of section 18; thence run east along the north line of section 20 to the northeast corner thereof; thence run south along the east line of sections 20, 29 and 32 in said township 43 south, range 25 east to the waters of the Caloosahatchee river; thence run southwesterly along said waters to the point of beginning.

Section 2. The governor of Florida is hereby authorized and directed to appoint three resident freeholders of said district as the North Fort Myers fire control board, hereinafter referred to as the board. The members of the board shall each serve for a period of four years, unless removed for cause by the governor of Florida, and shall receive no compensation. It shall be the duty of the governor of Florida to appoint the first members of the board within ten (10) days after this act shall become law.

Section 3. Within ten (10) days after the appointment and qualification of members of said board, such members shall meet and elect from the membership a president, a secretary and a treasurer, provided, however, the same member may be both secretary and treasurer. The board for and on behalf of the district is hereby authorized and empowered to buy, own and maintain

a fire department within the district and to purchase, own and dispose of fire fighting equipment and property, real or personal, that the board may from time to time deem necessary or needful to prevent and extinguish fires within said district.

Section 4. The board is hereby authorized and empowered to make rules and regulations for the prevention of fires and for fire control within the district, such rules and regulations after being made by the board and copies thereof signed by the president and secretary, and posted in at least three (3) public places within said district, within ten (10) days shall have the force and effect as law.

Section 5. For the purposes of carrying into effect this law the board shall annually, during the month of June, make an itemized estimate of the amount of money required to carry out the provisions of this law for the next fiscal year of said board, which fiscal year shall be from the first day of April to and including the thirty-first (31st) day of the next succeeding March, and of each year, which estimate shall show for what purpose such moneys are required and the amount necessary to be raised by taxation within the district, and shall be presented in writing, signed by the president and the secretary of the board, to the board of county commissioners of Lee County, Florida, on or before the first Monday in July of each year. Prior to the presentation of such estimate to the board of county commissioners of Lee County, Florida, copies of such itemized estimate, signed by the president and secretary of the board, shall be posted in at least three (3) public places within the district, and at the time of the presentation of such estimate the board shall also present to the board of county commissioners of Lee County, Florida, a certificate of the board that copies of such estimate have been posted as herein provided.

Section 6. Upon receipt of such estimate and certificate of posting the said board of county commissioners shall cause the same to be recorded in the minutes of the county commissioners' meetings, and at the time of making and fixing the rate of annual taxation for county purposes, said board of county commissioners shall fix and cause to be levied on all property of said district, real and personal, a millage sufficient to meet the requirements of such estimate so made by said fire control board, provided.

however, six thousand dollars (\$6,000.00) is the maximum that can be levied in any one year.

Section 7. That taxes herein provided for shall be assessed and collected in the same manner and form as provided for the assessment and collection of county taxes and subject to the same commissions and fees for assessing and collecting the same as for the assessment and collection of county taxes, except as herein otherwise provided.

Section 8. When such taxes as herein provided for shall have been collected by the tax collector of Lee County, Florida, he shall on or before the tenth (10) day of each month report to the secretary of the board the collections made for the preceding month and remit the same to the treasurer of said board and take a receipt for the same from such treasurer. Thereupon the tax collector shall be relieved from all other and further liability as to the amount so paid the treasurer of the board.

Section 9. All warrants for the payment of labor, equipment and other expenses of the board, and in carrying into effect this act and the purpose thereof, shall be payable by the treasurer of the board on accounts and vouchers approved by the board.

Section 10. The treasurer of the board when entering upon his duties shall give a good and sufficient bond to the governor of the state of Florida in the sum of three thousand dollars (\$3,000.00) for the faithful performance of his duties as such treasurer.

Section 11. The treasurer shall on or before the tenth (10) day of April and tenth (10) day of October of each year make his semi-annual report of receipts and expenditures of the funds of said district to the board. Such report shall be in writing setting forth the amount of money received, from whom received, and itemized amounts of expenditures and to whom paid and for what such payment is made. At the time of making such report to the board the treasurer shall also file a copy of such report with the board of county commissioners of Lee County, Florida.

Section 12. This act shall not become effective until and unless the same is ratified by a majority of the qualified electors of said North Fort Myers control district who vote in an election called by the board of county commissioners of Lee County, Florida, for ratification or rejection thereof. In the event of the ratification of this act, as aforesaid, the same shall immediately become effective.

Section 13. Upon the board of county commissioners of Lee county, Florida, receiving a petition requesting such election as provided for in section 2, signed by not less than twenty-five (25) electors of said North Fort Myers control district, it shall become the duty of said board of county commissioners to call such election as by law provided for holding of such elections, and such election shall be called as soon as practicable after the receipt of such petition and shall be in all respects conducted as by law provided therefor. The costs of such election to be paid from funds of said district.

Became a law without the Governor's approval.

Filed in Office Secretary of State May 11, 1955.