

CHAPTER 2016-255

Committee Substitute for House Bill No. 895

An act relating to the West Manatee Fire and Rescue District, Manatee County; amending chapter 2000-401, as amended; revising provisions related to the terms of the members of the district's board of commissioners; deleting obsolete provisions relating to the initial board of commissioners; providing for continuation of the staggered terms of commissioners; confirming certain non-ad valorem assessment rates adopted by the district on a specified date; specifying that the district may amend the non-ad valorem assessment rates as authorized by the district's enabling legislation as provided by general law; providing an effective date.

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

Section 1. Sections 4 and 13 of section 2 of chapter 2000-401, as amended by chapter 2001-334, Laws of Florida, are amended to read:

Section 4. District board of commissioners; membership, terms of office, officers, meetings.—The district board of commissioners shall conduct and administer the business affairs of the district through a five-member board which shall be elected in nonpartisan elections by the electors of the district for a term of 4 ~~four~~ (4) years, and each member shall serve until the member's successor assumes office. A member of the board shall be a resident of the district and a citizen of the United States. No district board member shall be a paid employee of the district, and each board member shall continue to meet all qualifications to hold office continually through his or her term. Members of the district board shall take office at the same time as do county officers, being the second Tuesday following the general election in November. The board of commissioners shall be established and elected, and shall operate, organize and function in accordance with the provisions of section 191.005, Florida Statutes. The office of each member of the board is designated as being a seat, distinguished from each of the other seats of the board by a numeral; 1, 2, 3, 4, or 5. The numerical seat designation does not reflect a geographical subdistrict or area of the district, but each candidate for a seat on the board shall designate, at the time the candidate qualifies, the seat for which the candidate is qualifying. The election for each seat shall be at-large within the district. ~~The initial board of commissioners, until successors are elected and assume office, shall consist of the officials who are then holding elected office as a district board member for seats 1, 4 and 5 on the West Side Fire Control District and seats 2 and 3 on the Anna Maria Fire Control District as of the date immediately preceding the effective day of this act. The commissioners holding seat 1 and 5 from West Side Fire Control District and the commissioner hold seat 2 from the Anna Maria Fire Control District shall have initial terms of four (4) years, with their terms expiring in November, 2004, as provided in this section. The commissioner holding seat 4 from the West Side Fire Control District and the commissioner holding~~

~~seat 3 from the Anna Maria Fire Control District shall have initial terms of two (2) years, with their terms expiring in November, 2002, as provided in this section. The foregoing provisions establish an initial board having three (3) commissioners, each with a 4-year four (4) year term, and two (2) commissioners, each with a 2-year two (2) year term, thereby establishing staggered terms for the board on the effective date of this act. The terms of the current members of the board are confirmed. Beginning in 2016, seats 1 and 5 shall be elected to 4-year terms. Beginning in 2018, seats 2, 3, and 4 shall be elected to 4-year terms.~~

Section 13. Schedule of special assessments.—~~The provisions regarding assessment procedures as set forth above, represents the method to be followed by the district regarding any subsequent establishment or increase in special assessments for the district. The non-ad valorem assessment rates that the district currently charges pursuant to West Manatee Fire and Rescue District Resolution 2015-03, adopted July 16, 2015, are confirmed. The board may amend its assessment rates in accordance with s. 191.009, Florida Statutes, or as otherwise provided by general law. Upon the effective date of this act, but in no way limiting the ability of the district board to increase special assessments as necessary in keeping with this charter, for assessment purposes, all property within the district is divided into three general classifications: vacant parcels, residential parcels, and commercial/industrial parcels. The rates set forth in the schedule of non ad valorem special assessments provided by this section are caps on the district's non ad valorem assessment rates that may be levied without approval of the Legislature.~~

~~(1) Vacant parcels shall include all parcels which are essentially undeveloped. The annual assessment for these parcels shall be as follows:~~

~~(a) A vacant platted lot, \$25 per lot.~~

~~(b) Unsubdivided acreage, \$25 per acre or fraction thereof; and,~~

~~(c) A vacant commercial and industrial parcel shall be assessed as a platted lot or unsubdivided acreage, as applicable. Whenever a residential unit is located on a parcel defined herein as vacant, the residential plot shall be considered as one lot or one acre, with the balance of the parcel being assessed as vacant land in accordance with the schedule herein. When an agricultural or commercial building or structure is located on a parcel defined herein as vacant, the building or structure shall be assessed in accordance with the schedule of commercial/industrial assessments.~~

~~(2) Residential parcels include all parcels which are developed for residential purposes. All residential parcels shall be assessed by the number and square footage size of dwelling units per parcel. Surcharges may be assigned by the district for dwelling units located on the third or higher floors. The annual assessment for these parcels shall be as follows:~~

~~(a) A single family residential parcel shall be assessed on a square footage basis for each dwelling unit at \$125 for the first 1,000 square feet in the dwelling unit, and all square footage above 1,000 square feet shall be charged at a rate of \$0.075 per additional square foot.~~

~~(b) A parcel for residential condominium use shall be assessed on a square footage basis for each dwelling unit at \$125 for the first 1,000 square feet in the dwelling unit, and all square footage above 1,000 square feet shall be charged at a rate of \$0.075 per additional square foot.~~

~~(c) A mobile home shall be assessed at \$125 per dwelling unit;~~

~~(d) A duplex, multi family residential, cooperative, retirement home and any miscellaneous residential use parcel shall be assessed on a square footage basis for each dwelling unit at \$125 for the first 1,000 square feet in the dwelling unit, and all square footage above 1,000 square feet shall be charged at a rate of \$0.075 per additional square foot.~~

~~(e) Any other residential unit, including, but not limited, to the residential portions of mixed-use parcels and travel trailer units or parks shall be assessed \$125 per dwelling unit or available rental space, as applicable.~~

~~(3) Commercial/industrial parcels shall include all other developed parcels which are not included in the residential categories as defined in subsection (2). Each commercial/industrial parcel shall be assessed on a square footage basis for each building and structure in accordance with the following schedule:~~

~~(a) The base assessment for each building or structure shall be \$300 for the first 1,000 square feet and all square footage above 1,000 square feet, shall be charged at a rate of \$0.125 per additional square foot.~~

~~(b) Whenever a parcel is classified for multiple hazard use, the district may vary the assessment in accordance with actual categories.~~

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

Approved by the Governor March 25, 2016.

Filed in Office Secretary of State March 25, 2016.

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

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Section 4. District board of commissioners; membership, terms of office, officers, meetings.—The district board of commissioners shall conduct and administer the business affairs of the district through a five-member board which shall be elected in nonpartisan elections by the electors of the district for a term of 4 ~~four~~ (4) years, and each member shall serve

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27 | until the member's successor assumes office. A member of the
 28 | board shall be a resident of the district and a citizen of the
 29 | United States. No district board member shall be a paid employee
 30 | of the district, and each board member shall continue to meet
 31 | all qualifications to hold office continually through his or her
 32 | term. Members of the district board shall take office at the
 33 | same time as do county officers, being the second Tuesday
 34 | following the general election in November. The board of
 35 | commissioners shall be established and elected, and shall
 36 | operate, organize and function in accordance with the provisions
 37 | of section 191.005, Florida Statutes. The office of each member
 38 | of the board is designated as being a seat, distinguished from
 39 | each of the other seats of the board by a numeral; 1, 2, 3, 4,
 40 | or 5. The numerical seat designation does not reflect a
 41 | geographical subdistrict or area of the district, but each
 42 | candidate for a seat on the board shall designate, at the time
 43 | the candidate qualifies, the seat for which the candidate is
 44 | qualifying. The election for each seat shall be at-large within
 45 | the district. ~~The initial board of commissioners, until~~
 46 | ~~successors are elected and assume office, shall consist of the~~
 47 | ~~officials who are then holding elected office as a district~~
 48 | ~~board member for seats 1, 4 and 5 on the West Side Fire Control~~
 49 | ~~District and seats 2 and 3 on the Anna Maria Fire Control~~
 50 | ~~District as of the date immediately preceding the effective day~~
 51 | ~~of this act. The commissioners holding seat 1 and 5 from West~~
 52 | ~~Side Fire Control District and the commissioner hold seat 2 from~~

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53 ~~the Anna Maria Fire Control District shall have initial terms of~~
 54 ~~four (4) years, with their terms expiring in November, 2004, as~~
 55 ~~provided in this section. The commissioner holding seat 4 from~~
 56 ~~the West Side Fire Control District and the commissioner holding~~
 57 ~~seat 3 from the Anna Maria Fire Control District shall have~~
 58 ~~initial terms of two (2) years, with their terms expiring in~~
 59 ~~November, 2002, as provided in this section. The foregoing~~
 60 ~~provisions establish an initial board having three (3)~~
 61 ~~commissioners, each with a 4-year ~~four (4)~~ year term, and two~~
 62 ~~(2) commissioners, each with a 2-year ~~two (2)~~ year term, thereby~~
 63 ~~establishing staggered terms for the board on the effective date~~
 64 ~~of this act. The terms of the current members of the board are~~
 65 ~~confirmed. Beginning in 2016, seats 1 and 5 shall be elected to~~
 66 ~~4-year terms. Beginning in 2018, seats 2, 3, and 4 shall be~~
 67 ~~elected to 4-year terms.~~

68 Section 13. Schedule of special assessments.—The
 69 provisions regarding assessment procedures as set forth above,
 70 represents the method to be followed by the district regarding
 71 any subsequent establishment or increase in special assessments
 72 for the district. The non-ad valorem assessment rates that the
 73 district currently charges pursuant to West Manatee Fire and
 74 Rescue District Resolution 2015-03, adopted July 16, 2015, are
 75 confirmed. The board may amend its assessment rates in
 76 accordance with s. 191.009, Florida Statutes, or as otherwise
 77 provided by general law. ~~Upon the effective date of this act,~~
 78 ~~but in no way limiting the ability of the district board to~~

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79 ~~increase special assessments as necessary in keeping with this~~
 80 ~~charter, for assessment purposes, all property within the~~
 81 ~~district is divided into three general classifications: vacant~~
 82 ~~parcels, residential parcels, and commercial/industrial parcels.~~
 83 ~~The rates set forth in the schedule of non-ad valorem special~~
 84 ~~assessments provided by this section are caps on the district's~~
 85 ~~non-ad valorem assessment rates that may be levied without~~
 86 ~~approval of the Legislature.~~

87 ~~(1) Vacant parcels shall include all parcels which are~~
 88 ~~essentially undeveloped. The annual assessment for these parcels~~
 89 ~~shall be as follows:~~

90 ~~(a) A vacant platted lot, \$25 per lot.~~

91 ~~(b) Unsubdivided acreage, \$25 per acre or fraction~~
 92 ~~thereof; and,~~

93 ~~(c) A vacant commercial and industrial parcel shall be~~
 94 ~~assessed as a platted lot or unsubdivided acreage, as~~
 95 ~~applicable. Whenever a residential unit is located on a parcel~~
 96 ~~defined herein as vacant, the residential plot shall be~~
 97 ~~considered as one lot or one acre, with the balance of the~~
 98 ~~parcel being assessed as vacant land in accordance with the~~
 99 ~~schedule herein. When an agricultural or commercial building~~
 100 ~~or structure is located on a parcel defined herein as vacant,~~
 101 ~~the building or structure shall be assessed in accordance with~~
 102 ~~the schedule of commercial/industrial assessments.~~

103 ~~(2) Residential parcels include all parcels which are~~
 104 ~~developed for residential purposes. All residential parcels~~

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105 ~~shall be assessed by the number and square footage size of~~
 106 ~~dwelling units per parcel. Surcharges may be assigned by the~~
 107 ~~district for dwelling units located on the third or higher~~
 108 ~~floors. The annual assessment for these parcels shall be as~~
 109 ~~follows:~~

110 ~~(a) A single family residential parcel shall be assessed~~
 111 ~~on a square footage basis for each dwelling unit at \$125 for the~~
 112 ~~first 1,000 square feet in the dwelling unit, and all square~~
 113 ~~footage above 1,000 square feet shall be charged at a rate of~~
 114 ~~\$0.075 per additional square foot.~~

115 ~~(b) A parcel for residential condominium use shall be~~
 116 ~~assessed on a square footage basis for each dwelling unit at~~
 117 ~~\$125 for the first 1,000 square feet in the dwelling unit, and~~
 118 ~~all square footage above 1,000 square feet shall be charged at a~~
 119 ~~rate of \$0.075 per additional square foot.~~

120 ~~(c) A mobile home shall be assessed at \$125 per dwelling~~
 121 ~~unit;~~

122 ~~(d) A duplex, multi-family residential, cooperative,~~
 123 ~~retirement home and any miscellaneous residential use parcel~~
 124 ~~shall be assessed on a square footage basis for each dwelling~~
 125 ~~unit at \$125 for the first 1,000 square feet in the dwelling~~
 126 ~~unit, and all square footage above 1,000 square feet shall be~~
 127 ~~charged at a rate of \$0.075 per additional square foot.~~

128 ~~(e) Any other residential unit, including, but not~~
 129 ~~limited, to the residential portions of mixed-use parcels and~~

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130 ~~travel trailer units or parks shall be assessed \$125 per~~
 131 ~~dwelling unit or available rental space, as applicable.~~

132 ~~(3) Commercial/industrial parcels shall include all other~~
 133 ~~developed parcels which are not included in the residential~~
 134 ~~categories as defined in subsection (2). Each~~
 135 ~~commercial/industrial parcel shall be assessed on a square~~
 136 ~~footage basis for each building and structure in accordance with~~
 137 ~~the following schedule:~~

138 ~~(a) The base assessment for each building or structure~~
 139 ~~shall be \$300 for the first 1,000 square feet and all square~~
 140 ~~footage above 1,000 square feet, shall be charged at a rate of~~
 141 ~~\$0.125 per additional square foot.~~

142 ~~(b) Whenever a parcel is classified for multiple hazard~~
 143 ~~use, the district may vary the assessment in accordance with~~
 144 ~~actual categories.~~

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