

SECTION 2

**LOCAL BILLS
RELATED TO
ANNEXATION**

LOCAL BILLS RELATED TO ANNEXATION

A local bill is any bill which relates to a specific geographical area (Broward County) as opposed to a general bill which affects the entire State of Florida. The deadline for submitting local bills to the Broward Legislative Delegation will be **noon on Friday, September 10, 2021.**

Below are detailed instructions for filing a local bill with the Broward Legislative Delegation. ***This section only pertains to local bills related to annexation.***

When submitting your proposed local bill to the Broward Legislative Delegation Office for consideration, the following documentation must be included in this order:

1. Cover letter explaining: (see pg. 2-8)
 - Why this cannot be accomplished at the local level.
(if the substance of your bill may be enacted into law by ordinance of local government without the need for a referendum, the bill does not meet the standard for a local bill)
 - A brief explanation of your local bill.
 - Provide background information has legislation been previously filed regarding this area; when and what was the bill number; what is the total acreage of the area, the population, households, describe the commercial areas and any other meaningful characteristics.
 - Will services change for the parties being annexed?
 - The name of the contact person from your organization with their address, telephone number, fax number and an email address. (All correspondence from the Delegation Office regarding your local bill will be forwarded to the contact person you designate.)
 - Indicate the name of the member that will sponsor your request before the local delegation.
2. The draft of your proposed local bill in proper bill format. (This will be explained below) (see pg. 2-9)
3. A certified map drawn by a Florida certified land surveyor or engineer with raised seal. Said person shall be responsible for ensuring that the full legal description and the certified map are the same. (Please see more information regarding the legal description below.) (see pg. 2-13)
4. Map showing the area being considered for annexation or incorporation including the surrounding area. (sample on page 2-14) This map should clearly delineate municipal boundaries and major roadways.
5. An Economic Impact Statement signed by a representative of your organization or agency. It is required that at least one Economic Impact Statement have an original signature. (sample on page 2-15)

You will need to provide one original and an electronic version of the above information. If any of this information is missing, your local bill will not be considered timely filed. A sample of this complete package has been included for your review on pages 2-8 to 2-16.

In addition, we will require that you to e-mail your bill draft and the supporting documents to the Delegation Office. Please e-mail the information to aknowles@broward.org.

PROPER BILL FORM

All proposed local bills filed with the Delegation Office need to be in proper bill form (see sample, page 2-8). All bill drafts should be dated as of the date submitted to the Delegation Office in the upper right corner of the bill. Amended bill drafts should contain the full section, subsection, or paragraph to be amended with amendments underlined or deletions stricken. All requested amendments should be e-mailed to aknowles@broward.org.

ONE SUBJECT

Section 6 of Article III of the Florida Constitution provides that:

“Every law shall embrace but ONE subject and matter properly connected therewith...”

The subject to be considered is the one expressed in the title of the Act. It is recommended that the “ONE subject” be quite broad. So long as the bill embraces a simple subject, it may amend any number of sections or even different chapters.

TITLES

Section 6 of Article III of the Florida Constitution provides that:

“Every law shall embrace but one subject and matter properly connected therewith, and the subject shall be briefly expressed in the title.”

The title is the portion of the bill which serves the purpose of expressing the subject of the bill and is essential to the validity of the law to be enacted.

It should briefly express the subject of the proposed legislation so that the mere reading of it will indicate the nature of the details which are embodied in the act. A general title is preferable, but the title must give notice sufficient to reasonably explain the contents of the bill.

ENACTING CLAUSE

Section 6 of Article III of the Florida Constitution provides in part:

“The enacting clause of every law shall read: “Be it enacted by the Legislature of the State of Florida:”.”

The prescribed enacting clause is a prime essential to the validity of the law. In typing a bill, legislative rules require: A blank line be left above and below the enacting clause.

EFFECTIVE DATE

Section 9 of Article III of the Florida Constitution provides that:

“Each law shall take effect on the sixtieth day after adjournment sine die of the session of the legislature in which enacted or as otherwise provided therein. If the law is passed over the veto of the governor it shall take effect on the sixtieth day after adjournment sine die of the session in which the veto is overridden, on a later date fixed in the law, or on a date fixed by a resolution passed by both houses of the legislature.”

Although an effective date section is not necessary to a properly prepared bill, it has become customary over the years to include an effective date in almost every bill. THIS IS THE EFFECTIVE DATE OF THE LEGISLATION – NOT THE EFFECTIVE DATE OF THE ANNEXATION. (see pg. 2-11)

PLEASE NOTE: There should be a provision within each local bill that the annexation shall become effective on September 15, of a year certain and no referendum on annexation may be held within 180 days of the September 15 effective date.

ROAD TRANSFER LANGUAGE

The following section is required in every bill concerning annexation:

“Section _____. All public roads and the public rights of way associated therewith, on the Broward County road system, lying within the limits of the lands subject to annexation herein, as described in section ___, are transferred from Broward County jurisdiction to the jurisdiction of the annexing municipality, (if applicable) except for those portions of ____ (insert the road name/number of any County road(s) and/or bridge name/number of any County bridge), lying within the annexation area. All rights, title, interests and responsibilities for any transferred roads, including but not limited to, the ownership, operation, maintenance, planning, design and construction of said roads and to the right of way associated therewith shall transfer from Broward County jurisdiction and ownership to the jurisdiction and ownership of the annexing municipality upon the effective date of the annexation.”

NOTE: Please check with the Broward County Engineering Division regarding any and all possible road, bridge or right-of-way transfers prior to submitting your annexation local bill to the Delegation Office.

CANDIDACY LANGUAGE

The following section is required in every bill concerning annexation where residents of the newly annexed area may be otherwise precluded from running for elected office for the next immediate election:

“Section __. Subsequent to the effective date of this annexation, any resident in the area to be annexed by this act into the City of _____, shall be deemed to have met any residency requirements for candidacy for municipal office.”

CONTRACT LANGUAGE

The following section is required in every bill concerning annexation:

“Section __. Nothing in this chapter shall be construed to affect or abrogate the rights of parties to any contract, whether the same be between Broward County and a third party or between nongovernmental entities, which contracts are in effect prior to _____ the effective date of the annexation.”

LEGAL DESCRIPTION AND CERTIFIED MAP

A full legal description of the properties being annexed or deannexed. (Please forward this by e-mail to Andrea Knowles at aknowles@broward.org in a Microsoft Word format.)

IMPORTANT NOTE: Annexing municipalities should contact the following department with regard to legal descriptions and road transfer language to be used in any request for annexation:

Broward County Engineering Division

Brad Terrier at 954-577-4557 or

Frank Guiliano at 954-577-4652

One North University Drive

Plantation, Florida 33324-2038

A certified map drawn by a Florida land surveyor or engineer with raised seal is required. Said surveyor or engineer shall be responsible for ensuring that the full legal description and the certified map are the same.

AREA MAP

A map showing the location of the property as it relates to the surrounding area. Please include municipal boundaries and major roads so that it is obvious where the property is located, the adjacent municipal boundaries and major roadways. (see pg. 2-13 for example)

ECONOMIC IMPACT STATEMENT

The Economic Impact Statement form will be provided by the Delegation upon request. A sample is provided in this manual on pg 2-15. This form states the financial impact resulting from the legislation. It is required that one form with an original signature be included with your local bill request along with an electronic version.

ADDITIONAL INFORMATION AND REQUIREMENTS

No local bill for annexation/deannexation shall be approved without two readings by the Legislative Delegation. The first reading is traditionally a formal reading and no testimony will be required. The second reading will involve the presentation by the bill sponsor, questions from the Delegation and a vote by the Delegation. Representatives of your organization are required to attend these meetings.

EMPLOYEE TRANSITION PLAN

The Legislative Delegation Annexation Policy requires that an employee transition plan accompany each annexation/deannexation request. Subsequent to the filing of a proposed local annexation bill, the Delegation staff will request and distribute the following information:

- 1) A report from Broward County on employee displacement three weeks following the filing of a local bill concerning annexation, which report shall be forwarded to the annexing city(ies).
- 2) A report from the Sheriff's Office on public safety employee displacement three weeks following the filing of a local bill concerning annexation, which report shall be forwarded to the annexing city(ies).
- 3) Plans from the annexing city(ies) concerning employee displacement and plans for law enforcement and fire rescue services filed with the Delegation within three weeks following receipt of reports on employee displacement from the county and the sheriff, with consideration for contractual services with Broward County and the sheriff, respectively.

Information on employee displacement will be requested by the Delegation Staff from the following:

Broward County Government
Office of Budget Services
Jessica Cheung or Lisa Horn
115 South Andrews Avenue, # 404
Fort Lauderdale, Florida 33301
954-357-6350 or 954-357-6348
jcheung@broward.org or lhorn@broward.org

Broward Sheriff's Office
Colonel Oscar Llerena
2601 West Broward Boulevard
Fort Lauderdale, Florida 33312
954-321-4647
Oscar.Llerena@sheriff.org

PLEASE NOTE: Chapter 96-542 and Chapter 99-447, Laws of Florida, control annexations in Broward County. Copies are provided in this Manual on pages 4-4 and 4-5.

Notification to Property Owners:

The entity requesting the local bill is required to notify property owners by first class mailing of any Annexation Committee meeting and of the Delegation Final Hearing on Local Bills Related to Annexation. (See Pg 2-17 & 2-18)

The notifications must be mailed no more than 14 days and no less than 7 days prior to the initial meeting/hearing. The following information must be contained in your letter of notification to property owner:

- a. Your intentions with regard to the owner's property;
- b. Notice of date, time and place of the annexation committee meeting or public hearing where your annexation request will be voted on;
- c. Contact person at your agency who can respond to any questions the property owner may have;
- d. Instructions to call the Delegation office (telephone 954-357-6555) if the property owner wishes to speak before the Delegation at the public hearing or advise the property owner to sign up on the internet www.broward.org/legislative.

CHECKLIST LOCAL BILLS RELATED TO ANNEXATION

__ COVER LETTER TO DELEGATION OFFICE

Make sure the letter includes:

- Brief description of the bill
- Statement why Legislation cannot be accomplished at the local level
- Description of how services will change for annexed area
- Background information as suggested in instructions
- Name of Delegation member sponsoring the bill
- Name, address and telephone number of contact person

NOTE: If this local bill was previously filed with the legislature, please include the year the bill was filed and the bill number in your cover letter.

__ BILL DRAFT

Make sure that the date is in the upper right-hand corner.

__ CERTIFIED MAP AND LEGAL DESCRIPTION

__ MAP SHOWING SURROUNDING AREA

Make sure that this map includes any contiguous municipalities and major cross roads.

__ ECONOMIC IMPACT STATEMENT

Make sure that one of the forms is an original with an original signature. The form can be found on the Florida House site.

__ 1 ORIGINAL OF THE ABOVE INFORMATIO.

__ CONFIRMATION LETTER FROM SPONSOR

**Email packet and copies of supporting documents to
aknowles@broward.org**

**SAMPLE
ANNEXATION
LOCAL
BILL**



City of Dania Beach FLORIDA

November 29, 2011

The Honorable Representative Evan Jenne, Chair
Broward County Legislative Delegation
3107 Stirling Road, Suite 207
Fort Lauderdale, Fl 33312-8502

Subject: City of Dania Beach Expansion of Boundaries

Dear Representative Jenne

At the November 10, 2011 meeting of the Broward County Legislative Delegation the local bill extending the corporate limits of the City of Dania Beach to the jurisdictional boundaries of the State of Florida, a line in the Atlantic Ocean known as the three mile limit was tabled to allow time for the City to coordinate with the City of Hollywood. At issue are two parcels of land that are owned by the City of Hollywood and which lie in the immediate area of the proposed expansion.

The City of Dania Beach has coordinated with the City of Hollywood and instructed Dania Beach's consulting surveyor to work with Hollywood's surveyor to clarify the location of the parcels. Both firms have agreed that the parcels in question are owned by the City of Hollywood but are located within the jurisdictional boundaries of Dania Beach pursuant to the laws of Florida. The proposed boundary expansion would not include any lands owned by the City of Hollywood.

The contact person from the City of Dania Beach is Robert Daniels, Community Development Director. He can be reached at 954 924 6800 Extension 3640, or via e-mail at bdaniels@ci.dania-beach.fl.us.

Thank you for your assistance.

Sincerely,

Robert Baldwin
City Manager

cc: The Honorable Senator Eleanor Sobel
The Honorable Representative Elaine Schwartz
Sandy Harris
Cathy Swanson-Rivenbark

"Broward's First City"

100 West Dania Beach Boulevard, Dania Beach, Florida 33004 • Phone: 954-924-6800 • www.daniabeachfl.gov

BILL

ORIGINAL

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A bill to be entitled
An act relating to City of Dania Beach, Broward
County; extending the corporate limits of the City of
Dania Beach to include the area that extends 3 miles
into the Atlantic Ocean from the city's existing
shoreline; providing an effective date.

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

Section 1. The present corporate limits of the City of
Dania Beach, Broward County, Florida, are extended and enlarged
effective September 15, 2012, so as to include, in addition to
the territory presently within its corporate limits, the area
that extends 3 miles into the Atlantic Ocean from the city's
existing shoreline, particularly described as follows:

A portion of the Atlantic Ocean lying between the mean
(ordinary) low water mark and the three mile limit and
adjoining that portion of the Corporate Limits of the
City of Dania Beach lying in Section 36, Township 50
South, Range 42 East, Broward County, Florida and
being more particularly described as follows:

BEGINNING at the intersection of the Easterly
projection of the common boundary of Lots 71 and 72 of
Block 172, HOLLYWOOD CENTRAL BEACH, according to the
plat thereof as recorded in Plat Book 4, page 20, of
the Public Records of Broward County and the mean

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Margin: 15 pt Border spacing:)

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BILL ORIGINAL YEAR

29 (ordinary) low water mark of the Atlantic Ocean, said
 30 point being on Northerly line of the Corporate Limits
 31 of the City of Dania Beach as established by Chapter
 32 30689, Acts 1955 of the Laws of Florida the same being
 33 the Corporate Limits of the City of Hollywood as
 34 established by Chapter 30836 of the Laws of Florida;

35
 36 Thence Easterly on said Easterly projection of the
 37 common boundary of Lots 71 and 72 of Block 172,
 38 HOLLYWOOD CENTRAL BEACH to the intersection with the
 39 East boundary line of the State of Florida, also known
 40 as the three mile limit;

41
 42 Thence Southerly on said East boundary line of the
 43 State of Florida, also known as the three mile limit,
 44 to the intersection with the Easterly projection of
 45 the South line of Block 206 of said HOLLYWOOD CENTRAL
 46 BEACH, said South line being the original Corporate
 47 Limits as described in the Municipal Code of the City
 48 of Dania Beach and the Corporate Limits of the City of
 49 Hollywood as established by Chapter 30836 of the Laws
 50 of Florida;

51
 52 Thence Westerly on said Easterly projection of the
 53 South line of Block 206 to the intersection with the
 54 mean (ordinary) low water mark of the Atlantic Ocean;

55
 56 Thence Northerly on said mean (ordinary) low water

F L O R I D A H O U S E O F R E P R E S E N T A T I V E S

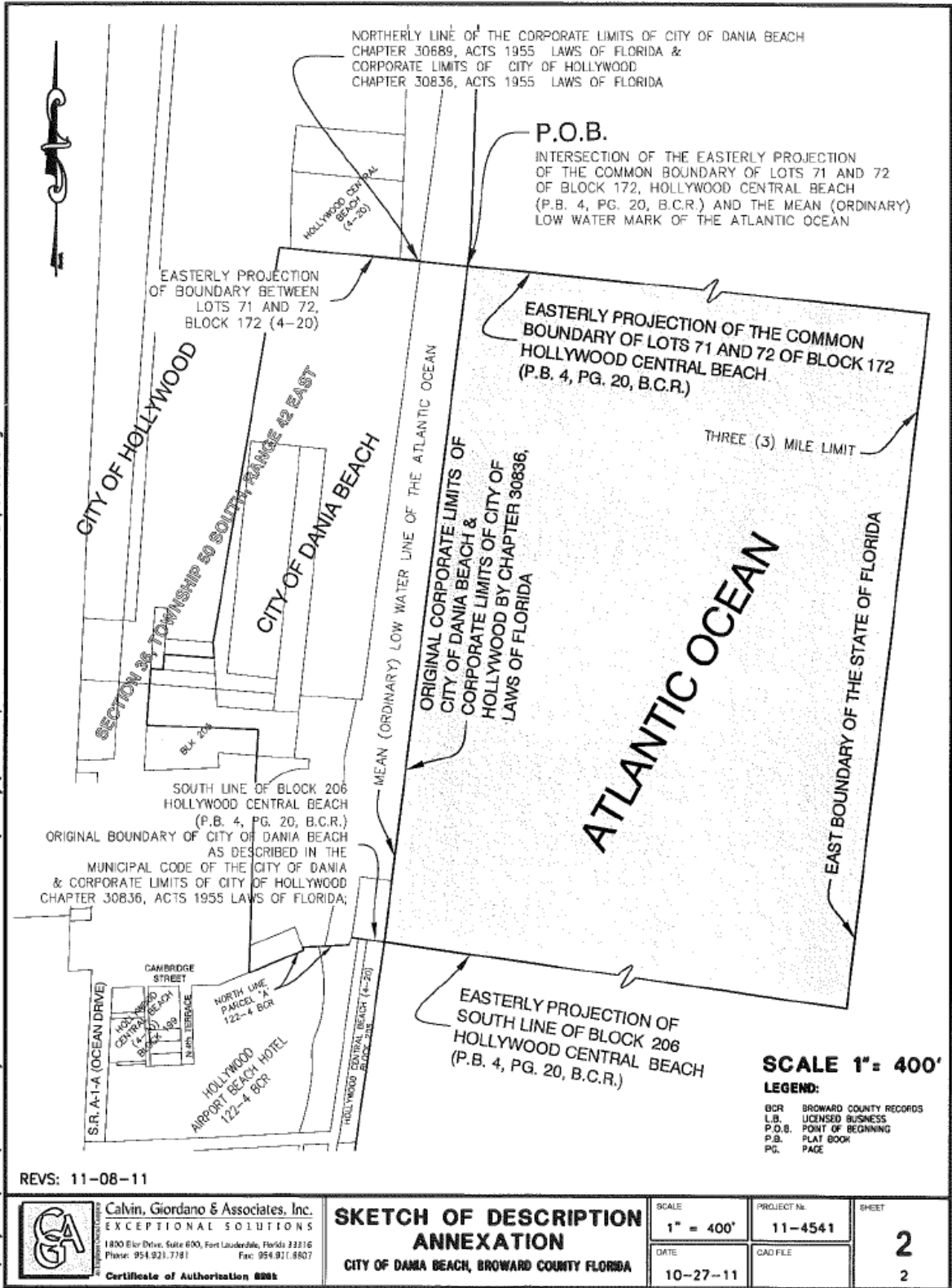
BILL

ORIGINAL

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57 | mark of the Atlantic Ocean and on said Original
58 | Corporate Limits of the City of Dania Beach ~~and on the~~
59 | ~~Corporate Limits of the City of Dania Beach~~ as
60 | established by said Chapter 30689, Acts 1955 of the
61 | Laws of Florida, to the POINT OF BEGINNING.
62 | Section 2. This act shall take effect upon becoming a law.

P:\Projects\2011\114541 City of Dania Beach Annexation\Survey\SKETCH\11-4541-V-SD-Dania Expanded.dwg



REVS: 11-08-11



Calvin, Giordano & Associates, Inc.
 EXCEPTIONAL SOLUTIONS
 1800 Blar Drive, Suite 600, Fort Lauderdale, Florida 33316
 Phone: 954.921.7181 Fax: 954.921.8807
 Certificate of Authorization 6888

SKETCH OF DESCRIPTION ANNEXATION
 CITY OF DANIA BEACH, BROWARD COUNTY FLORIDA

SCALE 1" = 400'	PROJECT No. 11-4541	SHEET
DATE 10-27-11	CAD FILE	2

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CITY OF DANIA BEACH AREA MAP



**HOUSE OF REPRESENTATIVES
2012 ECONOMIC IMPACT STATEMENT FORM**

House local bill policy requires that economic impact statements for local bills be prepared at the LOCAL LEVEL. It is the policy of the House of Representatives that no bill will be considered by a council or a committee without an original Economic Impact Statement. This form must be completed whether or not there is an economic impact. Please submit this form to the Committee on Urban & Local Affairs as soon as possible after the bill is filed.

BILL #: _____
SPONSOR(S): Representative Evan Jenne
RELATING TO: City of Dania Beach
[Indicate Area Affected (City, County or Special District) and Subject]

I. ESTIMATED COST OF ADMINISTRATION, IMPLEMENTATION, AND ENFORCEMENT:

	<u>FY 12-13</u>	<u>FY 13-14</u>
Expenditures:	0	0

II. ANTICIPATED SOURCE(S) OF FUNDING:

	<u>FY 12-13</u>	<u>FY 13-14</u>
Federal:	0	0
State:	0	0
Local:	0	0

III. ANTICIPATED NEW, INCREASED, OR DECREASED REVENUES:

	<u>FY 12-13</u>	<u>FY 13-14</u>
Revenues:	0	0

IV. ESTIMATED ECONOMIC IMPACT ON INDIVIDUALS, BUSINESS, OR GOVERNMENTS:

Advantages: No economic impact

Disadvantages: No economic impact

V. ESTIMATED IMPACT UPON COMPETITION AND THE OPEN MARKET FOR EMPLOYMENT:

No impact

VI. DATA AND METHOD USED IN MAKING ESTIMATES [INCLUDE SOURCE(S) OF DATA]:

Review of tax roll

PREPARED BY:  11/9/11
[Must be signed by Preparer] Date

TITLE: Robert Baldwin, City Manager

REPRESENTING: City of Dania Beach

PHONE: (954) 924 – 6805 Extension 3610

E-Mail Address: rbaldwin@ci.dania-beach.fl.us

SAMPLE NOTIFICATION TO PROPERTY OWNER

August 30, 2011

City of Cornucopia
9876 N. Pumpkin Dr.
Cornucopia, FL 54321

Dear Property Owner:

The City of Cornucopia will be filing a request with the Broward Legislative Delegation to annex the unincorporated area that includes your property. This letter is to inform you that the Broward Legislative Delegation will hold a hearing on Thursday, September 6, 2011 from 2:00 – 4:00pm at the Broward County Governmental Center, 115 S. Andrews Ave, 433, Fort Lauderdale, FL, 33301. The Delegation will be discussing this request for a local bill to provide for the annexation of your property into the City of Cornucopia. Public Testimony will be taken at this meeting. If you wish to speak at this meeting, please call the Delegation (954 357-6555). You may sign up to speak on line at <http://www.broward.org/Legislative/Pages/PresentationForm.aspx>.

Please execute and return the Petition to me if you are willing to voluntarily be annexed at no cost to you. If you have questions, you may call this office to discuss this matter further.

James Doe
City Manager
City of Cornucopia

SAMPLE PETITION FROM PROPERTY OWNER

James Doe
City Manager
City of Cornucopia
9876 N. Pumpkin Dr.
Cornucopia, FL 54321

Re: Petition for Voluntary Annexation into the City of Cornucopia

Dear Mr. Doe:

This petition shall serve as my expression of willingness and Petition to the City of Cornucopia to voluntarily annex the parcel of land I own into the City of Cornucopia. As a duly authorized representative of the entity and owner of the designated parcel, I hereby submit this Petition to the governing body of the City of Cornucopia for Voluntary annexation into the City of Cornucopia.

Signature

Print Name

Date

Parcel #/ Address: _____
