

Resolutions, Statutes, etc.

REGULAR SESSION 1927

SPECIAL ACTS

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SPECIAL LAWS OF THE State of Florida

CHAPTER 12494.—(No. 689).

AN ACT to Authorize the Board of Public Instruction of *Alachua County*, Florida, to Procure a Loan of Thirty Thousand Dollars (\$30,000.00) and Pay Interest thereon at a Rate of Not exceeding Six Per cent (6%) per annum, for the Purpose of Building and Repairing Rural School Buildings; to Authorize Said Board in Order to Procure Said Loan to Issue and Sell Thirty Thousand Dollars (\$30,000.00) in Principal Amount of Interest Bearing Coupon Time Warrants and to Make Provisions for a Sinking Fund for the Retirement of Said Time Warrants and the Interest to Become Due thereon; to Regulate the Expenditure of the Sum Derived from the Sale of Said Time Warrants and to Provide for the Validation of Said Time Warrants.

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

Section 1. The Board of Public Instruction of Alachua County, Florida, for the purpose of repairing, building and/or furnishing certain rural school buildings in Alachua County, Florida, as may be designated from time to time by the said Board of Public Instruction, shall be and is hereby authorized to procure a loan of Thirty Thousand Dollars (\$30,000.00) and pay interest thereon, at a rate, to be determined by said Board, not in excess of six per cent (6%) per annum. In order to procure said loan, and to evidence the agreement of said Board to repay the same with interest as aforesaid, said Board shall have authority to issue and sell Thirty Thousand Dollars (\$30,000.00) in principal amount, of interest bearing coupon Time Warrants of said Board, to be signed by the Chairman and Secretary of the Board, to be issued with the official seal of said Board affixed, to be in such denominations, in such form and bearing such rate of interest,

CHAPTER 12548—(No. 743).

AN ACT to abolish the present Municipality of *Blounston*, in Calhoun County, Florida, and to establish, organize and incorporate a Municipality to be known as the City of Blountstown, in lieu thereof; to designate the territory embraced within the City of Blountstown, and to provide for its jurisdiction, powers and privileges.

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

Section 1.—*Present Municipality of Blounston abolished.*—The present Municipality of Blounston, in Calhoun County, Florida, is hereby abolished.

Sec. 2.—*Vesting of rights in New Municipality.*—The ownership of property, uncollected taxes, debts, claims and demands of the municipality of Blounston herein abolished shall pass to and be vested in the City of Blountstown herein created.

Sec. 3.—*No impairment of existing obligations.*—All obligations of the Municipality of Blounston herein abolished shall be obligations of the City of Blountstown herein created.

Sec. 4.—*No present change in Municipal Officers.*—All officers of the Municipality of Blounston herein abolished shall continue in office, and be officers of the City of Blountstown herein created, until their successors are elected and qualified under the provisions of this Act.

Sec. 5.—*No present change in municipal ordinances.*—All ordinances of the Municipality of Blounston herein abolished shall be ordinances of the City of Blountstown until repealed, amended or modified by the City Council of Blountstown.

Sec. 6.—*Creation of the City of Blountstown.*—A municipality to be named and called the City of Blountstown, in Calhoun County, Florida, is hereby created, organized and incorporated, the territorial boundaries of which shall embrace the following lands, to-wit:

All of the South Half of Section Twenty-eight (28), the South Half of the North Half of Section Twenty-eight (28), the South Half of the Northeast Quarter of Section Twenty-nine (29), the Southeast Quarter of Section Twenty-nine (29), all of the East Half of Section Thirty-two (32), and all of Section Thirty-three (33), being in Township One (1) North, Range Eight (8) West, Tallahassee Meridian.

Sec. 7.—How additional territory may be acquired by municipality.—Additional territory, which connects with and abuts the lands embraced within the municipality as herein created, may be taken in and be constituted as a part of the City of Blountstown by a majority vote of the resident free-holders of the territory desired to be taken into the City, and by a majority vote of the resident free-holders residing within the City. An election to determine whether any additional territory shall be taken into the City may be called at any time by the City Council of Blountstown for such purpose, in which event there shall be a polling place for the outside voters, and also a separate polling place for the voters residing within the City. The canvass of the vote within the City shall be made by the City Council of Blountstown, and the canvass of the outside vote shall be made by three resident free-holders of the outside territory voting. The results shall be duly sworn to before an officer, and if it is shown that a majority vote was in favor of being taken into the City, both outside and within the City, then such result shall be duly entered upon the minutes of the City Council of Blountstown, and also recorded in the Corporation book in the office of the Clerk of the Circuit Court of Calhoun County, Florida. Such sworn results from the canvasses so made shall accurately describe the land and territory to be taken into the City, and thereafter such land and territory as was voted to be a part of the City shall be deemed to constitute a part thereof, as effectually for all intents and purposes, thereafter, as though originally a part thereof.

Sec. 8.—The Municipality a body Corporate and Politic.—The Municipality and the inhabitants residing within its limits are hereby declared and constituted a body corporate and politic under the name of

the City of Blountstown, and by that name may have perpetual succession, sue and be sued; hold and own property for the benefit of the municipality, either within or outside of the municipality, either by lease, purchase or otherwise, to be used for the burial of the dead, parks or any other municipal purpose that the City Council may deem advantageous to the municipality. The Municipality shall have power to own electric lighting plants, gas plants, water-works, sewerage systems, or any other property and plants, and to maintain and operate the same, as the City Council deems advantageous to the welfare of the municipality. The municipality shall maintain peace, good order and justice within its boundaries, and to that end is empowered to establish a city police force, and to have other enforcement officers as provided for herein. The municipality is empowered to provide a municipal system of revenue and taxation, to ordain rules for the government of the municipality and provide penalties, by the imposition of money fines, imprisonment, or both, for the violation of its ordinances and regulations.

Sec. 9.—Officers in whom Government of Municipality is vested.—The Government of the City shall be vested in the following officers:

A Mayor whose term of office shall be one year.

A Common Council consisting of five members, whose term of office shall be two years.

A Marshal, whose term of office shall be one year, but if the City Council deems it expedient to establish a City Police Force, it may do so by ordinance, in which event there shall be no Marshal and the Police Force shall be substituted therefor.

A City Clerk, who shall also act as City Treasurer and as City Tax Assessor, whose term of office shall be one year.

A City Tax Collector, whose term of office shall be one year, but the City Council may by ordinance impose the duty of collecting the City Tax on the City Marshal, or City Clerk, in which event no City Tax Collector shall be elected.

The City Council, shall, by ordinance, have the power to create such additional offices as it deems proper to carry on the City's affairs.

Sec. 10.—*Election of City Officers.*—All of the City Officers herein provided for, except the City Marshal, shall be chosen in the City Elections.

The City Election shall be held on the Third Monday in November of each year, in which all officers whose term commences on the first Monday of the following January shall be elected.

The Primary Election Law of the State of Florida, providing for a first and second choice where there are more than two candidates for the same office, shall be used in the election of City Officers, and the same form of ballot as used in said Primary Election, also the canvass of said Primary Elections, as now in force within the State of Florida, shall be used in the City Elections. The repeal or amendment of said primary election law shall have no effect on the holding of City elections in accordance therewith.

The City Marshal shall be elected by a majority vote of all members of the City Council at its regular meeting in the month of January of each year, and he shall assume the duties of his office immediately after his election, but if the City Council establishes a City Police Force in lieu of the office of Marshal, then and in that event, the members of the City Police Force shall in like manner be elected by the City Council.

All officers heretofore elected, under the Charter of the City of Bloumston, shall continue to hold their office for the term for which they were elected, as officers of the municipality herein created.

All officers shall assume their duties on the first Monday in January next following their election.

In the event the City Election is not held on the Third Monday in November of any year, as herein provided, on account of storms or other unpreventable cause the City Council shall cause the election to be held within ten days thereafter.

Sec. 11.—*Removal of Municipal Officers.*—Any offi-

cer serving the City may be removed from office by a majority vote of the registered voters of the City, actually voting, at an election called for the purpose of determining whether any such officer shall be removed, and the City Council shall upon petition of thirty per cent of the registered voters of the City, cause an election to be held within fifteen days from the time of the presentation of any such petition, to determine such question, after advertised or posted notice of said election for at least ten days. After written notice given by any registered voters of the City to the members of the City Council, or to a majority of them if any of them are absent from the City, of a desire to present any such petition, it shall be the duty of the City Council to meet within ten days thereafter to consider such petition, and it shall be their duty to call such election if the petition meets the requirements of this Charter. In the event any officer is removed under this section it shall be the duty of the City Council to cause an election to be held within ten days to elect a successor, or successors, and in the event a majority of the City Council shall be removed, the remaining members of the City Council shall cause the election to be held, and in case all of the members of the City Council are removed then the Mayor of the City shall cause the election to be held.

Upon any officer being absent from the City, or unable to attend to his official duties, for a period of sixty days, his office shall be declared vacant and a successor shall be elected within ten days thereafter.

Sec. 12.—*Qualifications of Electors.*—Every person over the age of twenty-one years who shall have resided in the State of Florida for twelve months and within the corporate limits of Blountstown for six months, last prior to any City Election, who is a citizen of the United States, shall be entitled to register and vote in the City Elections.

Sec. 13.—*Qualification of Officers.*—City offices shall not be held by any person who is not a registered voter of the City, except the office of Marshal or member of the Police force.

Sec. 14.—*Compensation of Officers.*—The City shall determine the amount of compensation to be paid all

officers of the City; Provided, members of the City Council shall not receive over four dollars for each regular or special meeting of the City Council, which they may attend.

Sec. 15.—*Certain Officers to give Bond.*—The City Council shall require the City Clerk and the Collector of taxes to give bond to insure the City against pecuniary loss.

Sec. 16.—*Meetings of Municipal Council.*—The City Council shall hold its regular meeting as often as once each month, or oftener, if the business of the City requires.

Sec. 17.—*Appointment of Municipal Committees.*—The City Council at the beginning of each year shall by resolution determine the number of their standing committees, name them and outline their duties.

Sec. 18.—*Ordaining Clause of Ordinances.*—The ordaining clause of every ordinance shall be as follows:

“BE IT ORDAINED BY THE CITY COUNCIL OF BLOUNTSTOWN, FLORIDA:”

Sec. 19.—*Ordinances against crime, misconduct and nuisances.*—The City Council shall have the power to pass ordinances on the following subjects, as it deems necessary, to-wit:

- (1) To suppress and prohibit gambling, and gambling houses.
- (2) To suppress and prohibit vagrancy.
- (3) To prohibit and suppress riotous and disorderly assemblies.
- (4) To suppress and prohibit drunkenness or intoxication.
- (5) To suppress and prohibit the manufacture or sale of intoxicating liquors or beverages.
- (6) To suppress and prohibit the sale of goods, wares and merchandise on the Sabbath or secular days, except necessities of life, the sale of which shall be regulated to prevent open doors, or sale, except within reasonable hours.

(7) To prohibit, regulate, restrain, or prevent the carrying on of business dangerous in the way of starting or increasing fires.

(8) To regulate the storage of all inflammable, combustible or explosive material, of every nature and kind dangerous to the inhabitants of the City.

(9) To regulate the use of steam engines, gas engines and other power machines, or plants, in a manner to insure safety of the inhabitants.

(10) To regulate the placing of steam, gas or hot air pipes, also the placing or stringing of electric wires, so as to insure safety of the inhabitants.

(11) To prohibit or regulate the placing of poles along the streets or avenues of the City, either of wood, metal or other material.

(12) To prohibit or regulate the use of gas lights, or candle lights, that may be dangerous in the way of starting fires.

(13) To regulate or prohibit the sale, or use, of firecrackers, and all other fireworks.

(14) To prohibit or regulate the sale, or use, of toy pistols, air guns and slungshots.

(15) To prohibit or regulate the sale of firearms, cartridges, gun shells or other amunition for firearms.

(16) To regulate the carrying of firearms.

(17) To prohibit and regulate the discharge of firearms, or other explosives.

(18) To prohibit and regulate the carrying of dirks, metal knucks or other dangerous weapons, not classed as firearms.

(19) To prohibit the going at large of any or all animals, fowls and domestic birds.

(20) To prohibit, define, abate, and remove, nuisances affecting the health of the City.

(21) To prohibit, or regulate, the use of profane, indecent or obscene language within the City.

(22) To prohibit, or regulate, indecent or obscene exposure of the human body within the City.

(23) To prohibit any and all acts of one or more persons which are dangerous to the inhabitants of the City, or which tends to break the peace, or disrupt the morals of its inhabitants.

(24) To prohibit, and regulate, the speeding or dangerous handling of automobiles or other motor driven vehicles.

(25) To prohibit loud talk, singing, whistling, screaming or other boisterous conduct.

(26) To prohibit, and regulate, any and all acts of beasts, animals or persons calculated to be dangerous to any of the inhabitants of the City.

(27) To prohibit fighting and cruelty, of human being against human being, or human being against animals, beast or fowls, or between beasts, animals and fowls at the instigation of human beings.

(28) To prohibit the destruction, injury or defacing of private or public property.

(29) To prohibit, or regulate, the digging of ditches, or holes within the City limits.

(30) To prohibit the holding of any meeting, the tendency of which is to incite trouble of cause rebellion against the constituted authorities, either of the City, County, State or United States Government.

(31) To regulate the holding of public meetings, either on the streets or other places.

Sec. 20.—Ordinances of regulation, establishment, and inhibition.—The City Council shall have power to pass ordinances, or resolutions, as it deems necessary, on the following subjects, to-wit:

(1) To regulate and license the running at large of all animals, to impound the same, and in default of same being redeemed in pursuance of the ordinance to sell, kill or otherwise dispose of same.

(2) To regulate, and prohibit, within reason, any and all matters or things that are against the general

out according to the plans and specifications upon which any such contract may be made.

Sec. 51.—*Construction of this Act.*—Whenever anything in this Act appears mentioning the name “City” without any designation of what City, it shall be construed to mean the City of Blountstown; and all the powers, privileges and rights mentioned therein shall apply to and be applicable to the City of Blountstown.

Sec. 52.—*General Laws Applicable when not in Conflict.*—All General Laws of the State of Florida, which are not in conflict with any of the provisions of this Act, shall be applicable to the City of Blountstown.

Sec. 53. This Act shall take effect immediately upon its passage and approval by the Governor, or upon its becoming a law without such approval.

Approved June 6, 1927.

CHAPTER 12549—(No. 744).

AN ACT Legalizing, Validating and Confirming and Making Legal the Assessments and Levies of Taxes by the Town of *Bronson*, Levy County, Florida, for the Year 1926 as Made by the Town Assessor of Taxes and as Equalized and Accepted by the Town Council of the Town of Bronson, Florida, and All Proceedings Had and Taken by the Town Assessor of Taxes for the Year 1926, and All Proceedings Had and Taken by the Town Council of the Town of Bronson, Levy County, Florida, in Connection With the Equalization of the Tax Roll of Said Town for the Year 1926.

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

Section 1. That the Assessments, Valuations of Property, both real and personal and levies of taxes made by and entered upon the assessment rolls and records of the town of Bronson, Levy County, Florida, by the Tax Assessor and by the Town Council of the Town of Bronson, Florida, for the year 1926, and all other