

NOTICE
TO THE VOTERS OF
THE CITY OF BRISTOL

You are hereby notified that there will be an election on September 30, 1958, between the hours of 7 A.M. and 7 P.M. in the courthouse of Liberty County, Florida to determine if the proposed charter as proposed by your duly elected charter board shall be approved as the charter of the City of Bristol. All persons eligible for registration as voters living within the incorporated city shall be eligible to vote.

This notice is to appear in the Bristol Free Press, a newspaper published weekly in Bristol, Florida for four consecutive weeks commencing September 4, 1958.

THE PROPOSED CHARTER IS AS FOLLOWS:

CHARTER
OF THE
CITY OF BRISTOL

The inhabitants of the City of Bristol, as its limits are hereinafter established shall be a body politic and corporate to be known as the "City of Bristol" and as such shall have perpetual succession. Said city shall have and use a common seal and may change the same at its pleasure; the city may sue and be sued, may plead and be impleaded in all courts and places, in all matters and proceedings, and may contract and be contracted with in regard to all matters and things.

THE CITY OF BRISTOL SHALL HAVE THE FOLLOWING POWERS:

1st. To raise annually by taxes and assessments, such sums of money as the Council hereinafter provided for shall deem necessary for the purposes of said City, and in such man-

ner as hereinafter provided, within limits imposed by General Laws of the State of Florida.

2nd. To pave, grade, curb, repave, macadamize, re-macadamize, lay out, open, alleys, avenues, boulevards, lanes, sidewalks, parks, promenades, and other public highways or any part thereof; to have liens for the cost thereof; to construct and maintain bridges, viaducts, subways, tunnels, culverts, sewers and drains; and to regulate the use of highways, parks, public grounds, works, streets, alleys, avenues, boulevards and lanes.

3rd. To impose special or local assessments for local improvements.

4th. To contract debts, borrow money and make and issue evidences of indebtedness.

5th. To expend money of the City for all lawful purposes.

6th. To acquire by grant, purchase, gift, devise, condemnation, exchange, or in any other manner similar and/or dissimilar, property, real or personal, or any estate or interest therein, within or without the city, and to improve, sell, lease, mortgage, pledge, exchange or otherwise dispose of the same or any part thereof or interest or estate therein.

7th. To acquire by the exercise of the right of eminent domain, condemnation, or otherwise, within or without the territorial limits of the municipality, parks, playgrounds, roads, streets, lighting and power plants, water works, municipal buildings works, for any and all purposes necessary or useful to the city, together with riparian rights, easements,

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or other legal or equitable rights; and to make and maintain public improvements or further improvements of all kinds on the property so obtained. In exercising the right of eminent domain, the decision of the City Council shall be considered final as to the necessity of exercising the right of eminent domain on any occasion.

8th. To furnish any and all local public services.

9th. To make its own valuations for the purpose of municipal taxation, within limits imposed by General Laws of the State of Florida.

10th. To purchase, hire, construct, own, maintain, operate, or lease, local public utilities, including street railways, busses, boats and aircraft, and all other kinds of transportation systems by land, air and water, electric light, telephone, and telegraph systems, and works for supplying the City and its inhabitants with water, ice, gas for illuminating and heating purposes, and also all other manner of utilities; to sell the services of such utilities to consumers both within and without the limits of the City of Bristol.

11th. To make appropriations for lighting the streets and public buildings.

12th. To acquire by the exercise of the right of eminent domain or in any lawful manner within or without the City in any county of the State, or without the State, such water, lands, and lands under water as the City may deem necessary for the purposes of providing an adequate water supply for the City and/or piping or conducting the same; to lay all necessary mains; to

erect and maintain all necessary dams, pumping stations and other works in connection therewith; to make reasonable rules and regulations for promoting the purity of its water supply and for protecting the same from pollution. The said City may sell or supply to person, firms, industries, or municipal corporations residing or located outside of the city limits, any surplus water it may have over and above the amount required to supply its own inhabitants.

13th. To establish, impose and enforce water rates, and rates and charges for gas, electricity and all other public utilities or other service or conveniences operated, rendered or furnished by the City or by any other, person, firm or corporation and prescribed by the State Railroad and Public Utilities Commission, State Hotel Commission, or any other State governing Board or commission duly organized and functioning by virtue of the laws of the State of Florida.

14th To require the placing of all electric wires and also telephones and telegraph wires in conduits under-ground and prescribe rules and regulations for the construction and use of said conduits and to enforce compliance therewith, and in case of failure or refusal of the public utilities companies to place such wires, under-ground and comply with the rules and regulations thereof, to construct such condits and place the wires underground and maintain a lien against the franchise and property of such companies.

15th. To acquire by the exercise of the right of eminent domain and by condemnation or otherwise, within or without the

City, any lands, water, riparian rights, lands underwater, leaseholds, land or water rights, whether legal or equitable, for municipal purposes.

16th. To grant franchises for public utilities, subject to the provisions of this charter hereinafter set forth.

17th. To collect and dispose of sewage, offal, ashes, garbage, carcasses of dead animals and other refuse, inside and outside the limits of the municipality, and to acquire and operate reduction, cremation, neutralization or other plants for the utilization of such materials, or for any of them, inside and outside the limits of the municipality; and to contract for and regulate the collection and disposal thereof.

18th. To compel the abatement and removal of all nuisances within the City or upon property owned by the City beyond its limits at the expense of the person or persons causing the same, or of the owner or occupant of the ground or premises whereon the same may be; to require all lands, lots and other premises within the City to be kept clean, sanitary and free from weeds, or to make them so at the expense of the owners or occupants thereof; to regulate or prevent slaughter houses, canning factories, or other noisome or offensive businesses within the City; to provide for inspecting and regulating the sanitary condition of all dairies, butcher pens and slaughter houses within and without the city limits where the products of the same are sold within the city limits and to provide penalties for the violation of such regulations; to regulate or prohibit the keeping of animals, poultry or other fowl therein, or the exercise

of any dangerous or unwholesome business, trade or employment therein; to regulate the transportation of all articles through the streets of the City; to compel the abatement of smoke and dust, to prevent unnecessary noise therein; to regulate the location of stables and the manner in which they shall be kept and constructed and generally define, prohibit, abate suppress and prevent all things detrimental to the health, morals, comfort, safety, convenience and welfare of the inhabitants of the City.

19th. To extinguish and prevent fires and to compel citizens to render assistance to the fire department in case of need, and to establish, regulate and control a fire department; to regulate the size, character and kind of materials and construction of buildings, fences, and other structures hereafter erected in such manner as the public safety and convenience may require; to remove, or require to be removed, any building, structure or addition thereto which by reason of dilapidation, defect of structure or other causes, may have become dangerous to life or property, or which may be erected contrary to law; to establish and designate from time to time fire limits within which limits wooden buildings shall not be constructed, remodeled, added to or enlarged, and to direct that any or all future buildings within such areas shall be constructed of stone, natural or artificial concrete, brick, iron, or other fireproof material.

20th. To license, regulate, suppress or prohibit the sale of firearms and fireworks, and to prevent the carrying on of manufactories of a nature tending to produce offensive noises

or fires; to regulate the storage of tar, pitch, rosin, salt-petre, guncotton, kerosene, gasoline, oils and all other combustibles, explosives and inflammable materials, and the use of candles, lamps, electric wires, steam pipes in dwellings, stables, shops, and all other places.

21st. To provide and maintain, either within or without the City, charitable, recreational, curative, correctional detentive or penal institutions.

22nd. To prevent persons having no visible means of support, paupers and persons who may be dangerous to the peace and/or safety of the City from coming into the City.

23rd. To acquire by purchase, gift, devise, condemnation or otherwise, lands, either within or without the City to be used, kept and improved as a place for the interment of the dead, and to make and enforce all necessary and/or reasonable rules and regulations for the protection and use thereof, and generally to regulate the burial and disposition of the dead.

24th. To exercise full police powers, and to establish and maintain a department of police.

25th. To do all things whatsoever necessary or expedient for promoting or maintaining the general welfare, comfort, education, morals, peace, government, health, trade, commerce or industries of the City or its inhabitants.

26th. To make and enforce all ordinances, rules and regulations necessary or expedient for the purpose of carrying into effect the powers conferred by this Charter or by any general law, and to provide and impose suitable penalties for the violation of

such ordinances, rules and regulations or any of them, by fine not exceeding five hundred dollars or imprisonment at hard labor on the streets or other works of the City for a term not exceeding sixty days, or both said fine and imprisonment.

27th. To advertise the resources and attraction of the City and its surrounding territories by the use of such means as shall be most expedient to foster and assist the work of any organization within or without the City created for the purpose of advancing the interest of the City of Bristol.

28th. To prevent, forbid and punish the sale or possession or transportation of intoxicating liquors, wines and beers within the city limits.

29th. To regulate and license any theatrical or other exhibition, show, circus, parade, athletic, or other amusement.

30th. To prohibit and suppress gambling houses, bawdy houses and disorderly houses, houses of prostitution, assignation houses, and any show, circus, exhibition or amusement contrary to good morals; and also any and all obscene pictures and literature; to prevent, prohibit and/or suppress any lewd, immoral, and/or maintenance of any dancing hall, dancing academy and/or licentious conduct, speech and/or act.

31st. To prohibit and suppress gambling or games of chance of every kind, slot machines, punch boards and other devices, similar or dissimilar, notwithstanding the vending of any article or merchandise in connection with the operation and/or use thereof.

32nd. To regulate, license, and/or suppress the use,

operation and/or maintenance of any dancing hall, dancing academy and/or boxing or wrestling exhibition.

33rd. To license, control, tax and regulate traffic and sales upon the street, sidewalks, and public places, within the City and the use of space in such places and to regulate, suppress, and prohibit hawkers, peddlers and beggars upon such streets, sidewalks and public places; and to license, cause to be registered, control, tax, regulate or prohibit in designated streets, or parts of streets, carriages, omnibuses, motor busses, cars, wagons, drays, and other vehicles; to license, tax, cause to be registered and control the drivers thereof, to fix the rate to be charged for the carriage of persons and property within the City and to the public works beyond the limits of said City; to make and promulgate regulations for traffic on the streets, or parts of the streets during such hours as may be necessary or convenient; to provide for parking spaces on the streets and public places; to regulate or vacate or discontinue the use of such places; to require all vehicles for the carriage of persons for hire to execute a bond to be conditioned as required by ordinance for the protection of passengers and of the public and to make such bond inure to the benefit of persons or property which may be injured or damaged by the operation of such vehicle for hire; and to require such bond with such surety to be furnished by all vehicles for hire operating upon the streets of the City, whether such operations be wholly within the limits of the City, or between the City of Bristol and other cities and towns and places outside the City of Bristol.

34th. To exempt from municipal taxation real property, personal property, or mixed real and personal property or any estate or interest therein, legal or equitable, used for charitable, eleemosynary, religious, literary, scientific, educational or other public purposes; and as inducement for new industries to become established in the city, to exempt the real property, personal property or mixed real and personal property belonging to or leased by the said newly established industries for a period of ten years from the time any of these industries commence operations; the term "industry" shall be applied broadly to include manufacturing, shipping, canning and industrial enterprises in general, and agro-economic businesses.

35th. In the interest of the public health, safety, order, convenience, comfort, prosperity, or general welfare, to adopt a plan or plans for the districting or zoning of the city for the purpose of regulating the location of trades, industries, apartment houses, dwellings and other use of property or for the purpose of regulating the heights of buildings and other structures, and for the purpose of regulating the alignment of buildings or other structures on street frontages.

36th. To use parks and playgrounds in which to give outdoor exhibitions, games and contests, with power and authority to charge and collect a reasonable admission fee for each person entering such park or playground during the time when the same shall be used or employed for such purpose.

37th. To enter into contracts with any political subdivisions of the State for the purpose of carrying on develop-

ment and construction of a harbor or other public works, and all things incidental thereto.

38th. To borrow money from the R.F.C. or any other governmental agency or bureau of the U. S. or State of Florida, or from any other corporation or persons, for the purchase, acquisition, construction, improvement, building, repairing, leasing, establishment or operation incident to the carrying out of any power given the City by its charter or the laws of the State of Florida, or of the U. S.; to make, execute and issue promissory notes, mortgage deeds and all other evidences of indebtedness in connection with any such loans, and to pledge such municipal property and/or bonds of the city as may be required by the lender to secure any such loans. A majority of the registered voters who are freeholders must approve any action under this section at a general or special election called for the purpose of approving such action.

39th. To acquire real estate by purchase, gift, devise, condemnation or otherwise located within or without the territorial limits of said City for the purpose of giving, granting or conveying the same to the U. S. or the State of Florida, or any lawful agency thereof under such conditions as may be deemed by the City Council of said City to be beneficial or to the best interests of said City.

40th. To acquire by the exercise of eminent domain, purchase or gift, or in any lawful manner, such property within or without the City of Bristol, that the City may deem necessary for the purpose of carrying into effect any of the powers granted to the City of Bristol under its charter.

41st. All the foregoing powers, special and general, set

forth in Paragraphs 1 to 40 shall be construed as objects, purposes and powers of the City of Bristol, and shall be construed to be in furtherance and not in limitation of general powers conferred by the laws of the State of Florida upon cities and towns; and it is specifically provided that no limitation, expression or declaration of specific powers and purposes hereinabove enumerated shall be deemed to limit or restrict or to be exclusive. Whenever the foregoing clauses did grant or confer upon the City of Bristol the rights, powers and privileges now belonging to or conferred upon cities and towns by the general laws of the State of Florida, such rights, powers and privileges enjoyed by cities and towns under the general laws of the State of Florida and hereby granted and conferred upon the City of Bristol, shall extend but not restrict or infringe upon or limit the rights, privileges and powers conferred by this charter. The City of Bristol in receiving and exercising the rights, privileges and powers conferred upon cities and towns under authority of either special or general laws of the State of Florida shall not thus be subjecting itself to any other duties, limitations, or obligations naturally a part of such rights, privileges and powers, except those herein specifically provided; and finally in addition to any enumerated particular powers or adoption of powers of other cities and towns in the State of Florida granted either by general or special laws of the State of Florida, the City of Bristol, shall have and exercise all other powers which under the constitution of the State of Florida it would be competent for the Legislature to

enumerate specifically.

42nd. GOVERNING BODY OF CITY—

The corporate authority of the City of Bristol shall be vested in a council hereby created by this Act. Said council shall be composed of five councilmen, each of whom shall be elected for a term of two years and each of whom shall be entitled to vote on all matters regardless of whether any or either of the Councilmen shall be acting as Mayor or as Chairman at the time said vote is taken. Each Commissioner shall remain in office until his successor is duly elected, and except as hereinafter provided. The present Mayor shall hold office until the 1st Monday in January, 1960, or until his successor is appointed, unless he resigns prior to such time then in that event a Mayor shall be elected as provided herein from the Councilmen. The following Councilmen, Alvin Weaver and Edwin Sumner shall each hold office until the first Monday in January, 1960. The following councilmen, Myers Shuler, Truett Revell, E. H. Strickland, shall hold office until the first Monday in January, 1961. Each councilman elected in November, 1959, shall be elected for a term of two years. At each election for the office of Councilman the persons elected shall be elected for two year terms, unless said person or either of them are candidates to fill an unexpired term.

The City Council may appoint a City Attorney and shall fix his compensation.

43rd. QUALIFICATIONS OF COUNCILMEN—

The members of the Council, the Mayor and Clerk, and the City

Marshal shall be residents of the City and have the qualifications of electors in the general municipal election of the City. In addition to the foregoing qualifications the members of the Council must be freeholders of the City of Bristol.

44th. MEETINGS—

The Council shall meet at such time and place as may be prescribed by resolution or ordinance. All meetings of the Council shall be public.

45th. COMPENSATION—

The compensation of such Councilmen and Mayor are hereby fixed at the sum of \$1.00 per year.

46th. APPOINTING POWERS—

The City Council shall have the power to designate or create such offices, departments, or divisions other than those provided herein, as may be necessary for the administration of the affairs of the City; to provide the duties and powers of the officers and employees of such office, department or division, provide for the appointment and fix the salary or compensation of such officers or employees.

47th. POWERS ENUMERATED—

All powers of the City, except such as are vested in the Mayor and except as otherwise provided by this charter or the constitution of the State of Florida are hereby vested in the City Council. The City Council may, by ordinance or resolution, prescribe the manner in which any power of the City may be exercised. The Council shall be the judge of the election and the qualifications of its own members. The Council may determine

its own rules of procedure and may punish its own members for misconduct. A majority of the members of the Council shall constitute a quorum.

48th. ORDINANCES—

Every ordinance or resolution shall require on final passage the affirmative vote of the majority of all members present and voting. No members shall be excused from voting except on matters involving the consideration of his own official conduct, or where his financial interests are involved. Provisions shall be made for the printing, preservation, recording and indexing of all ordinances and resolutions by the City Clerk, which shall at all reasonable times be open for inspection thereof by the public. At the regular city elections to be held on Tuesday after the second Monday of November 1959 there shall be elected a City Marshal and a City Clerk for a term of two years. Their fees and/or salaries shall be set by City ordinance from time to time.

It shall not be necessary to publish any resolution or ordinance of the City. Ordinances and resolutions shall be effective immediately upon the passage of the same except where otherwise provided in any ordinance or resolution.

49th MAYOR—

It shall be the duty of the Mayor to see that all ordinances are executed; he shall appoint persons to perform temporarily, the duties of any disabled or suspended officer. It shall be his duty to suspend any officer except Councilmen, at any time for gross neglect or dereliction of duty, at the same time notifying such officer in writing the cause of the suspension and

giving him notice to appear at the next regular meeting of the Council and answer thereto. That when said meeting shall be held, to report such suspension and the cause thereof. If the Council deems the cause sufficient for removal, it shall remove the suspended officer and the vacancy shall be filled as herein provided.

The Mayor shall, from time to time, communicate in writing to the City Council such information, and recommend such measures touching the public service and the best interests of the City as he may deem proper. He shall have general supervision over all City affairs and officers, except Councilmen, and may examine into the condition of their offices, books, records, and papers, thereof and therein, and the manner of conducting their official business and shall perform such other duties as the ordinances of said City may require.

The Mayor shall be the chief executive officer of the City and shall see that the provisions of this charter, ordinances, law and rules of the City are complied with, and enforced; he shall put down riots and unlawful assemblies, and may use the police and common power of the City for such purposes, and shall see that peace, good order, safety and good morals are preserved within the City.

~~The Chairman of the City Council, during the absence of the Mayor shall act as such Mayor.~~

The Chairman of the City Council shall be the presiding officer at all council meetings, or, in his absence or disability the Vice-Chairman.

50th. QUALIFICATIONS OF ELECTORS—

Any person over 21 years of age, who shall have resided in the State of Florida for one year, in the County of Liberty and City of Bristol for six months next preceding a primary, special, or general election, and shall have registered in the City registration books as prescribed herein, shall be qualified to vote in said primary, special or general election. All elections shall be held in accordance with the provisions of the general election laws of the State of Florida, except as is otherwise provided by the charter of the City.

51st. REGISTRATION OF VOTERS—

The City Clerk shall be the chief registration officer of the City and said Clerk shall register all persons applying to them that are qualified as electors under the provisions of this Act. There is hereby provided for the City of Bristol a permanent single registration system for the registration of voters, and same shall be in accord with the provisions of Chapter 97 of Florida Statutes Annotated.

52nd. PROCEDURE FOR BECOMING A CANDIDATE—

The name of any qualified candidate of the City shall be printed upon the ballot after he has paid to the City Clerk a qualifying fee in the amount of \$1.00 and has filed with the City Clerk his written acceptance of such candidacy, which acceptance shall state that if elected he will qualify and serve in such office during the term for which he is elected. Such candidate shall also subscribe to the following oath: "That I am a citizen of the U. S.; that I am a bona-fide resident of Bristol and have

been such a resident for more than six months last past; that I am a freeholder of Bristol, that I am not a member of any political party, organization or society which seeks the overthrow of the government of the U. S. by force, and I am not a Communist." The payment of said qualifying fee and the filing of such acceptance and oath must be done not less than 15 days before the day of the election. If a candidate fails to comply with the provisions of this section his name shall not appear on the ballot.

53rd. CANDIDATES ELECTED—

At any regular or special election the ballots shall name all candidates who have qualified for Councilmen and City Marshal. The candidate receiving the highest number of votes for City Marshal shall be declared elected. The candidates receiving the highest number of votes for councilmen shall be declared elected.

54th. ELECTIONS—

The first election for Municipal officers under this charter shall be held Tuesday after the 2nd Monday in November 1959, and thereafter annually on such day. The three Councilmen of the City of Bristol and the Mayor elected at the Incorporation Meeting June 19, 1958, shall remain in office until their one year terms expire in 1960. Two councilmen and a City Marshal and Clerk shall be elected for a two year term at the general election in 1959. The terms of the City Marshal, Clerk, and Councilmen shall be two years and they shall hold office until their successors are elected and qualified.

55th. VACANCY—

If any vacancy occurs in the Council, or if the office of the City Marshal becomes vacant, the Council shall by a majority vote elect

an eligible person to fill said vacancy until the next general election.

56th. FORMS OF BALLOTS—

All ballots used in any general election held under authority of this Act, shall be without any insignia or mark of any association or organization thereon, and shall be substantially in the same form as the election ballots used in all general elections.

57th. CONDUCT OF ELECTIONS—

The Election Board shall have the power to make rules prescribing the form of ballot to be used and the manner of calling, conducting, holding, canvassing, and making returns of said election; and where not prescribed herein, the general election laws of the State of Florida shall prevail.

58th. OATH OF OFFICE—

All elective officers, before entering upon their duties, shall take and subscribe to the following oath of office:

"I do solemnly swear (or affirm) that I will support, protect and defend the Constitution and Government of the U. S. and of the State of Florida; and that I am duly qualified to hold office under the Constitution of the State and that I will well and faithfully perform the duties for upon which I am now about to enter. So help me God."

All elective officers shall take office at the first regular meeting of the council in January of the year succeeding their elections, and if any elective officer shall fail to qualify for their office to which elected within sixty days after

election thereto, said office shall be declared vacant and a successor appointed as by this Charter provided. If any elective officer through illness or unavoidable absence can not be present to take the oath of office as herein provided the Council may by a majority vote extend for a reasonable period the time within which said elective official shall take office.

59th. MUNICIPAL JUDGE—

The Mayor shall be the municipal Judge and the Chairman of the Council shall be the Municipal Judge Ad Litem.

It shall be the duty of said Municipal Judge to hold terms of Court in such places as may be provided by ordinance, for the trial of all persons charged with the violation of any of the ordinances of said City; which trial shall be held without jury, and upon conviction of such person or persons, to impose upon him or them such penalty as may be provided by ordinances.

The Municipal Judge shall have power by warrant to have brought before him any person or persons charged with the violation of any City ordinance and shall have exclusive original jurisdiction over all proceedings of a criminal nature by virtue of any ordinance of the City. In the proper exercise of the functions of the Municipal Court within its jurisdiction as herein defined, the Municipal Judge shall have power and is authorized to issue and cause to be served, any and all writs, warrants, search warrants and processes necessary for the detection, prevention of and punishment for the violation of the ordinances and laws of the City of Bristol and the police of

of said City are authorized and it is hereby made their duty to execute and serve any and all such writs and processes issuing out of said Municipal Court by the Municipal Judge and to make proper return thereon to said Court. The Municipal Judge shall have the power and authority to take bail for the appearance of any accused person and if such person fails to appear, to declare any bail, bond, or security estreated, to require the attendance of witnesses for the City and for the accused person, to administer oaths; to grant paroles and pardons; to inquire into the truth of or falsity of the charges preferred; to decide of the guilt or innocence of the accused; to fix and to impose such punishment by sentence as is prescribed and provided for by City ordinances; to require such bond for the appearance of witnesses as may be provided by City ordinance and to fix the amount thereof, to issue process for the arrest of all persons charged with felonies and for misdemeanors not within his jurisdiction to try and make the same returnable before himself or to the Circuit Judge of the Circuit Court for Liberty County for examination, discharge, commitment, or bail of the accused and to have all powers incident and usual to the due enforcement of any City ordinance.

The salary of the Municipal Judge shall be prescribed by the Council.

Any person convicted in the Municipal Court of any offense shall have the right of appeal to the Circuit Court of Liberty County, Florida, in accord with the provisions of Section 932.52 F. S. A.

The Municipal Court shall have authority to preserve order and decorum and shall be vested with the same powers to that end by fine and imprisonment as are possessed to be exercised by criminal courts of record within the State. All fines, penalties, and fees collected in the Municipal Court and by the Police of the City shall become the revenue of the City and shall be paid to the City Clerk on the day following the collection of the same and receipt taken therefor. The money so paid to the City Clerk, may, by ordinance or resolution of the City Council, be appropriated to any particular fund or funds and shall thereafter be used in accordance with such ordinance or resolution.

No fine or other penalty imposed by the Municipal Court shall be remitted except by action of the City Council upon the recommendation of the Municipal Judge, provided, however, that this shall not be construed as precluding the Municipal Judge from suspending the sentence imposed by said Court, or to grant pardons and paroles.

60th. ALL FEES TO CITY TREASURE--

No officer or employee of said City shall retain any fees or cost for any service he may perform, nor shall he receive any compensation other than the salary fixed by ordinance or resolution except as hereinafter prescribed, and all fines shall be a part of the revenue of the City, and shall be paid in to the City Clerk by the officer or employee receiving same.

61st. SEWERS AND STREET PAVING--

The City Council shall have power to order the construction of sewers on all streets and the grading and paving of all streets

in the City of Bristol, and shall, by ordinance, designate all streets and avenues which are to be paved and those which are to be sewerred.

Whenever any street, park, alley, or other highway shall have been heretofore or may hereafter be paved, graded, curbed, laid out, opened, repaired, or otherwise improved by the City of Bristol, except sidewalks, including works and improvements now in process of construction, or whenever such street, park, alley or other highway shall have been or may hereafter be ordered, paved, graded, laid out, opened, repaired or otherwise improved, except sidewalks, or whenever any drain or sewer shall have been heretofore or may hereafter be constructed or repaired in the City of Bristol, the City Council may, as soon as the cost of such improvement shall have been certified to them assess against the abutting property two-thirds of the cost of such improvements in proportion to the frontage of such abutting property on such street, alley, park or highway so improved; Provided that when a sewer is laid no greater amount of the cost therefor shall be assessed against the abutting property than three-fourths of the cost of laying an eight-inch sewer; provided, further, the entire cost of improvements at the intersection of streets shall be paid by the City, except as hereinafter specified.

IMPROVEMENT ASSESSMENTS—

All such assessments for such improvements heretofore made, or which may hereafter be made, shall constitute a prior lien to all other liens, except taxes and those for construction or repair of sidewalks with which liens they shall have equal dignity, upon the real estate assessed. The amount of said assessments

shall bear interest at the rate of six per cent per annum and shall be payable in four equal installments, in one, two, three and four years. But the owner of the real estate so assessed shall have the right to pay said assessment with the matured interest at any time before suit.

62nd. ADVERTISEMENT OF BIDS—

When at any time the City Council of the said City shall decide to pave, grade, curb, lay out, open, repair or otherwise improve any street, alley or other public highway, or any part thereof, or to construct or repair any sewer, the said City Council may pass an ordinance ordering the same done, and shall advertise for bids for making said improvement; said advertisement shall contain among other things a description of the material to be used, width of paving, if the street is to be paved, and shall designate with reasonable certainty the limits within which said work is to be done and the nature thereof, in which advertisement the right to reject any and all bids must be reserved by the City.

In advertising the street paving, the City Council may advertise for separate bids on grading, curbing, and paving and enter into separate contracts therefor.

Whenever the said Council has accepted any bid or bids for any of the above mentioned improvements, as soon as the said improvements have been completed under the terms of said contracts and the same have been accepted by the Council, the entire cost of said improvement shall be certified to the Council, whereupon the said City Council at any regular or special meet-

ing called for that purpose, may assess, against the property abutting on each side of said street, alley or other public highway in proportion to the frontage, on said street, alley, or highway, the amount hereinabove specified.

If, however, the City Council deems it expedient and for the best interest of the City of Bristol that said work or improvement be done by the City instead of by a contractor and shall adopt a resolution to that effect, then in that event the said City is hereby authorized and empowered to perform the said work and make the said improvements including the purchasing of materials and all necessary equipment but said purchases where the amounts exceed \$300.00 shall be made only after advertising for bids to furnish materials and equipment. The entire cost of said improvements shall be certified to the City Council just as though the work had been performed by a contractor and thereupon the Council may make the assessments against the abutting properties as is now provided by law had the work been performed by a contractor.

63rd. LIEN BOOK—

As soon as practicable after the assessment against any abutting land owners on account of any paving, grading or repairing of any street or public highway, or the laying of any sewer, the City Council shall cause to be entered in a book kept for that purpose to be known as the "Street Improvement Lien Book," a short description of the lot upon which the lien is claimed the amount or amounts due, according to the said assessments, and when due, and such other informative information as the

Council shall deem advisable.

Upon the payment of any assessment against any of said lots so entered in said "Street Improvement Lien Book," it shall be the duty of the City Clerk to issue a receipt for the same and cancel in red ink across the face of the said entry in said book, the date of payment and the amount so paid, at the same time sign his name to said cancellation. Partial payment shall be entered in like manner.

64th. ENFORCEMENT OF LIEN—

Upon any suit brought to enforce such lien or collection of the amount due upon any such lien in the Street Improvement Lien Book duly certified by the Clerk, under the corporate seal of the City shall be and constitute prima facie evidence of the amount and existence of the lien upon the property described; and in all cases mentioned in this Act where the City of Bristol has acquired or may hereafter acquire liens for improvements, such liens, or any of them may be enforced in the following manner by said city: first, by a bill in equity; second by a suit at law.

The bill in equity or the complaint at law shall set forth briefly and succinctly the assessment made and entered aforesaid on account of said improvements; the amount thereof and the description of the property upon which such lien has been acquired and shall contain a prayer that the owner be compelled to pay the amount of said lien, or in default thereof, that the said property shall be sold to satisfy the same, but the judgement or decree obtained in said suit shall not be en-

forced against or be a lien upon any other property than that against which the assessment was made, and in the decree as made, and in the decree or judgment as the case may be, for the enforcement and collection of the amount for which said lien is given, decree or judgment shall also be rendered for a reasonable attorney's fee, not to exceed \$10.00, for the institution of the suit and the sum of ten per cent, on the amount of the recovery, together with the costs of the proceedings which attorney's fee and costs shall also become a lien upon the said land and shall be collected at the time and in the manner provided for the collection of the amount for which the lien was originally given, but in no event shall the City be liable for the payment of the attorney's fee herein provided for.

65th. PARTIES DEFENDANT—

In the proceedings provided for in the preceding section, the owner or owners of the land, if they can be ascertained, shall be parties defendant. If the owner or owners cannot be ascertained after diligent inquiry, the proceedings shall be against the property on which the lien is claimed without mentioning any party as defendant. In such case, services shall be had by a notice of the institution of said suit, for the enforcement of such lien by an advertisement in a newspaper published in Liberty County, Florida once a week for four consecutive weeks. In all proceedings to enforce said liens or any of them save in cases where the owner or owners cannot be ascertained, service shall be made in the same manner as is provided by law for service in other cases.

In such proceedings, appeals and assignments of error may be taken to the proper appellate Courts, as in other cases. The proper Appellate Court shall, on the motion of either party, advance such cause out of their regular order and try and determine the same as early as possible.

66th. LISTING OF TAXABLE PROPERTY—

All property, except such as is exempt from taxation, shall be assessed and listed alphabetically or otherwise from the entire City in the name of the owner whenever the name of such owner is known to the assessing officer, or when the property has been returned as herein provided, the owners of such property are unknown and have failed to return as herein provided shall be listed and assessed according to lots and plats of the several tracts of plats or land within the City. The City Council is hereby authorized to adopt by ordinance an official map or plat book of the City of Bristol, and when adopted, assessments with descriptions referring to said official map or plat book shall be validated and held sufficient for any and all assessment purposes on the tax rolls of said City, and said official map or plat book shall be received in evidence in all proceedings in any court relative to tax assessments of said City. This assessment shall not be held to invalidate or annul any other legal method or plats used by said City in describing assessed properties on its tax rolls. All property shall be assessed as of the first day of the year for which such assessments are made.

67th. RETURN REQUIREMENTS—

All persons, corporations or firms owning property subject to

taxation by the City of Bristol, are hereby required to make returns of the same before the first day of March in every year thereafter, to the Tax Assessor of said City.

68th. DESCRIPTION AND VALUATION—

Such return shall be made upon and in compliance with blanks prepared therefor and furnished by the City of Bristol, and shall contain a complete list of all property taxable by the City belonging to such person, corporation or firm, on the first day of January in the year from which such return is made, together with the full cash value thereof, giving separately an intelligible description and full cash value of each separate lot or parcel of real estate.

The description and valuation thus returned, may be considered by the Assessor in making assessment, but he shall not be bound thereby. Should any person, corporation, or firm omit to make return in the name of the owner, if the name of such owner shall be known to him, and where the name of the owner is not known to him, he may assess it in the name of the supposed or reputed owner or occupant, or as belonging to an unknown owner, and in no case where the real owner has failed to make return of his property as herein required shall all the assessments thereof be declared invalid or not lawfully made, or the enforced payment of taxes thereon be resisted by reason of such property being assessed otherwise than in the name of the real owner.

69th. PRELIMINARY ROLL—

Upon his preliminary assessment roll, the Assessor may indicate in some convenient manner, the property subject to taxation for each of the purposes for which taxation is authorized. Said

assessment roll shall be completed and submitted to the City Council at their first regular meeting of June each year, or as soon thereafter as practicable.

70th. NOTICE OF COMPLETED ROLL—

As soon as practicable after the submission of said assessment roll to them, the City Council shall cause to be posted a notice that said assessment roll has been submitted to them for approval, and requiring all persons desiring to have correction thereof made, whether in the listing, valuation of the property or otherwise to file with the City Clerk on or before a date to be named in said notice, which day shall not be less than ten days after the first posting of said notice, their petition to the City Council setting forth their objections to said assessment and the correction which they desire made. Said notice shall name the time and the place where the City Council will meet for the purpose of equalizing the assessments and making proper corrections. From the date of posting the notice provided for herein, to and including the day named there as to the last day for filing said petitions, the public shall have access to said assessment roll at the office of the City Clerk each day, during regular office hours, for the purpose of examining the same and preparing petitions for the correction thereof.

71st. PETITIONS FOR CORRECTION—

All petitions for correction of assessments so filed within the time prescribed, with the City Clerk, shall be, by the City, Clerk, delivered to the City Council, and the said Council by

committees or otherwise shall investigate concerning the same, and upon the day named therefor in said notice shall meet and sit as a tax reviewing board for the purpose of reviewing and equalizing said assessments and correcting the same, and shall consider and act upon said petitions and the reports of its said committees, and shall make such changes in the valuation or listing of said property or otherwise as may be necessary for the proper, just and legal correction of said assessments.

The City Council shall give opportunity to such petitioners as may have filed their petition and objections to said assessment roll, as hereinabove provided, to be heard in person or by attorney, by written argument, and on such evidence as may be presented to sustain such petition, and shall sit from day to day until said petition and objections and reports have all been passed upon, and the correction of said assessment roll shall have been completed.

The Tax Assessor shall affix to the tax roll a certificate in substantially the following form:

"I _____, City Tax Assessor of the City of Bristol do hereby certify that the foregoing is the general assessment roll of property in the City of Bristol subject to taxation by said City or liable to be assessed therein; that the listing and valuation in said roll shows correctly and accurately the listing and valuation as agreed, accepted, approved and adopted by the City Council; that all the requirements of the laws and ordinances regulating the making of the assessment roll for the interest of Bristol have been complied with."

72nd. MAYOR'S WARRANT—

To the assessment roll delivered to the City Clerk the Mayor shall attach a warrant under his hand, substantially in the following form, to-wit:

State of Florida

City of Bristol

To City Clerk, Tax Collector of City of Bristol.

You are hereby commanded to collect out of the property and from each of the persons, corporations, and firms named in the annexed roll, the taxes set down in such roll opposite each name, corporation or firm or parcel of land therein described; and in case the taxes so imposed are not payed at the time prescribed by the law; and all sums collected you are to pay into the treasury of the City of Bristol; and you are further required to make all collections and reports and a final report to and settlement with the City Council as required by law and ordinances.

Given under my hand this _____ day of _____,

A. D. 19__.

Mayor of the City of Bristol

73rd. PAYMENT OF TAXES—

All taxes shall be due and payable only in U. S. Currency on the first day of November of each year or as soon thereafter as the assessment roll may come into the hands of the City Tax Collector.

74th. DISTRESS WARRANTS—

The City Tax Collector shall have power, and it is hereby made his duty to issue distress warrants in the name of the State and City

to enforce the collection of taxes on personal property and privileges. Such warrants shall be executed by the Chief of Police or by any Constable or Sheriff. Taxes and assessments on realty shall be and remain a lien on the property assessed superior to all other liens or claims. Such liens may be enforced as hereinafter provided.

All unpaid taxes and assessments may be collected by suits in court at law or in equity.

75th. SALE OF PROPERTY FOR TAXES (STATE LAWS TO GOVERN GENERALLY)—

The general law of the State of Florida, upon the subject of taxation as it now exists shall apply to and govern in the assessment, levy and collection of taxes in the City of Bristol and the return and sale of property delinquent therefor; and shall also apply and govern in respect to the powers, duties and liabilities of persons and property touching and concerning such taxes, and shall have full force and effect in said City as far as the same may be applicable, except as herein otherwise provided. Interest on delinquent taxes shall be charged as provided by State law.

76th. TAX DEEDS TO BE ADMISSIBLE IN EVIDENCE—

Deeds made by the City of Bristol pursuant to tax sale, or sale under decree granted for the collection of local assessment, shall be admissable in evidence on the same terms as deeds made pursuant to sales for taxes due the state and county; but it shall be competent for persons denying the validity of such tax deeds, or assessment deeds, to put in evidence th proceedings

preliminary to the execution thereof. The purpose of this provision is to give such deeds and all recitals therein the same prima facie force and validity accorded to tax deeds made by officers of the State and County.

77th. PUBLICATION OF TAX SALES—

It shall be necessary for the City of Bristol to cause to be published in any newspaper the delinquent tax list for any year and the City Tax Collector shall cause to be published any notice of sale of any delinquent property.

78th. MUNICIPAL BONDS—

Whenever it shall be deemed advisable to issue bonds for any municipal purpose the Mayor and City Council are authorized to issue said bonds to an amount not exceeding twenty per cent of the assessed value of taxable property within the city limits, such value to be determined by the current assessment preceding the year in which the bonds are issued; provided that before said bonds shall be issued that the same be approved by a majority vote of the electors at an election to be called and held for that purpose. Said election shall be called by ordinance of the City Council after posting notice of the same at three public places in said City, one of which must be the City Hall, at least thirty days prior to said election. At such election only resident electors who shall have paid the city taxes thereon for the year last due and were qualified voters at the last general city election shall be entitled to vote.

Such bonds shall be serial bonds and a tax shall be

levied annually to provide for their payment in such quota as to liquidate the entire bond issue at the expiration of the life thereof. Such bonds shall not be sold below ninety-five per cent par value and shall not bear a greater rate of interest than six per cent per annum payable annually. The Council shall receive bids on such bonds after such publication as may be prescribed by ordinance and shall have the right to reject any and all bids and to re-advertise the bonds or any portion thereof remaining unsold.

79th. INCUR INDEBTEDNESS—

It shall be unlawful for the City of Bristol in any one year to incur any indebtedness in excess of the appropriations for said year except as provided in this charter.

80th SIDEWALK CONSTRUCTION—

The City Council shall have the power to regulate and provide by ordinance for the grading and construction of sidewalks and the paving of the same, and the repair thereof, by the owner or owners of any lot or lots, which shall be so required by ordinance to be constructed and paved as aforesaid shall fail to comply with the provisions of such ordinance, the City Council may contract for the construction, grading, paving, or repairs of such sidewalks as the case may be, and the City shall pay for the same, and the owner or owners of the property abutting where said sidewalk has been constructed, graded or repaired, shall be liable for the actual cost of such construction, grading paving or repairs— or that part thereof which the City Council shall find appropriate under the circumstances and the

same shall be lien upon said lot or lots and said lien may be enforced in the Circuit Court of Liberty County, Florida.

The City of Bristol, Florida shall not be liable for personal injuries received by any person caused by defective streets or sidewalks, or caused by any obstruction in any street or sidewalks, unless it shall appear that said defects or obstructions were caused by the willful act of an officer of the City, whose duty it may be to care for the said street or sidewalks.

81st. CITY CLERK—

The City Clerk shall act as Clerk of the Council and shall also act as Clerk of the Municipal Court. He may also act as City Tax Assessor and Tax Collector. He shall be the superintendent of revenues and shall perform such other duties as may be prescribed by ordinance. As Clerk he shall have custody of the public records of the City; he shall be the official custodian of the seal of said City and shall affix said seal to all instruments requiring the same.

82nd. BUDGET—

The fiscal year for the City shall begin on the 1st day of January of each year and end on the last day of December of each year. Not later than thirty days before the end of each fiscal year the City Clerk shall prepare and submit to the City Council a budget estimate of the expenditures and revenues of all city departments, divisions, and offices for the ensuing fiscal year. The Council shall carefully consider such budget and make such changes in the

same as it deems advisable. Thereafter an appropriation ordinance shall be passed by the Council based upon such budget estimate. Said budget estimate as prepared by the City Clerk shall be open for inspection in the office of said City Clerk and the appropriation ordinance shall not be passed by the City Council until after such budget estimate shall have been posted at the City Hall for a period of at least ten days.

Upon request of the City Clerk the Council may transfer any part of an unencumbered balance of an appropriation to a purpose or object for which the appropriation of the current year has proved insufficient.

83rd. CITY TREASURER—

The City Clerk shall serve as City Treasurer, which said officer shall be the custodian of all money of the City and shall keep and preserve the same in such manner and in such place or places as shall be determined by the City Council.

84th. PAYMENT OF MONEY—

Money shall be paid out of the City Treasury only on warrants or checks signed by the Chairman of the City Council and countersigned by the City Clerk

85th. AUDIT OF BOOKS —

At the end of each fiscal year the books and records of the City may be audited and the Mayor and each member of the City Council shall be furnished with a copy of said audit.

86th. CITY MARSHAL—

The City Marshal shall personally or by deputy attend all meetings of the City Council and aid in the enforcement of order under the direction of the presiding officer. He shall execute the commands of the City Council and all processes issued under the authority of the Mayor. He shall attend in person or by

deputy the Municipal Court during and processes of said Court, aid in the enforcement of order therein, and perform such other duties, as may be imposed upon him by law, the ordinances of the City and by direction of the Council and the Mayor.

87th. ARRESTS—

The City Marshal or any policeman of the said City may arrest, without warrant, any person violating any of the ordinances of said City, committed in the presence of such officer, and when knowledge of the violation of any ordinance of said City shall come to said City Marshal or Policeman, not committed in his presence, he shall at once make affidavit or information and belief before the Municipal Judge or Clerk of the Municipal Court, against the person charged with such violation whereupon said Judge or Clerk shall issue a warrant; such affidavit may also be made by others than the police officers.

88th. POLICE POWER EXTENDED—

The City shall have police power over all property owned by the City and situated in Liberty County, Florida, and not within the territorial limits of any municipality.

89th. BONDS OF OFFICERS—

The Council shall determine by resolution what officers, clerks, or employees shall give bond and the amount of penalty thereof. All officers, clerks, and employees of whom bond is required by the Council, shall, before entering upon their respective duties, give bond with surety to be approved by the Council, conditioned for the faithful performance of the duties of GAL EIGHT — BRISTOL CHARTER — their respective offices. All such bonds shall be payable to the City.

90th. ADVERTISEMENT FOR BIDS—

All contracts involving an expenditure of more than THREE HUNDRED DOLLARS (\$300.00) shall be awarded to the lowest responsible bidder after public advertisement and competition as may be prescribed by ordinance. The Council shall have the power to reject all bids and advertise again.

91st. LICENSES—

The City Council is authorized to levy and impose license taxes, by Ordinances, for the purpose of regulation and revenue, upon all occupations, businesses or professions and upon any and all privileges and to create and fix the amounts to be paid; to provide for the collection of the same and to provide penalties for failure or refusal to pay such license taxes. Licenses shall be issued for the periods and be transferable as provided by Ordinance.

92nd. SUITS AND CLAIMS—

Tort ACTION AGAINST CITY—

No suit shall be maintained against the City for damages arising out of any tort unless it shall be made to appear that the damage alleged is attributable to the negligence of the City, and that written notice of such damage was, within sixty days after the receiving of the injury alleged, given to the City Council with such reasonable specifications as to time and place and witnesses as would enable the city officers to investigate the matter. It shall be the duty of the City Clerk, upon receiving such notice, promptly to investigate the matter and lay the facts, supported by the evidence, before the Council in

written report, and the Council may, by resolution, after such report make a reasonable settlement for the injury suffered, or deny liability and direct any suit brought for the recovery of damages to be defended.

Suits on all causes of action whatever kind or nature, accruing against the City of Bristol, shall be instituted within twelve months after the cause of action accrues.

93rd. SAVING CLAUSE—

If any section or part of a section of this should be declared invalid or unconstitutional, the validity, force, and effect of any other section or part of a section of this Charter shall not thereby be affected or impaired unless it clearly appears that such other section or part of a section is wholly or necessarily dependent upon the section or part of section so held to be unconstitutional or invalid.

94th. This Charter shall take effect immediately upon being approved by a majority of the freeholders voting in an election to be held on September 30, 1958, for the purpose of approving this Charter.