

PROPOSED CHARTER REVISION OF AND FOR THE TOWN OF BRONSON IN THE
STATE OF FLORIDA AND THE UNITED STATES OF AMERICA

1. Status of Municipal Government. NEW

The existing government of the Town of Bronson is continued in all respects without interruption. This amended Charter shall serve henceforth as its organic structure. The prevailing philosophy of government in and for the Town of Bronson shall be to serve the people in an atmosphere of progressive restraint, that is, to retain what is best of history and tradition, while importing what is proven to be beneficial in modern thought and practice.

2. Description. NEW

This is an amended Charter of and for the Town of Bronson in the County of Levy in the State of Florida and the United States of America. It is intended to replace and supersede the present Charter which reflects the original grant of municipal authority by legislative action and subsequent amendments. Much of the existing structure is retained and perpetuated but other provisions have been changed to meet current needs and adapt to present times.

3. Boundaries Recited and Retained. MODIFIED

The establishment of the municipality known and designated as the Town of Bronson heretofore effected is ratified and perpetuated with boundaries unchanged and as follows:

Begin at the SE corner of Section 17, Township 12 South, Range 17 East, run thence North along Section line to NE corner of [Section 8](#), Township 12 South, Range 17 East; run thence West along Section line to NW corner of [Section 7](#), Township 12 South, Range 17 East; run thence South along Section line to SW corner of [Section 18](#), Township 12 South, Range 17 East; thence East along Section line to SE corner of Section 17, in Township 12 South, Range 17 East, the point of beginning.

The current boundaries and annexations are on file in the Office of the Town Clerk. Future annexations may occur as prescribed by law.

4. Succession to Rights and Benefits. MODIFIED

The Town of Bronson shall continue to own, possess and hold all properties, real, personal or mixed, all uncollected impositions, dues, claims, demands, judgments, decrees and choses in action heretofore owned, possessed or held and shall have, unabated and unaffected, and exercise and enjoy all the rights, privileges, immunities, powers, benefits and franchises now possessed, owned or held by it under this Charter, its predecessors and under the Constitution and statutes of the State of Florida.

5. Continuation of Laws; Rights and Obligations Unimpaired. MODIFIED

All by-laws, ordinances and resolutions lawfully passed and in force in the Town of Bronson under its existing organizational parameters shall remain in full force and effect unless and until altered or repealed by the Town Council provided for under the provisions of this Charter; and all rights and property of every description which were vested in the Town shall remain as such uninterruptedly and no right, obligation or contract of the Town shall be affected or impaired in any manner by this change but all rights shall be preserved.

6. Ratification of Obligations, Debts and Contracts. MODIFIED

Specifically, amongst other things, no obligation or contract of the Town, including bonds heretofore issued, shall be impaired or avoided by this revised Charter, but such debts, obligations and contracts shall continue to be binding in all respects and all obligations, debts and contracts heretofore incurred or let by the Town are hereby ratified, validated and confirmed and declared unreservedly to be valid and binding obligations of the Town.

7. Corporate Powers. MODIFIED

The Town of Bronson shall have a seal and may change the same at its pleasure. It shall have perpetual succession, may sue in its own name and be sued as such, may purchase, lease, hire, acquire, receive, hold and sell, let or otherwise dispose of all property, real, personal or mixed for the benefit of the Town; may purchase, lease, receive and hold property beyond the limits of the Town for the burial of the dead; for the erection of waterworks; for the establishment of needed public facilities of any nature, kind or description as the Mayor and Council may deem necessary and proper; and may sell, lease, or otherwise dispose of such property for the benefit of the Town. It shall have full power to acquire, purchase, construct, own, accept gifts, lease and control all public facilities within its limits, and to acquire, construct and, where discretion so dictates, own all public utilities within its limits and exercise all of the sundry and diverse powers and authority granted by the Florida Constitution and the Statutes of Florida as they may from time to time prevail, and the provisions of this Charter.

8. Town Government Generally. MODIFIED

(1) The government of the Town of Bronson shall be administered by the following officials, to wit: Five (5) Councilmen and a Mayor. The Office of Town Manager is established, the Manager to have supervisory authority over Town personnel and such administrative and executive duties as shall be prescribed by ordinance consistent with the nature of the position. There shall be appointed by the Town Council a Town Clerk and where necessary or appropriate in the judgment of the Town Council, a Town Treasurer, and a Tax Collector which offices may be combined in the Office of Clerk, a Town Attorney and such other officers as may be created by ordinance of the Town or other provisions of this Charter. These officers shall be appointed

and perform such duties and receive such compensation as may be prescribed by ordinance(s) not inconsistent with the provisions of the Charter; and provided further that no officer's salary shall be decreased or increased during his or her term of office.

9. Election of Mayor; Function of Mayor and Vice Mayor. MODIFIED

The procedure for filling the Office of Mayor shall be changed from what has until now been in effect. Effective with the election next following the adoption and effectiveness of this Charter amendment, the Mayor shall be chosen by the voters for a four-year term, and candidates for the Office of Mayor shall be so identified on the ballot and distinguished from candidates for the Town Council. The person elected to be Mayor shall, as aforesaid, serve for a four-year term to serve with the five-member Council and until their successor is elected and qualified. The Mayor shall not vote, except in the case of a tie when necessary to resolve the issue voted on.

It shall be the Mayor's duty to see that all ordinances of the Town are faithfully executed. He/she shall be ex officio judge of any hereafter established municipal court and, by and with the consent of the Council as a whole shall, should a police department ever be established by ordinance, appoint a chief of police and organize and appoint such additional police force members as shall be necessary to insure peace and good order and observance of the law within the municipal limits; the Mayor shall have supervisory authority of any such municipal police department. He/she shall have the power to bid in all property for the Town, at any and all judicial sales under process of law, where the Town is a party.

The Vice Mayor shall be appointed annually by majority vote of the Town Council. The role of the Vice Mayor shall be to preside over meetings where the Mayor is unavailable and to exercise the functions of Mayor in such situations to the extent that such functions are not reserved by law only to a Mayor. The Vice Mayor shall have such other functions as shall be assigned to the position by the Mayor or by majority vote of the Town Council. In the event that the person serving as Vice Mayor shall die, resign or be disqualified from serving as a Councilmember, a new Vice Mayor shall be appointed by Council, to serve for the governmental year and until a successor is appointed and qualified.

In the event of the death, resignation or disqualification of the Mayor, the Vice Mayor shall become Mayor for the remainder of the governmental year unless the Council, by majority vote, shall in such circumstances determine otherwise and appoint another person to serve as such.

Any Council seat occupied by an appointee in lieu of an elected or appointed incumbent (after a seat has become vacant as hereinafter set forth) shall be up for election at the next scheduled regular election. The person elected for such seat at such election shall serve the remaining term of the last individual elected by the voters to occupy the seat in question.

10. Mayor to Supervise Town Officers. MODIFIED

The Mayor shall have supervisory authority over all Town Officers and may examine into the condition of the office, the books, records and papers thereof and therein and the manner of conducting all official business but shall, in ordinary circumstances, do so through the medium of the Town Manager. He shall report to the Town Council all violations or neglect of duty on the part of any Town official that may come to his knowledge. He shall have power to suspend or remove such officers for misconduct in office or neglect of duty to be specified in the order of suspension or removal, but no such removal shall be made without reasonable notice to the officer complained of and opportunity afforded them to be heard in their own defense and such removal or suspension shall not be permanent until concurred in by a majority of the Town Council; and in the event that a majority of all the members of the Town Council dissent from the action of the Mayor in such removal or suspension, such officer shall be reinstated. In all cases of suspension or removal, the Mayor shall report the same with his reasons therefor to the Council as soon as practicable. Subject to regulations prescribed by the Town Council the Mayor shall undertake periodic evaluations of Department Heads with respect to performance and compensation. All employees shall be hired subject to a 45-day probationary period during which their ability to perform as required shall be evaluated by the Town Manager. All employees shall, by applying for employment, consent to a personal history search which shall include a drug screening.

11. Town Treasurer. MODIFIED

(1) The Town Manager shall function as de facto Town Treasurer. If, by ordinance, the Town Council shall decide to utilize a Town Treasurer as a discrete and unitary office, he or she shall be appointed by the Town Council. The Town Manager shall hold office for the term of two (2) years and until their successor shall be appointed and qualified unless sooner removed. They shall give bond with surety to be approved by the Council in an amount to be determined by the Council, but not less in any case than the amount of public funds that will by reasonable estimate at any time be in their custody. They shall receive, hold and disburse all public moneys of the Town in such manner as may be provided by ordinance. They shall keep the Town's books and accounts in such manner as the Council may prescribe and such books and accounts shall be open to inspection of the Mayor and members of the Town Council, or any person designated by either of them. No money shall be paid out by the Town Manager except upon a warrant of the Town Manager countersigned by the Mayor, and they shall keep a separate account of each fund or appropriation, and the debits and credits appertaining thereto.

12. Chief of Police/Fire Chief. MODIFIED

The Chief of Police, if such position shall in the future be established by ordinance, shall be appointed by the Town Council and shall hold office at the pleasure of the Council. They shall perform such duties as may be prescribed by ordinances or police regulations adopted by the Town Council. There shall also be appointed a Fire Chief to serve at the pleasure of Council. The Fire Chief shall have and exercise supervisory

authority over the operations, personnel and policies of the Bronson Volunteer Fire Department. He shall report to the Town Manager or, where required or appropriate, to the Town Council and shall work in concert with the Town Councilmember assigned to the Fire Department.

13. Terms of Councilmen. MODIFIED

The election of members of the Town Council by “seats” as originally established, shall be discontinued. Beginning with the first election following the adoption and effectiveness of this Charter amendment, candidates for expiring seats shall run at large, and the expiring seats shall be filled by the number of candidates receiving the highest number of votes for the number of seats contested, without reference to particular seats or other criteria.

14. Qualification of Candidates. MODIFIED

Any registered voter meeting the requirements of the Town Charter may become a candidate for any of the elective offices of the Town of Bronson by filing all qualification documents as required by law with the Town Manager or designee thereof his or her desire to be a candidate for such office at least seventy-one (71) days no later than 4:00 PM prevailing time prior to the scheduled election. Formal notice of the election shall be promulgated at least eighty-one (81) days before the election and notice shall be given by publication in a local newspaper and by posting in and about the Town of Bronson, Florida, in at least three (3) conspicuous places an explicit reference to the holding of the election; elections shall be conducted in accordance with state law, Town ordinance and in concert with the Levy County Supervisor of Elections as may from time to time be established.

In the event there shall at any time be only one qualified candidate for election to a seat on the Town Council or to become Mayor, such candidate shall be entitled to occupy the office sought and be confirmed and invested accordingly. If the incumbent shall for any reason be unwilling or unable to serve, the Town Council, by majority vote, shall designate a qualified individual to fill the vacancy pending the next scheduled election.

15. General Election. MODIFIED

A general election shall be held on the first Tuesday in April of each odd year for the purpose of choosing elective officers of the Town of Bronson, in the manner provided for by ordinances and in accordance with state law. Subject at all times to State Law, the Town Council shall determine by ordinance whether to establish early voting and on what basis and when elections are to be held.

16. Town Manager to be Judge of Qualifications and Election of Members; Filling of Vacancies. MODIFIED

The Town Manager or designee thereof shall judge the qualifications under the aegis of the *state*; election and returns of its members; and shall prescribe rules for the determination of contested elections. All vacancies in terms occurring in the Council, however occurring, shall be filled by the vote of a majority of the

remaining members. If a member of the Town Council shall remove themselves outside the Town Limits, the Town Council shall be obliged to declare the office vacant.

Councilmembers, including the Mayor, shall be elected for a term of four (4) years, except in the event of vacancies which are herein otherwise provided for.

As an alternative means of filling vacancies, the remaining Town Council members may, at their discretion, call a Special Election for such purposes. Said election shall be governed by applicable Ordinances and by the General Election Laws of the State of Florida.

17. Qualifications of Certain Town Officers. MODIFIED

The Mayor and members of the Town Council shall at all times be residents of the Town of Bronson and have the qualifications of electors as established by general law and determination of the Office of the Municipal Supervisor of Elections.

18. Town Attorney. MODIFIED

The Town Attorney shall be appointed each year by the Mayor, subject to the approval of a majority of all the members of the Town Council and shall serve for a period of two (2) years or until his successor is appointed, unless sooner removed from office for good cause, and shall receive such compensation as may be agreed upon by the Town Council. In order to hold the office, the Town Attorney shall be and remain a practicing member of the Florida Bar. It shall be the Town Attorney's duty to furnish legal advice and legal services as may be required by the Town Council.

19. Enumeration of Powers. MODIFIED

The Town of Bronson shall have power to make, ordain and establish for the government of the Town and officers thereof such ordinances and by-laws consistent with the Constitution and Statutes of the State of Florida and this Charter, as they may deem necessary. They shall have the power to pass all ordinances and resolutions and make such regulations as may be necessary to define, prevent, or abate nuisances; to restrain and punish "unlawful activities" and define the same; to regulate and prohibit running at large of domestic animals within the Town limits; to establish pounds and regulate the fees thereof; to provide for the establishment of waterworks, electric and other lighting plants, and all other plants necessary for the Town; to regulate the speed at which automobiles and other vehicles may be ridden, driven or propelled through the streets; to establish quarantine and enforce health regulations not inconsistent with the rules of the State Board of Health; to organize and provide for fire departments and to regulate the same, so as to protect the Town from fire. To provide for the punishment of persons who may at any time disturb the peace of the Town or violate any of its ordinances; to provide, erect, construct and maintain a Town sewerage system, and to compel property owners or occupants to connect therewith; to have the right and power of eminent domain for the purposes of condemning lands and their appurtenances in accordance with the laws of the State of Florida, within the corporate limits of the said Town; shall have the right to grant franchises to public and private utility

corporations in, through, over and under the public thoroughfares, in accordance with the provisions of this Charter provided; to lay out, establish, open, grade, curb, pave, repair or otherwise improve Town streets, alleys, parks, or other public places or any part thereof within the limits of said Town and to regulate the use thereof, and to compel the removal from streets and sidewalks of all poles, conduits and facilities which create obstructions, fruit stands, show cases and encroachments of every character upon the sidewalks and streets; to provide means for protection against fire and to create and prescribe fire limits and regulate and prohibit the repair and erection of all buildings of whatever character within the said limits, except those that are erected in accordance with the building regulations. The Town shall have the power for the purpose of promoting health, safety, morals, or the general welfare of the community, to regulate and restrict the height, number of stories, and size of buildings or other structures as to square foot area, and the percentage of the lot that may be occupied, size of yards, courts, and other open places, and the location and use of buildings, structures, and land for trade, industries, and residences, or other purposes. It shall also have the power to purchase, buy, lease, hold, maintain, and regulate landing or flying fields for use of airplanes; shall have the power to establish, lease, maintain and regulate and operate other needed facilities, and own and maintain buildings therein, and to rent and lease the same. It shall have power to impose penalties for breaches of its ordinances by fine or imprisonment; the power to regulate burial grounds and crematories within the Town limits; if deemed advisable to protect the public health, to condemn lands within the corporate limits to be used for burial grounds and cemetery purposes; to prevent the bringing into and depositing within the limits of the Town any dead carcasses or any offensive or unwholesome matter and to compel the removal or destruction by any persons who shall have placed upon or near his premises any offensive matter, and provide the penalty for the violation thereof.; to regulate the use of all bridges, viaducts, tunnels, drains, sewers and cesspools within the Town, to prohibit the use and maintenance of cesspools in such portions of the Town as it may designate, and to compel sewer connections where available, and to compel the making of the same and to assess the cost thereof against the property so connected; to regulate the numbering of houses and lots and to compel owners of houses and other buildings to have the number of such houses and buildings shown conspicuously thereon; to license and regulate the sale of spirituous, vinous, fermented malt and other liquors, to restrain any person from selling, giving away or otherwise disposing of liquor except under license and to impose penalties therefor; and to punish by fine or imprisonment, or both, any person found guilty of selling, manufacturing, transporting or disposing of intoxicating liquors or having the same in their possession, except in conformity with the laws of the United States and the State of Florida; to require and enforce the payment of a license tax on all business privileges, professions or occupations, whether taxable by State law or not; to regulate and prevent the installation of volatile, combustible or explosive materials within the Town, and the use thereof, and to regulate and prevent the use of unlawful fireworks; to compel the owners of vacant property within the Town to keep the same cleared of brush and other material liable to communicate fire to adjoining property, and in case the owner of such property refuses to remove the same after being notified of such either personally or by publication, the Town shall have authority to have the same removed, and to assess the cost against said property; to provide for the collection and disposal of garbage, ashes, animal and vegetable refuse;

to require and compel owners and lessees of buildings or other structures to place upon or in them, fire escapes and appliances for the extinguishing and prevention of fires; to prevent the construction, and to cause the removal of dangerous chimneys, fireplaces, stoves, fire pipes, ovens, boilers, apparatus and machinery used in any building in the Town; to require gasoline safety measures and regulate the operation and control of its storage; to prevent the depositing of ashes, accumulation of shavings, saw-dust, rubbish or any combustible material; to regulate the entrance and construction of entrances to and exits from theatres, lecture rooms, halls, churches and other places for public gatherings, and to prevent the placing of seats, chairs, benches, and other objects in hallways, aisles or open places therein. To regulate the construction of and the material used in building chimneys, stacks and other structures; to prevent the erecting and maintenance of insecure and unsafe buildings, walls, chimneys, stacks and other structures; to regulate the wiring of buildings or other structures for the use of electricity, lighting, power, heat and other purposes and the piping of buildings for water and gas; to organize and maintain a police and fire department, and to erect necessary buildings and to purchase all implements and apparatus necessary therein. To prohibit and punish cruelty to animals; to make regulations to prevent the introduction of contagious, malignant, infectious or other diseases in the Town; to make quarantine laws and regulations; to regulate, control, prevent the entry into the Town of persons, baggage, merchandise or other property infected with the contagious disease; to provide for the control and regulation of restaurants, hotels, bakeries, butcher shops, lodgings, tenement and apartment houses, also to provide that they be kept in a proper and sanitary condition; to provide for the control and selling of all weights and measures, used in the Town, and to compel the use by dealers of proper weights and measures duly tested and scaled.

The Town Council shall pass such ordinances as may be necessary to protect and preserve all properties owned, leased, managed or controlled by said Town outside the city limits, and to preserve the peace and order thereof.

The Town Council shall meet regularly on a schedule as it shall determine and provide notice thereof to all persons having business before the Council or having an interest in municipal proceedings who shall be afforded the opportunity to be present. Public participation in meetings, effected reasonably and decorously in all respects, shall always be permitted, subject to the management and control of the person occupying the position of Mayor and presiding.

This Revised Charter recognizes that some of the historic powers listed above are now controlled wholly or in part by State statute and that to such extent such powers may not be available to the Town or otherwise circumscribed, and these provisions shall be read and interpreted accordingly.

20. Borrowing Authority; Issuance of Bonds. MODIFIED

The Town of Bronson shall have plenary authority to borrow money as required and on such terms as are authorized for municipalities by state law and likewise to issue any and all bonds and instruments therefor as state law and regulation shall permit.

21. Taxation Procedure. NEW

It shall be the duty of the Town Manager, at his or her next meeting after having been notified of the amount of the sum total of the taxable property of the Town of Bronson, to estimate the amounts of money needed for each department, which said estimate shall be submitted to the Mayor of the Town, and he shall have the right to increase or diminish the appropriation for any department. The Mayor shall then return said estimate to the Town Council, and the Town Council shall have the right to change any item in said estimate of the Mayor by a majority vote. The Town Manager shall prepare, complete and convey such calculations, documents, forms and certifications as are required by state law to implement the taxation process at the municipal level.

Taxes other than ad valorem taxes levied on real estate, i.e., those levied and collected locally of whatever nature, shall be due and payable to the Tax Collector on the first day of November in each year and shall be deemed in default if not paid by such date.

This Charter recognizes that the ad valorem taxing authority resides in the county. The Town of Bronson shall, however, participate in the process in the best interests of its citizens to the fullest extent provided by law, and at all times be vigilant to assure that its role in the taxing process is performed in an accurate, timely and effective manner. The Town Council shall continue to attend on a yearly basis to budgeting and allocation as established by practice and protocol and as provided by law.

22. Special Assessments. MODIFIED

The Town of Bronson shall have full authority to impose and effectuate special assessments for municipal improvements benefitting adjoining or abutting properties in compliance with the stipulations and procedural aspects of State Law.

23. Audit of Franchise Grantees. MODIFIED

The Town of Bronson, by its auditor or accountants authorized by the Mayor and Town Council shall have the right at all reasonable times to examine all the books, vouchers and records of any person, firm or corporation exercising or enjoying any franchise or privileges granted by the Town for the purpose of verifying any of the statements of gross receipts provided for and any other purposes whatsoever connected with the duties or privileges of the Town or of such person, firm or corporation arising from the Charter or from the ordinance granting the franchise and may audit the same annually.

24. Ordinance Making Authority. MODIFIED

The Town of Bronson shall have the power from time to time to pass all such ordinances not inconsistent with law or this Charter as may be necessary to carry out and enforce the powers and authority

conferred upon it by Federal or State laws as a municipal corporation of the State of Florida and its seminal Charter empowerment.

25. Certain Work Requires Advertisement for Bids. MODIFIED

All public work done by the Town for an amount in excess of Twenty-Five Thousand Dollars (\$25,000.00), except repair and maintenance work, shall be let to the lowest and best responsible bidder after due advertisement of same, except where such advertisement has been made and a satisfactory bid has not been received, in which event the Town may proceed to have such work done by and through its own officers and employees. Other contracts shall be entered into as prescribed by prior ordinance and resolution.

26. Utility Contracts on Other Utilities. MODIFIED

The Town of Bronson is authorized to purchase water, gas, or electricity, or other utilities such as sewer, trash, and internet, to be sold to the resident citizens of the Town of Bronson, and the Mayor and Councilmen are authorized but not required to make and enter into such contracts for the above purposes as may be deemed necessary.

27. Adoption of General Law Incorporation Provisions. MODIFIED

All the powers, privileges and provisions of the law for the incorporation or government of cities and Towns, when not in conflict with law shall be and the same are hereby made a part of this Charter, as amended.

28. Severability Clause. MODIFIED

If any section or part of a section of this Charter shall be held to be invalid or unconstitutional, the same shall not be deemed to invalidate or impair the validity, force and/or effect of any other section or part, unless it shall clearly appear that such section or part is wholly or necessarily dependent for its operation upon the section which has been invalidated.

29. Effective Date. MODIFIED

Upon acceptance by the voters at a regularly scheduled and duly constituted election, this amended Charter shall take effect as prescribed by law and all provisions inconsistent herewith shall be superseded.