

Sec. 1. - Abolishment of present government.

That the present municipal government of the Town of Bronson, Levy County, Florida, is hereby abolished.

Sec. 2. - Creation of new municipality; boundaries.

That a municipality to be known and designated as the Town of Bronson, is hereby established and created in the County of Levy, in place of the present municipality, the territorial boundaries of which shall be 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.

Editor's note—

The current boundaries and annexations are on file in the office of the town clerk.

State law reference— Municipal annexation or contraction, F.S. ch. 171.

Sec. 3. - Succession to rights and benefits.

The Town of Bronson shall succeed to own, possess and hold all properties, real, personal or mixed, all uncollected taxes, dues, claims, demands, judgments, decrees and chooses in action heretofore owned, possessed or held by the municipality abolished, and shall have, exercise and enjoy all the rights, privileges, immunities, powers, benefits and franchises now possessed, owned or held by it.

Sec. 4. - Continuation of laws; rights and obligations unimpaired.

All by-laws, ordinances and resolutions lawfully passed and in force in said Town under its former organization shall remain in full force and effect until altered or repealed by the Council provided for under the provisions of this Act; and all rights and property of every description which were vested in said Town under its former organization shall vest in the same under the organization herein contemplated and no right, obligation or contract of the said Town, shall be affected or impaired in any manner by this change but all rights shall be preserved and all debts, contracts and obligations shall be obligations upon and enforceable against the new Municipality.

Sec. 5. - Ratification of obligations, debts and contracts.

That no obligation or contract of the said municipality, including bonds heretofore issued, shall be impaired or avoided by this Act, but such debts, obligations and contracts shall pass to and be binding upon the new municipality hereby created, and all obligations, debts and contracts heretofore incurred or let by the said municipality are hereby ratified, validated and confirmed and are hereby declared to be valid and binding obligations on said municipality.

Sec. 6. - Corporate powers.

Said Town of Bronson shall have a seal and may change the same at its pleasure. It shall have a perpetual succession, may sue in its own name and be sued, may purchase, lease, hire, acquire, receive, hold and sell, let or otherwise dispose of all property, real, personal or mixed for the benefit of said Town; may purchase, lease, receive and hold property beyond the limits of said Town for the burial of the dead; for the erection of waterworks; for the establishment of poor houses, pest houses, houses of correction and detention, and public docks, wharves, parks, and promenades, and for other public works, that the Mayor and the Council may deem necessary and proper; and may sell, lease, or otherwise dispose of such property for the benefit of the said Town; shall have full power to acquire, purchase, construct, own, accept gifts, lease and control all docks and wharves within its limits, and to acquire, construct and own all public utilities within its limits and may exercise such other powers as are granted by this Act.

Sec. 7. - Town government generally.

- (1) The government of said town shall be carried by the following officials, to wit: Five (5) councilmen, from which there shall be elected one (1) member of said council who shall be designated mayor-commissioner for the town of Bronson. There shall be appointed by said town council a town clerk, a town treasurer, a tax collector, a town attorney and such other officers as may be created by ordinance of the town not inconsistent herewith and said officers shall be appointed which such person shall perform such duties and receive such compensation as may be prescribed by ordinance of the town of Bronson not inconsistent with the provisions of the charter; provided that no officer's salary shall be decreased or increased during his or her term of office; provided, however, that the town council and mayor-commissioner of the town of Bronson may by ordinance provide for the election of the above named officials.
- (2) A tax assessor shall be elected at the October, 1963 election to hold office for a term of two (2) years and shall perform such duties as are prescribed by the charter and ordinances of the town of Bronson.

(Laws of Fla., Ch. 63-1147, § 1)

Editor's note—

There is no town tax assessor. Tax appraisals and collections are performed by the county pursuant to F.S. § 193.116.

Sec. 8. - Selection of mayor-commissioner; functions.

The mayor-commissioner shall be elected from the votes of the five (5) man council for a period of one (1) year and shall be a qualified elector and a freeholder of said town, and it shall be his duty to see that all ordinances of the town are faithfully executed. He shall be ex officio judge of the municipal court of said town, and by and with the consent of the council, shall appoint a chief of police and shall organize and appoint such additional police force as shall be necessary to insure peace and good order of the town and the observance of law within the municipal limits; he shall have full control of the police department, and he 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; it shall be a further duty of the mayor-commissioner, in his capacity as ex officio municipal judge, to hold daily terms of the municipal court when there is any business to be transacted by said court, and to try all persons charged with the violation of any of the ordinances of said town, and upon conviction, to impose upon the person or persons so convicted such penalty as may be provided by ordinance. He shall have power to issue summonses, or cause the same to be issued by the clerk for witnesses; to issue warrants of arrest upon affidavit duly filed, to administer oaths and to do all other acts necessary for the performance of his duties as the judge of the municipal court. He shall have also the power to punish for contempt of court to the extent of a fine of ten dollars (\$10.00) or imprisonment for one (1) day or both. The costs of prosecution in said court shall be the same as allowed under the state law for prosecutions before a justice of the peace.

(Laws of Fla., Ch. 59-1123, § 1; Laws of Fla., Ch. 63-1147, § 1)

Editor's note—

The freeholder requirement for public office is unconstitutional as a violation of equal protection. An ordinance adopted on May 5, 1975, abolished the municipal court and transferred its jurisdiction to the county court.

Sec. 9. - Mayor to supervise town officers.

The Mayor shall have supervision 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. 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 be afforded him to be heard in his defense and such removal or suspension shall not be effective 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 and in all cases of suspension or removal the Mayor shall report the same with his reasons therefor to the Council.

Sec. 10. - Town treasurer.

- (1) The town treasurer shall be a qualified elector and freeholder of the town of Bronson and shall be appointed by the town council of the town of Bronson, and shall hold office for the term of two (2) years and until his or her successor be appointed or qualified unless sooner removed from office. He 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 probably at any time be in his custody. He shall receive, hold and disburse all public moneys of said town in such manner as may be provided by the ordinances of the town council. He shall keep his books and accounts in such manner as the town council may prescribe and such books and accounts shall be open to inspection of the mayor-commissioner and members of the town council, or any person designated by either of them. No money shall be paid out by the treasurer except upon a warrant of the treasurer countersigned by the mayor-commissioner and he shall keep a separate account of each fund or appropriation, and the debits and credits belonging thereto.
- (2) He shall keep a register of all warrants, their dates, amount, number, the fund from which paid, and the person to whom paid, specifying also the time of payment. He shall make full and detailed account of all receipts and expenditures, and the state of the treasury when required by the council; and all warrants paid by him shall at the time of making such report be exhibited to the council or a committee thereof, who shall examine and compare the same with the books of the treasurer and report any discrepancy, if any, to the town council. The treasurer shall perform such other duties as may be imposed upon him by ordinances of the town council.

(Laws of Fla., Ch. 59-1123, § 1; Laws of Fla., Ch. 63-1147, § 1)

Editor's note—

The freeholder requirement for public office is unconstitutional as a violation of equal protection.

Sec. 11. - Chief of police.

The Chief of Police shall be appointed by the Mayor, by and with the consent of the Town Council and shall hold his office for one year and until his successor shall be appointed and qualified unless sooner removed from office. He shall perform such duties as may be prescribed by ordinances or police regulations adopted by the Town Council.

(Laws of Fla., Ch. 59-1123, § 1)

Sec. 12. - Terms of councilmen.

The term of said officers provided by this Charter shall be as follows: At the election to be held in September 1971, the three (3) candidates for the Town Council receiving the highest number of votes shall be elected for a term of four (4) years; the next two (2) candidates with the highest number of votes received

shall be elected for a term of two (2) years, provided, however, that any such officers heretofore elected to fill an office in and for the Town of Bronson, whose term of office will not have expired at the time of said election in September 1971, shall continue to hold said office until the time at which his term of office will expire under the government of the said Town of Bronson. After [the] September 1971 elections, councilmen shall be elected for a four (4) year term or until their successors shall have duly qualified. Elections shall be held thereafter each odd year for the purpose of choosing elective councilmen.

(Laws of Fla., Ch. 59-1123, § 1; Laws of Fla., Ch. 63-1147, § 1; Laws of Fla., Ch. 71-558, § 1)

Sec. 13. - Qualification of candidates.

Any qualified elector meeting the requirements of said town charter may become a candidate for any of the elective offices of the town of Bronson by filing in writing with the town clerk his or her desire to be a candidate for such office at least fifteen (15) days prior to the election to be held annually on the first (1st) Tuesday of October, beginning on October 6, 1959, and annually thereafter. Notice of said election shall be announced at least ten (10) days before said 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 the holding of said election and the town council is hereby granted the power to pass ordinances prescribing the form of ballots to be used, manner of calling, conducting, canvassing and making of all elections of municipal offices; any state law touching elections generally to the contrary notwithstanding. The council by ordinance shall prescribe the manner in which elective officers may be recalled by vote of the qualified electors.

(Laws of Fla., Ch. 59-1123, § 2)

Editor's note—

The recall procedure is now governed by F.S. § 100.361.

Sec. 14. - General election.

A general election shall be held on the second Tuesday in September of each odd year for the purpose of choosing elective officers of the town of Bronson, in the manner provided for by ordinances.

(Laws of Fla., Ch. 71-558, § 2)

State law reference— Electors and elections, F.S. title IX.

Sec. 15. - Council to be judge of qualifications and election of members; filling of vacancies.

The Town Council shall judge the qualifications, election and returns of its members, and shall prescribe rules for the determination of contested elections. All vacancies in terms occurring in said Council shall be filled by the votes of a majority of the remaining members of said Town of Bronson, and if a member of said

Town Council shall remove himself outside the Town Limits, the said Town Council shall have a right to declare his office vacant and proceed to elect his successor.

Councilmen shall be elected for a term of two years, except in the event of vacancies, which is herein otherwise provided for. If a successor be appointed to fill any vacancy on the Council, he or she shall hold office only until the next election.

As an alternative means of filling vacancies, the remaining Town Council members may, at their discretion, call a Special Election for filling vacancies. Said election shall be governed by Chapter 8 of the Town Code of Ordinances and by the General Elections Laws of the State of Florida.

(Ord. No. 04-04, § 1, 7-26-2004)

Editor's note—

The second paragraph mentions council terms of two years. This was inadvertently left unchanged when council terms were increased to four years under section 12 of this Charter.

Sec. 16. - Clerk to act as registration officer.

The Council shall require the Clerk to perform the duties of registration officer in such manner as may be prescribed by ordinance.

Editor's note—

Registration of electors is now done by the county pursuant to F.S. ch. 98.

Sec. 17. - Qualifications of certain town officers.

The Mayor and members of the Council, shall be residents of the Town of Bronson and have the qualifications of electors."

(Ord. No. 91-2, § 1, 9-3-1991; Ord. No. 93-2, § 1, 8-2-1993; Ord. No. 04-03, § 1, 7-26-2004)

Sec. 18. - Town attorney.

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 one (1) year 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 said office, said attorney must be a practicing member of the bar of the state. It shall be his duty to furnish legal advice and legal services as may be required by the Town Council.

(Laws of Fla., Ch. 59-1123, § 1; Laws of Fla., Ch. 71-558, § 3)

Sec. 19. - Enumeration of powers.

The Town of Bronson shall have power to make, ordain and establish for the government of said town and officers thereof, such ordinances and by-laws consistent with the Constitution 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 gamblers or other disorderly conduct 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 regulate the speed at which street cars or other railroad cars; locomotives or motors shall be run in the town limits; 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 establish rules and regulations respecting the poor, indigent, infirm, the blind and insane not inconsistent with the State Law, and to provide for their support, and to fix the condition upon which such persons coming into the town shall be allowed to remain; 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 hereinafter stated; shall have the power 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 telegraph, telephone and other poles carrying electric wires, 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. To have the power to purchase, buy, lease, hold, maintain and regulate landing or flying fields for use of aeroplanes; shall have the power to establish, lease, maintain and regulate and operate markets, and market places, abattoirs and build, own and maintain buildings therein, and to rent and lease the same. Shall have power to impose penalty for breaches of its ordinances by fine, and imprisonment for ninety (90) days or fine of One Hundred Dollars (\$100.00) or both. Shall have the power to regulate burial grounds and crematories within the town limits, and prohibit burial within the town limits, if deemed advisable to protect the public health,

and to condemn lands within the corporate limits to be used for burial grounds and cemetery purposes. To have the power to regulate the selling of meats, farm products, fish, vegetables and fruit and all other food stuffs, and to require the same to be inspected and condemned if found unwholesome and to provide penalties for violation thereof; 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 it may compel sewer connections in such portions, and to compel the making of the same and to assess the cost thereof against the property so connected with the sewer. 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 compel and require railroad companies to make and maintain street crossings and keep open and in repair ditches, drains, sewers and culverts, along the railroad tracks within the town. 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 gun power [gunpowder], dry pitch, resin, kerosene, oil, benzine, naphtha, gasoline, turpentine, hemp, cotton, nitroglycerine or any products thereof, or other combustible or explosive materials within the town, and the use thereof, and lights in garages, and the building of bond fires and to regulate and prevent the use of firecrackers, torpedoes, candles, sky-rockets and other 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 by the Mayor and Councilmen, either personal or by publication, such Mayor and Councilmen 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 cut-off at curb line, to 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.

State law reference— Municipal Home Rule Powers Act, F.S. ch. 166.

Sec. 20. - Borrowing authority.

Upon the affirmative vote of two-thirds of the Town Council and the consent of the Mayor of said Town, the town is hereby authorized at any time to borrow money to the extent of one-half of the amount of the taxes levied in any one year and to issue as evidence of indebtedness for the money borrowed revenue bonds, which bonds shall be signed by the Mayor of the Town, President or Chairman of the Town Council, and attested by the Town Clerk under the seal of said town, and shall not be of less denomination than One Hundred Dollars (\$100.00) each, and shall bear interest not to exceed five per centum (5%) per annum. Said bonds shall be issued separately against any or all of the funds for which taxes are assessed and, when issued against any fund the amount realized from the loan on said bonds shall be carried and credited to the fund against which said bonds were issued. Said bonds shall be issued in serial numbers, beginning with

the number one as against each separate fund, and the holder of said bonds shall have a first lien upon the uncollected taxes to the extent of the amount borrowed and as against each fund for which said bonds are issued, and as the taxes are collected the bonds shall be paid in the order in which they were issued out of the funds against which said bonds were negotiated. No revenue bonds shall be issued for a longer time than five (5) years and shall bear such interest as the Town Council may fix.

State law reference— Municipal borrowing, F.S. § 166.101 et seq.

Sec. 21. - Issuance of bonds.

The Town of Bronson is hereby empowered to issue and sell bonds of said town to raise money for any municipal purpose and whenever it shall be deemed advisable and necessary by the Council to issue bonds of the town for any purpose, the Mayor and Council are hereby authorized to issue said bonds of said town under the seal of the corporation signed by the Mayor and attested by the Clerk with interest coupons attached, which shall bear facsimile signatures of said officers; provided, however, that the determination of the Council to issue bonds shall be evidenced by a resolution of such necessity duly adopted. Such resolution of necessity for the issue of bonds, shall define clearly the amount, denominations, maturity, rate of interest thereof, and purpose or purposes for which the proceeds thereof shall be voted and levy or levies shall be made by the Council sufficient in amount to provide a sinking fund adequate to pay the interest on said bonds and the principal thereof at maturity. That before said bonds shall be issued, the issuance of said bonds shall be approved by an affirmative vote of a majority of the electors, who shall be freeholders at the time of voting and for at least six months prior thereto, voting at an election to be held for that purpose, which election shall be regulated by ordinance as to manner of conducting and certifying same, after the same has been advertised for not less than thirty (30) days by posting printed notices in said Town of Bronson or publishing the same in a newspaper of general circulation in said town or both.

State law reference— Full authority for issuance of bonds, F.S. § 166.141.

Sec. 22. - Taxation authority.

The Town of Bronson shall have the right to raise by taxation such amount as may be necessary for carrying on the government of said town, not to exceed ten mills on the dollar on the actual cash value of all property in said town, both real and personal, and in addition thereto shall have the right to levy additional taxes as may be necessary to pay the interest on the outstanding bonds of said town and such additional bonds as said town may from time to time issue in accordance with law, and also to provide a sinking fund for the redemption of said bonds when the same mature; and shall have the right to levy such additional taxes as may be necessary to pay for the lighting of said town and the maintenance of the town water-works and sewerage system and for such other special purposes as the Council may by ordinance prescribe.

It shall be the duty of the Town Council, at their [its] 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, except by a majority vote of the Council. The Council shall then make a levy in accordance with such estimates and no part of the money raised by taxation shall be delivered from the object for which it was raised, except by the consent of the Mayor and majority of the Town Council.

State law reference— Municipal finance and taxation, F.S. § 166.201 et seq.

Sec. 23. - Taxes due.

All taxes shall be due and payable on the first day of November of each year to the City Tax Collector of the Town of Bronson.

Editor's note—

Ad valorem tax collections are performed by the county pursuant to F.S. § 193.116.

Sec. 24. - Special assessments for streets—Determination.

Whenever the Council shall by resolution determine to grade, pave, or otherwise improve any street, alley or other public place, in said town, or to construct drains or ditches in said town, the Council shall determine what portion, if any, of the expenses thereof shall be paid out of the town treasury, and what portion by the owners or owners of real estate benefited thereby, and may order and direct that the whole expense be assessed upon the owners of the realty benefited thereby; the Council may by ordinance create special districts, and assess against the property within such special districts such amounts as will be necessary to defray the expenses for any public improvement, and apportion same according to benefits upon the real property within such special district or it may by ordinance assess the expense of any improvement against the abutting property, in proportion to frontage of said property on the improvement. All assessments under this section shall constitute a lien upon the property assessed prior to all other liens except taxes and other assessments.

State law reference— Supplemental and alternative method of making local municipal improvements, F.S. ch. 170; municipal public works, F.S. ch. 180.

Sec. 25. - Same—Issuance of certificates of indebtedness.

The Council, as soon as said assessment is made, shall issue certificates of indebtedness for the amount so assessed against the property assessed, and separate certificates to be issued against each tract of land assessed, containing a description of the lands and the amount of the assessment, together with the

general nature of the improvement for which the assessment is made, and the date thereof, said certificates shall be payable in one year, or in one, two, three, four, and five years, in equal annual installments, as the Council may decide, with interest to be fixed by the Council at a rate not greater than eight (8%) per centum annually from the date of issuance of the certificate of indebtedness. The payment of said certificates shall be guaranteed by the Town of Bronson, and in case of non-payment of the same at maturity by the property owner, the same shall be redeemed by the town at the option of the holder thereof, but such redemption of the town shall not discharge the lien or assessment against the assessed property. The certificates when issued shall be delivered to the Treasurer, who may sell or dispose of same for said work for improvement or for cash in the discretion of said Treasurer.

Sec. 26. - Special assessments for sidewalks and curbs.

The Town Council shall have the power to prescribe the width of all sidewalks and the dimensions of all curbs, to be built and laid in said town, and the materials of which they shall be constructed. They shall also have the power on such notice as may be prescribed by resolution or ordinance to require owners of property to lay, construct, or repair sidewalks and curbs in front of their property, and if the owner shall not lay, construct, or repair the same within the time limited, the Town Council shall have the same done and shall certify the entire cost thereof to the Town Council, which shall assess the said cost against the abutting property, in the same manner as herein provided for the assessment against property for paving or improvements, which assessments shall be payable within one year, or within one, two, three, four or five years, in equal installments, as the Town Council may decide, and shall bear interest at a rate not greater than eight (8%) per centum per annum, to be fixed by the Town Council, for which assessments certificates of indebtedness shall be issued in the same manner herein provided for the issuing of certificates of indebtedness in other cases, and said assessments, when so made, shall constitute a lien prior to all other liens, except taxes and those for work or improvements hereinbefore provided for, with which they shall be equal of dignity upon the property in front of which said sidewalk shall have been laid from the date of assessment, which lien shall be enforced in the manner provided for the enforcement of liens in other cases; provided, however, that the owners of the property abutting sidewalks shall have the option to pay the entire amount of said assessment in cash upon notice of his intention so to do, given before the completion of the work, in which event the certificates heretofore issued for said assessment shall be redeemed and cancelled.

Sec. 27. - Bids for street paving.

The Town Council shall have the power to establish grades and drains on all public streets and thoroughfares of the town, and may cause the same to be paved with such material or materials as they may decide upon. And when at any time the said Town Council shall decide to grade, pave, curb, open[,] layout, repair or otherwise improve any street, alley, park, or other public place or any part thereof, the said Town Council shall pass a resolution or ordinance ordering the same done and thereupon shall cause the Town Clerk to advertise for bids for making said improvements. 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 said advertisement the said Town Council may reserve the right to reject any or all bids.

In advertising the street paving the Town Council may within their [its] discretion advertise for separate bids on grading, curbing, paving and enter into a separate contract therefor. As soon as the Town Council shall have accepted any bids or bids for any of said above mentioned improvements at a regular or special meeting called for such purpose, the said Town Council shall assess against the property in the assessment district or abutting on each side of the said street, alley, park or other public place so improved, all of the cost of said improvement, one-half of the said sum to be assessed against the property on each side of said street, alley, park, or other public place in proportion to the frontage of said street, alley or other public place or by assessment district and apportioned as heretofore provided.

Sec. 28. - Railroad franchises to maintain streets.

Every grant of any franchise or privilege in, over, under or along any of the streets, highways, or public places in town for railway purposes shall be subject to the conditions that a person, firm or corporation, exercising or enjoying the same shall keep in repair, grade, pave and re-pave so much of said street, highway or other public place as may be occupied by said railway as lies between the rails of each railway track and between the lines of double track and for a space of two feet on each side of said tracks.

Sec. 29. - Audit of franchise grantees.

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 semi-annually.

Sec. 30. - Enforcement of liens.

The Council may by ordinance provide how and in what manner assessments and liens for improvements may be enforced and collected by and through its officers without the intervention of proceedings in or order of Court, and, in all cases mentioned in this Act where the Town of Bronson has acquired or may hereafter acquire, liens for improvements, such liens or any of them may be enforced in the following manner by the said town or in the name of said town by the holder thereof; first, by a bill in equity; secondly, by a suit at law. The bill in equity or the complaint at law shall state briefly and succinctly the facts constituting the lien, the amount thereof and the description of the property on which said lien has been acquired and shall contain a statement that the owner shall be compelled to pay the amount of said lien or in default thereof that said property shall be sold to satisfy the same. But, the judgment or decree

obtained in said suit shall not be enforced against or be a lien upon any other property than that for which the assessment was made; that in the judgment or decree as the case may be for the enforcement and collection of the amount for which said lien was given, judgment or decree shall also be rendered for a reasonable attorney's fee not to exceed ten per centum, 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 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 town be liable for the payment of the attorney's fee herein provided for.

Sec. 31. - Ordinance making authority.

The Town of Bronson shall have the power from time to time to pass all such ordinances not inconsistent with this Act as may be necessary to carry out and enforce the provisions of this Act.

State law reference— Minimum procedural requirements for adoption of ordinances and resolutions, F.S. § 166.041.

Sec. 32. - Certain work requires advertisement for bids.

All public work done by the town for an amount in excess of Two Hundred Fifty (\$250.00) Dollars, 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. In all cases where the Town does the work the cost thereof shall be certified to the Town Council by whatever officer has charge of the work, and assessments shall be made and certificates of indebtedness issued and the proceedings shall in all respects be conducted as though the work had been done by and through a contractor.

Sec. 33. - Utility contracts.

The Town of Bronson is authorized to purchase water, gas, or electricity to be sold to the resident citizens of the Town of Bronson, and the Mayor and Councilmen are authorized to make and enter into such contracts for the above purposes as may be deemed necessary by the governing officials of said Town.

Sec. 34. - Expenses of Charter and incorporation.

The Town Council of Bronson shall have the right to pay out of the general funds at any time after the granting of this Charter, the expenses incurred in and about the securing of said Charter, and the expenses of incorporating the Town of Bronson.

Sec. 35. - Adoption of general law incorporation provisions.

All the powers, privileges and provisions of the General Law for the incorporation of government of cities and towns, when not in conflict with the terms of this Act shall be and the same are hereby made a part of this Charter.

State law reference— Formation of local governments, F.S. ch. 165.

Sec. 36. - Severability clause.

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

Sec. 37. - Effective date.

This Act shall take effect and be in force and effect upon its passage and approval by the Governor, or upon said Act becoming a law without the approval of the Governor.

Became a law without the Governor's approval.

Filed in Office Secretary of State May 21, 1951.