

**Charter of the City  
of Coral Gables  
Florida**

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**CHAPTERS 10418 AND 10419, LAWS OF  
FLORIDA**

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**Passed at the 1925 Session of the  
Legislature**

T. J. APPEYARD, PRINTER, TALLAHASSEE, FLORIDA



# AMENDMENT TO CHARTER OF THE CITY OF CORAL GABLES, FLORIDA

## Chapter 11439—(No. 104)

Passed at the 1925 Extraordinary Session  
of Legislature

T. J. APPELYARD, PRINTER, TALLHASSEE, FLORIDA



## CHAPTER 11439—(No. 104).

AN ACT to Amend an Act Entitled "An Act to Establish the City of Coral Gables, Florida, to Provide for Its Government and to Prescribe Its Jurisdiction and Powers," Passed at the 1925 Regular Session of the Legislature and Thereafter Amended at the Same Session.

*Be it Enacted by the Legislature of the State of Florida:*

Section 1. That Section 5 of an Act entitled "An Act to establish the City of Coral Gables, Florida, to provide for its government and to prescribe its jurisdiction and powers" passed at the 1925 Regular Session of the Legislature, be and the same is hereby amended so as to read as follows:

Section 5. At twelve o'clock noon of the day the Commissioners take office they shall meet at the City Hall. Thereafter the Commissioners shall meet at such times and place as may be prescribed by ordinance or resolution. Special meetings may be held upon call of the Mayor or of any two Commissioners provided at least twenty-four hours' notice shall have been given to each Commissioner within the City or provided such notice shall have been left at his residence. All meetings of the Commission shall be public.

Sec. 2. That said Act, entitled "An Act to establish the City of Coral Gables, Florida, to provide for its government and to prescribe its jurisdiction and powers," be and is hereby further amended by adding thereto a new section immediately after Section 45, which new section shall read as follows:

Section 45 a. The City Commission by resolution may issue from time to time revenue bonds of the City bearing interest at not more than six (6) per centum per annum, which interest may be payable at the time of issuance thereof or thereafter, for the purpose of providing funds in anticipation of current revenues, and may by resolution issue revenue refunding bonds with like limitations as to interest when deemed necessary to provide for the payment of said revenue bonds or revenue refunding bonds at the maturity thereof; no such revenue bonds or revenue refunding bonds shall mature later than the close of the fiscal year in which same are issued, except that revenue refunding bonds issued in the last three (3) months of any fiscal year may mature either in said fiscal year or at any time in the ensuing fiscal year; before the passage of any resolution authorizing rev-

enue bonds, the City Manager shall submit to the City Commission a statement showing:

(1) The amount of uncollected taxes and revenues of the preceding fiscal year;

(2) The amount of uncollected taxes for the current fiscal year, if theretofore levied, but otherwise the amount of the tax levy for the preceding fiscal year, regardless of what part thereof shall have been collected;

(3) The estimated amount of uncollected revenue for the current fiscal year excepting taxes;

(4) The amount of all taxes and revenues embraced in (1), (2) and (3) above, if any, which are for sinking funds for the payment of bonds maturing after the current fiscal year; and,

(5) The face value of all bonds, notes, warrants, judgments, decrees and other City obligations to pay money then outstanding or authorized which have no fixed time of payment or which by their terms are payable within one year and three months from the dates of their respective issuance. The substance of such statement of the City Manager shall be recited in said resolution, and no revenue bonds shall therein be authorized whose face value, together with the amount of item (5) above shall exceed seventy-five (75) per centum of the remainder obtained by subtracting item (4) from the sums of items (1), (2) and (3) above.

Such revenue bonds and revenue refunding bonds shall be executed as may be provided by the Commission, and may have interest coupons attached, in the discretion of the Commission, and shall be sold by the Commission upon such terms as it may elect, either after public advertisement, or by private sale, but shall not be sold at less than par value except by a unanimous vote of the members of the Commission present, and then at a price of not less than \$99 or \$100, but said resolution may authorize any City officer to sell the bonds authorized by it at one time or from time to time in his discretion as he deems for the best interests of the City, when any such authority to an officer specifies the maximum rate of interest, the maximum maturity and the minimum price for which they may be sold. The proceeds of revenue bonds shall be paid into the Treasury of the City to the credit of any one or more of the funds for which the uncollected taxes and revenues anticipated are to be collected, in such amount and to such fund or funds as may be specified in such resolution, but the Commission shall not appropriate any greater amount

of such proceeds to any one fund than can be reasonably reserved therefrom to meet the payment of such bonds at their maturity; provided, however, that the validity of any such bonds shall not be affected by a failure of the Commission to comply with the last mentioned direction. The proceeds of revenue refunding bonds shall be applied solely to the payment of the bonds for whose retirement they shall be issued. For the payment of revenue bonds and revenue refunding bonds and the interest thereon, at such place or places in Florida or elsewhere as may be designated by the Commission, the Commission is hereby authorized to levy sufficient taxes upon all the taxable property within the City over and above all other taxes authorized or limited by law, and said bonds shall be the absolute, direct and general obligation of said City. In each year, at the time of the annual tax levy, there shall be included therein, a tax for the payment of the principal and interest of any revenue bonds which have matured and remain unpaid and any revenue refunding bonds, whether matured or not. It shall be the duty of said City, after the authorization of any revenue or revenue refunding bonds, to reserve from the current revenues, as received, except revenues for sinking funds for bonds maturing after the current fiscal year, a sum sufficient to meet the payment of such bonds at maturity and interest thereon. The issuance of any or all bonds authorized hereunder may be revoked by resolution of the Commission, thereby reducing the amount of authorized bonds and pro tanto reducing the amount of current revenue which shall be reserved for their payment. It shall not be necessary to submit such bonds, or the ordinance or resolution authorizing the same, to a vote of electors or freeholders.

Sec. 3. This Act shall become effective upon its becoming a law.

Approved November 30, 1925.

## CITY OF CORAL GABLES

### CHAPTER 11440—(No. 105).

AN ACT to Amend An Act Entitled: "An Act to Establish the City of Coral Gables to Provide for Its Government and to Prescribe Its Jurisdiction and Powers," Passed at the 1925 Regular Session of the Legislature and Thereafter Amended at the Same Session.

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

Section 1. That Section 1 of an Act passed at the 1925 Regular Session of the Legislature of Florida entitled, "An Act to establish the City of Coral Gables to provide for its government and to prescribe its jurisdiction and powers" be and the same is hereby amended to read as follows: That a municipality to be called City of Coral Gables is hereby established in Dade County, Florida, and that the corporate limits of the City of Coral Gables shall extend over and include all the territory included within the following description, and shall incorporate all the inhabitant within the same, which said description is as follows:

Beginning at the northwest corner of Section 7, Township 54 South, Range 41 East, and running thence west to the west line of Red Road or West Dixie Highway as now laid out along the range line between ranges 40 and 41 east; thence along the west line of said Red Road or West Dixie Highway to the intersection of said west line with the south line of Sunset Road; thence east along the south line of said Sunset Road; and parallel with the south line of Section 30, in Township 54 South, Range 41 East, to the intersection of said south line with the east line of Section 31 in said Township and Range; thence south with said east line to its intersection with the westerly side of East Ingraham Highway as now laid out through Section 31; thence continuing along said westerly side of East Ingraham Highway as now laid out through said

Section 31 and Sections 6 and 7 of Township 55 South, Range 41 East, to the west line of said Section 7; and continuing with the westerly side of said East Ingraham Highway as now laid out along the west line of said Section 7, and of Section 18, Township 55 South, Range 41 East, and then with said westerly side of said highway as it continues through Section 13, Township 55 South, Range 40 East, on to the point of intersection of said highway with the north line of Section 24, Township 55 South, Range 40 East; thence with said north line of said Section 24 to a point twenty-five feet west of the northeast corner of said Section 24; thence south along a line parallel with and twenty-five feet west of the range line between Ranges 40 and 41 to a point twenty-five feet west of the intersection of said Range line with the shore of Biscayne Bay; thence in a southeasterly direction following the shore line of Biscayne Bay to the most southerly point of Section 30 Township 55 South, Range 41 East; thence in a northeasterly direction following the shore line of Biscayne Bay to the intersection of said shore line with the north line of said Section 30, Township 55 South, Range 41 East; thence southeasterly on a direct line to a point midway between the most southerly point of Ragged Keys and the most northerly point of Sands Key; thence northerly meandering along the eastern shores of the Ragged Keys to the most northerly point of the Ragged Keys; thence northerly in a direct line to the most southerly point of Soldier Key; thence northerly meandering along the eastern shore of Soldier Key to the most northerly point of Soldier Key; thence northerly on a direct line to the most southerly point of Key Biscayne; thence northerly meandering along the eastern shore of Key Biscayne to the most northerly point of Key Biscayne; thence directly north to a point midway between the most northerly point of Key Biscayne and the most southerly point of Virginia Key; thence in a southwesterly direction on a direct line to the intersection of the shore line of Biscayne Bay with the north line of the south one fourth of Section 28, Township 54 South, Range 41 East; thence west along said north line of said south one-fourth of said Section 28, and with the north line of the south one-quarter of Section 29, Township 54 South, Range 41 East, to the east side of the Le Jeune Road as now laid out along the east line of the west half of said Section 29; thence north along the east line of said Le Jeune Road as now laid out through

said Section 29 and Section 20, Township 54 South, Range 41 East, to a point four hundred and thirty and 89/100 (430.89) feet north of the southwest corner of the northwest quarter of the southeast quarter of said Section 20; thence east one thousand and ten and 67/100 (1010.67) feet; thence north parallel with the east line of the northwest quarter of the southeast quarter of said Section 20 to the center line of said Section 20; thence east along the center line of said Section 20 to the southeast corner of the west half of the southeast quarter of the northeast quarter of said Section 20; thence north to the northeast corner of the south half of the southwest quarter of the northeast quarter of the northeast quarter of said Section 20, thence west along the north line of said south half of southwest quarter of northeast quarter of northeast quarter to the east line of the northwest quarter of the northeast quarter of said Section 20; thence north along the last mentioned east line and continuing along the east line of the southwest quarter of the southeast quarter of Section 17, Township 54 South, Range 41 East, to the south line of the northeast quarter of the southeast quarter of said Section 17; thence east along the south line last mentioned to the east line to the west half of said northeast quarter of said southeast quarter; thence north along the last mentioned east line to the north line of said northeast quarter of said southeast quarter; thence east along the last mentioned north line to the east line of said Section 17; thence north along said last mentioned east line and continuing along the east line of Section 8 of said Township and Range to the center line of Section 9 of said Township and Range; thence east along said last mentioned center line to the east line of Douglas Road; thence north along the east line of said Douglas Road as now laid out along the east line of said Section 8 and the east line of Section 5, Township 54 South, Range 41 East, to the south line of Palma Court, as shown by a plat of the Flagler Street Section of Coral Gables as recorded in Book 10 of Plats at Page 12 of the Public Records of Dade County, Florida; thence east along the south line of the aforesaid Palma Court; and thence continuing along and around and following the boundary lines of said Flagler Street Section on the east, north, and west sides thereof to the northwest corner of the Douglas Section of said Coral Gables, as shown by a plat recorded in Book 8 of Plats at Page 87 of the Public Records of said Dade

County; thence south along the west side of said Douglas Section to the north line of Section "K" of said Coral Gables, as shown by a plat recorded in the Book 8 of Plats at Page 33 of the aforesaid Public Records; thence west along the north line of said Section "K" to the west line of Le Jeune Road; thence south along the west line of Le Jeune Road to the north line of Section "B" of Coral Gables, as shown by a plat recorded in Book 5 of Plats at Page 111 of the aforesaid Public Records; thence west along the north line of said Section "B" to the southeast corner of Lot Nine (9) of Block Sixteen (16) of said Section "B"; thence north along the east line of said Section "B" to the northeast corner of the southeast quarter of Section 7, Township 54 South, Range 41 East; thence east twenty-five feet; thence north to the southwest corner of Lot Fourteen (14) of Block Eighty-one (81) of the Granada Section of Coral Gables as shown by a plat recorded in Book 8 of Plats at Page 113 of the aforesaid Public Records; thence along the south and east sides of said Block Eighty-one (81) and the continuation of said east side to the north side of Tamiami Trail or Southwest Eight Street as now laid out along the north line of said Section 7; thence west along the north line of said Tamiami Trail or Southwest Eight Street to the intersection of said north line with the range line between Ranges 40 and 41 East; thence south to the point of beginning.

Sec. 2. This act shall become effective upon its becoming a law.

Approved Nov. 30, 1925.

#### CHAPTER 12631—(No. 523).

AN ACT to Extend the Corporate Limits of Coral Gables, Dade County, Florida, and to Convey to said City of Coral Gables Jurisdiction over the Territory Embraced in said Extension:

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

Section 1. That the corporate limits of the City of Coral Gables, Dade County, Florida, be, and the same are hereby extended so as to include all that territory embraced within the following limits and boundaries, that is to say, to-wit:

Beginning at the intersection of the North line of Section 13, Township 54 South, Range 40 East, with the West line of Red Road, also known as West Dixie Highway; (being the West line of the present corporate limits of the City of Coral Gables, Florida); thence Northwardly along and with said West line of the present corporate limits of the City of Coral Gables, 300 feet; thence Westwardly parallel with the North line of Section 13 and 14, Township 54 South, Range 40 East and 300 feet distant therefrom to a point in the West line of Section 11 of said Township and Range; thence Southwardly along and with said West line of said Section 11, 300 feet to the Northwest corner of Section 14, Township 54 South, Range 40 East; thence continuing Southwardly along and with said West line of Section 14, Township 54 South, Range 40 East to the Southwest corner thereof; thence Southwardly along and with the West line of Section 23, Township 54 South, Range 40 East, 300 feet; thence Eastwardly parallel with the South line of Section 14, Township 54 South, Range 40 East, and 300 feet distant therefrom to a point in the West line of Section 24 of said Township and Range; thence Northwardly along and with the West line of said Section 24, Township 54 South, Range 40 East, 300 feet to the Southeast corner of said Section 14, Township 54 South, Range 40 East, (being also the Southwest corner of Section 13, said Township and Range); thence Eastwardly along and with said South line of Section 13, Township 54 South, Range 40 East to the intersection of said South line with the West line of Red Road or West Dixie Highway, (being the West line of the

present corporate limits of the City of Coral Gables, Florida); thence Northwardly with the west line of said Red Road or West Dixie Highway to the intersection thereof with the North Line of Section 13, Township 54 South, Range 40 East, the point of beginning.

The lands hereinabove described being all of Sections 13 and 14; the South 300 feet of Sections 11 and 12; and the North 200 feet of Section 23, of Township 54 South, Range 40 East, save and except that part of said Section 13 now included within the corporate limits of the City of Coral Gables, Florida; all being in said Dade County, Florida.

Sec. 2. That all of the ordinances of the City of Coral Gables, Florida, and all laws heretofore passed by the Legislature of the State of Florida relating to and which now or hereafter constitute the charter of the said City of Coral Gables, Florida, and amendments thereto shall apply to and have the same force and effect in all of the territory hereinabove described to the same extent as if said territory had been a part of said City of Coral Gables, Florida, at the time of the passage and approval of such laws and ordinances.

Sec. 3. This Act shall become effective when and if the same shall have been approved by a majority vote of the registered voters residing within the present City of Coral Gables, Florida, and within the territory described in Section 1 of this Act, and voting at an election to be held for that purpose at such time not exceeding forty (40) days after the passage of this Act as shall be determined by the City Commission of the City of Coral Gables. Notice of said election shall be given by said City Commission by the publication of a notice setting forth the time and place of the holding of the same. Said notice shall be published in a newspaper published in the City of Coral Gables by at least one insertion published not less than ten (10) days before the date therein specified for the holding of said election. Said election shall be held in the manner and under the rules and regulations prescribed by ordinance of the City Commission of the City of Coral Gables for such elections.

Sec. 4. When and if this Act shall have been approved as provided in Section 3 hereof, all taxes and/or assessments thereafter levied and assessed on and against property, real

and personal, situate within the territory described in Section 1 of this Act by the City of Coral Gables under the provisions and powers of its Charter, ordinances and rules and regulations and/or under the Laws of the State of Florida, shall be and remain a lien on all such property, real and personal, in said territory from the year in which said levy or assessment shall have been made or assessed, including the year A. D. 1927, and collectable in the manner and at the times that similar taxes and assessments levied against other property, real and personal, in the present corporate limits of the City of Coral Gables, shall be collectable.

Sec. 5. All laws and parts of laws in conflict herewith are hereby repealed.

Sec. 6. This Act shall take effect upon becoming a law.

Approved May 31, 1927.

## CHAPTER 12632—(No. 839).

AN ACT to Amend Certain Sections of An Act of the 1925 Legislature, entitled: "An Act Establishing the City of Coral Gables, Florida, to Provide for its Government, and to Prescribe its Jurisdiction and Powers."

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

Section 1. That Section 1 of An Act entitled "An Act to Establish the City of Coral Gables, Florida, to Provide for its Government, and to Prescribe its Jurisdiction and Powers," passed at the 1925 regular session of the Legislature, be and the same is hereby amended so as to read as follows:

"Section 1. The boundaries of the City of Coral Gables shall be as follows:

"Beginning at the northwest corner of Section 7, Township 54 South, Range 41 East, and running thence west to the west line of Red Road or West Dixie Highway as now laid out along the range line between ranges 40 and 41 east; thence along the west line of said Red Road or West Dixie Highway to the intersection of said west line with the south line of Sunset Road; thence east along the south line of said Sunset Road and parallel with the south line of Section 30, in Township 54 South, Range 41 East, to the intersection of said south line with the east line of Section 31 in said Township and Range; thence south with said east line to its intersection with the westerly side of East Ingraham Highway as now laid out through Section 31; thence continuing along said westerly side of East Ingraham Highway as now laid out through said Section 31 and Sections 6 and 7 of Township 55 South, Range 41 East, to the west line of said Section 7; and continuing with the westerly side of said East Ingraham Highway as now laid out along the west line of said Section 7, and of Section 18, Township 55 South, Range 41 East and then with said westerly side of said highway as it continues through Section 13, Township 55 South, Range 40 East, on to the point of intersection of said highway with the north line of Section 24, Township 55 South, Range 40 East; thence with said north line of said Section 24 to a point twenty-five feet west of the northeast corner of said Section 24; thence south along a line

parallel with and twenty-five feet west of the range line between Ranges 40 and 41 to a point 1500 feet south of the most southerly point of Section 30, Township 55 South, Range 41 East; thence in a southeasterly direction on a direct line to a point midway between the most southerly point of Ragged Keys and the most northerly point of Sands Key; thence east 1500 feet; thence northerly along a line parallel to and 1500 feet from the easterly shores of the Ragged Keys to a point opposite the most northerly key of Ragged Keys; thence northerly to a point 1500 feet east of the most easterly point of Soldier Key; thence northerly to a point 1500 feet south of the most southerly point of Key Biscayne; thence northerly along a line parallel to and 1500 feet from the easterly shore of Key Biscayne to the intersection of said line with the City limits of the City of Miami Beach, said point being 1500 feet south of the shore of Virginia Key; thence following the southern boundary line of the City of Miami Beach on a line 1500 feet from and parallel to the shore of Virginia Key to a point due east from the most southerly point of Virginia Key; thence due west to the east boundary line of the City of Miami; thence following the east and south boundary lines of the City of Miami to the shore of Biscayne Bay; thence west along the north line of south quarter of Section 28 and the north line of south quarter of Section 29, Township 54 South, Range 41 East, to the east side of the LeJeune Road as now laid out along the east line of the west half of said Section 29; thence north along the east line of said LeJeune Road as now laid out through said Section 29 and Section 20, Township 54 South, Range 41 East, to a point four hundred and thirty and eighty-nine one hundredths (430.89) feet north of the southwest corner of the northwest quarter (NW $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of said Section 20; thence east one thousand and ten and sixty-seven one hundredths (1,010.67) feet; thence north parallel with the east line of the northwest quarter of the southeast quarter (SE $\frac{1}{4}$ ) of said Section 20 to the center line of said Section 20; thence east along the center line of said Section 20 to the Southeast corner of the West Half (W $\frac{1}{2}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) of said Section 20; thence north to the northeast corner of the South Half (S $\frac{1}{2}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) of the Northeast Quarter

(NE $\frac{1}{4}$ ) of said Section 20; thence west along the north line of said South Half (S $\frac{1}{2}$ ) of Southwest Quarter (SW $\frac{1}{4}$ ) of Northeast Quarter (NE $\frac{1}{4}$ ) of Northeast Quarter (NE $\frac{1}{4}$ ) to the east line of the Northwest Quarter (NW $\frac{1}{4}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) of said Section 20; thence north along the last mentioned east line and continuing along the east line of the southwest quarter of the southeast quarter (SE $\frac{1}{4}$ ) of Section 17, Township 54 South, Range 41 East, to the south line of the Northeast Quarter (NE $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of said Section 17; thence east along the south line last mentioned to the east line of the west Half (W $\frac{1}{2}$ ) of said Northeast Quarter (NE $\frac{1}{4}$ ) of said Southeast Quarter (SE $\frac{1}{4}$ ); thence north along the last mentioned east line to the north line of said Northeast Quarter (NE $\frac{1}{4}$ ) of said Southeast Quarter (SE $\frac{1}{4}$ ); thence east along the last mentioned north line to the east line of said Section 17; thence north along said last mentioned east line and continuing along the east line of Section 8 of said Township and Range to the center line of Section 9 of said Township and Range; thence east along said last mentioned center line to the east line of Douglas Road; thence north along the east line of said Douglas Road as now laid out along the east line of said Section 8 and the east line of Section 5, Township 54 South, Range 41 East, to the south line of Palma Court, as shown by a plat of the Flagler Street Section of Coral Gables as recorded in Book 10 of Plats at Page 12 of the Public Records of Dade County, Florida; thence east along the south line of the aforesaid Palma Court; and thence continuing along and around and following the boundary lines of said Flagler Street Section on the east, north and west sides, thereof to the northwest corner of the Douglas Section of said Coral Gables, as shown by a plat recorded in Book 8, of Plats at Page 87 of the Public Records of said Dade County; thence south along the west side of said Douglas Section to the north line of Section "K" of said Coral Gables, as shown by a plat recorded in the Book 8 of Plats at Page 33 of the aforesaid Public Records; thence west along the north line of said Section "K" to the west line of LeJeune Road; thence south along the west line of LeJeune Road to the north line of Section "B" of Coral Gables as shown by a plat recorded in Book 5, of Plats at Page 111 of the aforesaid Public Records; thence west along the north line of said Section "B" to the southeast corner of Lot Nine (9)

of Block Sixteen (16) of said Section "B"; thence north along the east line of said Section "B" to the northeast corner of the Southeast Quarter (SE $\frac{1}{4}$ ) of Section 7, Township 54 South, Range 41 East; thence east twenty-five feet; thence north to the southwest corner of Lot Fourteen (14) of Block Eighty-one (81) of the Granada Section of Coral Gables as shown by a plat recorded in Book 8 of Plats at Page 113 of the aforesaid Public Records; thence along the south and east sides of said Block Eighty-one (81) and the continuation of said east side to the north side of Tamiami Trail or Southwest Eighth Street as now laid out along the north line of said Section 7; thence west along the north line of said Tamiami Trail or Southwest Eighth Street to the intersection of said north line with the range line between Ranges 40 and 41 East; thence south to the point of beginning: Provided, That no lands within the present boundaries of the City of Miami or of any other City or municipality are hereby included in the City of Coral Gables, that in the event of any such conflict or overlap, the boundaries of the City of Coral Gables shall extend to but not include such conflict or overlap; except as herein provided, the boundaries of no city or district heretofore or hereafter organized and created shall be construed to embrace all or any part of the City of Coral Gables, except by authority of An Act of the Legislature hereafter enacted."

Sec. 2. That Section 3-k of An Act entitled "An Act to Establish the City of Coral Gables, Florida, to provide for its Government and to Prescribe its Jurisdiction and Powers," passed at the 1925 regular session of the Legislature, be and the same is hereby amended so as to read as follows:

"Section 3-k. To acquire by donation, purchase or condemnation, surface or sub-surface waters, lands, lands under water, canals, ditches, drains, pipe lines, or rights of way; to construct, improve, maintain, regulate and utilize a harbor, waterways, yacht basins, ponds, lakes, drains, pipe lines, dams, water works, bridges, locks, wharves, piers, boat houses and passenger stations for the purpose of conducting water to and from the City of Coral Gables, for domestic or industrial purposes, for reclamation or drainage, for navigation, for bathing and swimming pools, and for the propagation of fish and aquatic plants; to select a harbor master and other necessary harbor and waterway officials; to purchase boats, dredges and necessary equipment for

construction, maintenance and protection; to have exclusive powers except as may be provided by Act of the Legislature hereafter enacted, to levy and collect taxes and assessments within the corporate limits of the City of Coral Gables, for the purposes herein provided to protect the waters of the canals, ditches, harbor, yacht basins, lakes and ponds from pollution, or interference, by suitable regulation and to provide penalties for violation thereof and to acquire, as above provided, lands, waters, canals and rights located outside of the boundaries thereof for the purposes herein provided."

Sec. 3. That Section 3 of An Act entitled: "An Act to establish the City of Coral Gables, Florida, to provide for its Government and to Prescribe its Jurisdiction and Powers," passed at the 1925 regular session of the Legislature be and the same is hereby amended by adding thereto an additional power in the following sub-section to be designated as Section 3 n-n:

"Section 3 n-n. To encourage manufacturing industries within the City of Coral Gables by entering into contracts in the discretion of the City Commissioners with the owners or developers of any such manufacturing industries employing labor, for a rebate or reduction of all or part of all city taxes or assessments upon the real and personal property used in such industry, for a period of not exceeding ten years conditioned upon the actual location of such industry, the actual employment of labor, and the actual manufacture of articles in said City."

Approved May 21, 1927.

CHAPTER 12633—(No. 900).

AN ACT to Amend Certain Sections of Chapter 10418 of the Acts of the Legislature of the State of Florida, Session of 1925, entitled "An Act Establishing the City of Coral Gables and to Provide for its Government and to Prescribe its Jurisdiction and Powers," and to Amend Certain Sections of An Act Amendatory of said Chapter 10418, being Chapter 10419 of the Acts of the Legislature of the State of Florida, Session of 1925, Entitled "An Act to Amend Certain Sections of An Act of the 1925 Legislature, Entitled 'An Act Establishing the City of Coral Gables, to Provide for its Government and to Prescribe its Jurisdiction and Powers.'"

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

Section 1. That Section 42 of Chapter 10418 of the Acts of the Legislature of the State of Florida, Session of 1925, entitled "An Act to Establish the City of Coral Gables, to Provide for its Government and to Prescribe its Jurisdiction and Powers," be and the same is hereby amended to read as follows

"Section 42. Any public work or improvement may be executed either by contract or direct labor, as may be determined by the Commission. Before authorizing the direct execution of any work or improvement, detailed plans and estimates thereof shall be submitted to the Commission by the City Manager, and there shall be separate accounting as to each work or improvement so executed. All contracts for the execution of public work or improvement for more than One Thousand Dollars shall be awarded to the lowest responsible bidder, after public advertisement and competition as may be prescribed by ordinance, but the City Manager shall have power to reject all bids and advertise again. All advertisements as to contracts shall contain a reservation of the foregoing rights. Contracts for public work shall be signed by the City Manager and Clerk after approval by the Commission."

Sec. 2. That Section 47 of the Acts of the Legislature of the State of Florida, Session of 1925, entitled "An Act to

Establish the City of Coral Gables, to Provide for its Government and to Prescribe its Jurisdiction and Powers," as amended by Chapter 10419 of the Acts of the Legislature of the State of Florida, Session of 1925, entitled "An Act to Amend Certain Sections of An Act of the 1925 Legislature, Entitled 'An Act Establishing the City of Coral Gables, to Provide for its Government and to Prescribe its Jurisdiction and Powers'," be and the same is hereby amended to read as follows:

"Section 47. The City is hereby authorized to provide by ordinance for the issuance of bonds for any municipal purpose, except for maintenance and repairs, of such denominations, bearing such rate of interest not exceeding six per cent. becoming due at such times, not exceeding thirty years from the date of issuance, and upon such conditions as may be determined by ordinance; but before the bonds provided for in this section shall be issued, the ordinance shall be submitted to the legally qualified voters of said City for approval or disapproval, after giving notice of such election in a newspaper published in the City of Coral Gables, and if no newspaper is published in the City of Coral Gables, then in a newspaper published in Dade County, once each week for four consecutive weeks, the first publication to be not less than twenty-five days before the date of the election. If a majority of the electors voting at said election shall vote for the approval of said ordinance, then the City Commission shall be authorized to issue bonds therein provided for. No bonds of said City shall be issued, whether of bonds authorized by this section or by other sections or laws, if the total City indebtedness shall thereby be made to exceed seven and one-half per cent. of the fair market value or fifteen per cent. of the full cash value of taxable property within the City, as the same shall appear on the tax assessment roll next preceding the issuance of the bonds, provided, however, that bonds for street, sewer, sidewalk and other improvements for which special assessments are authorized to the amount for which the City shall hold liens for uncollected special assessments and revenue bonds and refunding revenue bonds as elsewhere provided by law, shall not be subject to such limitations of amount, nor be considered when computing the amount of bonds that may be issued. Notice of the sale of bonds authorized by this section shall be given once each week for three consecutive weeks in a newspaper as above provided,

the first publication of such notice to be not less than eighteen days before the date of sale; provided, however, that if no bids shall be received pursuant to such notice, or if all bids so received shall be rejected, the bonds may be sold at private sale, but not at a price lower than the highest bona fide bid, if any, received pursuant to such notice. Such bonds shall not be sold at less than par and accrued interest, except by unanimous vote of the members of the City Commission present at the meeting at which the vote is taken, which vote shall be a vote of at least four-fifths (4/5) of the members of the Commission, and in no event shall such bonds be sold at less than ninety per cent. plus accrued interest."

Sec. 3. That Section 10418 of the Acts of the Legislature of the State of Florida, Session of 1925, entitled "An Act to Establish the City of Coral Gables, Provide for its Government and to Prescribe its Jurisdiction and Powers," as amended by Chapter 10419 of the Acts of the Legislature of the State of Florida, Session of 1925, entitled "An Act to Amend Certain Sections of An Act of the 1925 Legislature, entitled 'An Act Establishing the City of Coral Gables, to Provide for its Government and to Prescribe its Jurisdiction and Powers'," be and the same is hereby amended by adding the following sections thereto:

"Section 1. The City Commission is hereby empowered to divide by resolution any special assessment upon any lot or parcel of land heretofore or hereafter made under Section 53 of the City Charter, as amended, for the cost or any part of the cost of any improvement for which bonds or bond anticipation notes have not heretofore been sold or contracted to be sold, so that by such division such assessment may be apportioned and allocated in certain amounts to particular portions of such lot or parcel, respectively, which amounts shall constitute a lien upon such portions, respectively, to the same extent and with the same rights and remedies as to collections as in the case of the original lien of the assessment upon the entire lot or parcel, and such original lien shall thereupon give way to and be replaced by such liens upon the respective portions. No such allocation or change of lien shall become effective unless the resolution providing for the same shall declare such allocation and change fair and just nor until after a public hearing of all interested persons the City Commission shall con-

firm such resolution by the passage of a confirmatory resolution. At least ten (10) days before such hearing the City Clerk shall publish in a daily newspaper of general circulation published in said City a notice announcing the time and place of such hearing and the fact that all interested persons will then or at an adjourned time have an opportunity of objecting to the passage of such confirmatory resolution. If the Commission should not confirm such resolution, it may pass a new resolution with different allocations and may thereafter confirm the same after like notice and hearing."

"Section 2. If before the laying of any sidewalk ordered under the provisions of Section 50 of the City Charter, as amended, the City Commission shall by resolution determine that it is expedient to lay such sidewalk of greater thickness or durability in front of any one or more lots or parcels, either for the purpose of using the same as a driveway at the premises or for any other reason, the City Commission may by resolution order that such portion or portions of the sidewalk shall be laid of such additional thickness or durability and the additional cost thereof shall be a special charge against the premises immediately abutting upon such improvement and shall constitute a lien thereupon to the same extent and with the same provisions for enforcement as are provided by Section 55 of the City Charter, as amended, for the lien of special assessments. Such charge shall be due and payable thirty (30) days after the confirmation of the special assessment which shall be made for such sidewalk improvement and the privilege of paying such charge in installments may be given as in case of special assessments."

"Section 3. At any time after the approval at an election of a bond issue required by this charter to be submitted at an election, or at any time after the authorization by the City Commission of a bond issue which is not required so to be submitted, the Commission may borrow money for the purpose for which the bonds are to be issued, in anticipation of the receipt of the proceeds of the sale of the bonds, and within the maximum authorized amount of the bond issue. Such loans shall be paid not later than three (3) years after the time of such election or authorization. The Commission may in its discretion retire all or any part of such loans through current revenues, proceeds of the sale of

property, special assessments or other funds in lieu of retiring the same by means of the bonds, but in the event of any such retirement of any such loan by any means other than the issuance of the bonds so voted or authorized, the Commission shall amend or repeal the ordinance or resolution authorizing such bonds, so as to reduce the authorized amount of the bond issue by the amount of the loan so to be retired, and such amendatory or repealing ordinance or resolution shall take effect upon its passage. Neither such amendatory nor repealing ordinance nor resolution nor such resolution authorizing a loan shall be subject to the right of referendum. Negotiable notes of the City shall be issued for all such loans, which notes may be renewed from time to time and money may be borrowed upon new notes from time to time for the payment of indebtedness evidenced thereby, but all such notes shall mature within three (3) years after the election or authorization of the bonds. No money shall be borrowed at an interest rate exceeding six (6) per centum per annum. The said notes may be disposed of by public or private negotiations, without advertisement. The resolution authorizing any such notes shall fix the actual or maximum face amount of the notes and the actual or maximum rate of interest to be paid, and the Commission may delegate to any officer the power to fix such face amount and maturity and rate of interest within the limitations prescribed in this section as well as the power to dispose of such notes, which shall be executed in such manner as may be prescribed by the City Commission and may have interest coupons attached in the discretion of the Commission to evidence interest to be paid. Such notes may be made registrable as to principal alone or as to both principal and interest under such provisions and conditions as may be prescribed by the Commission, and the principal and interest thereof shall be payable at such bank or trust company within or without the State of Florida as the Commission may determine. Such notes shall be submitted to and approved by the City Attorney and his written approval shall be placed upon each note or endorsed thereon. For the payment when due of the principal and interest upon such notes all the taxable property within the City shall be subject to the levy of a sufficient tax to the same extent as is herein provided in the case of bonds authorized by this Charter."

Approved June 6, 1927.

CHAPTER 10418—(No. 396).

AN ACT to Establish the City of Coral Gables, to Provide for its Government and to Prescribe its Jurisdiction and Powers.

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

Section 1. A municipality to be called City of Coral Gables is hereby established in Dade County, the territorial boundaries of which are as follows:

Beginning at the northwest corner of Section 7, Township 54 south, Range 41 east, and thence running west to the west line of Red Road or West Dixie Highway as now laid out along the range line between Ranges 40 and 41 east, thence south along the west line of said Red Road to the intersection of said west line with the south line of Miller road in Section 25, Township 54 south, Range 40 east, thence east along the south side of said Miller Road to the west line of the northwest quarter of the northeast quarter of Section 30, Township 54 south of Range 41 east; thence south and east following the west and south lines of said northwest quarter of said northeast quarter to a point twenty-five (25) feet west of the center line of the east half of said Section 30, and thence south parallel with said last mentioned center line and twenty-five (25) feet to the west thereof to the south side of Sunset or Larkin Road as now laid out along the south line of said Section 30, to the east line of Section 31, Township 54 south, Range 41 east, thence south along the said east line of said Section 31, to its intersection with the westerly side of the East Ingraham Highway as now laid out through said Section 31, and continuing along said westerly side of said East Ingraham Highway as now laid out through said Section 31 and Sections 6, 7 and 18, of Township 55 south, Range 41 east, and through Section 13 of Township 55 south, Range 40 east, to the north line of Section 24 of Township 55 south, Range 40 east, thence east along the north line of said Section 24, to the range line between Townships 40 and 41 east; thence south along said range line to the northwest corner of Section 30, Township 55 south, Range 41 east, thence east along said north line of said Section 30, and the continuation thereof to the center line of Biscayne Bay, thence northerly along the center line

of said Biscayne Bay to the intersection of said center line with the north line of the south quarter of Section 28, Township 54 south, Range 41 east, thence west on said north line of said south quarter of said Section 28 and the north line of the south quarter of Section 29, Township 54 south, Range 41 east, to the east side of the Lejeune Road as now laid out along the east line of the west half of said Section 29; thence north along the east side of said Lejeune Road as now laid out through said Section 29 and Section 20, Township 54 south, Range 41 east, to a point Four Hundred Thirty and Eighty-nine Hundredths (430.89) feet north of the southwest corner of the northwest quarter of the southeast quarter of said Section 20; thence east One Thousand Ten and Sixty-seven Hundredths (1010.67) feet, thence north parallel with the east line of the northwest quarter of the southeast quarter of said Section 20, to the center line of said Section 20; thence east along the center line of said Section 20 to the west line of the east one-fourth ( $E\frac{1}{4}$ ) of said Section 20; thence north along said last mentioned west line to the northeast corner of the south half of the southwest quarter of the northeast quarter of northeast quarter of said Section 20, thence west along the north line of said south half of southwest quarter of northeast quarter of northeast quarter to the east line of the northwest quarter of the northeast quarter of said Section 20; thence north along the last mentioned east line and continuing along the east line of the southwest quarter of the southeast quarter of Section 17, Township 54 south, Range 41 east, to the south line of the northeast quarter of the southeast quarter of said Section 17; thence east along the south line of said northeast quarter of said southeast quarter of said Section 17 to the east line of the west half of said northeast quarter of said southeast quarter; thence north along the last mentioned east line to the north line of said northeast quarter of said southeast quarter; thence east along the last mentioned north line to the east line of said Section 17; thence north along said last mentioned east line and continuing along the east line of Section 8 of said Township and Range to the center line of Section 9 of said Township and Range; then east along said last mentioned center line to the east line of Douglas Road; thence north along the east line of said Douglas Road as now laid out along the east line of said Section 8 and the east line of Section 5 in said Township and Range,

to the south line of Palma Court, as shown by a plat of the Flagler Street Section of Coral Gables as recorded in Book 10 of Plats at page 12 of the public records of Dade County, Florida; thence east along the south line of the aforesaid Palma Court and thence continuing along and around and following the boundary lines of said Flagler Street Section on the east, north and west sides thereof to the northwest corner of the Douglas Section of said Coral Gables, as shown by a plat recorded in Book 8 of Plats at page 87 of the public records of said Dade County; thence south along the west side of said Douglass Section to the north line of Section "K" of said Coral Gables, as shown by a plat recorded in Book 8 of Plats at page 33 of the aforesaid public records; thence west along the north line of said Section "K" to the west line of Lejeune Road; thence south along the west line of said Lejeune Road to the north line of Section "B" of Coral Gables, as shown by a plat recorded in Plat Book 5 at page 111 of the public records of said Dade County; thence west along the north line of said Section "B" to the southeast corner of Lot Nine of Block Sixteen of said Section "B," thence north along the east line of said Section "B" to the northeast corner of the southeast quarter of Section 7, Township 54 south, Range 41 east; thence east twenty-five (25) feet; thence north to the southwest corner of Lot Fourteen of Block Eighty-one of the Granada Section of Coral Gables, according to a plat recorded in Plat Book 8 at page 113 of the aforesaid public records; thence along the south and east sides of said Block Eighty-one and the continuation of said east side to the north side of Tamiami Trail or Southwest Eighth Street as now laid out along the north side of said Section 7; thence west along the north line of said Tamiami Trail to the intersection of said north line with the range line lying between Ranges 40 and 41 east; thence south to the point of beginning.

Sec. 2. The city shall have perpetual succession, may use a common seal, may contract and be contracted with, may sue and be sued, and plead and be impleaded.

Sec. 3. Subject to the limitations hereinafter described, the City of Coral Gables shall have the following powers:

Sec. 3a. To raise annually by taxes and assessments such sums of money as the Commission hereinafter pro-

vided for shall deem necessary for the purposes of said city, and in such manner as hereinafter provided.

Sec. 3b. To pave, curb, grade, repave, macadamize, re-macadamize, lay out, open, widen and otherwise improve and maintain streets, alleys, avenues, boulevards, lanes, sidewalks, parks, promenades, and other public highways or any part thereof; and to hold liens therefor; to construct and maintain bridges, viaducts, subways, tunnels, sewers and drains, and to regulate the use of highways, parks, public grounds and works; to prevent the obstruction of sidewalks, streets and highways; to abolish and prevent grade crossings over the same by railroads; to regulate the operation and speed of all cars and vehicles using the same, as well as the operation and speed of all engines, cars and trains of railroads within the city; to regulate the service to be rendered and rates to be charged by busses, motor cabs, cabs and other vehicles for the carrying of passengers and by vehicles for the transfer of baggage.

Sec. 3c. To impose special or local assessments for local improvements.

Sec. 3d. To contract debts, borrow money and make and issue evidences of indebtedness.

Sec. 3e. To expend money of the city for all lawful purposes.

Sec. 3f. To acquire by purchase, gift, devise, condemnation or otherwise, property real or personal, or any estate or interest therein, within or without the city, and to improve, sell, lease, mortgage, pledge or otherwise dispose of the same or any part thereof.

Sec. 3g. To make and maintain public improvements of all kinds, including municipal and other public buildings, armories, markets, and all buildings and structures necessary or appropriate for the use of the City and to acquire by condemnation or otherwise all lands, riparian and other rights and easements necessary for such improvements.

Sec. 3h. To acquire, and maintain and operate, aviation fields, playgrounds, golf courses, swimming pools, stadiums, auditoriums, libraries, aquariums, art museums, and other cultural and educational institutions.

Sec. 3i. To furnish any and all local public service.

Sec. 3j. To purchase, hire, construct, own, maintain, operate or lease local public utilities, including street railways, municipal railways, busses, boats, 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 electric energy for illuminating, heating or power purposes, and also all other manner of utilities.

Sec. 3k. To acquire in any lawful manner 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 purpose of providing an adequate water supply for the city and of 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; and for this purpose to exercise full police powers and sanitary patrol over all lands comprised within the limits of the water-shed tributary to any such supply wherever such lands may be located in this State; to impose and enforce adequate penalties for the violation of any such rules and regulations; and to prevent by injunction any pollution or threatened pollution of such water supply and any and all acts likely to impair the purity thereof; and for the purpose of acquiring lands or materials for any such use to exercise within the State all powers of eminent domain. For any of the purposes aforesaid the city may acquire by condemnation, purchase or otherwise, any estate or interest in such lands or any of them, or any right or easement therein, or may acquire such lands or any of them in fee, reserving to the owner or owners thereof such rights or easements therein as may be prescribed in the ordinance providing for such condemnation or purchase. The said city may sell or supply to persons, 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 supply its own inhabitants.

Sec. 3l. 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.

Sec. 3m. To require the placing of all electric wires and also all telephone 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 conduits and place the wires under ground and maintain a lien against the franchises and property of such companies.

Sec. 3n. To construct and improve, maintain and operate canals, waterways and bathing beaches.

Sec. 3o. To establish, maintain and operate public landings, public wharves and docks within the City; to acquire by condemnation or otherwise all lands, riparian and other rights and easements necessary for the purposes aforesaid; to lay and collect reasonable duties or wharfage fees on vessels coming to or using said landings, wharves or docks; to regulate the manner of using other wharves and docks within the City and rates of wharfage to be paid by vessels using the same; to dredge or deepen the harbor or river or any branch or portion thereof; to prescribe and enforce reasonable rules and regulations for the protection and use of its said properties, and to impose and enforce adequate penalties for the violation of such rules and regulations.

Sec. 3p. To grant franchises for public utilities.

Sec. 3q. To collect and dispose of sewage, offal, ashes, garbage, carcasses of dead animals and other refuse, and to acquire and operate reduction or other plants for the utilization of such materials, or for any of them; and to contract for and regulate the collection and disposal thereof.

Sec. 3r. 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 or other noisome or offensive business within the City; to provide for the 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, and prevent unnecessary noise therein; to regulate the location of stables and the manner in which they shall be kept and constructed, and generally to define, prohibit, abate, suppress and prevent all things detrimental to the health, morals, comfort, safety, convenience and welfare of the inhabitants of the City.

Sec. 3s. To inspect, test, measure, and weigh any commodity or article of consumption or use within the City and to fix a standard for any such commodity or article and to establish, regulate, license and inspect weights, meters, measures and scales.

Sec. 3t. 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, 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 the law; to establish and designate from time to time fire limits, within which limits wooden buildings shall not be constructed, removed, added to or enlarged, and to direct that any or all future buildings within such limits shall be constructed of stone, natural or artificial, concrete, brick, iron or other fireproof material.

Sec. 3u. To provide for the care, support and maintenance of orphan, dependant, delinquent or defective children, and of sick, aged, insane or indigent persons.

Sec. 3v. To provide and maintain, either within or without the City, charitable, recreative, curative, corrective, detentive or penal institutions.

Sec. 3w. To prevent persons having no visible means of support, paupers and persons who may be dangerous to the peace or safety of the City from coming into the City, and for this purpose, to require any railroad company, the master of any ship or vessel, or the owners of any conveyance, bringing such person to the City, to take such person back to the place whence he was brought, or enter into bond with satisfactory security that such person shall not become a charge upon the City within one year from the date of his arrival; and also to expel therefrom any such person.

Sec. 3x. To provide for the preservation of the general health of the inhabitants of said City, make regulations to secure the same, inspect all foods and foodstuffs, and prevent the introduction and sale in the City of any articles or thing intended for human consumption, which is adulterated, impure or otherwise dangerous to health, and to condemn, seize and destroy or otherwise dispose of any such article or thing without liability to the owner thereof; to prevent the introduction or spread of contagious or infectious diseases, and prevent and suppress diseases generally; to provide and regulate hospitals within or without the City limits, and to enforce the removal of persons afflicted with contagious or infectious diseases to hospitals provided for them; to provide for the organization of a department or bureau of health, to have the powers of a local Board of Health with the authority necessary for the prompt and efficient performance of its duties, with power to invest any or all the officials or employees of such department of health with such powers as the police officers of the City have; to establish and maintain a quarantine ground within or without the City limits, and such quarantine regulations against infectious or contagious diseases as the City may see fit; to provide and keep records of vital statistics and compel the return of all births, deaths and other information pertaining thereto.

Sec. 3y. 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 rules and regulations for the protection and use thereof; and generally to regulate the burial and disposition of the dead.

Sec. 3z. To exercise full police powers, and to establish and maintain a department of police.

Sec. 3aa. 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.

Sec. 3bb. 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.

Sec. 3cc. To license and tax privileges, business, occupations and professions carried on and engaged in within the City limits, and the amount of such licenses and the amount of such license taxes shall not be dependant upon a general State revenue law.

Sec. 3dd. To license and regulate air vessels operated over the City and stipulate the height at which and the manner in which the same may be operated above the area included in the City limits, and to license and register the pilots thereof.

Sec. 3ee. To prohibit the sale, transportation or possession of intoxicating liquors, wines and beers within the limits of the City.

Sec. 3ff. To declare that all territory embraced within the corporate limits of said City shall be a bird sanctuary and to adopt all ordinances necessary to carry this power into effect.

Sec. 3gg. 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 and peddlers and beggars upon such streets, sidewalks and public places; and to license, and cause to be registered, and control, tax, regulate or prohibit in designated streets, or parts of streets, carriages, omnibusses, motorbusses, cars, wagons, drays, jitney busses and other vehicles; and to license, tax and cause to be registered and control the drivers thereof; and 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; and to authorize the City Manager or the Chief of Police to make and promulgate regulations for traffic on the streets, or part of the streets, during such hours as may be necessary or convenient, and to provide for parking spaces on the streets and public places; and to regulate or vacate or discontinue the use of such spaces; 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 operation be wholly within the limits of the City or between the City of Coral Gables and other cities and towns and places outside of the City of Coral Gables.

Sec. 3hh. To establish and set apart in said City separate limits or district for white and negro residents; to designate, establish and set apart the territorial limits or districts of said City within which white persons may reside, and separate territorial limits or districts of said City within which negroes may reside; to prohibit any white person from taking up or establishing a residence or business within the territorial limits of the City so set apart and established for the residence of negroes, and to prohibit any negro from taking up or establishing a place of residence or business within the territorial limits of the City so set apart and established for the residence of white persons; to define the terms "resident," "residence," and "place of residence," and "business," and "place of business."

Sec. 3ii. 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 height of buildings and other structures, or the area and dimensions of lots or yards in connection with buildings, or other structures, and for the purpose of regulating the alignments of buildings or other structures near street frontages.

Sec. 3jj. To operate a Central Radio Station and Country Club.

Sec. 3kk. To furnish police protection within one-half mile of the corporate limits, provided that this extension of power shall not extend into any other municipal corporation.

Sec. 3ll. 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.

Sec. 3mm. To exercise all other powers not enumerated herein, conferred on cities and towns by the general laws of the State of Florida.

Sec. 4. The City shall be governed by a Commission consisting of five members whose term of office shall be four years. George E. Merrick, Telfair Knight, Charles F. Baldwin, Edward E. Dammers, F. W. Webster shall constitute the first Commission, and they shall hold office for four years and until their successors are elected and qualified. The first election of Commissioners shall be held on the second Tuesday in June, A. D. 1929, and every four years thereafter. Commissioners shall take office at noon on the third day after their election. Any vacancy on the Commission shall be filled for the unexpired term by the remaining Commissioners.

Sec. 5. At twelve o'clock noon on the day the Commissioners take office they shall meet at the City Hall. Thereafter the Commission shall meet at such time and place as may be prescribed by ordinance or resolution. All meetings of the Commission shall be public.

Sec. 6. Members of the Commission shall be residents of the City and shall have the qualifications of electors therein. The Commission shall be the judge of the election and qualification of its own members.

Sec. 7. The Commission may determine its own rules of procedure, may punish its own members for misconduct, and may compel the attendance of members, and on a four-fifths vote may expel a member for misconduct in office or neglect of duty. A majority of all members of the Commission shall constitute a quorum to do business, but a small number may adjourn from time to time.

Sec. 8. The yeas and nays shall be called and entered on the minutes of each meeting upon the passage of every resolution or order for the expenditure of money, and on every other resolution or order when a request so to do is made by one of the members. No resolution shall be adopted or order made unless three votes are recorded in favor thereof.

Sec. 9. The Commission shall act only by ordinance or written resolution; and all ordinances and resolutions except ordinances making appropriations, shall be confined to one subject, which shall be clearly expressed in the title. The ordinances making appropriations shall be confined to the subject of appropriations. No ordinance shall be passed until it has been read on two separate days or the requirement of readings on two separate days has been dispensed with by a four-fifths vote of the members of the Commission. The final reading shall be in full. The ayes and nays shall be taken upon the passage of all ordinances or resolutions and entered upon the journal of the proceedings of the Commission, and every ordinance or resolution shall require on final passage the affirmative vote of a majority of all the members. No member 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 and publication at least one time in full or every ordinance within ten days after its final passage.

Sec. 10. The Commission shall elect one of its members as Chairman, who shall be entitled Mayor, and shall appoint the following officers who shall not be members of the Commission:

A City Manager, a Clerk, a Tax Assessor, a City Attorney, a Tax Collector, a Judge of the Municipal Court, and shall designate a Treasury for the City or elect a Treasurer. The same person may hold the office of Tax Collector and Treasurer, or Clerk and Tax Assessor.

Sec. 11. The Mayor shall preside at meetings of the Commission and perform such other duties, consistent with his office and this Charter, as may be imposed by the Commission. He shall be recognized as the official head of the City for all ceremonial purposes, by the Courts for the purpose of serving civil processes, and by the Governor for military purposes. In time of public danger or emergency he may, with the consent of the Commissioners, take command of the police and maintain order and enforce the laws. During his absence or disability his duties shall be performed by another member appointed by the Commission.

Sec. 12. The Commission may by ordinance provide for the compensation of its members, to be paid in equal monthly installments, but not to exceed six hundred (\$600.00) dollars a year for each. The Mayor may be allowed compensation in addition to that which he receives as a member of the Commission but such additional compensation shall not be more than six hundred (\$600.00) per year. Any member of the Commission absent from a regular, or regularly called, meeting of the Commission except on account of illness of himself or a member of his immediate family, shall forfeit ten (\$10.00) dollars of his compensation for each such absence. Absence from five consecutive regular meetings may be excused by the Commission by resolution setting forth the reason thereof, and entered upon the minutes.

Sec. 13. The Commission shall keep a complete record of all its proceedings and a copy from its record, certified by the Clerk, shall be competent evidence in all Courts of this State.

Sec. 14. The City Manager shall be the administrative head of the government and shall be responsible for the efficient administration of all departments of the city. He shall be chosen on the basis of his executive and administrative qualifications. He may or may not be a resident of the City of Coral Gables or the State of Florida. He

shall hold office at the will of the Commission, and shall receive such salary as may be fixed by the Commission. In case of sickness or absence of the City Manager the Commission may appoint another person, not a member of the Commission, to act for the City Manager during his sickness or absence and the person so appointed may, during the absence or sickness of the City Manager, act for him and perform all his duties and all such acts of the person so appointed shall be as valid as those performed by the City Manager.

Sec. 15. The powers and duties of the City Manager shall be:

- (a) To see that the laws and ordinances are enforced.
- (b) To appoint and remove, except as herein provided, all subordinate officers and employees.
- (c) To exercise control over all departments that may be created by the Commission.
- (d) To attend all meetings of the Commission with the right to take part in the discussion but having no vote.
- (e) To recommend to the Commission for adoption, such measures as he may deem necessary or expedient.
- (f) To keep the Commission fully advised as to the financial condition of the city.
- (g) To perform such other duties as may be required of him by ordinance or resolution of the Commission.

Sec. 16. There is hereby established a Municipal Court which shall be presided over by a judge to be known as a Municipal Judge, who shall be appointed by the City Commission. It shall be the duty of the Municipal Judge to hold terms of Court at such times and in such places as may be designated by the Commission for the trial of persons charged with the violation of any ordinance of the city, without jury, and upon conviction to impose such penalty as may be provided by ordinance.

Sec. 17. The Municipal Judge shall have the power to summon witnesses, issue warrants of arrest upon affidavit duly filed; to administer oaths, and do all other acts necessary for the performance of his duty. He shall also have power to punish for contempt of Court to the extent of a fine not exceeding fifty (\$50.00) dollars, or imprisonment not to exceed thirty (30) days, or by both such fine and

imprisonment. The costs of prosecution in said Court shall be the same as are allowed by law in the Circuit Court of the State of Florida, and such costs shall be taxed against the person or persons convicted and collected by the Clerk to be paid over by him into the City Treasury. The City Clerk shall be the Clerk of the Municipal Court and shall keep a record of all of its proceedings.

Sec. 18. In case of the absence, sickness or disqualification of the Municipal Judge, the Mayor shall have all the power and perform all the duties of said Municipal Judge during such sickness, absence or disqualification, or the City Commission may designate some other person to act during such absence, sickness or disqualification of the Municipal Judge.

Sec. 19. The Commission may by ordinance provide that all juvenile offenders as defined in the statutes of the State establishing a Juvenile Court, who violate city ordinances shall be separately docketed and tried privately before the Municipal Judge.

Sec. 20. Not later than one month before the end of each fiscal year the City Manager shall prepare and submit to the Commission a budget estimate of the expenditures and revenues of all city departments, divisions and offices for the ensuing fiscal year. The estimate shall be compiled from detailed information obtained from the several departments, divisions and offices on uniform blanks furnished by the City Manager. The classification of the estimates shall be as nearly uniform as possible for the main functional divisions of such departments, divisions and offices and shall give in parallel columns the following information:

- (a) A detailed estimate of the expense of conducting each department, division or office.
- (b) Expenditures for corresponding items for the last two fiscal years.
- (c) Expenditures for corresponding items for the current fiscal year, including adjustment due to transfers between appropriations, plus an estimate of the expenditures necessary to complete the current fiscal year.
- (d) The value of supplies and material on hand at the date of the preparation of the estimate.

(e) Increases or decreases of request compared with corresponding appropriation for the current year, with reasons for such increases or decreases.

(f) The total probable income of the city from taxes for the period covered by the estimate.

(g) An itemization of anticipated revenues from other sources.

(h) The total amount of the outstanding city debt with a schedule of maturities of bond issues and other indebtedness.

(i) The amount required for interest on the city debt, for sinking funds, and for maturing bonds.

(j) Such other information as may be required by the Commission.

(k) Copies of such estimate shall be furnished to the newspapers of the City and to each library of the City which is open to the public.

Sec. 21. Upon receipt of the budget estimate the Commission shall prepare an appropriation ordinance using the Manager's estimate as a basis. Provision shall be made for public hearings on the proposed appropriation ordinance before the Commission sitting as a committee of the whole. The Commission shall not pass the appropriation ordinance sooner than one week after the beginning of the fiscal year to which it is to apply, but shall pass said ordinance within four weeks after the beginning of the fiscal year. The fiscal year of the City shall begin with the first day of July of each year and shall end with the thirtieth day of June of the following year:

Sec. 22. Before the annual appropriation ordinance has been passed the Commission, upon recommendation in writing of the City Manager, may make appropriation for the current expenses of the City, chargeable to the appropriations of the year when passed, to an amount sufficient to cover the necessary expenses of the various departments, divisions and offices until the annual appropriation ordinance is in force. No other liabilities shall be incurred by an officer or employee of the City except in accordance with the provisions of the annual appropriation ordinance.

Sec. 23. Upon request of the City Manager the Commission may transfer any part of an unencumbered balance of an appropriation to a purpose or object for which the

appropriation for the current year has proved insufficient, or may authorize a transfer to be made between items appropriated to the same office, department or division.

Sec. 24. Any accruing revenue of the City, not appropriated, and the balance at any time remaining after the purposes of an appropriation shall have been satisfied or abandoned, may from time to time be appropriated by the Commission to such uses as will not conflict with any uses for which specifically such revenue accrued.

Sec. 25. No money shall be drawn from the Treasury of the City, nor shall any obligation for the expenditure of money be incurred, except pursuant to appropriations made by the Commission; and whenever an appropriation is so made the Clerk shall forthwith give notice to the City Manager. At the close of each fiscal year the unencumbered balance of each appropriation shall revert to the fund from which it was appropriated and shall be subject to future appropriation; but appropriations may be made in furtherance of improvements or other objects or works of the city which may not be completed within the current year.

Sec. 26. No liability shall be enforceable against the City upon any contract not supported by the previous appropriation, nor shall the City be liable for any service, material or supplies furnished to the City or to any Department, office or division thereof, the financial requirements of which are to be met out of the proceeds of taxes or other funds controlled by the Commission, unless the Commission shall previously have made an appropriation therefor. In the event that contracts are made to extend over a period longer than one year and which are to be met from current receipts of the City, it shall be lawful for the Commission to make appropriation sufficient to answer the requirements of any such contracts for only one year, and the contract shall be legal and binding upon the City notwithstanding no appropriation has been made for the ensuing years over which it is to be operative, and it shall be the duty of the Commission to make appropriations from year to year as required for the purposes of such contracts. The obligations of the City under such contracts shall not be considered to be a part of the indebtedness of the City.

Sec. 27. No claim against the City shall be paid except upon a voucher certified by the head of the appropriate department or other division of the City Government, and by means of a warrant on the City Treasury, as may be prescribed by the Commission.

Sec. 28. The Commission shall cause to be kept an accurate account, showing the financial transactions of all departments and offices of the City. The accounts and accounting procedure of the City shall be adequate to record all cash receipts and disbursements, all revenues accrued and liabilities incurred, and all transactions, affecting the acquisition, custody and disposition of property and money, and the City Manager shall make such reports of the financial transactions and condition of the City as may be required by ordinance. Financial reports shall be prepared for each quarter and fiscal year and for such other periods as may be required by the City Manager.

Sec. 29. No suit shall be maintained against the City for damages arising out of any tort, unless written notice of such claim was, within sixty days after the day of receiving the injury alleged, given to the City Attorney with specifications as to time and place of the injury. It shall be the duty of the City Attorney, upon receiving such notice to promptly investigate the matter and lay the facts, supported by the evidence, before the City Commission in a written report, and the Commission may, by resolution, after such report, make reasonable settlement for the injury suffered, or deny liability and direct the City Attorney to defend any suit brought for the recovery of damages.

Sec. 30. Not later than two weeks after the Board of Equalization shall have completed its work the Commission shall, by ordinance, levy such taxes as may be necessary to meet the appropriations made (less the estimated amount of revenue from other sources) including all sums required to be raised on account of the City debt. If the Commission shall refuse or neglect to pass an ordinance levying the taxes for any year, the ordinance last passed levying taxes shall be considered in force and a failure to pass such an ordinance shall in no wise invalidate the collection of any taxes.

Sec. 31. It shall be the duty of the Tax Assessor to assess all taxable property within the City at its cash value,

(which is defined as one-half of its fair market value), and also to assess all license, privilege, registration and other special taxes which the City is authorized to levy and collect. The assessor shall have the power to administer oaths in connection with the valuation of property for City taxation and in respect to any assessment he is authorized to make.

Sec. 32. The Commission shall constitute the Board of Equalization. The City Clerk shall be clerk of said Board and keep a permanent record of all its proceedings. A majority of said Board shall constitute a quorum to do business. Said Board shall meet at the City Hall in the City of Coral Gables on the second Monday in September, A. D. 1925, and thereafter on the second Monday in July of each year, at which time the Assessor shall submit to the said Board the General Assessment Roll, which said roll shall be completed and filed by the Assessor in his office five days prior to the meeting of the said Board of Equalization, where, during the said five days it shall remain open to public inspection. During the first three days of its meeting said Board of Equalization shall consider any written objections filed with it in respect to any assessment that shall have been made and may on its own action, revise said Assessment Roll and may increase or diminish valuations therein; add the names of persons and descriptions of property improperly omitted from said roll, and fix the valuation of said property, and it shall correct all errors and supply all deficiencies found therein. Said Board shall continue its session after said first three days, as long as may be necessary, during which time, upon the request of any person, his agent or attorney, considering himself aggrieved, or sufficient cause being shown, it may reduce the assessment to such an amount as to such Board shall appear just and equal. It may examine on oath any person touching the matter. The Board shall have no power to raise any assessment in said roll without notice to the party affected thereby. Any member of said Board may administer an oath and examine witnesses in relation to the matters requiring an investigation before said Board. Said Board shall keep a record of its proceedings in increasing the valuation of any property assessed upon such roll. The members of the Commission shall be paid the sum of Five Dollars per day or fraction thereof for each

days actual attendance as a member of the Board of Equalization, which compensation shall be in addition to their salaries as Commissioners.

The Board of Equalization shall have the power to summon any property owner of the City before them, to take testimony under oath, and to require the production of books, papers, accounts and other evidence of the ownership and value of property within the city. Any person failing to appear before the Board when summoned or failing to give or produce such testimony or evidence, shall be guilty of an offense against the City and upon conviction before the City Court shall be punished by a fine not exceeding Five Hundred (\$500.00) Dollars or imprisonment not exceeding sixty days. The assessment of property for City purposes as revised and determined by the Board of Equalization shall be final.

Sec. 33. 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 Coral Gables and in the return and sale of property delinquent therefor; and shall apply also 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.

Sec. 34. The Assessor shall possess all the powers, discharge all the duties and be subject to all the liabilities in, for and to the City, that are conferred and imposed upon County Assessors, by the provisions of the law mentioned and referred to in the preceding section, in relation to the assessment and taxation of property, so far as the same may be applicable and except as herein otherwise provided. He shall in each year prepare a General Assessment Roll for the City and complete the same before the time fixed by this charter for the first meeting of the Board of Equalization in each year.

Sec. 35. Upon the equalizing of the said Assessment Roll by the Board of Equalization and the fixing of the millage by the Commission, the Assessor shall proceed to assess the taxes according to and in proportion to the valuation entered by the Board of Equalization in the assessment

of the City for the year. Separate levies need not be extended in different columns and only the total tax shall be required to be shown on the tax roll. All personal taxes shall be a lien upon the personal property of such persons so assessed from and after the assessment thereof, and remain a lien thereon until paid, and shall be superior to the rights acquired under any sale, assignment, or chattel mortgage, levy or lien upon any such personal property executed or made after such assessment, except when such personal property is sold in the regular course of trade. The amount assessed on any real estate shall become a lien on the first day of January of the year in which the assessment is made on such real property and the lien for such amount and for all interest and charges thereon shall continue until payment thereof.

Sec. 36. The Assessor shall thereupon make a copy of such assessment roll with such taxes extended thereon. He shall annex that to a warrant signed by him commanding the Tax Collector to collect the several sums mentioned in the last column of the said roll.

Sec. 37. All taxes, special assessments, license fees and other monies accruing to the City shall be collected by the Tax Collector. All money received by an officer or employee of the City shall be paid promptly into the City Treasury and shall be deposited with such responsible banking institutions as furnish such security as the Commission may determine and shall agree to pay the rate of interest fixed. All interest on money so deposited shall accrue to the benefit of the City. The Commission shall provide by ordinance for the prompt and regular payment and deposit of all City monies as required by this section.

Sec. 38. Except as otherwise provided, all property within the City shall be assessed, and all city taxes shall be levied, assessed and collected under such rules and regulations as may be established by ordinance. Such rules and regulations may provide penalties for their non-observance and may, in this and all other respects, make provision for the assessment of property and the levy, assessment and collection of City taxes as fully as might be done by a law of the State of Florida. Before any penalty shall attach for the failure to return property for

taxation, notice shall be given by publication at least four times in one or more daily papers of the City of Coral Gables, or in the event there is no such newspaper published in the City of Coral Gables, in a newspaper published in Dade County, of the time within which such return must be made. The first publication of such notice shall be at least thirty days before the last day for making such return. No rule or regulation made by ordinance shall provide that a tax be considered delinquent sooner than sixty days after it becomes due and payable.

Sec. 39. In providing for licensing and regulating persons, corporations and associations engaged in business, occupations, professions and trades, the Commission may by ordinances classify businesses and arrange the various businesses, occupations, trades and professions carried on in the City into such classes as may be just and proper and fix by ordinance the license fee payable by each, without regard to the State Law fixing such fee.

Sec. 40. Deeds made by the City of Coral Gables pursuant to tax sale, or sale under decree granted for the collection of local assessments, shall be admissible 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 the 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.

Sec. 41. The City shall have the right to raise by taxation such amount as may be necessary for the carrying on of the government and maintenance of said City, and for general municipal purposes not exceeding twenty mills on the dollar of the assessed value of all property in said City, both real and personal, and in addition thereto shall have the right to levy such additional taxes as may be necessary to pay the interest on bonds and other indebtedness of the City, and also to provide a sinking fund for the redemption of said bonds and the payment of said indebtedness, and shall have the right to levy such additional taxes as may be necessary to pay for the maintenance of all streets, parkways, and other municipal property and for the

lighting of the City, and may levy and collect taxes and hydrant rental for the operating of the waterworks, ice plant, gas plants, electric light plants, street railways, municipal railways and any other properties of the City of whatever character designed to produce a revenue; also to provide a publicity fund, not to exceed two mills on the dollar.

Sec. 42. Any public work or improvement may be executed either by contract or direct labor, as may be determined by the Commission. Before authorizing the direct execution of any work or improvement, detailed plans and estimates thereof shall be submitted to the Commission by the City Manager and there shall be separate accounting as to each work or improvement so executed. All contracts for more than One Thousand Dollars shall be awarded to the lowest responsible bidder, after public advertisement and competition as may be prescribed by ordinance, but the City Manager shall have power to reject all bids and advertise again. All advertisements as to contracts shall contain a reservation of the foregoing rights. Contracts for public work shall be signed by the City Manager and Clerk after approval by the Commission.

Sec. 43. When it becomes necessary in the opinion of the City Manager to make alterations or modifications in a contract for any public work or improvement such alterations or specifications shall be made only when authorized by the Commission upon the written recommendations of the City Manager. No such alteration shall be valid unless the price to be paid for the work or material, or both, under the altered or modified contract shall have been agreed upon in writing and signed by the contractor and the City Manager prior to such authorization by the Commission.

Sec. 44. Upon the death, resignation, removal or expiration of the term of any officer of the City, the City Manager shall cause an audit and investigation of the accounts of such officer to be made and shall report to the City Commission.

Sec. 45. When necessary to supply deficiencies in revenue, the Commission may obtain temporary loans for said purpose and issue a note or notes therefor to an amount which shall at no time exceed one half of one per cent. of

the assessed value of the taxable property in the City, according to the last tax assessment roll preceding the said loan or loans, and no such loan shall be for a longer period of time than one year, and interest thereon shall not be in excess of eight per cent. per annum, payable as shall be provided by ordinance, but the whole or any part of such loan may be extended from time to time until fully paid. Every such extension shall be for a period of time not exceeding one year.

Sec. 46. Within one year after this Act takes effect, the Commission is hereby authorized to provide by ordinance for the issuance of bonds in an amount not to exceed One Million Dollars, of such denominations, bearing such rates of interest not exceeding six per cent, becoming due at such times not exceeding thirty years from the date of issuance, and upon such conditions as may be prescribed by ordinance. Said bonds shall not be sold for less than ninety per cent. and accrued interest and the proceeds from the sale of said bonds may be used for any municipal purpose.

Sec. 47. The city is hereby authorized to provide by ordinance for the issuance of bonds in an amount not exceeding twelve and one-half per cent of the fair market value or twenty-five per cent of the full cash value of the taxable property within the city, as the same shall appear on the tax assessment roll next preceding the issuance of the bonds, of such denominations, bearing such rate of interest not exceeding six per cent., becoming due at such times, not exceeding thirty years from the date of issuance, and upon such conditions as may be determined by ordinance; but, before the bonds provided for in this section shall be issued, the ordinance shall be submitted to the legally qualified voters of said city for approval or disapproval, after giving notice of such election in a newspaper published in the City of Coral Gables, and if no newspaper is published in the City of Coral Gables, then in a newspaper published in Dade County, once each week for four consecutive weeks, the first publication to be not less than twenty-five days before the date of the election. If a majority of the electors voting at said election shall vote for the approval of said ordinance, then the City Commission shall be authorized to issue bonds therein provided for. Notice of the sale of said bonds shall be given

once each week for three consecutive weeks in a newspaper as above provided, the first publication of such notice to be not less than eighteen days before the date of sale. No bid shall be accepted for less than par and accrued interest, but in the event any bid is above ninety per cent; plus accrued interest, the Commission may sell said bonds at a private sale, provided they are not sold for less than the highest bid received for the sale of said bonds as above provided.

Sec. 48. The city is authorized to acquire by purchase or condemnation, waterworks, electric light plant, gas plant, sewers, drains, parks, park lands, golf courses, waterways, canals and transportation systems, and also any franchises, right or privilege of any person, firm or corporation to any street, or part thereof, or other public place, or any easements over private property, and to enter into and to execute contracts, leases or mortgages thereon, at the purchase price thereof, provided, however, that the time of payment shall in no case be for a longer period than thirty years, nor shall the rate of interest on such payments exceed eight per cent. per annum. The City Commission is authorized to issue such evidences of indebtedness for the purchase price, as it may deem proper. All net revenues derived from any of the properties so purchased shall be applied on the payment of interest and creating a sinking fund for the redemption of such obligations. Any obligations issued under this section shall be exclusive of the limitation of the power of the city to issue bonds as provided in this Act.

Sec. 49. The Commission may provide for the opening, widening, construction, reconstructions, repair, paving, repaving, hard surfacing, and rehard surfacing of streets, boulevards and alleys, for grading, re-grading, leveling, laying, relaying, paving, repaving, hard surfacing and rehard surfacing sidewalks, and for the payment of all or any part of the cost of such improvements by levying and collecting special assessments on the abutting, adjoining, contiguous or other specially benefited property.

Sec. 50. Special assessments against property deemed to be benefited by local improvements, as provided for in the preceding section, shall be assessed upon the property specially benefited by the improvement in proportion to the benefits to be derived therefrom, said special benefits

to be determined and pro-rated according to the foot frontage of the respective properties specially benefited by said improvement, or by such other method as the Commission may prescribe.

Sec. 51. When the Commission may determine to make any street improvement and defray the whole or any part of the expense thereof by special assessment, the Commission shall so declare by resolution stating the nature of the proposed improvement, designating the street or streets to be so improved, what part or portion of the expense thereof is to be paid by special assessment, the manner in which said assessment shall be made, when said assessments are to be paid, what part, if any, shall be apportioned to be paid from the general improvement fund of the city, and said resolution shall also designate the lands upon which the special assessments shall be levied; and in describing said lands it shall be sufficient to describe the lots and lands, deemed to be specially benefited abutting upon and contiguous to the contemplated improvement, as: "All lots and lands adjoining and contiguous or bounding and abutting upon such improvement." Such resolution shall also state the total estimated cost of the improvements.

Sec. 52. At the time of the adoption of the resolution provided for in Section 51 of this Act, there shall be on file with the Clerk, plans and specifications, with the estimated cost of the proposed improvement, which plans and specifications and estimates shall be open to the inspection of the public.

Sec. 53. Upon the adoption of the resolution provided for in Section 51 of this Act, the City shall cause said resolution to be published one time in a newspaper of general circulation published in the City, and if there be no newspaper published in the City, the Commission shall cause said resolution to be published once a week for a period of two weeks in a newspaper of general circulation, published in Dade County.

Sec. 54. Upon the adoption of the resolution aforesaid the Commission shall cause to be made an assessment roll in accordance with the method of assessment provided for in said resolution, which assessment roll shall be completed and filed with the Commission as promptly as possible;

said assessment roll shall show the lots and lands assessed, the amount of the assessment against each lot or parcel of land; and if the said assessment is to be paid in installments, the number of annual installments in which the assessment is divided shall also be entered and shown upon said assessment roll.

Sec. 55. Upon the completion of said assessment roll, the Commission shall cause a copy thereof to be published two times successively, once each week, in a newspaper of general circulation, published in the City, and if there be no newspaper published in the City, the Commission shall cause said copy of said special assessment roll to be published once a week for a period of three weeks in a newspaper of general circulation published in Dade County; and in the publication of said special assessment roll the Commission shall cause to be attached to the copy of the assessment roll published a notice directed to all property owners interested in said assessments of the time and place where complaints will be heard with reference to said assessments and when said assessment roll will be finally approved and confirmed by the Commission sitting as an equalizing board.

Sec. 56. At the time and place named in the notice provided for in the preceding section, the Commission shall meet as an equalizing board to hear and consider any and all complaints as to such special assessments, and shall adjust and equalize the said assessments on a basis of justice and right, and when so equalized and approved such assessments shall stand confirmed, and be and remain legal, valid and binding liens upon the property against which such assessments are made, until paid in accordance with the provisions of this Act; provided, however, that upon the completion of the street improvements the City shall rebate to the owner of any property which shall have been specially assessed for any street improvements the difference in the assessment as originally made, approved and confirmed, and the proportionate part of the actual cost of said street improvement to be paid by special assessments as finally determined upon the completion of said street improvement.

Sec. 57. Special assessments for street improvements shall be payable by the owners of the property abutting

upon said street or streets assessed for said improvement at the time, and in the manner stated in the resolution providing for said improvement, and said special assessments shall be and remain liens superior in dignity to all other liens, except liens for taxes, until paid from the date of the assessment upon the respective lots and parcels of land assessed, and shall bear interest at the rate of eight per cent. per annum, and may be, by the resolution aforesaid, made payable in ten equal yearly installments, with accrued interest on all deferred payments, unless paid within thirty days after said assessments shall stand approved and confirmed, as provided in preceding section.

Sec. 58. Each annual installment provided for in the preceding section shall be paid upon the dates specified in said resolution, with interest upon all deferred payments, until the entire amount of said assessment has been paid, and upon the failure of any property owner to pay any annual installment due, or any part thereof, or any annual interest upon deferred payments, the Commission shall cause to be brought the necessary legal proceedings by a Bill in Chancery to enforce payment thereof with all accrued interest, together with all legal costs incurred, including a reasonable solicitor's fee to be assessed as part of the costs and in the event of default in the payment of any installment of an assessment, or any accrued interest on said assessment, the whole assessment, with the interest thereon, shall immediately become due and payable and subject to foreclosure. In the foreclosure of any special assessment service of process against unknown, or non-resident defendants, may be had by publication, as provided by law in other chancery suits. The foreclosure proceedings shall be prosecuted to a sale and conveyance of the property involved in said proceedings as provided by law in suits to foreclose mortgages. Delinquent City taxes may be collected in such suits.

Sec. 59. After the equalization, approval and confirmation of the levying of special assessments for street improvements, as hereinbefore provided by Section 54 of this Act, and as soon as a contract for said street improvement has been finally let, the Commission may, by resolution, issue improvement bonds, pledging the full faith and credit of the City to an amount not exceeding the proportionate part of the cost of said street improvement to be

paid by special assessment, and the estimated cost of said street improvement as stated in the resolution provided by Section 51 of this Act shall be used as a basis of calculation in determining the proportionate part of the cost of said street improvement to be paid by special assessment; such bonds shall be general obligations of the municipality issuing the same, and if special assessments be not imposed and collected in respect of the improvement in season to pay the principal and interest of said bonds the Commission shall levy and collect on all taxable property in the City a tax sufficient to pay such principal and interest as the same respectively become due and payable. All improvement bonds shall be excluded from any limitation of bonded indebtedness prescribed by the charter, and said bonds shall be issued upon the adoption of a resolution by the Commission providing for the issuing thereof, without submitting the question as to the issuance of said bonds to a vote of the electors of the City.

Sec. 60. All special assessments levied and imposed in respect of the improvement shall constitute a fund for the payment of the principal and interest of the bonds authorized by this and the preceding section, and in the event there be a failure to collect and receive the said special assessment in season to pay the principal and interest of said bonds, the municipality shall levy and collect on all taxable property in said municipality a tax sufficient to pay such principal and interest as the same respectively become due and payable.

Sec. 61. All improvement bonds issued under the provisions of this Act shall be advertised for sale on sealed bids, which advertisement shall be published once a week for three weeks in a newspaper of general circulation, published in the City, and if there be no newspaper published in the City, the Commission shall cause the advertisement for the sale of said bonds to be published in a newspaper of general circulation published in Dade County. Notice of said sale may at the option of the Commission be published once a week for two weeks in a financial paper published in the City of New York, Chicago or Toledo, or any newspaper of general circulation published in a city in the State of Florida having a population of not less than twenty thousand inhabitants according to the last Federal census.

If the bonds be not sold pursuant to such advertisement they may be sold at private sale at any time after the date advertised for the reception of sealed bids, provided no bonds issued under the authority of this Act shall be sold for less than ninety per cent. of the par value thereof, with accrued interest, and provided further that no private sale thereof shall be made at a price lower than the best sealed bid received therefor, and no private sale shall be made of said bonds subsequent to sixty days after the advertised date for the reception of sealed bids.

Sec. 62. If any special assessment made under the provisions of this Act to defray the whole or any part of the expense of any street improvement shall be either in whole or in part annulled, vacated or set aside by the judgment of any court, or if the Commission shall be satisfied that any such assessment is so irregular or defective that the same cannot be enforced or collected, or if the Commission shall have omitted to make such assessment when it might have done so, the Commission is hereby authorized and required to take all necessary steps to cause a new assessment to be made for the whole or any part of any improvement or against any property benefited by any improvement, following as nearly as may be the provisions of this Act, and in case such second assessment shall be annulled the Commission may obtain and make other assessments until a valid assessment shall be made.

Sec. 63. The Commission shall have the power to pay out of its general funds or out of any special fund that may be provided for that purpose such portion of the cost of any street improvement as it may deem proper. Interest accruing while an improvement is under construction and for six months thereafter, all engineering and inspection costs, including a proper proportion of the compensation, salaries and expenses of the engineering staff of the City properly chargeable to any improvement, and all costs and estimated costs, including attorney's fees in the issuance of the bonds provided for by this Act, shall be deemed and considered a part of the cost of the improvement.

Sec. 64. Any informality or irregularity in the proceedings in connection with the levy of any special assessment under the provisions of this Act shall not affect the validity of the same where the assessment roll has been con-

firmed by the Commission, and the assessment roll as finally approved and confirmed shall be competent and sufficient evidence that the assessment was duly levied, that the assessment was duly made and adopted, and that all other proceedings adequate to the adoption of the said assessment roll were duly had, taken and performed as required by this Act; and no variance from the directions hereunder shall be held material unless it be clearly shown that the party objecting was materially injured thereby.

Sec. 65. All improvement bonds shall be in the denomination of \$100.00 or some multiple thereof, and shall bear interest not exceeding six per centum per annum, and shall become due at such time or times as may be determined by the Commission, not exceeding ten years, payable annually or semi-annually, and both principal and interest shall be payable at such place or places as the Commission may determine. The form of such bonds shall be fixed by resolution of the Commission, and said bonds shall be signed by the Mayor and the Clerk, under the seal of the City; the coupons, if any, shall be executed by the facsimile signatures of said officers. The delivery of any bond and coupon so executed at any time thereafter shall be valid although before the date of delivery the person signing such bond or coupons shall cease to hold office.

Sec. 66. Bonds issued hereunder shall have all the qualities of negotiable paper under the law merchant and shall not be invalid for any irregularity or defect in the proceedings for the issue and sale thereof, and shall be incontestable in the hands of bona fide purchasers or holders thereof for value.

Sec. 67. No right, title or interest of the City of Coral Gables in and to the waterfront, wharf property, public landings, wharves, docks, streets, avenues, parks, bridges and other public places, and its gas, water, electric and other works, shall be sold except by authority of an ordinance passed by a recorded affirmative vote of four-fifths of all the members of the Commission, and under such other restrictions as may be imposed by law.

Sec. 68. No ordinance granting, renewing or leasing the right to use the streets, alleys, public grounds or buildings of the City of Coral Gables to any private person, persons, firm or corporation shall become a law or effective

in any way unless the same be passed by a vote of four-fifths of all the members of the Commission; and no such grant, renewal or lease shall be for a longer period than thirty years, and no such grant, renewal or lease shall be transferable except with the approval of the Commission expressed by ordinance; and copies of all transfers and mortgages or other documents affecting the title or use of such grants, renewals or leases shall be filed with the City Clerk within ten days after the execution thereof.

Sec. 69. All grants, renewals, extensions or amendments of public utility franchises, whether it be so provided in the ordinance or not, shall be subject to the right of the city:

(a) To repeal the same by ordinance at any time for misuse or non-use, or failure to begin construction within the time prescribed, or otherwise to comply with the terms prescribed.

(b) To require proper and adequate extensions of plant and service, and the maintenance of the plant and fixtures at the highest practicable standard of efficiency.

(c) To establish reasonable standards of service and quality of products and prevent unjust discrimination in service or rates.

(d) To prescribe and form accounts and at any time to examine and audit the accounts and other records of any such utility; but if a public service commission or any other authority shall be given the power by law to prescribe the form of accounts for public utilities throughout the State, the forms so prescribed shall be controlling so far as they go, but the Commission may prescribe more detailed forms for the utilities within its jurisdiction.

(e) To impose such other regulations as may be conducive to the safety, welfare and accommodation of the public.

Sec. 70. All extensions of public utilities within the city limits shall become a part of the aggregate property of the public utility, shall be operated as such, and shall be subject to all the obligations and reserved rights contained in this Charter and in any original grant hereafter made. The right to use and maintain any extension shall terminate with the original grant. In case of and extension of a public utility operated under a franchise hereafter granted such right shall be terminable under the same conditions as the original grant.

Sec. 71. Every public utility franchise hereafter granted shall be subject to all the terms and conditions of this Charter, whether or not such terms are specifically mentioned in the franchise. Nothing in this Charter shall operate to limit in any way, except as specifically stated, the discretion of the Commission imposing terms and conditions in connection with any franchise grant.

Sec. 72. Accounts shall be kept for each public utility owned or operated by the city, distinct from other city accounts, and in such manner as to show the true and complete financial result of such city ownership and operation, including all assets, liabilities, revenues and expenses.

The accounts shall show the actual cost to the city of each public utility owned; the cost of all extensions, additions and improvements; all expenses of maintenance; the amounts set aside for sinking fund purposes; and in the case of city operation, all operating expenses of every description. They shall show as nearly as possible the value of any service furnished to or rendered by any such public utility by or to any other city or governmental department. They shall also show a proper allowance for depreciation, insurance, interest on the investment, and estimates of the amount of taxes that would be chargeable against the property if privately owned. The Commission shall annually cause to be made and printed for public distribution a report showing the financial results of such city ownership, or ownership and operation, which reports shall give the information specified in this section and such other information as the Commission shall deem expedient.

Sec. 73. All books, records and documents used by any city officer in his office or pertaining to his duties shall be deemed the property of said city, and the chief officer in charge of such office shall be responsible therefor. Any such officer or person made by this section responsible for the keeping of such books, records and documents, shall, within three days after the date of his resignation or removal from office as the case may be, deliver to the City Clerk all such books, records and documents. Any such officer or person failing to deliver such books, records or documents as required by this section, shall be deemed guilty of an offense against the city, and upon conviction thereof before the City Court shall be fined not more than

five hundred (\$500.00) dollars, or imprisonment not exceeding sixty days.

Sec. 74. Except in the case of officers whose bonds are specifically provided for by this Charter, the Commission shall determine, by resolution, whether such officer, clerk or employee shall give bond and the amount of penalty thereof. All officers required by this Charter to give bond, and all officers, clerks and employees of whom bond is required by the Commission, shall, before entering upon their respective duties, give bond with surety to be approved by this Commission, conditioned for the faithful performance of the duties of their respective officers, which bond, unless otherwise specially provided by this Charter, shall be payable to said City, and in such penalty as the Commission may by resolution prescribe. The Commission shall accept as surety on any such official bond only a good, solvent surety company authorized to do business in the State of Florida. The premium on any such bond shall be paid by the City. Unless otherwise specially provided in this Charter, all such bonds shall be filed with and preserved by the City Clerk.

Sec. 75. The Commission may, at the request of the City Manager, appoint Boards or Commissions, to be composed of such number of citizens as the Commission may deem expedient to act in an advisory capacity in conjunction with anyone or more of the departments created or authorized hereby. The members of all such Boards and Commissions shall serve without compensation, and may be removed at any time by a majority vote of the Commission.

Sec. 76. The Commission shall fix by ordinance the compensation of all officers and heads of departments. The City Manager shall, subject to the approval of the Commission, fix the number and salaries or compensation of all other officers and employees. The salaries or compensations so fixed shall be uniform for like service in each grade of the service as the same shall be framed or classified by the City Manager in accordance with the rules and regulations adopted by the Commission. All fees and monies received or collected by officers and employees shall be paid into the City Treasury.

Sec. 77. Every officer of the City shall, before entering upon the duties of his office, take and subscribe to an oath

or affirmation, to be filed and kept in the office of the Commission, that he will support, protect and defend the Constitution and laws of the United States and of the State of Florida, and the Charter and all Ordinances of the City, and in all respects faithfully discharge the duties of his office.

Sec. 78. No contract for furnishing supplies or services for the City, except as otherwise provided in this Charter, shall be made for a period of more than one year.

Sec. 79. The Commission shall make no appropriation of public funds towards the maintenance and support of any public or private charity except upon condition that the City shall have representation upon the Board of Directors, Board of Managers or other governing body such private or public charity, and that a detailed financial report, showing all receipts and disbursements by such charity shall be made to the Commission at least once in each year. But nothing herein shall be construed to prevent the City from contracting with any hospital or similar institution for the care of the indigent, sick or injured persons, or for other services.

Sec. 80. Any owner of lots or grounds within the City who subdivides the same for sale shall cause to be made an accurate plat of said subdivision describing with certainty all grounds laid out or granted for streets, or other public uses. Lots intended for sale shall be numbered by progressive numbers or described by the squares in which situated and the precise length and width shall be given of each lot sold or intended for sale; such plat shall be subscribed by the owner, acknowledged before an officer authorized to take the acknowledgment of deeds, approved by the Commission, and recorded in the office of the Clerk of the Circuit Court in and for Dade County, Florida. No such plat shall be approved unless it clearly gives an accurate description of the property showing section corners or quarter section corners or at least tying said property to one or more section or quarter section corners or other government monument.

Section 81. The Commission shall provide regulations governing the platting of all lands so as to require all streets and alleys to be of proper width and to be co-terminus with adjoining streets and alleys and otherwise to

conform to regulations prescribed by the Commission. Whenever the Commission shall deem it expedient to plat any portion of territory within the City limits, within which the necessary streets or alleys have not already been accepted by the City, so as to become public streets or alleys, or when any person plats said land within the corporate limits, or within two miles thereof, the Commission shall, if such plats are in accordance with the rules as prescribed by the Commission, endorse its written approval thereon. No plat subdividing lands within the corporate limits of the City of Coral Gables, or within two miles thereof, shall be entitled to record in the office of the Clerk of the Circuit Court in and for Dade County, Florida, without such written approval endorsed thereon.

Sec. 82. No streets or alleys, except those laid down on such plat as referred to in the last two preceding sections, and bearing the approval of the Commission, as hereinbefore provided for, shall subsequently in any way be accepted as public streets or alleys by the City, nor shall any public funds be expended in the repair or improvement of streets and alleys subsequently laid out and not on such plat. This restriction shall not apply to a street or alley laid out by the City, nor streets, alleys or public grounds laid out on a plat by, or with the approval of the Commission.

Sec. 83. No streets or alleys hereafter dedicated to public use by the owner of ground in the City shall be deemed a public street or alley, or under the care and control of the Commission, unless the dedication be accepted and confirmed by ordinance passed for such purpose, or unless the provisions of this Charter relating to subdivisions shall have been complied with.

Sec. 84. All ordinances of the City of Coral Gables, before they shall become a law or take effect, must be published at least one time in a newspaper published in the City of Coral Gables, or in the event there is no newspaper published in the City of Coral Gables, then in a newspaper published in Dade County. Provided, that nothing herein contained shall prevent the Commission, at any time appointing some person or persons and authorizing him or them to arrange, and codify the ordinances of the said City, and publishing such codification in appropriate volume or volumes, which shall become the laws of the said

City upon its adoption by ordinance published as herein provided; and provided, further, that in the exercise of the power by said Commission to adopt said codification, it shall not be necessary to publish said codification, but the publication of the ordinance adopting the same shall be sufficient to make it binding as the law of said City.

Sec. 85. The Commission shall determine by ordinance the amount to be credited to prisoners for each day's work performed because of the non-payment of fine and costs. No costs in criminal prosecutions shall be taxed against the City or paid by the Commission.

Sec. 86. It shall be the duty of the City Clerk to record within ten days after passage all ordinances adopted by the Commission in a book kept for that purpose and properly index said book. A copy of any ordinance therefrom, certified by the Clerk under the seal of said City, shall be received in evidence in all Courts of this State.

Sec. 87. The ordaining clause of every ordinance shall be as follows: "Be It Ordained by the Commission of the City of Coral Gables".

Sec. 88. The City of Coral Gables shall not be annexed to any other incorporated city until it shall so declare by an ordinance passed and approved by a four-fifths vote of the Commission, but no election shall be required to ratify such ordinance before it becomes effective as now provided by the general laws of the State.

Sec. 89. No municipality shall be established under the general laws of the State of Florida within two miles of the corporate limits of Coral Gables, without first obtaining the consent of four-fifths of the Commission of Coral Gables, which shall be evidenced by a resolution so adopted and duly recorded in the minutes of the Commission.

Sec. 90. No municipal corporation shall be formed in the State of Florida using in any manner as part of its name the words "Coral Gables" or either of them, without first obtaining the consent of four-fifths of the Commission as provided in the preceding section.

Sec. 91. The Commission may at any time enlarge the corporate limits of Coral Gables within two miles of its corporate limits, as defined by this Act. The extension of

the corporate limits shall be by resolution adopted by four-fifths vote of the Commission, and the same shall be effective after publication once each week for four consecutive weeks in a newspaper published in the City of Coral Gables, or if there is no newspaper published in the City of Coral Gables, then in a newspaper in Dade County.

Sec. 92. It shall be the duty of the County Commissioners of Dade County, Florida, to maintain all streets designated as highways in the City of Coral Gables.

Sec. 93. In order to provide all necessary expenses for the operation of the City and proper expenditures for municipal purposes, until sufficient taxes are collected for such purposes, the Commission is hereby authorized to borrow money in an amount not to exceed One Hundred Thousand Dollars, and to issue a note or notes therefor, with interest at a rate not to exceed eight per cent. per annum. Said notes shall not be issued for a longer term than one year, and the same, or any part thereof, may be renewed from time to time until fully paid.

Sec. 94. The proceedings provided for in Sections 20 and 21 shall be done as early as practicable for the year 1925, and the time limit therein prescribed shall not be considered as applicable for said year.

Sec. 95. If any section or part of a section of this Charter proves to be invalid or unconstitutional, the same shall not be held to invalidate or impair the validity, force or effect of any other section or part of a section of this Charter, unless it clearly appear that such other section or part of a section is wholly or necessarily dependent for its operation upon the section or part of a section so held to be unconstitutional or invalid.

Sec. 96. This Act shall be effective on becoming a law.

Approved April 29, 1925.

CHAPTER 10419—(No. 397).

AN ACT to Amend Certain Sections of an Act of the 1925 Legislature Entitled "An Act Establishing the City of Coral Gables, to Provide for Its Government and to Prescribe Its Jurisdiction and Powers."

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

Section 1. That Section forty-six (46) of the 1925 Acts of the Legislature of the State of Florida, entitled "An Act to Establish the City of Coral Gables, to Provide for its Government and to Prescribe its Jurisdiction and Powers" be and the same hereby is amended to read as follows:

"Section 46. Within one year after this Act takes effect, the Commission is hereby authorized to provide by ordinance for the issuance of bonds in an amount not to exceed One Million Dollars, of such denominations, bearing such rates of interest not exceeding six per cent, becoming due at such times not exceeding thirty years from the date of issuance, and upon such conditions as may be prescribed by ordinance. Said bonds shall not be sold for less than ninety per cent and accrued interest and the proceeds from the sale of said bonds may be used for any municipal purpose."

Sec. 2. That Section forty-seven (47) of the 1925 Acts of the Legislature of the State of Florida, entitled "An Act to establish the City of Coral Gables, to provide for its Government and to Prescribe its Jurisdiction and Powers" be and the same hereby is amended to read as follows:

Section 47. The City is hereby authorized to provide by ordinance for the issuance of bonds for any municipal purpose except for maintenance and repairs in an amount not exceeding twelve and one-half per cent. of the fair market value or twenty-five per cent of the full cash value of the taxable property within the City, as the same shall appear on the tax assessment roll next preceding the issuance of the bonds, of such denominations, bearing such rate of interest not exceeding six per cent, becoming due at such times, not exceeding thirty years from the date of issuance, and upon such conditions as may be determined

by ordinance; but, before the bonds provided for in this section shall be issued, the ordinance shall be submitted to the legally qualified voters of said City for approval or disapproval, after giving notice of such election in a newspaper published in the City of Coral Gables, and if no newspaper is published in the City of Coral Gables, then in a newspaper published in Dade County, once each week for four consecutive weeks, the first publication to be not less than twenty-five days before the date of the election. If a majority of the electors voting at said election shall vote for the approval of said ordinance, then the City Commission shall be authorized to issue bonds therein provided for. Notice of the sale of said bonds shall be given once each week for three consecutive weeks in a newspaper as above provided, the first publication of such notice to be not less than eighteen days before the date of sale. No bid shall be accepted for less than par and accrued interest, but in the event any bid is above ninety per cent plus accrued interest, the Commission may sell said bonds at a private sale, provided they are not sold for less than the highest bid received for the sale of said bonds as above provided."

Sec. 3. That Section forty-nine (49) of the 1925 Acts of the Legislature of the State of Florida, entitled "An Act to Establish the City of Coral Gables, to Provide for its Government and to Prescribe its Jurisdiction and Powers" be and the same hereby is amended to read as follows:

"Section 49. In this Act certain words and phrases will be used with the following meanings, unless some other meaning is plainly intended:

The main divisions of this Act are sometimes herein termed paragraphs and the divisions of paragraphs are sometimes herein termed sub-paragraphs.

A Local Improvement is an improvement defined by this Act and made under the provisions thereof.

The word Commission shall be deemed to refer to the City Commission of the City of Coral Gables.

A Highway is a public way embracing a street, boulevard, road, avenue, lane, alley, parkway, court, terrace, and place, but not embracing a sidewalk.

A sidewalk is a path for pedestrians along a highway.

A Storm Sewer is a conduit above or below ground for the passage of storm water, and may embrace a pumping station and outlet where deemed necessary; and may also embrace the building or culverts over or enclosing of streams where necessary or advisable to carry off storm water.

A Sanitary Sewer is an underground conduit for the passage of sewage, and may embrace a pumping station and outlet where deemed necessary.

A Curb Sewer is a sanitary sewer at or near a curb, instead of at or near the middle of a highway.

A Lateral is a pipe connecting a sewer main with the line of adjacent property or the curb line, as the Commission may prescribe, being either a sewer lateral or a water lateral, but does not include a building connection, that is, a pipe extending from a lateral at the property line or curb line to the house or plumbing fixtures on the property to be served.

Improvements authorized to be made under the provisions of this Act are divided into five classes, as follows:

Class 1. Highway improvements embrace the grading, paving, repaving, macadamizing and re-macadamizing of highways, with necessary drainage, sewer inlets, manholes and catch basins, and, if the Commission so orders, may embrace curbs and gutters.

Class 3. Sanitary sewer improvements embrace the construction of sanitary sewers, the relaying where necessary of streets and sidewalks necessarily torn up or damaged, and, if the Commission so orders, the laying of sewer laterals, as a separate improvement, or as a part of the main improvement.

Class 4. Storm sewer improvements embrace the construction of storm sewers, the relaying where necessary of streets and sidewalks necessarily torn up or damaged, and, if the Commission so orders, the laying of sewer laterals, as a separate improvement, or as a part of the main improvement. Storm sewer improvements may also embrace the building of culverts over or enclosing of streams where necessary or advisable to carry off storm water. The word sewer includes both sanitary and storm sewers unless a contrary intention is shown.

Class 5. Water front improvements embrace the construction of bulkheads, seawalls or other retaining walls along the bay, river, canal, or lake, with necessary fills and dredging, and may embrace the acquisition by purchase, condemnation or otherwise, of land, rights and easements therefor.

Incidental expense embraces the following items, including reasonable sums paid or credited to the City or any department thereof for services rendered by any department of officer or clerk thereof in connection with any such items:

- Preliminary and other surveys.
- Inspection and superintendence of work.
- Preparation of plans and specifications and estimates.
- Printing and publishing of notices and proceedings.
- Preparation of bonds:
- Interest during construction.
- Legal services, abstracts, etc.

Any other expense necessary or proper in conducting the proceedings and work herein provided for.

Railroad includes all forms of transportation by rail, not owned by the City of Coral Gables, whether propelled by electric, gasoline or steam power."

Sec. 4. That Section Fifty (50) of the 1925 Acts of the Legislature of the State of Florida, entitled 'An Act to Establish the City of Coral Gables, to Provide for its Government and to Prescribe its Jurisdiction and Powers' be and the same is hereby amended to read as follows:

"Section 50. The City of Coral Gables is authorized to make local improvements and provide for paying the cost thereof as herein provided.

(a) The initial proceeding for a local improvement hereunder shall be the passage at a regular or special meeting of the Commission of a resolution ordering the same to be made under this section, indicating the location by terminal points and route, and either giving a description of the improvement by its material, nature, character and size, or giving two or more such descriptions with the direction that the material, nature, character, and size be subsequently determined in conformity with one of such descriptions. A single resolution may embrace one improvement only, or one improvement of each of two or more

classes of improvements. An improvement need not be continuous and may be in more than one locality or highway, but a highway or sidewalk improvement shall be practically uniform in cost and kind throughout the improvement, and a sanitary sewer improvement shall not be provided for a curb sewer as a part of the improvement, and a sewer at or near the middle of a highway as another part. Nothing herein contained shall prevent the Commission from excluding from any highway improvement that portion of the highway which has been improved by any railroad or any portion which the city may, under the franchise or contract with such railroad, require it to improve. If the resolution shall order a water front improvement or storm sewer improvement, it shall designate the property which the Commission deems will be specially benefitted thereby, and, if a water front improvement be ordered, the resolution shall indicate the proportion thereof which shall be borne by the city at large, and the proportion thereof which shall be specially assessed. A resolution may give any short and convenient designation to each improvement ordered thereby, and the property against which the assessments are to be made for the cost of such improvement shall be designated as a district, followed by a letter or number or name to distinguish it from other districts, after which it shall be sufficient to refer to such improvement and property by such designation in all proceedings, assessments and bonds, except in the notice provided by paragraph (c) of this section.

(b) As soon as may be after the passage of said resolution the City Manager shall prepare and file with the City Clerk plans and specifications of each improvement ordered thereby and an estimate of the cost thereof, including an estimate of the cost of each kind of improvement if the resolution provides alternative descriptions of material, nature, character and size, which estimate shall show the estimated amount of cost and incidental expense to be assessed against property, and except in the case of a storm sewer improvement the estimated amount to be assessed against each foot of abutting property.

(c) The City Clerk, upon the filing with him of such plans, specifications and estimates, shall publish once in a daily newspaper of general circulation published in the city or in the City of Miami, a notice stating that at a meeting of the Commission on a certain day and hour,

not earlier than ten days from such publication, the Commission will hear the objections of all interested persons to the confirmation of said resolution, which notice shall state in brief and general terms a description of the proposed improvement with the location thereof, and shall also state that plans, specifications and estimates of cost thereof are on file in the office of the City Clerk.

(d) At the time named in said notice, or to which an adjournment may be taken, the Commission shall receive any objections of interested persons and may then or thereafter repeal or confirm said resolution with such amendments, if any, as may be desired by the Commission and which do not change in any way the location of the improvement or improvements; provided, however, that such resolution shall not then or thereafter be confirmed if it contains items which cannot be properly charged to the property owners, or if it is, for any default or defect in the passage or character of the resolution or estimate, void or voidable in whole or in part, or if it exceeds the power of the Commission, and if any objection shall be made to the resolution on any such ground as provided by Section 51 hereof.

(e) Within two (2) days after such confirmation, the resolution confirming same, together with the estimates submitted, shall be recorded by the City Clerk in a special book to be kept for that purpose, which book shall be known as improvement and assessment book and which book shall give the description by lot and block number, or other legal description, of all pieces of property affected thereby, together with the estimated amount assessable against each parcel or lot or portion thereof, which abuts upon or is benefitted by the improvement or improvements, which said book shall be ruled in such a way that any person can readily ascertain the assessment against any piece of property affected."

Sec. 5. That Section Fifty-one (51) of the 1925 Acts of the Legislature of the State of Florida, entitled "An Act to Establish the City of Coral Gables, to Provide for its Government and to Prescribe its Jurisdiction and Powers" be and the same is hereby amended to read as follows:

"Section 51. All objections to any improvement resolution on the grounds that it contains items which cannot

be properly charged to the property owners, or that it is, for any default or defect in the passage or character of the resolution or estimate, void or voidable in whole or in part, or that it exceeds the power of the legislative body of the municipality, shall be made in writing, in person or by attorney, and filed with the City Clerk at or before the time or adjourned time of such hearing. Any objections against the making of an improvement not so made shall be considered as waived, and if an objection shall be made and overruled or shall not be sustained, the confirmation of the resolution shall be the final adjudication of the issues presented unless proper steps shall be taken in a court of competent jurisdiction to secure relief within ten days."

Sec. 6. That Section Fifty-two (52) of the 1925 Acts of the Legislature of the State of Florida, entitled "An Act to Establish the City of Coral Gables, to Provide for its Government and to Prescribe its Jurisdiction and Powers" be and the same hereby is amended to read as follows:

"Section 52. As soon as practicable after the confirmation of any such resolution ordering work to be constructed the City Clerk shall publish at least once, in a newspaper of general circulation published in the City, or in the City of Miami, and if the estimated cost exceeds Five Thousand Dollars (\$5,000), in a newspaper of general circulation throughout the State, a notice calling for sealed bids to be received by the Commission on a date not earlier than fifteen (15) days from the first publication in the local paper, or if said estimate exceeds Five Thousand Dollars (\$5,000), in each of said two newspapers, for the construction of the work, unless in such resolution the Commission shall have declared its intention to have the work done by City forces without contract. The notice may refer in general terms to the extent and nature of the improvement or improvements and may identify the same by the short designation indicated in the initial resolution and by reference to the plans and specifications on file. If the initial resolution shall have given two or more alternative descriptions of the improvement as to its material, nature, character and size, and if the Commission shall not have theretofore determined upon a definite description, the notice may call for bids upon each of such descriptions. No contractor shall be required to take bonds, warrants,

or certificates in payment, but payment shall be made in cash upon monthly estimates of the City Manager to the amount of ninety per cent (90%) of such estimates and the balance due shall be paid in cash within sixty (60) days after acceptance of the work, and the said notice may state such conditions as to payment. Bids may be requested for the work as a whole or for any part thereof separately, and bids may be asked for any one or more improvements authorized by the same or different resolutions, but any bid covering work upon more than one improvement shall be in such form as to permit a separation of cost as to each improvement. The notice shall require bidders to file with their bids either a certified check upon an incorporated bank or trust company for 2½% of the amount of their respective bids or a bid bond in like amount with corporate surety satisfactory to the City Attorney to insure the execution of a contract to carry out the work in accordance with such plans and specifications and to insure the filing, at the making of such contract, of a bond in the amount of the contract price with sureties satisfactory to the City Manager conditioned for the performance of the work in accordance with such contract. The Commission shall have the right to reject any and all bids, and if all bids are rejected the Commission may re-advertise or may determine to do the work by city forces without contract.

Sec. 7. That Section Fifty-three (53) of the 1925 Acts of the Legislature of the State of Florida, entitled "An Act to Establish the City of Coral Gables, to Provide for its Government and to Prescribe its Jurisdiction and Powers" be and the same is hereby amended to read as follows:

"Section 53. After a contract shall have been entered into for an improvement embraced in any resolution, or, if the City shall do the work itself, after an improvement authorized by any resolution shall have been completed, the City Manager shall prepare a preliminary assessment roll and file the same with the City Clerk which roll shall contain the following:

(1) A description of the lots and parcels of land within the district, which, in the case of water front, and storm sewer improvements, shall include all property declared by the Commission in such improvement resolu-

tion to be specially benefitted thereby, and in the case of other improvements shall include lots and lands which abut upon the sides of that part of any highway to be improved or in which a sanitary sewer, except a curb sewer, is to be laid and the lots and lands which abut upon that side or sides of any highway in or along which side or sides a sidewalk is to be constructed or a sanitary curb sewer is to be laid. Such property, lots and lands shall include City property, and land within the City which abuts upon an intersection as herein defined; there shall also be given the name of the owner of each lot or parcel, where such can be ascertained, and in all cases save storm sewer improvements, a statement of the number of feet of property so abutting, which number of feet shall be known as the frontage.

(2) In the case of highway improvements a description of any track or tracks of a railroad as herein defined already laid or for the laying of which any franchise shall have been granted, within the portion of the highway or highways to be improved, giving the number of tracks, the distance between the tracks and the distance between the rails.

(3) The total cost of the improvements which, if made by contract, shall be the price named therein or the price computed from unit prices named therein, taking into consideration minor changes and alterations found necessary, but if the City shall do the work itself, the actual cost of said work, and in all cases the amount of incidental expenses, estimated or actual.

(4) An apportionment, to be computed as follows, of the cost of each improvement, incidental expenses to be apportioned in the same proportion:

#### IN HIGHWAY IMPROVEMENTS.

a. To any railroad as herein defined, the track or tracks of which may be in or upon any portion of the highway or intersection to be improved or to which any franchise for such track or tracks shall have been granted, there shall be apportioned the cost of such improvement between the tracks and between the rails of each track and for the distance of eighteen (18) inches beyond each outer rail, including switches and turnouts; and when an

assessment of such apportionment shall have been confirmed against any such railroad, it shall constitute a lien upon all the franchises and property thereof to the same extent as other assessments herein provided for constitute liens abutting or benefited property; provided, however, that where any such railroad shall operate or be about to operate under any ordinance, contract or franchise which provides for the amount, manner and condition of the payment of cost by such railroad, the foregoing provisions as to such railroad shall apply only to the extent the same may not be inconsistent with any such ordinance, contract or franchise.

b. To the City shall be apportioned the cost of highway improvements at intersections, except that part of such intersection cost as is apportioned to railroads. The word "intersection" shall be deemed to include not only that part of a highway which is common to another highway, but also that portion of a highway which would be embraced within the extension, if extended, of another highway entering into it or meeting it.

c. To abutting property shall be apportioned the remaining cost of highway improvements.

#### IN SIDEWALK IMPROVEMENTS.

d. To abutting property shall be apportioned all the costs of sidewalk improvements, the lots within a block being deemed to abut upon a sidewalk although the latter extends beyond the lots to the curb line of an intersecting highway.

#### IN SANITARY SEWER IMPROVEMENTS.

e. To the City shall be apportioned the cost of sanitary sewer improvements at intersections.

f. To the City shall be apportioned the cost of any pumping station or outlet.

g. To each lot or parcel to the property or curb line of which a sanitary sewer lateral is laid shall be apportioned the cost of that lateral.

h. To abutting property shall be apportioned either (a) the cost of a sanitary sewer except at intersection, or (b) the cost of an eight-inch sanitary sewer except at intersections, as such cost is estimated by the City Manager (whichever be the lesser), not including herein the cost of laterals, pumping station or outlet.

#### STORM SEWER IMPROVEMENTS.

i. To the City shall be apportioned one-third of the cost of storm sewers including any pumping station and outlet but excluding storm sewer laterals.

j. To the lots and parcels within the district shall be apportioned two-thirds of the cost of storm sewers, including any pumping station and outlet, but excluding laterals.

k. To each lot and parcel, to the property or curb line of which a storm sewer lateral shall be laid, shall be apportioned the cost of such lateral.

#### WATER FRONT IMPROVEMENTS.

l. To the City shall be apportioned such part of the cost of water front improvements as may have been determined by the initial resolution.

m. To the lots and parcels within the district shall be apportioned the remaining part of water front improvements.

#### ASSESSMENT OF INDIVIDUAL LOTS.

n. The amount of the cost of water front improvements and storm sewers, excluding laterals, so apportioned to lots and parcels of land, shall in said roll be assessed to the several lots and parcels within the district in the proportion which the City Manager deems to be the proportion of special benefits each such lot or parcel will receive, and the amount of cost of each highway, sidewalk and sanitary sewer improvements, except laterals, so apportioned to abutting property shall be assessed in said roll against such abutting property according to frontage."

Sec. 8. That Section Fifty-four (54) of the 1925 Acts of the Legislature of the State of Florida, entitled "An Act to Establish the City of Coral Gables, to Provide for its Government and to Prescribe its Jurisdiction and Powers," be and the same hereby is amended to read as follows:

"Section 54. The preliminary roll shall be advisory only and shall be subject to the action of the Commission as hereinafter provided.

(a) Upon the filing of the City Clerk of the preliminary assessment roll required by this Section, the City Clerk

shall publish once in each of two successive weeks in a daily newspaper of general circulation published in the city, or the City of Miami, a notice stating that at a regular meeting of the Commission to be held on a certain day and hour, not less than twelve days from the date of the first publication, all interested persons may appear and file written objections to the confirmation of said roll.

(b) At the time and place stated in such notice the Commission shall meet and receive the objections in writing of all interested persons as stated in said notice. Then or thereafter, the Commission shall either annul or sustain or modify in whole or in part the prima facie assessment as indicated on said roll, either by confirming the prima facie assessment against any or all lots or parcels described therein, or by cancelling, increasing or reducing the same, according to the special benefits which said Commission decides each said lot or parcel has received, or will receive on account of such improvement. If any property which may be chargeable under this Section shall have been omitted from said preliminary roll or if the prima facie assessment has not been made against it, the Commission may place on said roll an apportionment to said property. The Commission may thereupon confirm said roll, but shall not confirm any assessment in excess of the special benefits to the property assessed, and the assessments so confirmed shall be in proportion to the special benefits. Forthwith after such confirmation said assessment roll shall be delivered to the City Manager and such confirmation shall be final and conclusive except as hereinafter provided.

(c) If the owners of any railroad, or any lot or parcel of land so assessed shall within ten days from such confirmation file a written verified petition in the office of the Clerk of the Circuit Court of Dade County, setting forth that the amount so assessed against any property of the petitioner exceeds the amount of the special benefit the petitioner has sustained or will sustain by reason of such improvement, or is out of proportion to benefits, or that the assessment is invalid for any reason whatsoever, and shall at the same time file with said Clerk a written undertaking in at least the sum of Two Hundred Dollars (\$200.00), with a good and sufficient surety to be justified before and approved by the said Clerk, to the effect that

the petitioner will pay to the said City all costs and damages to be sustained by it by reason of such proceeding, and shall, within ten (10) days from such confirmation deliver to the City Manager or leave in his office a copy of said petition, then the validity of such assessment against said property shall be determined as hereinafter provided. Within ten (10) days after the delivery of said copy of petition to the City Manager, or at his office, the City Manager shall appear and answer the said petition, and the case shall be heard upon such petition and answer and upon such evidence as may be presented to the Court. The Judge of the Court shall hear and determine the cause, in term or vacation, giving such hearing and determination precedence over all other cases so far as the same may be practicable. The decision of the court in such proceedings shall be final, and an appeal shall be allowed only if properly prayed and perfected ten (10) days from the date of the order; if the assessment against such property shall be sustained or reduced or abated by the court, the City Manager shall note that fact on the assessment roll opposite the description of the property whose assessment was so contested; the cost of any such proceedings shall be paid by the party complaining of such assessment, unless the said assessment is abated or is reduced by the court ten (10) per cent. or more, and judgment shall be rendered against him for the amount of such costs; in case such assessment shall be abated or shall be reduced ten (10) per cent. or more, such costs and expenses shall be paid by the City, and judgment shall be entered against it for the amount thereof."

Sec. 9. That Section Fifty-five (55) of the 1925 Acts of the Legislature of the State of Florida, entitled "An Act to Establish the City of Coral Gables, to Provide for its Government and to Prescribe its Jurisdiction and Powers" be and the same hereby is amended to read as follows:

"Section 55. The amount of the special assessment, against any lot or parcel which may be set aside by the court, unless the assessment upon the entire district be set aside, or the amount by which such assessment is so reduced, may by resolution of the Commission be made chargeable against the City at large; or, in the discretion of the Commission a new assessment roll may be prepared and confirmed in the manner hereinabove provided for the

preparation and confirmation of the original assessment roll, except that no notice of hearing upon such roll need be published or given as to any property unless the assessment against it is increased. The Commission shall take prompt action as herein provided in case of the reduction or invalidation of any assessment, and any such action shall be noted by the City Manager on said assessment roll, unless a new roll shall be made and confirmed, in which case the former roll shall be a nullity and the right of petition to the Circuit Court as the amounts apportioned by the new roll shall again be in force as to such new roll.

(a) Thirty (30) days after the confirmation of the assessments the amounts apportioned and assessed shall be due and payable at the office of the City Manager, except as to any property, including railroads, whose owners shall have filed a petition in the Circuit Court as hereinabove provided, which assessments shall be due and payable eleven (11) days after the decision of the Court thereupon but not within said thirty (30) days; but it shall be lawful for the Commission to provide by resolution that if the owner of any lot or parcel assessed in excess of Twenty-five Dollars (\$25.00) shall file with the City Manager before such date on which full payment is required, his written undertaking waiving all irregularity and illegality in connection with the said assessment against such lot or parcel, he shall have the privilege of paying the same in equal annual installments in each of the ten (10) succeeding years or such shorter period as may be fixed by the Commission at the time in said years at which the general City taxes are due and payable, with interest upon such deferred installments at the rate of six (6) per centum per annum, payable annually from the date of such assessment would be due if such undertaking were not filed; and upon the filing of any such undertaking the assessments embraced by it shall be payable at the time or times so fixed, and with such interest, but any assessment whose payment shall be so deferred may be paid at any time when accompanied by the payment of interest accrued thereon and that which will accrue to the next succeeding annual date for payment; provided, however, that nothing herein contained shall be deemed to prevent the Commission from extending the time in which such undertaking as to any one or more lots or parcels of land shall be filed.

(b) The said assessments shall constitute a lien upon the property so assessed from the date of the passage of the resolution ordering the improvement, of the same nature and to the same extent as the lien for general city taxes, and shall be collectible in the same manner and with the same penalties and under the same provisions as to sale and forfeiture as city taxes are collectible. Collection of such assessments may also be made by the City by proceedings in a court of equity to foreclose the lien of assessments as a lien for mortgages is or may be foreclosed under the laws of the State, and it shall be lawful to join in any bill for foreclosure any one or more lots or parcels of land, by whomsoever owned, if assessed, for an improvement ordered by the same resolution; provided, that failure to pay any installment or principal or interest of any assessment when such installment shall become due shall without notice or other proceeding, cause all installments of principal remaining unpaid to be forthwith due and payable, with interest thereon at six (6) per centum per annum; but if before any sale of the property for delinquent assessments, the amount of such delinquency shall be paid with all penalties, interest and costs, further installments of the principal shall cease to become so due and payable and shall be due and payable at the times set forth in or contemplated by said written undertaking.

(c) All such assessments made under this section since the first day of May, 1925, and hereafter to be made, are hereby pledged to the payment of the principal and interest of the bonds authorized by this section and issued since the first day of May, 1925, or hereafter to be issued, and shall when collected be placed in a special fund to be known as Improvement Fund No. "A", which fund shall make no distinction or separation as between the assessments for different improvements and shall be used solely for the payment of the principal and interest of such bonds as the same shall fall due.

(d) On or after the confirmation of the resolution ordering an improvement or improvements, the Commission may by resolution issue bonds of the city for the payment of the entire cost or any part thereof, including incidental expense, and for the reimbursement of any fund of the city from which any part of such cost shall have theretofore been paid, in an amount not greater than the estimate herein provided of the cost and incidental expense,

which estimate, if the initial resolution shall have given two or more alternative descriptions of the improvement by its material, nature, character and size, with estimates as to each description, shall be the lowest of such estimates, but no bonds shall be issued in excess of the contract price and estimated cost of incidental expense unless such bonds shall have been delivered or sold or advertised for sale prior to the making of such contract. If bonds shall be authorized after such contract is made, they may be issued to the full amount of such contract and the amount paid, or the amount awarded in eminent domain proceedings, for any land, rights and easements necessary to be acquired for the improvements, and the estimated incidental expense, and a finding by the Commission of the amount of a contract, or the amount so paid or awarded for land, rights, or easements, or the amount of incidental expense, shall be conclusive for the purposes of this paragraph. An issue of bonds need not be limited to one improvement, and bonds may be issued in one or more series for all or part of the cost of any one or more improvements. Each series of bonds shall mature in annual instalments on such date in each year and in such amounts as the Commission may determine, beginning not more than two years from their date, nor extending beyond twelve years from their date, and no option of prior redemption of such bonds shall be reserved; they shall bear interest not greater than six (6) per centum per annum payable semi-annually, and the principal and interest shall be made payable in such medium and at such place as the Commission may determine. Such bonds shall be the absolute, general and direct obligations of the city and shall be issued only in denominations of \$500 or \$1000, with interest coupons attached; they shall be sold by the Commission after publishing, at least ten (10) days before receipt of bids therefor, a notice calling for such bids, and shall not be sold at less than par and accrued interest; provided that by unanimous vote of all members of the Commission they may be sold at private sale without advertisement and may be sold at a price not less than ninety-seven (97) on the dollar and accrued interest. They may be made registerable as to principal alone, or as to both principal on interest, under such conditions as the Commission may determine and shall, with the coupons thereto attached, be executed as provided by the Commission.

Sec. 10. That Section Fifty-six (56) of the 1925 Acts of the Legislature of the State of Florida, entitled "An Act to establish the City of Coral Gables, to provide for its government and to prescribe for its jurisdiction and powers" be and the same hereby is amended to read as follows:

"Sec. 56. Notwithstanding the provisions made herein for the conservation and pledge of special assessments for the payment of such bonds and interest, the Commission is hereby authorized and required annually to levy a special tax upon all taxable property within the city over and above all taxes authorized or limited by the Charter of the city or other law sufficient to pay the interest and principal of all such bonds at their several dates of maturity, the proceeds of all which taxes shall when collected be paid into the fund referred to in paragraph "c", Section 55, of this Act, together with the special assessments in said fund contained, and said fund shall be used for no other purpose than the payment of such principal and interest; provided, however, that the amount of the annual tax levy herein required may be reduced in any year by the amount then contained in said fund, it being the intention hereof to provide that such bonds shall be payable by general taxation as other bonds of the city, but that the additional security provided herein by way of special assessments will reduce the amount of such general taxation."

Sec. 11. That Section Fifty-seven (57) of the 1925 Acts of the Legislature of the State of Florida, entitled "An Act to Establish the City of Coral Gables, to Provide for its Government and to prescribe its Jurisdiction and powers" be and the same hereby is amended to read as follows:

"Section 57. It shall not be necessary to submit to the voters the proposition of issuing any such bonds or making any such improvements or special assessments, or any other matter or thing herein authorized, and the initiative and referendum provisions of the Charter shall not be applicable; all proceedings of the Commission herein provided for may be taken by resolution, which resolution shall be in force from and after its passage.

Sec. 12. That Section Fifty-eight (58) of the 1925 Acts of the Legislature of the State of Florida, entitled

"An Act to Establish the City of Coral Gables, to Provide for its Government and to Prescribe its Jurisdiction and Powers" be and the same hereby is amended to read as follows:

"Section Fifty-eight (58). In all cases in which assessments or charges against property have heretofore been or shall be made for improvements authorized hereunder for which assessments or charges the City shall hold liens upon abutting or benefited property not pledged to the payment of any bonds or other obligations, bonds of the City may be issued to the amount of such unpaid assessments or charges, of the character and in the manner in this section provided for other bonds, and the proceeds of such bonds shall be used in repaying to any fund of the City any amounts which shall have been paid therefrom upon the cost of the improvement for which such assessments or charge are made, and in paying any sums remaining due upon such cost; and after the issuance of bonds under this paragraph such assessments and charges when collected shall be placed in the fund referred to in Paragraph "c" Section 55 of this Act, and be subject to the provisions of this section concerning such fund.

Sec. 13. That Section Fifty-nine (59) of the 1925 Acts of the Legislature of the State of Florida, entitled "An Act to Establish the City of Coral Gables, to Provide for its Government and to Prescribe its Jurisdiction and Powers" be and the same hereby is amended to read as follows:

"Section 59. Where the proceeds of bonds issued or to be issued under this section, have been or shall be found to exceed the costs of the improvements for which such bonds were or shall be issued, such excess may be transferred by the Commission to a fund to be created by it for use only in paying the City's share of the costs of other local improvements made under this Section."

Sec. 14. That Section Sixty (60) of the 1925 Acts of the Legislature of the State of Florida, entitled "An Act to Establish the City of Coral Gables, to Provide for its Government, and to Prescribe its Jurisdiction and Powers" be and the same hereby is amended to read as follows:

"Section 60. As soon as any improvement shall have been completed, the Commission shall cause a notice to be

published in a newspaper published in the City, or the City of Miami, stating that at a meeting of the City Commission to be held at a certain day and hour, not less than ten (10) days from the publication of such notice, the Commission will hear any objections of persons interested in or affected by the said improvements as to the acceptance thereof by the Commission. At the time and place mentioned in said notice said Commission shall hear such objections, if any, and may then or thereafter accept the said improvement."

Sec. 15. That Section Sixty-one (61) of the 1925 Acts of the Legislature of the State of Florida, entitled "An Act to Establish the City of Coral Gables, to Provide for its Government, and to Prescribe its Jurisdiction and Powers," be and the same hereby is amended to read as follows:

"Section 61. The Commission may make allowances and grant credit to property owners for improvements previously made by such property owners to the extent, and only to the extent, that said existing improvements for be of value and utility as a part of the improvements for which such assessment is made, and may prescribe a plan or system for fixing and determining said allowances and credits."

Sec. 16. That Section Sixty-two (62) of the 1925 Acts of the Legislature of the State of Florida, entitled "An Act to Establish the City of Coral Gables, to Provide for its Government and Prescribe its Jurisdiction and Powers," be and the same hereby is amended to read as follows:

"Section 62. In fixing the assessments herein provided for, whenever any such land shall have been surveyed or subdivided and platted into small tracts designated as lots or blocks or otherwise, and the owner of any land embraced in the said survey or subdivision shall have recognized such survey or subdivision by reference thereto in making any conveyance of land therein, or by selling any land therein by reference thereto, then, in that event, the land embraced in such subdivision shall be described for assessment purposes by reference to such subdivision whether any plat thereof shall have been recorded or not."

Sec. 17. That Section Sixty-three (63) of the 1925 Acts of the Legislature of the State of Florida, entitled "An Act

to Establish the City of Coral Gables, to Provide for its Government and to Prescribe its Jurisdiction and Powers," be and the same hereby is amended to read as follows:

"Sec. 63. The Commission shall have the power to authorize and require the use of surface privies, septic tanks and other devices for the disposal of sewage where connection with sanitary sewers is deemed by the Commission to be impracticable, and to regulate and control the location, construction, maintenance, care and use of the same, and to compel the payment to said City of reasonable charges for its sanitary services in connection therewith, and to make the said charges a lien upon the houses, lands and premises served, and the Commission shall have power where connection with sanitary sewers is deemed by the Commission practicable, to prohibit, destroy or forbid the use of surface privies and cesspools and all other devices for the disposal of sewage except sanitary sewers.

(a.) The purpose of this Act being to provide an economical method by which local improvements may be made, it is hereby declared that no irregularity or illegality in connection with any of the proceedings herein authorized shall in any way affect the validity of the orders for such improvements or special assessment or bonds or contracts, unless such irregularity or illegality shall substantially affect the rights of said City or its inhabitants, or the owners of property assessed for such improvement.

(b.) In case of any omissions, errors, and mistakes in making the assessments, or in case of deficiencies or otherwise, then, unless the Commission or the Court shall have determined that the assessments already made fully equal the amount of special benefits a supplemental assessment may be made for such deficiencies, errors, omissions or mistakes; and such supplemental assessments shall be made in the same manner and after the same notice hereinabove provided for the original assessments, and shall be a lien to the same extent and be payable in the same manner, draw the same rate of interest, and be subject to the same penalties, and be in force and collected in the same manner as such original assessments.

(c) A copy of any assessment certified as correct by the City Manager shall be admissible in evidence and shall be prima facie proof of the amount of the assessment and the property upon which such assessment is levied.

Sec. 18. That Section Sixty-four (64) of the 1925 Acts of the Legislature of the State of Florida, entitled "An Act to Establish the City of Coral Gables, to Provide for its Government and to Prescribe its Jurisdiction and Powers" be and the same hereby is amended to read as follows:

"Section 64. Dade County, and any school district, or other political subdivision, wholly or partly within said City, shall possess the same power and be subject to the same duties and liabilities in respect of said assessments affecting their real estate that private owners of real estate possess, or are subject to hereunder, and such real estate of said county, school districts and political subdivisions shall be subject to liens for said assessments in all cases where the same property would be subject had it at the time the lien attaches been owned by a private owner."

Sec. 19. That Section Sixty-five (65) of the 1925 Acts of the Legislature of the State of Florida, entitled "An Act to Establish the City of Coral Gables, to Provide for its Government and to Prescribe its Jurisdiction and Powers" be and the same hereby is amended to read as follows:

"Section 65. The Commission shall have the power by resolution or ordinance to prescribe the width of every sidewalk in the city and the material of which the same shall be constructed, and shall have power on such notice as may be prescribed by resolution, to require owners of property to lay, construct or repair sidewalks in front of their property; the Commission shall also have the power on such notice as may be prescribed by resolution, to require owners of property to clear or scarify the same of, and destroy saw palmetto, weeds, undergrowth, rubbish, debris, trash, dead trees, standing or fallen, and unsightly or unsanitary matter; to fill in ponds, swamps, abandoned quarry sites, unsanitary excavations or depressions, and if the owner or owners shall not comply with any such requirement within the time limited in the resolution, the Commission may cause such work to be done, and may make the cost thereof a charge and lien against such property respectively, of the same extent and character as the lien herein provided for special assessments; which charge

shall be forthwith due and payable unless the time for such payment shall be extended by the Commission, with the same penalties and with the same rights of collection and sale and forfeiture as obtained for city taxes. Nothing herein contained shall prevent the City from constructing sidewalks and providing for the payment therefor as elsewhere in this section.

(a) Where laterals shall have been constructed or shall be ordered, the Commission may require property owners to connect their premises with the laterals and may provide by general ordinance that in case of their refusal after notice given, the said connection shall be made by the City and that the cost thereof shall constitute a lien upon the house, land and premises thereby affected. The notice last above provided for may be by service on the owner of the property or the agent who collects his rents, or the occupant, or in case the said property is unimproved, by posting such notice on the property."

Sec. 20. That the 1925 Act of the Legislature of the State of Florida, entitled "An Act to Establish the City of Coral Gables, to Provide for its Government and to Prescribe its Jurisdiction and Powers be and the same hereby is amended by adding the following sections thereto:

Section 1. The City Commission is hereby authorized for the purpose of developing and extending the port and other shipping and transportation facilities of the city, to construct, purchase, lease or otherwise acquire, and to equip, own and maintain a single or multiple track line or lines of railway, and also yards, terminals, stations, warehouses, team and other tracks, switches, turnouts and all buildings and appurtenances deemed necessary and appropriate in connection therewith for the receipt, transportation, housing and delivery of passengers, freight, mail and express from, into and within the city and the zone lying outside of the city and not distant more than ten miles from the city limits as now or hereafter constituted; also to extend or connect with such line or facilities, or with the lines of any common carrier, the lines or facilities of shipping or transportation now or hereafter owned by the city; said line or lines of railway may be upon or along the public highways, or said line or lines of railway may be upon lands or easements now owned or hereafter to be acquired therefor, located in any part of

said area; also to acquire by donation, purchase, condemnation or otherwise all land, easements, rights of property deemed necessary therefor by the City Commission; and to operate, or cause to be operated, said line or lines or facilities, or to lease, or grant the use of all or any part thereof without statutory limitation as to the duration thereof, or all or any part of any port, terminal or transportation line, with facilities appurtenant thereto, now or hereafter owned by the City, to any common carrier or carriers for such time and upon such terms and conditions as may be determined by the City Commission by ordinance.

"Section 2. That the City Commission may grant, lease or renew any lease to the right to use the streets, highways, alleys, public grounds or buildings and to grant franchises, or to enter into franchise contracts for the construction, maintenance, and operation of any electric or general railroad over, along or upon or across the streets, avenues, highways, alleys, and public places of said City of Coral Gables without statutory limitation as to the duration thereof to any private person, persons, firm or corporation but no such grant, renewal, lease or franchise or renewal thereof shall be transferable except with the approval of the Commission expressed by ordinance and copy of all transfers and mortgages or other documents affecting the title to the use of such grants, renewals, leases or franchises shall be filed with the City Clerk within ten days after the execution thereof."

Sec. 21. That in all cases where by this Act, a specifically named section of the 1925 Acts of the Legislature of the State of Florida, entitled "An Act to Establish the City of Coral Gables, to Provide for its Government and to Prescribe its Jurisdiction and Powers", is amended, it is the intention that the section so identified of the Act to which this is an Amendment, be and the same hereby is repealed.

Sec. 22. That all laws and parts of laws in conflict with the provisions of this Act be and the same hereby is repealed.

Sec. 23. This Act shall become effective immediately upon its becoming a law.