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City Charter of the City of Sanford, Florida, Passed by the Legislature of Florida, 1923

Florida Legislature

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Sanford - Charter

FLORIDA VERTICAL FILE

City Charter
of the
City of Sanford,
Florida

Passed by the
Legislature of Florida,
1923

T. J. APPEYARD, PRINTER, TALLAHASSEE, FLORIDA





City Charter
of the
City of Sanford,
Florida
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1923

CHAPTER 9897—(No. 779).

AN ACT to Abolish the Present Municipal Government of the City of Sanford, Seminole County, State of Florida, and to Organize, Incorporate and Establish a City Government for the Same, and to Prescribe the Jurisdiction, Powers and Functions of said Municipality.

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

Section 1. That the existing Municipality of the City of Sanford, County of Seminole, State of Florida, be, and the same is, hereby abolished.

Sec. 2. That the title, rights and ownership of property, uncollected taxes, dues, claims, judgments, decrees and choses in action, held and owned by the Municipality of Sanford shall pass to and be vested in the Municipal Corporation organized under this Act to succeed the Municipality abolished.

Sec. 3. That no obligation or contract of the said Municipality, including bonds heretofore issued, shall be impaired or avoided by this Act, but such debts and obligations shall pass to and be binding upon the new Municipality which is hereby created.

Sec. 4. That all officers heretofore elected or appointed and holding office under the said Municipality shall continue to hold their respective offices and to discharge the duties thereof until their successors are elected and qualified under the provisions of this Act; and all existing ordinances of the said Municipality, not in conflict with the provisions of this Act, shall continue in effect and unimpaired until repealed, amended or modified by the Municipality which is hereby created.

Sec. 5. The inhabitants of the City of Sanford, Florida, as its limits are hereinafter designated, shall continue to be a body politic and corporate, to be known as the "City of Sanford, Florida," and as such shall have perpetual succession.

Sec. 6. The boundaries within which shall be included the territory of the said City of Sanford shall be as follows:

Commencing at a point eighty rods west and eighty rods north of a point where the south shore line of Lake Monroe, in Seminole County, State of Florida, is intersected by the west boundary line of Section twenty-nine (29), of township nineteen (19 south, range thirty-one (31) east; run thence south to the middle of the southeast quarter of section thirty-one (31) of the same township and range; run thence west to a point eighty rods south of the middle of section thirty-six (36) of township nineteen (19) south, range thirty (30) east; run thence north to the middle of said section thirty-six (36); thence west to the middle of section thirty-five (35) of same township and range; thence north along the middle line of said section thirty-

Sanford re-established.

Boundaries.

five (35) to the north boundary line of said section thirty-five (35); thence west to the northwest corner of said section thirty-five (35); thence north along the west line of sections twenty-six (26) and twenty-three (23) of township nineteen (19) south, range thirty (30) east, to a point eighty rods north of the south shore line of Lake Monroe, aforesaid; run thence southeasterly paralleling the south shore line of said lake to point of beginning; and such territory so bounded shall be and continue to be the Municipal Corporation designated as aforesaid.

Sec. 7. The City of Sanford, Florida, shall have perpetual succession; may sue and be sued; plead and be impleaded, and shall have power—

To purchase, lease, acquire by eminent domain, receive and hold property, real and personal, within the City; and to sell, alienate, convey, lease or otherwise dispose of the same for the benefit and advantage of said City; and may purchase, acquire by eminent domain, lease, receive and hold property, real and personal, within or without the limits of the said City, to be used for the burial of the dead; for the erection, construction and maintenance of water works, and lighting plants; for the establishment of hospitals, poor houses and houses of detention and correction; for the establishment of docks, wharves, bulkheads, breakwaters and boat basins, public parks, play grounds, golf grounds, fair grounds, and for such other public purposes as the City Commission may by ordinance or otherwise deem necessary and proper; and may sell, lease or otherwise dispose of said property for the benefit of said City to the same extent that natural persons might or could do; to pass and enforce ordinances for the preservation of the property of said City and to preserve order on the same either within or without its limits; to borrow money for current expenses, provided any amount so borrowed shall not exceed an amount equal to twenty-five per cent. of the revenue derived from taxation during any fiscal year; to regulate, perform and furnish all public services and to own and acquire by purchase, or by eminent domain, public utilities, public docks, wharves and boat basins; to acquire, establish, own and operate, as a public utility, water works, and to provide the City and inhabitants thereof with water; to acquire, own, establish, maintain and oper-

Corporate
powers.

ate, as a public utility, gas works, and to furnish the City and the inhabitants thereof with commercial gas; to acquire, own, establish, operate and maintain, as a public utility, electric plants, and to furnish the City and the inhabitants with electricity; to issue and sell bonds upon the public utilities owned and operated by the City, and to pledge said property and the income therefrom, or either of them, for the payment thereof; to grant to corporations or private individuals franchises and privileges in said Municipality; to pass ordinances for the correction of abuses and to prevent unjust discrimination and excessive charges by persons and corporations engaged as common carriers in transporting persons or property, or performing other services of a public nature, and to provide for the enforcement of such ordinances by adequate penalty and forfeitures; to issue and sell bonds for any of the purposes herein enumerated, and to finance the abutting property owners' share of the costs of public improvements and apply the proceeds of special assessments to the payment of said bonds, as hereinafter provided; the issuance of bonds for such latter purpose, however, not in any way to impair the validity of such special assessments, and may issue bonds for such other municipal purposes as may be from time to time prescribed by ordinance, or as may be otherwise provided by this Charter; to construct public improvements and assess all or any portion of the costs thereof against the property abutting such improvements, and all such assessments for public improvements shall constitute a lien against the property assessed until such assessment is paid, and assessment of taxes for the general purposes of the Municipality shall likewise constitute a lien upon the property assessed until such assessment is paid; to impose a license tax upon professions, businesses and occupations carried on within the Municipality; and said City may determine the amount of such license tax independently of the amount imposed by the State of Florida; to regulate shipping and the use of docks and boat landings in said Municipality; to prohibit the manufacture, sale, transportation and possession of intoxicating, spirituous, vinous and malt liquors within the Municipality; to abate nuisances therein; to adopt and enforce local police, sanitary and other regulations not in conflict with the laws of the State of Florida; to provide for the enforcement of the ordinances and regulations of said City by the impos-

ing of fines and penalties, or both, for the violations thereof, but in no case shall the fine so imposed exceed two hundred (\$200) dollars or sentence of imprisonment exceed ninety (90) days; to assess, levy and collect taxes within the limitations of this Act upon all property, privileges and professions within the corporate limits of said City, including those not taxable for State purposes, unless exempt from taxation under the State constitution, and taxes upon all real and personal property of railroad, telegraph, and telephone companies shall be assessed, levied and collected in the same manner and by the same method as other taxes on personal and real property within the corporate limits of the Municipality, and that, without reference to any assessment or levy of taxes for State and County; to tax, regulate and license in such sums and in such manner as the City Commission may deem proper, any and all exhibitions and shows, and to prohibit the same; to require the construction and repair of sidewalks by abutting property owners, and, if said abutting property owners fail to construct or repair said sidewalks, to construct or repair the same and assess the entire cost thereof against the abutting property; said assessments to be and remain liens against the land assessed until paid; said liens to draw interest at the rate of eight per cent. per annum, and said liens shall not be barred by any statute of limitations now existing or hereafter enacted that does not in terms refer to assessment liens of Sanford, Florida; to open, extend, straighten, improve, repair, rebuild, hard-surface, pave, close, vacate, and abandon streets, alleys and highways; to condemn and order to be demolished and removed, or to be put in a state of sound repair, any and all dilapidated, unsanitary and unsafe buildings or structures, and to provide and enforce penalties for failure so to do; to require all lands, lots and other premises within the said City to be kept clean, sanitary and free from weeds, or to make them so at the expense of the owner, assessing the costs thereof against said property, the City to have and hold a lien thereon therefor, until discharged by payment, for any and all expenses incurred in so cleaning property and lots and making the same sanitary and free from weeds; to regulate, restrain or prevent the carrying on of manufactories dangerous in creating or producing fires or so obnoxious or offensive in nature as to constitute a nuisance; to establish, maintain and regulate markets; to pro-

vide for the regulation and inspection of meats, vegetables, groceries, provisions and beverages of every kind and description.

The enumeration of the particular powers herein shall not be held or deemed to be exclusive, but, in addition to the powers enumerated herein or implied hereby, the City shall have and may exercise all other powers which under the Constitution and laws of Florida it would be competent for this paragraph specifically to enumerate. All of the powers hereby conferred upon said City shall be exercised in the manner hereinafter prescribed or in the manner prescribed by the Laws of the State of Florida applicable thereto.

OFFICERS.

Sec. 8. There is hereby created a City Commission to consist of three members who shall hold office for three years beginning on Tuesday after the first Monday in January after their respective elections, provided the members of the City Commission under the present charter of the City of Sanford, Florida, shall serve out their unexpired terms, and at each annual election hereafter, as hereinafter provided, one Commissioner shall be elected to hold office for three years beginning on Tuesday after the first Monday in January of the year following the election.

Sec. 9. The City Commission shall be the judge of the election and qualification of its own members, subject to review by the courts. Any member of the Commission who shall be convicted of crime, while in office, shall forfeit his office. The said Commission shall constitute the governing body of said city, with powers as herein provided.

Sec. 10. All powers of the city, except such as are vested in the jurisdiction of the Municipal Court and except as otherwise provided in this Act or by the Constitution of the State, are hereby vested in the City Commission; and, except as otherwise provided by this Act or by the Constitution of the State of Florida, the City Commission may by ordinance or resolution prescribe the manner in which any power of the city shall be exercised.

Sec. 11. Members of the City Commission shall be residents of the city and have the qualifications of electors

therein. Officers and employees of the city, except the City Manager, shall be residents of the city and may hold more than one office or be employed in more than one department of the city, but no official or employee shall be interested in any contract which he may have the letting of or the supervision of the work done under the same, and any such contract, in which any officer or employee may become interested, shall be declared void by the Commission.

It shall be lawful for county officers to hold office or be employed under the city government of the City of Sanford, provided such officers have the necessary qualifications.

CITY COMMISSION

Sec. 12. The City Commission shall meet at the usual place for holding the meetings of the legislative body of the city, and at such times as may be prescribed by ordinance or resolution, except that it shall meet regularly not less than twice each month. The Mayor or any member of the Commission may call special meetings of the Commission, upon at least twelve hours' written notice to each member, served personally or left at their usual place of business. All meetings of the City Commission and all committees thereof shall be public, and any citizen shall have access to the minutes and records thereof at all reasonable times.

The Commission shall determine its own rules and order of business, and shall keep a record of its proceedings.

Sec. 13. A majority of all the members elected to the City Commission shall constitute a quorum, but a lesser number may adjourn from day to day and compel the attendance of absent members in such manner and under such penalties as may be prescribed by ordinance. The affirmative of two members shall be necessary to adopt any ordinance or resolution, and the passage of all ordinances and resolutions shall be taken by Yeas and Nays, and entered upon the minutes.

Sec. 14. Absence from four consecutive regular meetings of the Commission shall operate to vacate the seat of the member, unless such absence shall be excused by the Commission by resolution setting forth the fact of such excuse duly entered upon the minutes.

Sec. 15. The City Commissioners, as such, shall receive a per diem of Four Dollars (\$4.00) for each regular or special meeting attended; provided however, the per diem paid to any Commissioner during any one year shall not exceed the sum of Two Hundred Fifty Dollars (\$250.00).

Sec. 16. No commissioner or other officer or employee of the city shall accept a frank, free ticket, pass or service, either directly or indirectly, from any person, firm or corporation, upon terms more favorable than are granted to the public generally; provided that such prohibition of free service shall not apply to policemen or firemen in uniform or wearing officers' badges, when the same is authorized by ordinance.

Sec. 17. Every officer of the City, before entering the duties of his office, shall take and subscribe to an oath or affirmation, to be filed with the City Clerk, which oath shall be in the form prescribed for State officers under the Constitution of the State.

Sec. 18. The City Commission, in fixing the salary or compensation of any officer, clerk or employee, shall determine whether or not such officer, clerk or employee shall give bond, and the amount thereof; provided that the City Commission may by ordinance provide which of such officers or employees shall give bond, and the bonds, when given, shall be payable to the City and filed in the office of the City Clerk. The City Commission shall provide for the payment of premiums on such bonds.

Sec. 19. A vacancy in the Commission shall be filled for the remainder of the unexpired term by a vote of the remaining members of the Commission, if there shall be more than sixty days between the happening of such vacancy and any general or special election, but, if there be more than sixty days so intervening between such vacancy and such general or special election, such vacancy shall be filled by a special election held for that purpose, in the manner provided for holding general elections under this Act, or by ordinance.

Sec. 20. The City Commission shall at the time of organizing elect one of its members as Mayor of the City. In case the members of the Commission are unable to agree, within five days after the time fixed herein for their organization meeting, upon the selection of the Mayor, then such officer shall be chosen by lot, conducted by the

City Attorney who shall certify the result of such lot upon the minutes of the Commission.

Sec. 21. Every proposed ordinance or resolution shall be introduced in written or printed form and shall not contain more than one subject, which subject shall be clearly stated in the title; but general appropriation ordinances may contain the various subjects and accounts for which money is to be appropriated. The enacting clause of all ordinances shall be: "Be it Enacted by the People of the City of Sanford, Florida." No ordinance shall be passed until it shall have been read at two regular meetings not less than one week apart, or unless the requirements of such reading has been dispensed with by unanimous vote of the Commission.

All ordinances and resolutions passed by the City Commission shall become effective thirty days from date of passage, unless otherwise provided therein.

Sec. 22. Every ordinance or resolution shall, upon its final passage, be recorded in a book kept for that purpose and shall be authenticated by the signature of the presiding officer and the Clerk of the Commission. Every ordinance of a general or permanent nature shall be published once within ten days, after its final passage, in nonpareil type.

CITY MANAGER.

Sec. 23. The City Commission shall appoint a City Manager who shall be the administrative head of the municipal government, under the direction and supervision of the City Commission, and he shall hold office at the pleasure of the City Commission; he need not be a resident of the City or State at the time of his appointment. During the absence or disability of the City Manager, the City Commission may designate some properly qualified person to execute the functions of that office.

Sec. 24. The City Manager shall be responsible to the City Commission for the proper administration of all affairs of the City, and to that end his powers shall be—

- (a) To see that the laws and ordinances are enforced;
- (b) Except as herein otherwise provided, to appoint and remove all subordinate officers and employees of the City, all appointments to be made upon merit and fitness alone;

(c) Except as otherwise provided, to exercise, control and direct supervision over all departments and divisions of the municipal government under this Act, or which may hereafter be created by the City Commission;

(d) To keep the City Commission fully advised of the financial condition and needs of the City, and to submit for its consideration an annual budget;

(e) To perform such other duties as may be prescribed under this Act, or that may be required by ordinance or resolution of the City Commission;

(f) He shall be the purchasing agent for the City, by whom all purchases of supplies shall be made, and he shall approve all vouchers for the payment of the same. In the capacity of purchasing agent, he shall also conduct the sales of personal property which the Commission may authorize to be sold as having become unnecessary or unfit for the City's use. All purchases and sales shall conform to such regulations as the City Commission may from time to time prescribe, but in any case, if an amount in excess of two hundred (\$200.) dollars is involved, opportunity for competition shall be given.

Sec. 25. The City Manager shall receive such compensation as the City Commission may by ordinance or resolution fix.

MUNICIPAL COURT.

Sec. 26. There shall be and is hereby established in the City of Sanford, Florida, a Municipal Court to be known as the "Municipal Court of the City of Sanford, Florida," for the trial of all offenders against the municipal ordinances. Such court shall be presided over by a municipal judge, who shall be appointed by the City Commission, who shall serve at the pleasure of the City Commission. In the absence or disability of the Municipal Judge, the County Judge of Seminole County shall act in his stead, upon an order of the Mayor entered in the minutes of the Municipal Court.

The compensation of the Municipal Judge shall be fixed by the City Commission at a sum not to exceed twelve hundred dollars (\$1,200) dollars per year.

Sec. 27. The Municipal Judge shall have the power to issue warrants for the apprehension of offenders against

the city ordinances, to try and punish for all violations of the city ordinances, to summon and compel the attendance of witnesses upon the trial of any case before him, to administer oaths, to take and approve bail for the appearance of any person accused, to impose such fines and penalties as are provided by the ordinances of the city, and shall have power within the limits of the State and Federal Constitutions to issue search warrants, and shall have and exercise such other powers and duties as are incident to the proper performance of the functions of his office and as may be now or hereafter provided by the General Laws of the State of Florida, or as may be provided by ordinance.

Sec. 28. The City Clerk shall be Clerk of the Municipal Court, and shall attend all sessions of the same; he shall keep a docket in which shall be entered the title of all cases tried in such court, and the nature of the offense charged, and the names of all witnesses sworn, and by whom called, the finding and the judgment of the court, and the costs incurred; and he shall perform such other duties as may be required of him by the laws and ordinances of the city or by direction of the court. His compensation as Clerk of the Municipal Court shall be fixed by the City Commission.

Sec. 29. In all cases where the accused persons have been released upon bond, or other security, and fail to appear for trial, the Municipal Judge shall declare such bond estreated, and such action shall be recorded upon the docket, and the Municipal Judge may in his discretion issue a capias for the re-arrest of the accused person.

Sec. 30. All persons imprisoned after conviction in the Municipal Court shall be required to work for the city at hard labor.

Sec. 31. As the executive officer of the Municipal Court, the Chief of Police shall collect all fines and costs imposed by the Municipal Court, and shall deposit the money in such depository as the City Commission may designate.

Sec. 32. No fine or other penalty imposed in the Municipal Court shall be remitted except by the action of the City Commission, upon the recommendation of the Municipal Judge.

Sec. 33. Appeals from the Municipal Court shall be taken in the manner provided by law for appeals in crim-

inal cases from the County Judge's Court, and shall be to the Circuit Court.

CITY ATTORNEY.

Sec. 34. The City Commission shall appoint a City Attorney who shall act as legal advisor to the municipality and its officers in matters relating to their official duties. Upon request, he shall furnish the City Commission, the City Manager, or the head of any department, his opinion on any question of law relating to their respective duties; provided that he shall not be required to give his opinion to any subordinate thereof, and perform such other duties as the City Commission may require.

Sec. 35. The City Attorney shall be a lawyer of experience and authorized to practice law in all the courts of the State. His compensation shall be fixed by the City Commission.

CITY CLERK AND ASSESSOR.

Sec. 36. There shall be a City Clerk and Assessor who shall be ex-officio City Auditor and who shall be appointed by and serve at the pleasure of the City Commission. He shall issue all warrants for the payment of money by the City; he shall keep an accurate account of all taxes and assessments and of all moneys due to, and all receipts and disbursements by, the municipality, and shall submit to the City Commission, at the first meeting in each month, a complete report covering the receipts and expenditures of the preceding month, showing the financial condition of the city. He shall furnish such reports and data as may be necessary to fully inform the City Commission as to the municipal affairs of the city, and such estimates of expenses for the city government as may be required to form a basis for the annual budget to determine the revenues necessary to be raised each year. He shall perform such other duties as shall be required under this Act or by the direction of the City Commission or the laws of the city.

Sec. 37. He shall receive such compensation as may be fixed by the City Commission.

TAX COLLECTOR.

Sec. 38. There shall be a City Tax Collector who shall be appointed by and serve at the pleasure of the City Commission. He shall perform such duties as are required by this Act, by the laws and ordinances of the city or by the City Commission.

Sec. 39. He shall receive such compensation as may be fixed by the City Commission.

POLICE DEPARTMENT.

Sec. 40. There shall be a Chief of Police who shall be appointed by, and serve at the pleasure of, the City Commission, and there shall be such under or subordinate policemen as may from time to time be determined by the City Commission to be necessary.

Sec. 41. The Chief of Police shall be the head of the Police Department, and as such shall appoint his subordinates, with the approval of the City Commission. He shall be the executive officer of the Municipal Court, shall serve the processes and execute the judgments and sentences thereof. He shall attend the meetings of the City Commission and, through the City Clerk, make monthly reports to the Commission concerning all matters pertaining to his Department. He shall have power, for cause, to suspend any officer or employee of the police force, and shall report the same to the City Commission at its next regular or special meeting, and shall perform such other duties as may be required by this Act, by the laws and ordinances of the city or by the City Commission. He shall be responsible to the Commission for the proper functioning of his department.

Sec. 42. The Chief of Police shall have the power and authority to take and approve bonds for the appearance for trial of offenders against the laws and ordinances of the city, but in no case shall such bonds exceed the sum of two hundred (\$200.00) dollars.

Sec. 43. The Chief of Police and other policemen or patrolmen shall receive such compensation as may be fixed by the City Commission.

FIRE DEPARTMENT.

Sec. 44. There shall be a Fire Department, to consist of a chief, and such subordinate officers or employees as may be deemed necessary, all of whom shall be appointed by and serve at the pleasure of the City Commission.

Sec. 45. The Chief of the Fire Department shall have control of the stationing and transferring of all firemen, subject to such rules and regulations as are prescribed by the City Commission. The Fire Chief shall have the right, for cause, to suspend any officer or employee of his Department, and shall report the same to the City Commission at its next regular or special meeting. He shall perform such other duties as are required by this Act, by the laws of the city or by the City Commission.

Sec. 46. The Chief of the Fire Department and his subordinates shall receive such compensation as may be fixed by the City Commission.

CITY PHYSICIAN

Sec. 47. There shall be a City Physician who shall be appointed by and serve at the pleasure of the City Commission. His duties and compensation shall be prescribed by the City Commission.

CITY DEPOSITORIES

Sec. 48. Any bank in the city authorized to do business in the State, that will pay two per cent. per annum on daily balances of city funds when such funds exceed two thousand (\$2,000.00) dollars and four per cent. per annum on balances on time deposits of the City's funds, deposited for a period of three months or more, and give, when so required by the City Commission, a surety bond in an amount to be determined and fixed by the City Commission, such bond to be given with a recognized company as surety, or, when required by the City Commission, deposit to the credit of the city with the City Commission or the City Auditor and Clerk, Federal, State, County, School District, or Municipal Bonds, in such an amount as the City Commission may determine and require for the protection of said deposits, may be designated by the City Commission as a City Depository and authorized and entitled to

receive funds of the City of Sanford in the manner and methods as hereinafter provided in this Act.

Sec. 49. Banks of the city qualified as aforesaid may make application to the City Commission, to be designated as city depositories, between the first and fifteenth days of December of each year, and the City Commission shall make designation of depositories for city funds between said dates.

Sec. 50. Officers and employees having or receiving or collecting any of the city funds shall pay the same to the bank or banks qualified to receive the same. Each bank receiving any money, as provided in this Act, shall make triplicate receipt for the same, one copy of which the said bank will carefully preserve and keep, one copy to be delivered to the person making the deposit, and one copy to be transmitted to the City Clerk. Each bank so acting as a depository shall keep two sets of accounts for the city, one account shall contain the daily balance account, subject to immediate checking; the other account shall be the savings or time deposit account, and shall not be subject to check without being transferred to the checking account. All interest earned by the daily balances account shall be credited by the bank to the General Fund of the city, and all interest earned by the time deposit account shall be credited to the account which earned the same.

Sec. 51. Any bank acting as a depository shall make monthly reports to the City Commission, showing the balances on hand at the beginning of the month, the sums received and paid out during the month, and the balances on hand at the end of the month, and return with said report all checks or warrants properly cancelled which the said bank has paid during the month.

Sec. 52. The accounts of the city in any bank acting as a depository shall at all times be subject to inspection and audit by the City Auditor.

Sec. 53. The City Commission shall cause its Clerk to keep accurate accounts and a complete set of books showing the amount of money on hand, amount received, amount expended, and the balances thereof at the end of each month, in every fund carried by the city; and no check or warrant shall ever be drawn in excess of the known balances to the credit of that fund.

Sec. 54. All moneys drawn from any depository shall be upon a check or warrant issued by the City Commission,

said check or warrant (as to number, amount, account from which drawn, to whom drawn, and for what purpose) shall be recorded in the minutes of the meeting of the City Commission at which the same is ordered drawn, and each check or warrant so issued shall be signed by the presiding officer of the City Commission and countersigned by the City Clerk, and shall bear the imprint of the official seal of the city.

Sec. 55. No warrant or check, for the payment of any claim or account, shall be issued by the City Commission until such account or claim shall have been approved by the head of the Department for which such indebtedness was incurred, and such officers and their sureties shall be liable to the Municipality for any loss or damage sustained by the Municipality by reason of the improper or corrupt approval of any such claim or account against the Municipality.

Sec. 56. The City Commission shall have authority to invest any surplus funds of the City in Federal, State, County, School District or Municipal interest bearing bonds, but no such bonds shall be purchased at a higher price than their market price at the time of such purchase; provided that no bonds shall be purchased until the City Attorney shall have approved the issue of such bonds.

SINKING FUND.

Sec. 57. The members of the City Commission shall constitute the trustees of the sinking fund of the City, and shall succeed to all of the duties and powers and responsibilities imposed by ordinance of the City of Sanford or by any law on any board of bond trustees now existing or that may have been heretofore elected under the provisions of any former Act with reference to bonds and bond trustees of the City of Sanford, or under the provisions of any former ordinance of the City of Sanford. It is hereby made the duty of each and every board of bond trustees heretofore acting as bond trustees of bonds of the City of Sanford to turn over all monies, securities, bonds and other papers pertaining to their office to the City Commissioners within ten days after the City Commission shall have become organized and the City Commission shall receipt the said Trustees for all monies, bonds, etc., and shall cause the accounts of the said Trus-

tees to be audited, and shall deposit such funds, bonds or securities in designated depositories for sinking funds. The City Commission as Trustees of the sinking fund, shall be Trustees of such bonds as may be issued from time to time for authorized municipal purposes and shall manage and control the sinking funds created for the liquidation of such bonds, subject to the provisions of the General Laws of the State and the ordinances of the City with relation to the management of such funds.

FISCAL YEAR.

Sec. 58. The fiscal year of the City shall begin on the first day of October and end on the thirtieth day of September of each year.

BUDGET OF EXPENSES.

Sec. 59. Prior to the first day of July of each year, the City Clerk shall make up and submit to the City Commission an estimate or budget of the revenues and expenditures of the City for the ensuing year; such estimate of expenditures to be made with particular application to the various departments of the City. Such estimate or budget shall form the basis for all tax levies and appropriations made by the City Commission for the year for which such estimate is made.

Sec. 60. No warrants or obligations against the City shall be drawn in excess of the appropriations made in accordance with and under the next preceding section.

TAXATION.

Sec. 61. The City of Sanford shall have the power to levy taxes each year for the ordinary purposes of the Municipality; provided that such levy shall not exceed one and one-half per cent. of the assessed valuation of taxable property within its limits.

Sec. 62. In addition to the levy provided in the next preceding section, the said Municipality may levy and collect annually such special taxes as may be required to meet any outstanding indebtedness with interest, including any judgments which may be rendered against the City, and including a tax of two (2) mills for publicity purposes.

ASSESSMENT OF TAXES.

Sec. 63. The taxation herein authorized shall in each case be upon the valuation of taxable property in said City, as set forth in the assessment roll; provided that all property shall be assessed at its full cash value.

Sec. 64. All taxable property within the City shall be assessed and listed for the purpose of taxation on the City tax assessment roll in the name of the owner, when the name of the owner is known to the assessing officer, and as "Unknown" when the name of the owner is not known. Each lot or separate tract of land shall be assessed separately, except that, at the written request of the owner of lots or tracts of land adjoining each other or when such owner makes return thereof in such manner, such adjoining lots or tracts of land may be assessed together. The Assessor shall make diligent inquiry as to the ownership of personal property subject to taxation, and shall assess all such property in the name of the owner.

Sec. 65. All property shall be assessed as of the first day of January of the year for which the assessment is made.

Sec. 66. The City Assessor shall make up and complete the tax assessment roll and submit the same to the City Commission as an Equalizing Board on the first Monday in July of each year.

Sec. 67. If the Assessor of taxes in making the assessment shall discover that any land in the City was omitted in the assessment roll, of either or all the three previous years, or that any land was illegally sold for taxes, and is then liable to taxation, he shall assess such land for the current year, and shall also assess the same separately for each year or years for which the same may have been omitted or was illegally sold or assessed for taxes, at the cash value thereof at the time, noting the year or years when such omission occurred; and such assessments shall have the same effect as if made in the year or years when the assessments were omitted or illegally made or sold, and the taxes shall be levied and collected thereon in like manner, together with the taxes for the year in which the assessments are being made.

Sec. 68. All persons, corporations or firms owning property, whether real or personal, subject to taxation by the City of Sanford, shall be required to make returns of

the same before the first day of April to the Assessor of the City; such returns shall be upon and in conformity with blanks prepared and to be supplied for the purpose through the office of the Assessor, and such returns shall contain a complete list of all property taxable by the City belonging to such person, firm or corporation, for which such return is made, together with the full cash value thereof, giving, separately, an intelligent description and the full cash value of each separate lot or parcel of real property; which description and valuation thus returned may be considered by the assessing officer in making assessments, but he shall not be bound thereby.

Should any person, corporation or firm omit to make such return, as above required, the assessing officer shall assess the property, not thus returned, in the name of the owner, if the owner shall be known to him, and where the name of the owner is not known to the assessing officer, he shall assess it in the name of "Unknown," and in no case where the real owner has failed to make return of his property, as herein required, shall the assessment thereof be declared invalid or not lawfully made or the enforced payment of the taxes thereof be refused by reason of such property being assessed otherwise than in the name of the owner.

Sec. 69. The property of railway companies, telegraph companies and telephone companies and other common carriers, both real and personal, shall be subject to taxation in the same manner and at the same rate of valuation as all other properties.

Sec. 70. The City of Sanford shall have the right to tax as personal property all wharves and water terminals within the limits of the City, and all buildings and structures owned by private individuals, corporations or firms, located upon public land, the use of which for private purposes has been allowed such individuals, corporations or firms, under revocable license or other form of grant. The collection of all personal tax assessments shall be as herein provided.

EQUALIZING BOARD.

Sec. 71. The Equalizing Board of the City shall be composed of the members of the City Commission, and it shall meet on the first Monday of July of each year. The City

Clerk shall be the Clerk of the Board and shall keep an accurate record of all the changes made in the valuation of property, and all other proceedings of such Board.

Sec. 72. The Equalizing Board may adjourn from day to day until its work is completed, and two members shall constitute a quorum to transact business. If no quorum is present, the City Clerk may adjourn the Board from day to day, and publicly announce the time to which the meeting is to be adjourned.

Sec. 73. Annually, not earlier than fifteen days and not later than five days prior to the meeting of the Equalizing Board, provided for in the foregoing section, the City Clerk shall cause to be published, in a newspaper of the city, notice that the city assessment roll will be submitted to the Equalizing Board for approval on the day and at the place and time fixed for such meeting, and requiring all persons, desiring to have corrections made in such roll, whether in the listing or valuation of property or otherwise, to file with him, on or before the day previous to the meeting of such Equalizing Board, their petition setting forth their objections to such assessment and the corrections which they desire to have made.

Sec. 74. All petitions, for the correction of assessments, so filed with the City Clerk, shall be delivered by him to the Equalizing Board with the city assessment roll at the first meeting of the Board in July, and the Equalizing Board shall receive, consider and act upon said petitions and shall give such petitioners or their representatives permission to be heard in person or by their attorney, in open session.

Sec. 75. The Equalizing Board shall have the power to change the valuation or assessment of any real or personal property upon the roll by increasing or decreasing the assessed valuation thereof as shall be reasonable and just to render taxation uniform; provided that the valuation of any real or personal property, as returned by the Assessor, shall not be increased without first giving the owner or his agent notice of the intention of the Board to increase it. Such notice shall be by personal service upon the owner or agent, or by leaving a copy of the written notice at his usual place of business or last place of residence, and by publication once in a newspaper of the City of Sanford, and shall state therein the time when the Board will be in session to act upon the matter.

Sec. 76. All changes made by the Equalizing Board shall be noted in the assessment roll by the City Assessor, and, within thirty days after the Equalizing Board shall have concluded its examination and correction of the assessment roll, it shall be submitted in corrected form, duly certified to by the City Assessor as having been corrected and equalized by the Equalizing Board, to the City Commission, and shall stand as the assessment for the year of the taxable property within the city.

Sec. 77. As soon as practicable after receiving the assessment roll, the City Commission shall determine the amount and fix the rate of taxation and make the annual tax levy for the current year. It shall be the duty of the Assessor, as soon as the City Commission has determined the rate of taxation and made the annual tax levy for the current year, to calculate and carry out the total amount of city taxes, setting opposite the aggregate sum set down as the valuation of real and personal property, the respective sums assessed as taxes thereon in dollars and cents. And the Assessor shall make out, in addition to the original, one fair copy of the assessment roll, as thus completed, and shall annex to the original and the copy thereof a certificate substantially in the following form:

I,, City Tax Assessor of the City of Sanford, do hereby certify that the foregoing is the assessment roll of the taxable property in the City of Sanford, valued at its fully cash value, and that it contains a true statement and description of all personal and real property in the said City of Sanford, subject to taxation by said city and liable to be assessed therefor; that the listing and valuation are as corrected by the Equalizing Board and as approved and adopted by the City Commission, and that all requirements of law and ordinance regulating the making of the assessment roll for the City of Sanford have been complied with.

Dated, 19

.....
City Tax Assessor.

A majority of the City Commission shall endorse on said completed assessment roll the following certificate, to-wit:

“State of Florida }
County of Seminole, } ss.

This is to certify that the above and foregoing assessment roll have been duly examined, corrected and approved by the City Commission of Sanford, Florida, and constitutes the assessment roll of the City of Sanford, Florida, for the year, A. D. 19....; and the Assessor is hereby directed to affix and annex to said roll a warrant directed to the Tax Collector to collect out of the property and from each of the persons, corporations and firms named in the foregoing roll, the taxes set down in such roll opposite each name, corporation or firm or parcel of land described.

Given under our hands this.... day of..... A. D. 19...

.....
.....
.....
City Commission of Sanford, Florida.”

The Tax Assessor shall then issue and annex to said assessment roll a warrant substantially in the following

“State of Florida }
County of Seminole } ss.
City of Sanford }

To:, Tax Collector of the City of Sanford, Florida.

You are hereby commanded to collect out of the property and from each of the persons, corporations, and firms named in the annexed roll, the taxes set down in such roll opposite such name, corporation or firm or parcel of land described, and in case the taxes are not paid at the time prescribed by law, you are to collect the same in such manner as is provided by law, and all sums collected you are to hold and account for as provided for by the charter and ordinances of the City of Sanford, Florida.

Given under my hand this....day of....., A. D. 19...

.....
Tax Assessor of City of Sanford, Florida.”

Sec. 78. If in any year the City Commission shall fail to make a tax levy or if the levy in any year shall be invalid

or inoperative, the levy of taxes for the year shall be the same as it was the year before, item for item.

Sec. 79. Taxes and assessments, together with the interest imposed for delinquency and cost of collection, shall be and continue a lien upon the property assessed, superior to all other liens or claims until the same shall be paid.

Sec. 80. Nothing in this Act shall be construed so as to impair the validity of any assessment made by the City of Sanford prior to the adoption of this Charter. And any and all tax certificates heretofore issued by the City of Sanford are hereby validated, and no error or other imperfection of or in the said tax certificates or the assessment of property, on which sums are based, not amounting to taking property without due process of law, shall ever be held to invalidate the same.

Sec. 81. That all assessments and liens for sidewalks, paving or other improvements, and all collections of the same, heretofore made and obtained by the corporation of the City of Sanford, are hereby legalized and declared valid and of full force, virtue and effect, and binding in law or equity. The assessment rolls of the City of Sanford heretofore made are hereby validated and confirmed, and the same shall not be set aside or invalidated for any error, defect, informality, or omission which shall not amount to a want of due process of law under the Constitution of the State or the Constitution of the United States.

Sec. 82. Unless inconsistent with the provisions of this Act or the ordinances of the city, the general laws of the State, with reference to the assessment of taxes by the County Tax Assessor, shall apply to and be binding upon the City Tax Assessor, where no provision is made in this Act governing his actions.

COLLECTION OF TAXES

Sec. 83. All taxes shall be due and payable on the first day of November in each year, or as soon thereafter as the assessment roll may come into the hands of the Tax Collector, of which he shall give notice by publication; and the Tax Collector is hereby vested with the power, and it shall be his duty, to collect by levy and sale of the goods and chattels, lands and tenements assessed, all taxes that remain unpaid on the first Monday in April of the following year. If any taxpayer shall pay his taxes between the

first day of November and the first day of December, he shall be allowed by the City Tax Collector a discount of two per centum therefrom; and if he shall pay on the first day of December, or between that day and the first day of January, he shall be allowed a discount therefrom of one per centum thereof. The City Tax Collector may appoint deputies to collect unpaid taxes on personal property, and a written appointment from the City Tax Collector with a statement from him of the person in whose name the property is assessed and the amount of taxes due, shall be sufficient warrant and authority for such deputy to act, and it shall not be necessary for a deputy to take the tax roll or warrant annexed thereto with him; provided that deputy tax collectors so appointed shall be liable to the same penalties prescribed in this Act as the City Tax Collector would be for its violation or for neglect of duty, or otherwise; provided that deputy city tax collectors shall be entitled to the following fees (which shall be collected from delinquent taxpayers at the time such tax is collected): On amounts of less than ten (\$10) dollars taxes, his fee shall be one (\$1) dollar; and on amounts over ten (\$10) dollars taxes, his fee shall be an amount equal to ten per cent. of the tax collected; provided that in no case shall the fee exceed the sum of ten (\$10) dollars.

Sec. 84. The tax books shall close on the first day of April of each year, and the City Tax Collector shall proceed to enforce the payment of all taxes assessed and not paid on the first Monday in April of each year, as herein provided.

Sec. 85. When personal property shall be levied upon for any taxes, the City Tax Collector or his deputy shall give public notice of the time and place of sale and of the property to be sold at least fifteen (15) days previous to the sale by advertisement to be posted up in at least three public places in the city, one of which shall be at the City Hall, and the property sold shall be present at the sale, if practicable, but at any time previous to the sale the owner or claimant of such property may release the same by the payment of the taxes and the charges for which the same was liable to be sold. In case any levy shall be made, as aforesaid, the City Tax Collector shall be entitled to the same fees and charges as are allowed sheriffs upon executions. If the property levied upon shall be sold for more than the amount of taxes, costs and collection fees, the sur-

plus shall be returned to the person in whose possession the said property was when the levy was made, or to the owner of the property. Any assessment of taxes shall be a lien upon the property assessed from the first day of January for which year the property is liable to assessment.

The City Tax Collector shall have the power to attach for taxes thereon any personal property which has been assessed at any time before payment, if he has reason to believe that such property is being or has been removed from the city or disposed of, so as to prevent or endanger the payment of the city taxes thereon, in the same manner and under the same rules of law governing attachments for debts, dues or demands in other cases; and all taxes assessed upon personal property, from the date of such attachment, shall have all the force and effect of a judgment and execution at law against the owner of such property.

Sec. 86. When the City Tax Collector discovers that any land has been assessed more than once for the same year's taxes, he shall collect only the tax justly due thereon, and shall make return of the balance as a double assessment, and shall be credited therefor by the City Tax Assessor and by the City Commission. He shall also report to the City Tax Assessor and the City Commission the errors, double assessment and insolvencies for which he is to be credited, under different heads, giving in every case the names of the parties on whose account the credit is to be allowed.

Sec. 87. The City Tax Collector is required to make all collections on or before the first Monday in April, and on or before the first Monday in August he is required to make final report and settlement with the City Commission; provided, however, that all outstanding warrants shall be and remain in full force and effect until all the taxes remaining unpaid shall have been collected and final report and settlement is made by the City Tax Collector.

Sec. 88. If the taxes upon any real estate shall not be paid before the first day of April of any year, the City Tax Collector shall advertise and sell said real estate in the manner following: He shall make out a statement of all such real estate, specifying the amount due on each parcel, together with the cost of advertising and expense of sale, in the same order in which the land was assessed, and such lists shall be published once each week for four consecutive weeks in a newspaper published in the City of

Sanford, if there be a newspaper, said newspaper to be selected by the City Commission at its first regular meeting in February of each year, and the newspaper so selected shall have been continuously published in the City for a period of not less than one year prior to its selection; provided, should there be no such newspaper, a newspaper published for a less period of time may be selected, and if there be no such newspaper published within the City, then by posting at three public places in the City, one of which shall be at the City Hall, and one at the Court House door, and the newspaper's charges shall be the rate allowed by law, but in neither case shall there be any charge for the head notice. A copy of the newspaper containing the advertisement shall be filed in the office of the City Clerk within ten days after said sales. All such sales shall commence on the regular sales day prescribed by law for the sale of lands for nonpayment of State and County taxes, and may be continued from day to day. Such advertisement shall be in the following form, to-wit: Notice.—Notice is hereby given that the following described lands or so much thereof as will be necessary to pay the amount due for taxes herein set opposite to the same, together with costs of such sale and advertising, will be sold at public auction on the.....day of..... 19... , at the office of the City Tax Collector, beginning at 10 o'clock A. M. in the City of Sanford, Seminole County, Florida.

Description of land	To Whom Assessed	Tax Due
To be signed:	
	Tax Collector, City of Sanford.	

The publisher, proprietor or foreman of any newspaper publishing such notice shall deliver one copy of each number of his paper (containing such notice) to the City Tax Collector, one to the City Clerk, and, when the tax sale notice is completed as provided by law, the publisher shall make affidavit thereto in a form prescribed by the City Clerk, attaching to such affidavits a copy of the paper containing said advertisement, and deliver one copy to the City Clerk and one to the City Tax Collector, and the City Tax Collector shall affix such copy and certificate, furnished him, to his report of the tax sale or list of lands sold.

Sec. 89. On the day designated in the Notice of Sale, at 10 o'clock in the forenoon thereof, the City Tax Collector shall commence the sale of those lands on which the taxes have not been paid, as aforesaid, and shall continue the same from day to day until so much of each parcel thereof shall be sold as shall be sufficient to pay the taxes, costs and charges thereon; and, in case there are no bidders, the whole tract shall be bid off by the City Tax Collector to the City of Sanford, and the City Tax Collector must offer all such lands assessed.

Sec. 90. Should the City Tax Collector sell lands upon which the taxes have been paid, he shall be liable to the owners of said lands for the amount of the tax, and, in addition, to pay all legitimate costs the owner may be put to in clearing the titles to the said land, and he shall refund to the City such costs as may have been incurred in advertising and selling the said lands.

Sec. 91. The land shall be struck off to the person who shall pay the tax, costs and charges for the least portion of the land. The City Tax Collector shall require immediate payment by any person to whom any parcel of such land may be struck off, and in all cases where the payment is not made within twenty-four hours, he may declare the bid cancelled, and sell the land again on the following day.

Sec. 92. At the sale aforesaid, the City Tax Collector shall give the purchaser a certificate of such sale describing the lands purchased and the amount paid therefor. The certificate shall be substantially in the following form:

State of Florida,
County of Seminole,
City of Sanford.

Office of City Tax Collector
....., A. D. 19...

No.....

I,, City Tax Collector of the City of Sanford, Seminole County, Florida, do hereby certify that I did, at public auction, pursuant to notice given by law, as required, on this, the.....day of....., A. D. 19..., sell tothe land hereinafter described for the sum of.....dollars and.....cents, said sum being the amount due and unpaid for taxes, costs and charges on the described lands for the year of our Lord, One Thousand Nine Hundred and....; that....., or his assigns, will therefore be entitled to a deed of conveyance of such lands, in accordance with law, unless the same

shall be redeemed within two years by payment of said amount, with interest at the rate of twelve per cent. per annum for the first year, and eight per cent. per annum thereafter. Said lands are described as follows, to-wit:

....., in the city of Sanford, Seminole County, State of Florida.

Witness my hand at Sanford, Seminole County, Florida, this the....day of....., A. D. 19...

.....
City Tax Collector.

Sec. 93. Immediately after any tax sale, the City Tax Collector shall issue tax certificates, in the form herein above prescribed, for the several parcels of lands sold by him as hereinbefore provided, and shall also make a list in triplicate of all lands sold by him for non-payment of taxes, which list shall show the date of the sales, the number of each certificate, the name of the owner, as assessed, a description of the land sold, the name of the purchaser, the amount for which the sale was made, and he shall append to each of said lists a certificate setting forth the fact that such sale was made in accordance with law. One of such lists shall be retained by the City Tax Collector, one forwarded to the City Assessor to be filed by him, and the third list shall be filed in the office of the Clerk of the Circuit Court of Seminole County, Florida, and recorded in a book to be provided for such purpose, which said book shall be substantially in the form provided for the recordation of lists of lands for State and County taxes.

All tax certificates covering land purchased by the City of Sanford at tax sales shall be held by the City Tax Collector subject to redemption by parties entitled to redeem the same.

The City Commission may appoint the Clerk of the Circuit Court of Seminole County, Florida, as Deputy City Tax Collector; and, if so appointed, said Clerk shall have and exercise all the powers and duties of the City Tax Collector in relation to the redemption of lands sold for non-payment of City taxes.

All tax sale certificates issued by the City of Sanford shall be transferable by endorsement by the City Tax Collector at any time before they are redeemed or a tax deed is issued therefor or the lien thereof is foreclosed, as hereinafter provided, upon payment to the City Tax Collector of the principal amount thereof, with interest from date at

the rate of twelve per cent. per annum for the first year, or part thereof, and eight per cent. for the remaining period, and a fee of fifty cents for the City Tax Collector. Tax certificates held by individuals may be transferred by endorsement by the owner thereof.

Any person, or agent of such person, owning or claiming such lands sold for City taxes, or any part thereof, or any interest therein, or the creditor of any such owner or claimant, may redeem the same at any time after such sale and before a tax deed is issued therefor, by paying to the City Tax Collector the principal of the certificate of sale, or such portion thereof as the part or interest redeemed shall bear to the whole, and interest thereon at the rate of twelve per cent. per annum for the first year, or portion thereof, and eight per cent. for the time after the first year from the date of sale, together with a fee of fifty cents for the City Tax Collector for each certificate or part of certificate so redeemed. The fact of such redemption shall be entered upon the record of lands sold for taxes in the office of the Clerk of the Circuit Court.

In the matter of redemption of land sold for taxes, the City Tax Collector shall follow the procedure, as nearly as may be, now prescribed by law for the redemption of land sold for non-payment of State and County taxes.

Upon failure of any part or parties, entitled to do so, to redeem any lands sold for non-payment of City taxes within two years after the date of the sale, the holder of such certificate (other than the City of Sanford) may make application to the City Tax Collector for a tax deed of such property. Upon such application being made, the City Tax Collector shall issue, in the name of the City of Sanford, a tax deed, to the party so applying, to the property covered by such tax certificate, after complying, in the matter of the issuance of such tax deed, with the requirements now prescribed by law for the issuance of tax deeds by the Clerk of the Circuit Court, and the City Tax Collector shall be entitled to such fees for the issuance of such tax deed as are now allowed the Clerk of the Circuit Court for the issuance of tax deeds; and, if the certificate be redeemed after application for tax deed, the party so redeeming the same shall pay all costs that have accrued. The form of the tax deed, to be issued by the City Tax Collector, shall be substantially that now prescribed by the General Laws for the issuance of tax deeds by the

Clerk of the Circuit Court. All tax deeds issued by the City Tax Collector, as aforesaid, shall be prima facie valid.

The City Commission may, at the end of two years after the issuance of tax certificates for lands sold for non-payment of City taxes, direct the City Tax Collector to deliver to the City Attorney all tax certificates remaining unredeemed at the end of said period of two years and which have not been assigned by the City for foreclosure of the lien of such certificates, and it shall thereupon become his duty to foreclose such lien by an ordinary suit in chancery, to which all parties claiming an interest in such property shall be made defendants, and, if the City Attorney does not know the parties interested in the property, he may obtain such information from an abstract company, and the expense thereof shall be taxed as costs in the case.

Service of process against non-resident defendants may be had by publication, as now provided by law in other chancery suits. The suit shall be prosecuted to a sale and conveyance of the property, as now done in suits to foreclose mortgages. If the same be redeemed before the suit is concluded, the party redeeming shall pay all accrued costs, together with an attorney's fee of ten per cent. and not less than twenty dollars; and, if said suit is prosecuted to conclusion, a reasonable attorney's fee shall be allowed the City Attorney as costs in the case.

Sec. 94. When the holder of land under a City tax deed goes into actual possession of such land, no suit for the recovery of the possession thereof shall be brought by the former owner or claimant, his heirs or assigns or his or their legal representatives, for the recovery of the possession of such land, unless such suit be commenced within four years after the holder of such tax deed goes into possession of the said land; and the holder of such City tax deed, where said real estate is in the adverse actual possession of any person or persons, shall not be entitled to recover possession of such real estate acquired by such City tax deed, unless suit for such recovery shall be brought within one year from the date of acquiring such tax deed. When a recovery is had by any person or corporation of any land sold for City taxes under this Act, either in an action of ejectment or by bill in chancery to set aside the tax deed, who has not prior to the sale paid the taxes thereon for which the land was sold, the person or corporation having such recovery shall pay to the party, from whom

recovery is had, all the taxes he has paid upon the land at the time of the sale and the costs of said tax deed, and all taxes he has paid since said sale, with eight per cent. interest thereon, and the value of all permanent improvements made upon said land, bona fide.

Sec. 95. All prior tax assessments rolls of the City of Sanford, Florida, with all assessments thereon, and all prior tax sales and certificates of tax sales heretofore made, are hereby validated and confirmed and the same shall not be set aside or invalidated for any error, defect, informality or omission which shall not amount to a want of due process of law under the Constitution of this State or the Constitution of the United States, and the payment of all said delinquent taxes due the Municipality remaining unpaid at the time this Act takes effect, shall be enforced in the manner prescribed by law at the time the assessments therefor were made.

PUBLIC STREET IMPROVEMENTS.

Sec. 96. The City Commission shall have power by resolution to provide for the construction, re-construction, paving, repaving, repair and maintenance, by contract, or directly by the employment of labor, of streets, boulevards and alleys, and to provide for the payment of all or any part of the cost of any such street improvements by levying and collecting special assessments on the abutting, adjoining and contiguous or other specially benefited property.

Sec. 97. Special assessments against property deemed to be benefited by local improvements, as provided for in the preceding section, may be made upon a foot frontage basis of the property bounding or abutting the improvement, or in proportion to the benefits which may result from the improvement.

Sec. 98. The whole, or such part as the City Commission may fix, of the cost of paving, re-paving, surfacing or re-surfacing, and constructing or re-constructing streets, avenues, boulevards and alleys, may be assessed, upon property specially benefited by the improvement, in proportion to the benefits to be derived therefrom, or, if the City Commission finds that all property abutting upon such improvement is specially benefited, it may direct that the whole, or such part of the cost and expense thereof as

it shall fix, be assessed against the property abutting upon the improvement, according to the frontage thereof.

Sec. 99. When the City Commission may determine to make any public improvement or repairs in streets, and defray the whole or any part of the expense thereof by special assessment, they shall so declare by resolution stating the nature of the proposed improvement and designate the streets to be so improved, and what part or proportion 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 shall designate the lands upon which the special assessment shall be levied; and, in describing said lands, it shall be sufficient to describe the lots and lands abutting upon the contemplated improvement to be specially assessed therefor, 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 improvement.

Sec. 100. At the time of passing the resolution, hereinbefore provided for, there shall be on file at the office of the City Clerk plans and specifications with the estimated cost of the proposed improvements, which plans and specifications and estimate shall be open to the inspection of the public.

Sec. 101. The resolution, as thus adopted, shall be published one time in a newspaper published in the City of Sanford, Florida; and the City Tax Assessor and City Clerk shall thereupon proceed to make an assessment roll in accordance with the method of assessment provided for in the resolution, which roll shall be completed and filed with the City Commission as promptly as possible, and shall show the lots and lands assessed and the amount of the assessment against each, and the number of annual installments in which the assessment shall be divided shall be entered upon the assessment roll.

Sec. 102. Upon the completion of said special assessment roll, the City Clerk shall cause a copy thereof to be published two times successively once each week in a newspaper published in Sanford, Florida, and shall attach to said assessment roll, so published, a notice directed to all property owners interested in said assessments of the time and place where complaints will be heard, and when said

assessment roll will be finally confirmed by the City Commission sitting as an Equalizing Board.

Sec. 103. At the time and place named in the notice, provided for in the preceding section, the City Commission shall meet as an Equalizing Board and hear and consider all complaints as to such special assessments, and shall adjust and equalize the same on a basis of justice and right, and when so equalized and approved such assessments shall stand confirmed and be and remain 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 improvement, the city shall rebate to the owner of any property which shall have been specially assessed for any street improvement, the difference in the assessment as originally made 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.

Section 104. Special assessments for improvements, hard-surfacing, and paving of any streets shall be payable by the owners of the property abutting upon said street or streets assessed for said improvement at the times and in the manner stipulated in the resolution providing for said improvement, and said special assessment 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 payable in ten equal yearly installments with accrued interest on all deferred payments, unless paid within thirty days after said assessments shall stand confirmed as provided in the preceding section.

Sec. 105. Each annual installment, provided for in the preceding section, shall be paid upon the date 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 installment due or any part thereof or any annual interest upon deferred payments, the City Attorney, by direction of the City Commission shall proceed to bring the necessary legal proceedings by bill in chancery to enforce payment with all accrued interest, together with all legal costs incurred, including a reasonable attorney's fee, to be as-

essed as part of the costs, and in event of default in the payment of any installment of an assessment or any accrued interest on said assessment, all unpaid assessments with the interest thereon shall immediately become due and payable and subject to foreclosure.

Sec. 106. After the equalization, approval and confirmation of the levy of special assessments for street improvements as hereinbefore provided by Section 103 of this Act, and as soon as a contract for said street improvements has been finally let, the City Commission may by resolution issue bonds pledging the full faith and credit of the municipality to an amount not exceeding seventy per cent. of the proportionate part of the cost of said street improvements to be paid by special assessment, and the estimated cost of said street improvements as stated in the resolution provided by Section 99 of this Act, shall be used as a basis of calculation in determining seventy per cent. of the proportionate part of the cost of said street improvements to be paid by special assessment; said bonds shall be general obligations of the municipality; and, if special assessments be not imposed and collected in respect of the improvement in season to pay the principal and interest, the City Commission shall levy and collect on all taxable property in the municipality a tax sufficient to pay such principal and interest as the same respectively become due and payable. All bonds issued under the provisions of this section shall be excluded from any limitation of bond indebtedness otherwise prescribed by this Act, and shall not impair or invalidate any special assessment made against abutting property under the provisions of this Act, and said bonds shall be issued upon the adoption of a resolution by the City Commission providing for the issue thereof without submitting the question as to the issuance of said bonds to a vote of the electors of said municipality.

Sec. 107. After the levy of special assessments for street improvement stand confirmed, and after the completion and acceptance of said improvement by the City Commission, the City Commission may, by resolution, issue further bonds, pledging the full faith and credit of the municipality to an amount not exceeding the unpaid assessments for said street improvement; provided, however, that if any bonds have been issued under the preceding section, upon an estimate of the cost of the improvement, the bonds issued under the preceding section and the bonds issued under

this section shall not in the aggregate exceed the amount of the unpaid assessments.

All special assessments levied and imposed in respect of the improvement, under this and the preceding sections, shall constitute a fund for the payment 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 assessments 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. All bonds issued under the provisions of this section shall be excluded from any limitation of bond indebtedness prescribed by this Act, and shall be issued in the same manner as provided for in the preceding section; provided that no bonds issued under the authority of this section shall be held in any way to impair or invalidate any special assessment made under the provisions of this Act.

Sec. 107½. All bonds issued under Sections 106 and 107 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 published in the City of Sanford, Florida. In addition to the publication of said notice in a newspaper published in the City of Sanford, Florida, notice of said sale may at the option of the City Commission, be published once a week for two weeks in a financial paper, published in the City of New York or in a 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. No bonds issued under the authority of Sections 106 and 107 shall be sold for less than 95 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.

Sec. 108. If any special assessment made under the provisions of this Act to defray the whole or any part of the expense of any improvement shall be either in whole or in part annulled, vacated or set aside by the judgment of any court, or, if the City Commission shall be satisfied that any

such assessment is so irregular or defective that the same cannot be enforced or collected, or, if the City Commission shall have omitted to make such assessment, when it might have done so, the City Commission of the municipality 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 City Commission may obtain and make other assessments until a valid assessment shall be made.

Sec. 109. All assessments and liens for street paving and improvements heretofore made by the City of Sanford are hereby legalized and declared valid and in full force and virtue and binding in law and equity, and all such special assessment rolls heretofore made are validated and confirmed.

Sec. 110. The City Commission may, by resolution, declare that certain specified sidewalks shall be constructed or repaired. Upon the passing of such resolutions, the City Clerk shall cause written notice of the passage thereof to be served upon the owner or the agent of the owner of each parcel of land abutting upon such sidewalk, who may be a resident of the City, in the manner provided by law for the service of summons in civil actions, except that the Chief of Police shall serve the notice. He shall return a copy of the notice, with the time and manner of service endorsed thereon, signed by the person serving it, to the City Clerk who shall file and preserve such return. For the purpose of such service, if the owner of such property be not a resident of the City, any person charged with the collection of rents or the payment of taxes on the property, or having control thereof in any way, shall be regarded as the agent of the owner, and service upon such person shall have the like effect and force as though personal service were made upon the owner thereof. If it appears in any such return, however, that the owner is a nonresident, or that neither such owner or agent could be found, one publication of a copy of the resolution in a newspaper of general circulation in the City shall be deemed sufficient notice to the owner.

Sec. 111. All assessments and liens for sidewalks, paving or other improvements, and all collections of the same,

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heretofore made and obtained by the corporation of the City of Sanford are hereby legalized and declared valid and of full force, virtue and effect, and binding in law and equity. The assessment rolls of the City of Sanford heretofore made are hereby validated and confirmed, and the same shall not be set aside or invalidated for any error, defect, informality or omission which shall not amount to a want of due process of law under the Constitution of the State or the Constitution of the United States.

Sec. 112. If such sidewalks shall not be constructed or repaired by the owner of the abutting property within sixty days after the service of the Notice provided for in the preceding section, or the publication thereof, the City Commission may, by direct employment of labor or by contract, construct or repair such sidewalks at the expense of the owner, and the cost of such construction or repair shall be charged against the owner and against the land abutting such sidewalks, and shall be a lien upon said land from that date, and shall draw interest from the date of the completion of such sidewalks until final payment at the rate of eight per cent. per annum; and such assessment shall be collected in the same manner as is provided for the collection of special assessments for street paving, except that such payments shall not be divided into installments but shall be due and payable upon completion of the work; and, in case it should become necessary to foreclose said lien, there shall be assessed, as a part of the costs of foreclosure, a reasonable attorney's fee.

BULKHEADING.

Sec. 113. The City of Sanford shall have the power, by ordinance, to require the owners of all property within the corporate limits of the City of Sanford bordering upon Lake Monroe, within sixty days from and after the passage of said ordinance, to bulkhead and build a retaining wall, and to fill in, reclaim and bring to a topographical level all reclaimed land from the line of said bulkhead to the present water-line of said property bordering on said Lake Monroe in the City of Sanford, Florida; all of said work of bulkheading, filling in, reclaiming and bringing to a topographical level, to be done in strict conformity with the plans and specifications therefor, to be prepared by

the City Commissioner of the City of Sanford, Florida, showing the lines of said proposed bulkhead and all other information and requirements in reference to said bulkheading and reclamation.

Sec. 114. Should any property owner fail, within the time provided in any Bulkhead Ordinance enacted by the City of Sanford, to begin the construction of said bulkhead and to begin work on the reclamation of the land in front of any property in the City of Sanford bordering on Lake Monroe, required by said ordinance to be bulkheaded and reclaimed, said work shall be done under and by the direction of the City of Sanford, and the costs thereof shall be assessed against the land upon which said improvement abuts in said Bulkhead District, and against all newly made land, and the City shall have a lien therefor against the land abutting upon said improvement, and against the newly made land, which lien shall be and remain in full force and effect until fully discharged by payment, and said lien shall be enforceable by appropriate proceedings in chancery, as hereinafter provided.

Sec. 115. Upon the failure of any property owner in any bulkhead district, as defined by ordinance hereafter enacted by the City of Sanford, to make the improvements provided for by said ordinance within the time required, said work shall be done by the City of Sanford, Florida, or shall be let by contract by the City of Sanford to the lowest and most responsible bidder, and the total cost thereof shall be assessed against all abutting property benefited in said Bulkhead District, in proportion to the frontage on said improvement, and against all newly made lands.

Sec. 116. Any and all assessments made under the provisions of this Act shall be and remain a lien upon and against the property against which the same is assessed, until discharged by payment, and shall bear interest at the rate of eight per cent. per annum, and shall be payable in ten equal yearly installments with accrued interest on all deferred payments.

Sec. 117. Each annual installment provided for in the preceding section shall be paid upon the dates specified in said ordinance, with interest upon all deferred payments, until the entire amount of said lien has been paid; and, upon the failure of any property owner to pay any installment due, or any part thereof, or any annual interest upon

deferred payments, the City Attorney, by direction of the City Commission, shall proceed forthwith to bring the necessary legal proceedings by a bill in chancery to enforce payment, with all accrued interest, together with all legal costs incurred, including a reasonable attorney's fee, to be assessed as part of the costs.

Sec. 118. Upon the failure of any property owner in said Bulkhead District to make the improvements, provided for by any Bulkhead Ordinance enacted by the City of Sanford, within the time therein specified, and after the actual cost of said proposed improvement is finally determined by the City Commission, the cost of said improvement shall be assessed against the abutting property improved or benefited by said bulkheading and reclamation and all newly made land abutting thereon or thereto, and shall be paid by said abutting property owners in the manner hereinbefore provided; and it shall be the duty of the Tax Assessor to enter up said amount, as an assessment against said property, in a book to be kept for that purpose, and thereupon said assessment shall become and remain a lien against said property, as hereinbefore provided.

Sec. 119. Within ten days after all assessments have been made and entered against the property required by any ordinances to be bulkheaded and reclaimed, the City Clerk shall give notice, by publication in a newspaper published in the City of Sanford, once a week for two weeks that the City Commission will, on a certain date, in said advertisement to be stated, be in session for the purpose of reviewing and equalizing said assessments and to hear any reasons (that any person may desire to give) why any of the assessments so made by the Tax Assessor should be changed or modified, and after said City Commission has met as a Board of Equalization, and after hearing all complaints and objections submitted, the City Commission shall thereupon determine all complaints and objections, amend, equalize, adjust and approve said assessments, and said assessments, as finally fixed and determined by the City Commission, shall thereupon become fixed and binding liens on the property against which assessed, until fully discharged by payment.

Sec. 120. Should the City of Sanford desire to open up and establish any streets in any district bordering upon the waters of Lake Monroe, required by ordinance to be bulk-

headed and reclaimed, said streets so to be opened and established in the reclaimed land shall be particularly described and set forth in said ordinance, and the total cost of bulkheading and reclaiming any land in said district, to be thereafter established and maintained as a public street, alley or boulevard, shall be paid by the City of Sanford, Florida.

Sec. 121. The City Commission shall have power, by ordinance or resolution, to require that all lots and lands and other premises within the city be kept clean, sanitary and free from weeds, trash and other litter, or to make them so at the expense of the owner, where the owner fails or refuses to keep them clean, assessing the cost thereof against the property, and the city shall have and hold a lien, on any property from which weeds, trash or other litter shall have been removed at the expense of the city, for the amount of costs and expenses incurred in so cleaning such property, and may enforce payment of the same against the owner or against the property in a suit at law or in equity.

Sec. 122. The City Commission shall have the power by ordinance to regulate, require and provide for the construction, maintenance and repair, by railway companies, of safety crossings, safety gates and other safety appliances, bridges, viaducts, subways, or along and across the streets, over and across their track or tracks, wherever and whenever the crossing of said street or streets by persons or vehicles will, in the opinion of the City Commission, be dangerous to life or property; to require the companies using, owning or operating such railroad track or tracks, to construct, maintain and repair any crossing and safety gate, safety appliances, bridge or viaduct; and, if such company shall fail to comply with the provisions of such ordinance, the City Commission shall have the work done and the city shall have a lien superior to all other liens (excepting only liens for taxes) for the total cost thereof against the property of the company.

BONDS.

Sec. 123. The City Commission in its corporate capacity is authorized to issue from time to time bonds of the city of such denominations and bearing such rate of interest, not to exceed six per cent. and becoming due in such time

and upon such conditions as may be determined, for any and all municipal purposes mentioned in this Act, and for such other lawful municipal purposes as may be determined by ordinance; provided, however, that (except as otherwise provided in this Act) before the issue of any bonds shall be made, an ordinance shall be passed expressing in exact terms the amount of the bond issue and purpose for which such moneys to be realized are to be used, which said ordinance proposing the issue of bonds shall subsequently be approved by a majority vote of the electors of the city, who are qualified to vote, as shown by the registration books of the city, voting at an election held for that purpose, at such time and in such manner as may be prescribed by law and the city ordinances; and, provided further, that the aggregate issue of bonds outstanding and unpaid shall at no time exceed fifteen per cent. of the assessed valuation of the real and personal property of the municipality, as shown by the assessment roll of the municipality. The question of the issuance of bonds for any specified purpose may be submitted from time to time, not oftener than once each year, with relation to each purpose specified.

UTILITY BONDS.

Section 123. (A) That the City of Sanford, Florida, by and through the City Commission, is hereby authorized to issue from time to time in addition to the then bonded indebtedness of said city, negotiable public utility bonds of the City of Sanford, Florida, to bear a rate of interest not exceeding six per cent. per annum, for the purpose of supplying the necessary funds for constructing, or purchasing water works and water softening plants and for the constructing and purchasing of gas plants and electric plants to supply water, light and electric current for power and light to the said city and the inhabitants thereof, and to any other person or persons, city, town or community. Before any such bonds are issued, an ordinance shall be passed, expressing in exact terms the amount of bonds proposed to be issued and the purposes for which such moneys to be realized by said issue of bonds are to be used, which said ordinance proposing the issue of bonds, shall subsequently be approved by a majority vote of the electors of the city, who are qualified to vote as shown by

the registration books of the city at an election held for that purpose at such time and in such manner as may be prescribed by law and the city ordinances. If a majority of the registered voters, voting at said election, vote in favor of issuing the said bonds, the City Commission may then issue the same.

The City Commission may, if it deems it expedient, submit to the voters at any election or elections, as one proposition, the question of issuing bonds for any or all of the purposes mentioned in this section. No bonds issued under authority of this section shall be sold for less than ninety-five per cent. of the par value thereof with accrued interest.

Sec. 123. (B) It shall be the duty of the City Commission of the City of Sanford, Florida, provided any bonds are authorized under the preceding section, to apply the net income, revenue and profits of any water, light or power plant or plants constructed or purchased with the proceeds of said bonds in payment of interest and principal of said bonds, and also so far as necessary, to impose, levy and collect, while said bonds or any of them are outstanding or unpaid, a tax upon all taxable property in the City of Sanford, sufficient to pay the interest on said bonds as same becomes due and payable, and to retire said bonds at maturity.

Sec. 123. (C) All the net income, revenue and profits derived by the City of Sanford, Florida, in the operation of any water, power or light plant shall constitute a fund for the payment of any bonds issued under the authority Section 123 (A) of this Act, and in the event that the net income, revenue and profits derived by the City of Sanford, in the operation of any utility shall prove to be insufficient to pay the interest and to provide a sufficient sinking fund for the retirement of said utility bonds at maturity, the municipality, by its governing authority, shall levy and collect annually on all of the taxable property in the municipality, a tax sufficient to pay the interest and principal of any and all utility bonds as the same respectively become due and payable.

Sec. 123. (D) Any and all bonds issued under provisions of Section 123 (A) shall be deemed and considered general obligations of the municipality and the full faith and credit of the municipality shall be irrevocably pledged for the payment of all accrued interest on said bonds and

the principal thereof at maturity, and all public utility bonds issued hereunder shall be excluded from any limitation of indebtedness prescribed by the charter of the municipality by Special Act or by the General Laws.

SALE OF BONDS.

Sec. 123. (E) Any and all negotiable bonds issued under any of 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 published in the City of Sanford, Florida. In addition to the publication of said notice in a newspaper published in the City of Sanford, Florida, notice of said sale may at the option of the City Commission, be published once a week for two weeks in a financial paper published in the City of New York or in a 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 any bonds be not sold pursuant to such advertisement, they may be sold at private sale at any time within sixty days after the date advertised for the reception of sealed bids; except as otherwise herein provided, no bonds issued under any provisions of this Act shall be sold for less than par with accrued interest.

ELECTIONS.

Sec. 124. Primary elections shall be held on the first Tuesday after the first Monday in November of each year for the nomination of one Commissioner.

Regular municipal elections shall be held each year on the first Tuesday after the first Monday in December of each year for the election of one Commissioner. . Any matter which by the terms of this Charter may be submitted to the electors of the City at any special election may be submitted and voted upon at a regular municipal election.

Sec. 125. Every person over the age of twenty-one years, residing in the City of Sanford at the time of the holding of any municipal election and who shall have resided continuously in the State of Florida for one year and in the City of Sanford for six months, shall be

deemed a qualified elector and authorized to vote at any municipal election; provided that such person has paid his poll tax in the County for the preceding year and is properly registered in the City registration books.

Sec. 126. The City Clerk shall be the registration officer for the City and shall register all persons applying to him for that purpose, who are qualified to register under the provisions of this Act. For the purpose of registration, the registration books of the City shall be open from and after the third Monday in the second month preceding the holding of any primary election, between the hours of nine o'clock in the forenoon and twelve o'clock in the afternoon, and from two o'clock in the afternoon to five o'clock in the afternoon each day, except Sundays and holidays, and shall close ten days before the day of holding such election. And, for the purpose of registering for any general municipal election or special election, such books shall open thirty days before the holding of such election, and shall close ten days before such date. Each person applying to be registered shall take the following oath, which shall be administered by the registration officer or his duly authorized deputy: "I do solemnly swear that I am a bona fide resident of the City of Sanford, Florida, and possess all the qualifications of an elector of said City." The City Commission shall provide by ordinance for the correction or revision of the registration books from year to year.

Sec. 127. The City Commission shall make all necessary arrangements for holding all municipal elections, and shall declare the result thereof. Inspectors and clerks of election shall be appointed by the City Commission, except that, if the City Commission shall fail to appoint them at least two days before the date of election, the Mayor may appoint them.

Sec. 128. The polls shall open at 7:30 o'clock a. m., Standard time, and shall close at sundown. The result of the voting at each polling place, when ascertained, shall be certified by return in duplicate, signed by the Clerk and a majority of the inspectors of the election, one copy being delivered by such Clerk and inspectors to the Mayor, and the other to the City Clerk, both of whom shall transmit such returns to the City Commission at a meeting to be held at 12:00 o'clock, noon, on the day following the election. At such meeting, the City Commission shall canvass

the returns and the results, as shown by such returns, shall be by the Commission declared as the result of the election. The City Clerk shall, not sooner than noon of the second day after the election, furnish a certificate of election to each person shown to have been elected.

Sec. 129. The form of ballot to be used in all City elections shall be substantially in the form of the ballot prescribed by the General Laws of the State.

Sec. 130. The City Commission shall provide by ordinance for the holding of primary elections, general, and special municipal elections, and prescribe rules and regulations covering the holding of the same, including the canvass and returns, and declaring the results.

Sec. 131. In any case, where there is no provision under this Charter or under the ordinances of the City covering the holding of elections, the General Laws of the State of Florida applicable to holding State and County elections shall apply.

MISCELLANEOUS.

Sec. 132. All General Laws of the State applicable to municipal corporations, now or which may hereafter be enacted, and which are not in conflict with the provisions of this Charter or with the ordinances and resolutions hereafter enacted by the City Commission, shall be applicable to this City; provided, however, that nothing contained in this Charter shall be construed as limiting the power of the City Commission to enact any ordinance or resolution not in conflict with the Constitution of the State or with the express provisions of this Charter.

Sec. 133. Said Municipality shall have the power to regulate or prohibit the keeping in the corporate limits of the City, or the running at large within said limits, of all cattle, horses, swine, sheep, goats, dogs and other animals or fowls, and to hold and impound the same, and, upon notice to the owners, to authorize the sale of said animals or fowls for the penalty imposed by ordinance, including the costs, fees and expenses of impounding proceedings.

Sec. 134. The City Commission shall have the power to create other offices and to provide by ordinance for the election or appointment of such officers, as may in their judgment be necessary for the good government of the City, not in conflict with the duties of the offices provided

for in this Act, whose compensation and duties shall be fixed before election or appointment.

Sec. 135. Every claim against the City of Sanford, Florida, whether liquidated or unliquidated, shall be presented to the City Commission within one year from the time said claims accrued or became due, and shall be barred and unenforceable, if not so presented.

Sec. 136. Amendments to this Charter may be submitted to the electors of the City by a two-thirds vote of the City Commission. If the proposed amendments shall be approved by a majority of the electors voting thereon, it shall become a part of the Charter at the time fixed therein.

Sec. 137. The terms and provisions of this Charter, or any of them, shall not be repealed by any law or part of law hereafter enacted by the Legislature that does not in terms specifically refer to the City Charter of the City of Sanford.

Sec. 138. If any section, or part of 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 section, unless it appears that such other section or part of section is clearly or necessarily dependent for its operation upon a section or part of section so held to be unconstitutional or invalid.

Sec. 139. All laws or parts of laws in conflict herewith are hereby repealed.

Sec. 140. This Act shall take effect immediately upon its passage and approval by the Governor, or upon becoming a law without his approval.

Became a law without the approval of the Governor.

