

Town
Charter

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CHAPTER 15483—(No. 845).

AN ACT to Abolish and Recreate the Municipality of Sneads, Located in Jackson County, Florida to Provide for its Territorial Limits, its Jurisdiction, Powers, Privileges, and Immunities.

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

PRESENT MUNICIPALITY ABOLISHED

Section 1. The existing municipality of Sneads, located in Jackson County, Florida, is hereby abolished.

NEW MUNICIPALITY CREATED

Section 2. The existing municipality of Sneads, located in Jackson County, Florida, is hereby recreated and established in the County of Jackson, State of Florida. The title, rights and ownership of property, uncollected taxes, dues, claims, judgments, decrees and choses in action held or owned by the municipality of Sneads shall pass to and be vested in the municipal corporation ordained under this Act under the name of Sneads to succeed the municipality abolished. No obligation or contract of said municipality, including bonds heretofore issued, those now in process of being issued or any other liability of said town of Sneads, shall be impaired or voided by this Act, but such debts and obligations shall pass to and be binding upon the new municipality which is hereby ordained and recreated. All officers heretofore elected or appointed, and holding office under the said abolished municipality shall continue to hold their respective offices and to discharge the respective duties thereof until their successors are elected and confirmed 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of the said municipality not in conflict with the provisions of this Act shall continue in effect and unimpaired until repealed, amended or modified by the municipality which is hereby ordained and created, or by other proper legislative authority.

Section 3. The municipality to be known as the town of Sneads is hereby created and established in the County of Jackson, State of Florida, lying within the following boundaries:

Sections 27, 28, 33 and 34 as follows; beginning at the northeast corner of section 27, thence West on section line between sections 27 and 22 and sections 28 and 21, and to Northwest corner of section 28; thence South on section line between section 28 and section 29 and sections 33 and 32 to Southwest corner of section 33; thence East to Township line between townships 3 and 4 to Southeast corner of Section 34; thence on section line between sections 35 and 34 and sections 27 and 26 to the Northeast corner of section 27, which is the point of beginning. Township No. 4 Range 7 West, and the jurisdiction of the Town government shall cover all persons, property, franchises and privileges, located or being within or coming within the Town limits.

Section 4. Said Town shall have and exercise all the powers, rights, privileges and immunities of towns incorporated under the general laws of this State unless otherwise provided herein, including the right to adopt and use a common seal, to contract, to sue and be sued, to plead and be impleaded, to acquire property and rights of every description for municipal purposes, to have officers, a town council, agents, boards, attorneys, and employees and the right of succession in perpetuum. It shall have the power and right to acquire by purchase, gift, lease, dedication, condemnation or otherwise, real estate, personal and mixed property, within or without the town limits, for municipal purposes, and may erect or acquire a town hall, fire department house, police station, town prison, and other buildings for municipal purposes, and maintain, sell or dispose of such properties or any part of same, for the best interests of the town; to build and equip or otherwise acquire, waterworks, sewers, electric light and power plants, and cut down or trim trees upon the streets and sidewalks in the construction of light or power transmission lines, and may build and equip or otherwise acquire, gas works, and other public utilities, and manage, operate or dispose of same as the public interest may require; to have the power and right of eminent domain; the power to acquire, in any lawful manner whatsoever, and maintain for public use, streets, parks, highways and alleys; to grant and regulate franchises and privileges, limit the term thereof, and revoke same for satisfactory cause; to levy taxes upon real and personal property, moneys, securities and occupations, trades or professions, and impose license taxes for the privilege of

carrying on same; to make ordinances for the peace, safety, and health of the inhabitants and the protection of property and property rights, prescribe penal offenses and provide punishment therefor by fine, or imprisonment with or without hard labor upon the streets or public works of the town, or both, and may imprison in default of payment of fines, and to have all the specific powers, rights, privileges and immunities hereinafter provided, whether the same be provided to be done or possessed by the town as a corporation, or by the mayor, town council or any board, officer, agent, attorney or employee in its or his capacity as such.

Section 5. The affairs of the town and public undertakings by it shall be deemed and held to be governmental in nature, and shall be carried out under four general departments, to-wit: Executive, Legislative, Financial and Police and Public Works, and shall be administrated by officers and boards as follows: Mayor, Town Council, Town Clerk, Tax Assessor, Tax Collector, Town Physician and Town Attorney. The offices of town clerk and tax assessor and tax collector may be held by one and the same person; the Council shall elect one of its members as President of the council, who shall perform the duties of presiding officer of the council and be entitled to vote on all questions coming before the council if he so desires. The council may by ordinance establish any boards in its discretion, which may be necessary for the administrative purposes, whose tenure, duties and compensation shall be fixed by the council, and such boards may be abolished by the council.

Section 6. The Mayor and members of the Town council shall be elected by the qualified electors of the Town every two years, except as otherwise herein provided, and shall hold their respective offices until their successors are elected and qualified; said officers shall be elected on the first Tuesday in September A. D. 1931, and biennially thereafter on the same date, except that the annual election of councilmen shall be held on the first Tuesday in September of each year; said officers shall be elected on the first Tuesday in September of each year and shall be sworn in on the first Tuesday in October, and vacancies occurring at any other time in any of the offices shall be filled for the unexpired term, by election of a majority of the Town Council. Three members of the council

shall be elected on the first Tuesday in September 1931 for Two years, to succeed the councilmen named herein, whose term shall expire on the first Monday in October 1931, and two members of the council shall be elected on the first Tuesday in September 1932 for two years to succeed the councilmen named herein whose term expires on the first Monday in October 1932.

The offices of Town Clerk, Town Assessor and Tax Collector shall be appointed by the town council, all other officers not elective by this Act shall be appointed by the town council. The town council shall by ordinance or resolution determine the character of the standing committees needed, and prescribe their powers and duties consistent with the provisions of this Act. Such committees shall be appointed by the President of the Town Council as soon after organization of the council as practicable. Vacancies in such committees shall be filled by appointment of the President of the council for the unexpired term.

Section 7. The town council may enact ordinances for the protection and preservation of all town property and property rights, and of the property, liability, peace, morals, safety and public welfare of its residents and others within its limits, or owning property therein, and make penal offenses, and fix penalties by fine, forfeiture or imprisonment for violation of its ordinances but no penalty shall exceed Five Hundred Dollars fine nor three months imprisonment, or both; in the discretion of the Mayor, and such imprisonment may be with or without hard labor upon the streets and public works of the Town, and imprisonment may be imposed in default of payment of fine. The council may enact ordinances for the prevention and extinguishment of fires, may establish and maintain a town fire department, prescribe fire limits and the character of buildings that may be constructed within same, and regulate the character and extent of repairs that may be made to or upon any buildings within such limits; may declare and abate nuisances relating to buildings, either in the nature of construction, condition or repair or non-repair, in use or occupancy within the town limits, may provide by ordinances for the acquirement by construction, purchase or otherwise of municipal water works, electric light and power plants, gas works, cremation plants, within or outside of the town limits, and may distribute and sell water, gas, electric light

and power for profit, and install meters or measures for same at the cost of the consumer for meter and the installation; and may cremate or otherwise dispose of garbage, rubbish, filth and refuse from the public places at the town's expense, and from private premises or quarters with or without charge to the owner or occupant; may establish, open, widen, alter, extend, grade, pave and otherwise improve streets, highways, alleys, sidewalks, bridges, sewers, culverts and gutters, and keep same clean and in repair, and close up, abandon or discontinue same at pleasure; may impose a street tax of not more than Five Dollars per annum upon all male persons between the ages of twenty-one and fifty-five years, residing within the town or living therein regularly for more than thirty days and may impose upon such persons the duty of performing personal labor upon the streets for not exceeding eight days in a year, and provide a penalty by fine or imprisonment or both for failure to pay such tax, or perform said labor himself or by able bodied substitute after three days notice, but no person shall be required to pay such tax and perform such labor both in the same year. The council may provide by ordinance for the opening, maintaining and closing of burial grounds, or cemeteries, and prescribe the rules and regulations governing same, and keeping in good sanitary condition, clear of weeds, rubbish and standing water, any and all premises, improved and unimproved, public and private, within the town limits, and may prohibit or permit, order and regulate the construction, location and arrangement of earth closets and privies, and abolish same at pleasure, and may provide for the removal of all excrement of filth from earth closets and privies, and require the owners or occupants of premises to provide such buckets or other receptables therefor as the council may deem necessary, and make the expense of carrying out such provisions and regulations a special tax lien upon the premises and upon the property of the occupant found upon the premises, to be collected or enforced in the manner provided for the collection of other taxes against said premises, or property of the occupant kept upon premises.

Section 8. The Town council may enact ordinances regulating the use of the streets and public grounds of the town by persons, firms or corporations engaged in the public transportation of passengers, freights or packages, compel the con-

struction and maintenance of crossings by all railroad companies, including street railways, on a grade easy of crossing where their tracks cross or enter upon the streets and highways of the town, and provide for the construction, maintenance and repair by them of elevated bridges and viaducts across or along their tracks; may grant franchises and rights of way in the street, highways, and public lands of the town for railroads, street railways, telephone, telegraph and other electrical transmission lines, with or without charges, and may require persons and companies now or hereafter occupying such streets, highways or public places of the town to take up or locate their tracks, poles or lines whenever same may be necessary in the option of the council in order to allow a change, alteration or new lay out of any street, highway, or public improvement of the town. The council may provide for the construction of sidewalks, sewers and drainage, and for keeping same clean and in repair, and may assess any property benefited thereby for its proportion of the expense, which assessment shall constitute a lien upon such property prior in dignity to all other liens except annual taxes, but the council may provide for the payment of such work, or any part thereof, out of the general tax fund of the town or by special tax upon the real and personal property therein; may establish street grades, including grades for sidewalks and foot walks and require property owners to bring their property to the established grade by filling or excavating, and may require the construction of sidewalks and regulate the hanging of gates within the town, and may require and regulate the construction or abatement of awnings and steps within fire limits, and the time and manner of repair thereof, and may provide that the expense shall be a lien upon the property, if done by the town upon default of the owner after five days notice.

Section 9. The town council may by ordinance license, tax, regulate any and all occupations, trades, businesses and professions carried on within the town, including auctioneers, peddlers, taverns, hotels, boarding houses, pool and billiard tables, ten-pin alleys and all contrivances, and all other privileges, without regard to any of the provisions of the general law and without regard to the amount of State taxes upon the same subjects; may license, tax and regulate automobiles,

wagons, drays, carriages and other vehicles, and fix the rate chargeable for the carriage of persons and property within the town; may license, regulate and prohibit theatrical and other exhibitions, shows, parades and amusements of whatsoever nature, and prohibit and suppress gambling and gambling houses, bawdy and disorderly houses, circulation or display of obscene pictures and literature; may prohibit or regulate the operation of manufactories or other enterprises having a dangerous tendency to cause fires to other property, and may regulate the keeping or storage of gun powder, gun cotton, saltpeter, coal oil, rosin, spirits of turpentine, gasoline, benzine, nitroglycerine and other inflammables, combustibles or explosives, explosive material and articles in any house or place, and the use of kerosene lamps, candles, lights and steam pipes in stables, garages, shops and other places; may prohibit or regulate and license the keeping of sale of fire arms, and the carrying of pistols and deadly weapons concealed about the persons, and may confiscate same, and may prohibit or regulate and license the keeping and sale of fire crackers and other fire works, and toy pistols, and the use of firing of same in the streets and other public places, and upon or in private premises; may provide for the inspection, weighing and measuring of hay, corn, and other grain, beef, pork, flour, meal and all other provisions, and for the punishment and restraining of the regarding forestalling of provisions, to establish and regulate markets; regulate the vending of fresh meats, poultry, fish, fruits and vegetables; may prohibit or regulate the keeping of hogs in pens, or other domestic animals, and may prohibit or regulate the running at large upon the streets or public places of the town, of horses and mules, cattle and meat cattle, hogs, dogs and other domestic animals, and provide for the impounding of same; and in default of redemption in pursuance of ordinance, to sell, kill or otherwise dispose of same, without liability upon the town therefor.

Section 10. The town council may provide by ordinance for the imprisonment and punishment of riotous and disorderly persons and assemblies, and to define such within the meaning of this charter; to define and punish vagrants, thieves, robbers, extortioners, loan sharks, adulterers, fornicators, imposters and thugs, gamblers, lewd and lascivious persons and conduct, aiders, abettors and conspirators, and un-

lawful assemblies, false pretenders, habitual drunkards, tramps and loafers, spendthrifts, who misspend what they earn and fail to provide for their families, common railers and brawlers, able bodied men living upon the earnings of their wives or children, defaulters in obedience to public duty, shirkers and undesirable persons, and all other persons, who shall come within the penal provisions of any criminal or penal ordinance of the town.

Section 11. The town council may provide by ordinance for the sanitation and beautifying of the town and its streets including the laying of uniform sidewalks and setting of curbing, and the caring and planting of trees, shrubbery and grass, and the making of planting spaces, lawns and parks, in the streets and public places of the town, and in front of private lots and blocks and keeping same in cultivation and time, providing for the punishment of persons guilty of vandalism, or of the plucking, destruction or injury of or to a tree, plant, shrub or the grass; may provide for the repair and removal of unsafe buildings, cutting away of dead trees, limbs, shrubbery and grass, and regulate the spraying or treatment of diseased trees, flowers, grass or shrubbery to prevent infection spreading to neighboring premises, public or private and may provide for the irrigation and sprinkling of lawns, parks, streets and other public places. The council may provide by ordinance for the exercise of any other power, privilege or immunity granted by any express provision found elsewhere in this charter, or power or immunity necessarily implied therefrom, and any power, privilege of immunity given towns under the general laws of Florida, by express provision or necessary implication, not in conflict with the provisions of this Act.

Section 12. The Mayor shall be the chief executive officer of the town, and shall see that the provisions of this charter, the ordinances, laws and rules of the town are complied with, and enforced; he shall put down riots and unlawful assemblies, and may use the police and common power of the town for such purposes, and shall see that peace, good order, safety and good morals are preserved within the town; he may veto any official ordinance of the town council, subject to the limitations hereinafter prescribed; may call the council together in special session, and shall recommend to the council

such measures from time to time as to him may seem wholesome and proper. He shall try all offenders against the penal ordinances of the town, without a jury, and impose such punishment upon the guilty as may be prescribed by ordinance; he may summon witnesses for the town, and for the defendant, the latter to be without expense to the town, and compel their attendance before him, may administer oaths, render judgment and sentence, and may punish for contempt of court not exceeding twenty dollar fine or three days imprisonment.

Section 13. In case of the absence, sickness, resignation, disqualification or other disability of the mayor, the president of the town council shall discharge the duties of mayor and receive the mayors salary for the time, in case of the absence, sickness, disqualification or disability of the president of the council to act for the mayor in such case, the president pro tem of the council shall discharge such duties with like compensation, no mayor or acting mayor shall sit in and cause to which he is a party or any person related to him by consanguinity or affinity within the third degree, shall be a party to or interested in the result thereof; the mayor may be impeached by the town council for misfeasance, malfeasance, or nonfeasance in office, for drunkenness, habitual intoxication or gross immorality, and by four fifths vote of the council concurring may be removed. The mayor's compensation may be fixed by the town council.

Section 14. The town council shall be composed of five members, who shall be elected for a term of two years, at a general election to be held in said town by qualified voters thereof. Three council men shall be elected at the first general election held under the provisions of this act in the year 1931, to succeed the three whose terms then expire, and two councilmen shall be elected in the year 1932 to succeed the two whose terms then expire, and thereafter, there shall be elected annually successors to the councilmen whose terms expire in such years, the members shall elect annually one of their number as president of the council, who shall preside over their meetings, enforce such rules as may be adopted by the council, and perform such other duties as may be prescribed by this act, or by any ordinance not in conflict with this act. And it may elect a president pro tem to act in the absence or disability of the president, and in other cases here-

in provided. The council may prescribe its own rules of procedure, and fix a penalty upon its members of disobedience, non-attendance or disorderly conduct, and may for satisfactory cause expell any member and declare his place vacant upon the council. The council may hold special meetings at any time, and not less than one regular meeting in each month. A special meet may be called by the Town Clerk at any time upon the request of two or more councilmen or the mayor. The members shall receive as compensation for their services One Dollar each, for each meeting actually attended, not to exceed one meeting in any month. A majority of members shall constitute a quorum to transact any business, but a less number may adjourn from day to day, and compel the attendance of absent members by imposing such fines and penalties as may be fixed by ordinances. The council, may, in the investigation of charges against town officers, assistants and employees, and members of the council, or in any matter coming before them, issue subpoenas and compulsory process, under the hands of the attendants of any persons, firms, or corporations and for the production of books, papers and records; and the president of the council and the clerk shall each have authority to administer oaths and affirmations and take depositions.

Section 15. The town clerk shall be appointed by the town council annually; he shall attend all meetings of the council. And shall act as clerk of the Mayor's Court, and keep a correct record of the proceedings of the council, and of the Mayor's Court, and shall record and attest all ordinances for publication. He shall draw and sign all vouchers upon the depositories which vouchers shall be countersigned by the president of the council, and keep a true and correct account of same. He shall prepare and submit to the town council at its first meeting in each month a statement of all finances, receipts and disbursements passing through his office. He shall sign all license issued by the town, and issue receipts for all money paid to him, and shall turn over said money to the proper depository at the first regular meeting of the council in each month, taking receipt thereof. He shall be custodian of all books pertaining to the clerk's office, and of other town records not otherwise provided for in this Act. He may administer oaths, and issue warrants to the chief of police for the arrest of offenders to be brought before

the mayor. He shall be clerk to the board of public works. When the clerk is also Tax Assessor and Collector, he shall perform all the duties provided for said officers. He shall give bond such as is fixed by the town council, and shall perform all duties now or hereafter imposed upon the clerk by this Act, or by any ordinance of the council, not inconsistent herewith. His compensation shall be fixed by the town council.

Section 16. The council shall appoint a bank within the town as depository, and all funds coming to the town or any of its officers, committees or boards, shall be deposited with such depository to be kept under such account and paid out or withdrawn under such regulations as the council may prescribe. Such depositories shall render monthly statements to the council of all funds or securities received and paid under the respective accounts, showing the balance on hand, such depositories shall be appointed for one year, at the time and in the manner other appointive officers are filled, and shall give bond for the safe keeping of such funds, and the faithful disbursement of same, and the faithful performance of its duties as such depository. All such securities shall be kept by the town council in a bank safety deposit box, which shall not be entered except by a majority of the members of the council in the presence of an executive officer of the bank.

Section 17. The town council may appoint annually at the first meeting in October, or as soon thereafter as practicable, an attorney, who shall be the legal advisor of the town council, the mayor, and all town officers, upon all municipal matters and shall appear for the town in all civil cases, in the courts, and shall perform such other duties as may be required of him by ordinances. He shall not accept adverse employment in any matter in which the town is interested. His compensation shall be fixed by the town council. The town may also employ counsel in any cases in which the town attorney may be disqualified or unable to act, or in any other matters requiring the assistance of special counsel.

Section 18. The town may appoint annually at the first meeting in October, or as soon after as practicable, a town physician who shall have and exercise such powers and duties

as may be prescribed by ordinance. The town council may by ordinance delegate to him the power to make rules and regulations regulating sanitary matters or health conditions of the town, which shall be in compliance with the rules and regulations of the State Board of Health including quarantines, not inconsistent with law. His compensation shall be fixed by ordinance.

Section 19. The council shall elect a chief of police who shall hold his office at the pleasure of the council. The chief of police shall be the executive peace officer of the town. He shall have control of the police force, subject to the general supervision and direction of the mayor, and shall possess police powers of apprehension and either within or without the cooperative limits of said town, for all violations of the town ordinances, within the cooperative limits of the town, and such other general powers as are necessary and incident to his office, or order of the town council. He shall attend all meetings of the town council, and enforce order, and serve process under the direction of the presiding officer. He shall execute the command of the council from time to time, and of the mayor in the line of his duty in preserving peace and order in the town; he may prefer and sign accusations before the mayor's court, in such form as may be usual or as prescribed by the council unless the accused shall waive formal charge; he shall attend the mayor's court and execute its proceedings, orders and commands, and shall enforce such order therein under the direction of the mayor; provided, however, that his duties of the attendance upon the Town Council and mayor's court the serving processes enforcement of order, and preferring of charges against accused persons, may be performed by any other police officer when most convenient. His compensation shall be fixed by the Town Council.

Section 20. The Town Council may provide by ordinance or resolution for the appointment of such additional police officers, for general duties, or special occasions, as they may deem necessary; such police to be nominated by the chief of police and appointed by him with the advice and consent of the Mayor. In such appointment the chief of police and Mayor shall not be restricted to qualified electors or citizens of the town, but may select persons best fitted for such

positions, irrespective of residence or citizenship. The police officers shall possess the common law and statutory powers of constables in the State except in the service of civil process, and may execute any warrant or criminal process issued by the mayor, either within or without or beyond the corporate limits of the said Town. The chief of police and other officers shall at all times, day or night, preserve the public peace, prevent disorderly conduct and crimes, take and arrest offenders, suppress riots, protect the rights of persons and property, guard the public health, preserve order at elections, remove nuisances, protect strangers and travelers on public streets and parks, and at all stations, places of amusement and other places, and enforce all laws, ordinances and resolutions of the Town Council. They shall have power and authority to arrest immediately and without warrant any person committing, or attempting to commit in the presence of any member of the force, or within his view, any breach of the peace or offense directly prohibited by the law of this State or the ordinances, rules and resolutions of the Town Council.

Section 21. Whenever it shall be deemed advisable to issue bonds for any municipal purpose, the Mayor and Town Council are authorized to issue bonds to an amount not exceeding fifteen per cent of the assessed value of taxable property within the town limits; such value to be determined by the last annual assessment preceding the year in which the bonds are issued; provided that before said bonds shall be issued it shall be approved by a two-thirds vote of the electors at an election to be called and held for that purpose under regulation of Town ordinances as to the manner of conducting and certifying same, after advertisement of such election for not less than thirty days in a newspaper published in the town, if no newspaper is published in said town, then by posting same at three public places in said town, one of which must be the council chamber. At such election only resident electors otherwise qualified who shall be taxpayers on real property within the town and who shall have paid the town taxes thereon for the year last due, and where qualified voters at the last general election, shall be entitled to vote; such bonds shall be serial bonds and a tax shall be levied annually to provide for the payment of principal and

interest in such quoto as to liquidate the entire bond issue at expiration of the life thereof.

Section 22. Such bonds when authorized by such election shall be sold by the Town Council after advertising for bids in a newspaper published in the County of Jackson, and at least one paper publication of reputed circulation among bond buyers. Such bonds shall not be sold below par, and shall not bear a greater rate of interest than six per cent per annum, payable semi-annually. The council shall receive bids on such bonds, or any part of same and shall have the right to reject any and all bids, and to readvertise the bonds or any portion thereof remaining unsold.

Section 23. The Town Council may in its discretion have all work done with the proceeds of such bonds making contract, or it may have such work done under the supervision and direction of the Town Council; such work as let by contract, shall be let to the lowest reasonable bidder, who shall give bond for the faithful performance of the work but the council shall have a right to reject any and all bids.

Section 24. An adverse result of an election to determine the question of the issue of bonds for any municipal purpose shall not debar the town council, or any succeeding council, for submitting the question again to the voters after the lapse of one year; provided, the question of bonding for any other purpose than voted upon may be submitted to an election at any time under any provisions herein before set forth.

Section 25. The Town Council shall, on or before the first day of August in each year, make up in detail and adopt a budget of anticipated expenses and expenditures for all town purposes for the ensuing fiscal year, which budget shall be spread on the minutes of the Town Council, also publish by posting in at least three or more conspicuous places in the town, one of which shall be at the council chamber door, and when so adopted, a budget shall have the force and effect of appropriations for the various items and purposes named, and the limit shall not be exceeded by the council or any officer or department during such year, and any contract or understanding with any person, firm or corporation exceeding such limits as provided in such budget, shall be null and void and toto.

Section 26. The Town Council may upon the affirmative vote of four-fifths of the council members and the approval of the mayor, borrow money from time to time up to the amount of Three Thousand Dollars (\$3,000.00) at interest not exceeding eight per cent (8%) per annum, and may issue certificates of indebtedness therefor, which shall be signed by the president of the council and attested by the clerk under the town seal, no certificates shall be issued for a longer period than twelve months and when issued shall be paid off and retired from the revenue for the current year.

Section 27. The Town Tax Assessor shall assess all the property. Real, personal and mixed, within the town limits between the first day of January and the first day of July each year, placing the valuation thereon without regard to the assessment made by the County, the Tax Assessor, but in no case shall the valuation exceed its actual cash value. He shall have authority to administer oaths or affirmations in the listing of property for taxation, and shall perform his duties in such manner as may be fixed by ordinances or direction of the town council. In case any person, firm or corporation shall fail to make returns of their property for taxation by the 15th day of July of any year, the assessor shall assess the same in the name of the owner, or as unknown, and in no case shall the assessment of taxes thereon be held invalid or not lawfully made by reason of such property being assessed otherwise than in the name of the real owner; provided the assessor does not know and is unable to ascertain upon diligent inquiry the name of the real owner, all assessment for taxes shall be superior to all lien except State and County taxes until paid. In the event of the office of the tax assessor is filled by a different person from the person filling the office of town clerk, the compensation of the tax assessor shall be fixed by the council.

Section 28. Real estate shall be described by lots and blocks when so platted, or by sections, townships and range when not platted, or in parts or fractions of either, or by meters and bounds when such land is so described by the owner or agent; the lots or other sub-divisions of a block belonging to one owner and lying contiguously may be assessed together and the taxes thereon extended on one line. Personal or mixed property shall be assessed separately from

real estate and a manner similar, as near as may be; and the taxes assessed upon real estate shall be a lien upon the personal property of the owner, and taxes assessed upon the personal or mixed property shall be a lien upon the real estate of the owner.

Section 29. The assessor may, upon discovery, personal or mixed property, shall have been omitted from the assessment roll for either or all of the three previous years, or that any real estate was illegally sold for taxes in either of such years, but was then liable for taxation, in addition to the assessment for the current year, assess the same for such year or years in which it was omitted, or illegally sold, noting such separate assessments on the roll for the current year, and same shall have the force and effect it would have had, if properly assessed in such year or years; and the taxes shall be levied and collected thereon in like manner and with the taxes for the current year, and all such property shall be subject to such taxes in whomsoever hands it may have passed.

Section 30. The Tax Assessor shall complete the roll on or before the first Monday in August of each year; or if possible to complete them by then, the Town Council may grant a reasonable extension of time. Upon the completion of the assessment roll he shall meet with the Town Council for the purpose of reviewing and equalizing the assessments. The Town Council shall have the exclusive power and authority to equalize and increase the assessments. Before making an increase in valuation of any property on the assessment rolls, the council shall give written notice to the owner or agent of said property of not less than ten days, substantially describing the property involved, and, persons in same may appear before the council in person or by attorney to show cause why said valuation should not be increased. In pursuance of said notice, the council shall proceed to increase or equalize said value, and their actions shall thereafter be conclusive upon all parties; provided, that the powers of the council in respect to equalization shall be limited to that of equalizers only, and on general raise of assessment value shall be made, but the totals of the taxable property shall remain approximately as made by the assessor.

Section 31. Immediately after the review and equalization of the assessment roll as aforesaid, the Town Council and Tax Assessor shall make, and attach to said assessment roll, an affidavit, as follows:

State of Florida,
Jackson County.

Personally appeared before the undersigned, the subscribing members of the Town Council of the Town of Sneads, Fla., and Tax Assessor of said town, who being duly sworn, respectively say, the annexed roll contains a true statement and description of all property in the Town of Sneads, subject to taxation or liable to be assessed therein under the provisions of its charter, ordinances and laws of Florida, and that the valuation thereof is correct and just to the best of our knowledge and belief and as far as we have been able to ascertain by diligent inquiry.

Sworn and subscribed before

me this day of

A. D. 19.....

Members of Town Council.

Tax Assessor.

Section 32. After the review of the assessment roll as aforesaid, the Town Council shall determine the amount of money to be raised by taxes for general town purposes, which shall not be more than twenty mills on the dollar upon the total assessed value of all the property in the town as aforesaid; provided, that such additional taxes as may be necessary for fire protection, building purposes, water supply, lighting the streets and town building offices, plants and shops, laying out, paving and improving streets, parks, sidewalks and sewerage, may be levied by the council by a majority vote of its members in regular session, and without previous notice of such intention to levy; provided that such additional tax for all or any of said purposes shall not exceed Two mills on the dollar of taxable property. The council shall in each year make a levy for the interest on outstand-

ing bonds by the town and a sinking fund to pay the principal of such bonds at maturity.

Section 33. The assessor shall immediately thereafter calculate and extend the several assessments so levied, designating same in separate columns and rejecting fractions of a cent in such calculations. He shall in addition ascertain and set down the value of such assessments, and the taxes levied by column, as shown by the roll, and make recapitulation tables thereof. He shall make a copy of said assessment roll as completed, added and capitulated; and to the original he shall attach his certificate in substance as follows:

"I,, the assessor of taxes for the town of Sneads, Fla., do hereby certify that the foregoing assessment roll contains a true statement and description of all the taxable property in said town, valued at its fair cash value; that the list and valuations in said roll show correctly and accurately such lists and valuation as corrected by the Town Council; and that all of the requirements of the town charter, its ordinances and the laws of the State of Florida regulating the making of said assessment roll for said town have been complied with.

Dated, 19.....

Tax Assessor Town of Sneads, Fla.

Section 34. On the first Monday in November, or as soon thereafter as practicable the Town Council shall examine the original and copy and see that they agree, and if found correct shall so certify to the Tax Assessor, who shall thereon attach to the original a warrant as follows:

To the Tax Collector of the Town of Sneads, Fla.

Sir:

This original tax assessment roll, and copy thereof having been made up by me and examined and found correct by the Town Council, you are hereby commanded to collect out of the property and from each of the persons, firms and corporations named in this assessment roll, the taxes set down opposite each name, or parcel of real estate, or description of personal property described therein; and in case the taxes should not be paid at the time required by the town charter or its ordinances, you are to collect the same in manner prescribed by law, and account to the Town Council for all moneys col-

lected by you, and make all collections and reports and a final settlement with the Town Council of said town as required by law and the town ordinances.

Given under my hand and seal this the day of.....
..... A. D. 19.....

.....
Tax Assessor of the Town of Sneads, Fla.

- Section 35. All taxes except (License taxes) shall be due and payable on and after the first Monday in November and all taxes remaining due and unpaid on the first Monday in March thereafter shall be enforced as herein provided. All taxes, and the cost or the legal expense of collection, shall be a lien on the real and personal property assessed, and such lien shall relate back to the first day of June of the year for which the taxes are levied.
- Section 36. The Tax Collector, when the assessment roll shall come into his hands, shall give notice by publication once each week for two consecutive weeks, by posting same at council chamber door. All taxes remaining unpaid on the first day of March, unless the time of payment is extended by the Town Council, shall be enforced in the same manner prescribed by law or by the provisions of this charter, and interest thereon at the rate of Twelve per cent per annum from the first day of March, shall be added thereto.
- Section 37. The collector shall have the power to issue distress warrants and alais and pluries distress warrants in the name of the State of Florida, and power to enforce the collection of taxes on property and privileges, such warrants may be executed by the chief of police or any constable or sheriff. The officer to whom the writ is directed, shall execute the same by service upon the defendant, if he be found within the town, and by levies upon the property retainable for such taxes, and he shall give notice of the time and the place of the sale of the property to be sold, at least ten days prior to the sale, by posting notice of such sale on the council chamber door in said town; provided, that if the person owning or claiming such property cannot be found in the town, no personal service shall be required. At any time previous to the sale, the owner of such property may release the same by the payment of the taxes and charges of which the same

was liable to be sold. In case any levy shall be made as aforesaid, the officer making the levy shall be entitled to the same fees as are allowed the sheriff in selling property under the common law execution. If the property levied upon shall be sold for more than the amount of the taxes, costs, and collection fees, the surplus 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.

- Section 38. All unpaid taxes and assessments may be collected by bill of foreclosure and equity, in the same manner as the foreclosure of mortgages. The council may, by resolution, certify to an attorney-at-law in said County, any unpaid taxes or assessments for collection, and if the taxes or assessments are collected without suit, he shall receive for his service, such reasonable compensation as may be fixed by ordinance, which shall be a lien upon said assessed property, the same as taxes or assessments. In case of suit, he shall receive such reasonable compensation for his service, not exceeding one-half of the taxes due, and with the minimum fee of Ten (\$10.00) Dollars, as may be fixed by the court; such attorney's or solicitor's fee shall be added to the amount of taxes due and shall be a lien upon the property of equal dignity with the tax lien.
- Section 39. If the taxes on real estate shall not be paid before the first day of March, next after the tax roll shall have come into the hands of the collector, the council may at any time thereafter, by resolution, require the collector to make from the assessment roll a separate copy of any assessment thereon remaining unpaid, showing the assessment of any lot, tract, or parcel of land as the same then appears upon the town assessment roll, which he shall certify to be true and correct copy of the town tax assessment roll of the tract, parcel or lot of land therein described, and deliver the same to the town attorney or solicitor for collection, which certified copy shall be prima facie evidence of the contents of the assessment roll, and have the levies made thereon on all suits or enforce the payment of the lien for such taxes as may appear upon said property. The town attorney or solicitor shall search for or cause to be searched, the public records of Jackson County, to ascertain the names of all persons owning, holding interest in, or liens, upon said lands, and in the suit

brought for the enforcement of the said liens for taxes he shall make all persons appearing upon said records to be the owners of or interested in said real estate or liens therein, parties defendants; and whenever service is sought to be had in any such suit upon a defendant by publication, the notice shall contain a description of the land upon which the tax lien is claimed; the name of any person other than that of the owner of said real estate, may at the direction of the town attorney or solicitor, be omitted from the list of defendants, but no person having an interest in said property, or lien thereon, appearing upon said records, and not brought into court as a defendant, shall be, until so brought into court, deprived of said interest therein. The interest of all persons not appearing upon said public records shall be foreclosed by such suits without their being named or served as defendants. Upon collection of all money due to the town, upon foreclosure as herein provided, after such taxes or assessments shall have been placed in the hands of the town attorney or solicitor, the payment shall be made as follows: first, all court's cost, including clerks, sheriffs, masters and advertising fees, and one dollar (\$1.00) for attorney for search of records; second, the amount due the town for taxes and interest; third, the attorney's or solicitor's fees for service in connection with the collection of such taxes; fourth, the surplus, if any, shall be paid to the person in whose possession the property when same was foreclosed, or to the owner of the property.

Section 40. The tax collector shall deposit all money collected by him with the town depositories, taking receipt therefor, and shall make monthly reports to the Town Council; and shall by the first day of April in each year, file his final report of all the money collected by him.

Section 41. The Town Council shall provide by ordinance for the holding of general and special elections, the return and canvassing of results of same, the registration and qualification of voters, all of which must comply as nearly as practicable with State laws governing elections. All qualified electors for the State and County elections, who have resided within the town limits for six months, shall be qualified electors of the town, no person shall be eligible to hold any elective office of the town, unless he shall possess the qualifica-

tions of an elector, and be a payer on real estate and personal property situated within the town.

Section 42. The Town Clerk shall be the registration officer of the town, and it shall be the duty of the council to provide suitable books for the registration of all persons entitled to register and vote in the town; the Town Council shall by ordinance prescribe the form of such books, the duties of the clerk as registration officer and the time and manner of registration. The Town Council shall also provide polling places and prescribe the manner of holding elections. The Town Council shall revise the registration books annually, ten days before the election.

Section 43. The Town Council shall fix the amount of bond to be given by all officers, or by others dealing with the town in case where bond shall be required. And should any officer required by any act or ordinance to give bond or bail for fifteen days after his election or appointment to furnish bond approved by the council, his office shall be declared vacant and shall be filled elsewhere herein provided until the next general town election. All officers shall, before entering upon their duties as such, take oath before some officer authorized by law to administer oaths in the State as follows:

(I, do solemnly swear, (or affirm) that I will support, protect and defend the constitution and government of the United States, and of the State of Florida, against all enemies, domestic and foreign, and that I will bear true faith, loyalty and allegiance to the same; that I am entitled to hold office, under the constitution of the State, and provisions of the town charter, and I will faithfully perform all the duties, of the office to which I have been elected, (or appointed) and on which I am about to enter, so help me, God)

Section 44. Any officer whose removal or suspension from office is not otherwise provided for herein, may be removed or suspended by the mayor with the approval of the majority of the Town Council at any time.

Section 45. Any person arrested for the violation of any penal ordinance shall immediately be confined until discharged or tried before the mayor, unless such person give proper security for his appearance before the mayor in which case he shall be released. The Chief of Police, or other police

officer of said town, shall have authority to accept bonds of appearance or other securities for appearance before the mayor's court, but no such bond nor security for less than \$5.00 nor more than \$500.00.

Section 46. Any person convicted by the mayor's court shall forthwith pay the fine and cost assessed against him, in default whereof he may be committed; provided, that if such person shall within three days appeal from the judgment from the said court, he shall be released upon bond or other securities in double the amount of the fine and the costs assessed him, conditioned to appear before the court to which the case is appealed and to abide by and perform the judgment thereof.

Section 47. In every case where the party accused has been released upon bond or other securities and shall fail to appear or perform any other such condition the Town Clerk shall after calling three times publicly at the door of the Town Council chamber, upon the defendant to appear and upon the sureties to appear and show cause why the bond should not be forfeited, enter suit in the name of the mayor for the use and benefit of said town, upon said bonds or against securities for the full amount of the penalty thereof, in any court having jurisdiction and recover judgment and execution as in case of suits on bonds.

Section 48. The title to all streets, alleys, walks, drives, highways, thoroughfares and public parks which may be hereafter dedicated to or acquired by it are hereby vested in the Town of Sneads and the town shall have exclusive control of same, and may lay out new streets, change or close old streets, and may name or re-name or designate by numbers the streets, alleys, drives, avenues and other thoroughfares of the town.

Section 49. The Town Council may cause an official survey to be made with a uniform system of numbering lots, blocks and houses, and may establish grades for all streets, alleys, walks, drives or other thoroughfares; and such plat or map when adopted by the Town Council and recorded in the public records of Jackson County shall be known as the official map of the Town of Sneads, Florida. Such may be made up of as many parts or plats as may be necessary or convenient, and not be limited to a single sheet.

Section 50. Every ordinance of the Town of Sneads shall be read by sections, including its title, at three separate meetings of the council, unless four-fifths of its members vote to waive the rule, in which case it may be passed upon three separate readings at one meeting. A majority of all members of the council shall be necessary to any ordinance. No ordinance shall become effective until signed by the presiding officer of the council and attested by the clerk. The mayor may sign same to indicate his approval, or may veto same under the provisions of this Act or Town Ordinance, or may permit it to become a law without his signature. If not signed or vetoed by him within ten days after submission to him, or if vetoed and passed over his veto by four-fifths vote of all members of the council, it shall become a law, and shall be published for at least five days after passage, by posting at the council chamber door.

Section 51. The officers who shall exercise the corporate powers of said town until their successors are elected and qualified, are: W. B. Bedenbaugh, Mayor, to serve until the first Monday in October, 1931, J. N. C. Fulmer, J. P. Hunter and E. B. Liddon, members of the Town Council to serve until the first Monday in October, 1931. And J. A. Traylor and J. W. Gibson, members of the Town Council to serve until the first Monday in October, 1932, T. B. Brown, Town Clerk, to serve until the first Monday in October, 1931.

Section 52. None of the provisions of this Act shall authorize or empower the executive or legislative authorities of said Town of Sneads to pass any ordinances, rules or regulations, which shall in any manner affect the keeping by the State of Florida of any property, real or personal, owned by the State of Florida, within the corporate limits of the said town, and any ordinance, rule or regulation of said town, or its authorities, abridging the rights of the State of Florida in the conduct and control of its property or attempting to tax the same, shall be null and void.

Section 53. A copy of any ordinance, rule of the council or rule of the health officer, duly certified by the town clerk shall be taken as evidence in the courts of this State without further proof of its due passage and approval and becoming a law.