

**CITY OF CORAL GABLES**

**OFFICE OF THE CITY ATTORNEY**

**- MEMORANDUM-**

**TO:** **Honorable Members of**  
**Charter Review Committee**

**DATE:** **December 20, 2004**

**FROM:** **Elizabeth M Hernandez**  
**City Attorney**

**SUBJECT:** **Recommendations**

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**ARTICLE I. IN GENERAL**

**Sec. 1. Abolition of existing government.**

That the present municipal government existing under the name of the City of Coral Gables, in Dade County, Florida, be and the same is hereby abolished.  
(Ch. 13972, § 1, Special Acts 1929)

**Sec. 2. Title to property reserved.**

That the title, rights and ownership of property, uncollected taxes, dues, claims, judgments and decrees, and choses in action held or owned by The City of Coral Gables, shall pass to and be vested in the municipal corporation to be called the City of Coral Gables, established and organized in Dade County, Florida, organized under this Act to succeed the municipality hereby abolished.  
(Ch. 13972, § 2, Special Acts 1929)

**Sec. 3. Obligations unimpaired.**

That no obligation or contracts of the said City of Coral Gables, 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 organized and created.

(Ch. 13972, § 3, Special Acts 1929)

**Sec. 4. Officers hold until successors qualify.**

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of said municipality not in conflict with the provisions of this Act shall continue in effect and unimpaired until repealed, amended or modified by the municipality which is hereby organized and created.

(Ch. 13972, § 4, Special Acts 1929)

**Sec. 5. Boundaries--Metes and bounds.**

The document entitled Metes and Bounds Description of the City of Coral Gables, prepared by Juan Martinez, Professional Land Surveyor, and dated January 7, 1997, is hereby adopted by reference as the metes and bounds description of the City of Coral Gables, Florida.

(Ch. 13972, § 5, Special Acts 1929; Ch. 13970, § 1, Special Acts 1929; Ch. 27484, § 1, Special Acts 1951; Ord. No. 3289, § 1, 12-16-97)

**Sec. 6. Same--Illegally included land, liability for taxes, excluded property.**

If it shall be determined by competent authority that an excessive and unwarranted amount of unoccupied and unimproved land is illegally included within the boundaries of said City of Coral Gables, Florida, as established in the preceding Section, this Act shall be deemed invalid only as to such lands so improperly included within said boundaries and shall be deemed valid as to all other lands included within said boundaries so established.

In all respects, except as herein amended, the existing Charter of the City of Coral Gables, Florida, and all existing laws amendatory thereof are confirmed.

Nothing herein contained shall be deemed to impair in any manner the liability, if any, for taxation of the lands lying within the present established boundaries of said City of Coral Gables, as established by the City Charter of the City of Coral Gables, or existing laws amendatory thereof, for the payment of existing indebtedness of the City of Coral Gables.

In case of any determination by proper authority of the illegal inclusion of any property within the boundaries of said City, the governing authority of the City of Coral Gables shall be duly empowered to levy, assess and collect such taxes for debt service against [any] property excluded by Legal proceedings from the boundaries of said City as the said property so excluded may be liable for on account of any unpaid indebtedness of said City contracted prior to the institution of suit for such exclusion.

(Ch. 13972, § 5A, Special Acts 1929; Ch. 16372, § 1, Special Acts 1933)

**Editor's note:** The first paragraph of this section was derived from Chapter 16372, Special Acts 1933, which specifically amended the charter. The remaining paragraphs of this section were not specific amendments to the charter.

**Sec. 7. Perpetual succession.**

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

(Ch. 13972, § 6, Special Acts 1929)

**Sec. 8. General powers.**

The city shall have all available governmental, corporate and proprietary powers possible for a city to have under the constitution and laws of this state as fully and completely as though they were specifically enumerated in this charter.

(Ch. 13972, § 7, Special Acts 1929; Ch. 15134, Special Acts 1931; Ch. 21161, Special Acts 1941; Ch. 23219, Special Acts 1945; Ord. No. 2133, § 2(A), 1-21-75, referendum 4-8-75; Ord. No. 3290, § 1, 12-16-97)

**ARTICLE II. CITY COMMISSION AND MAYOR**

**Sec. 9. Creation, composition, election, terms, vacancies, qualifications.**

The City shall be governed by a Commission consisting of five (5) members elected from the City, at large, in groups or seats numbered One (I) through Five (V). One of the said Commissioners shall be the Mayor and shall be elected by the people from the group to be numbered One (I), and all persons desiring to qualify as a candidate for Mayor shall file in Group One (I). The Mayor shall have the powers set forth in the Charter of the City of Coral Gables, Dade County, Florida. All persons desiring to qualify for commissioner shall file in Groups Two (II) through Five (V). Commissioners in Groups Two (II) and Three (III) shall be elected at the general election to be held the second Tuesday in April, 1985, and at each general election each four (4) years thereafter. Commissioners in Groups Four (IV) and Five (V) shall be those Commissioners whose terms presently expire in 1987, and Commissioners who elect to run in Groups Four (IV) and Five (V) shall be elected the second Tuesday in April, 1987, and each general election each four (4) years thereafter. The Mayor shall be elected at each general election beginning the second Tuesday in April, 1985, and shall hold office for a term of two (2) years. The Mayor and Commissioners shall take office at noon on the third day after their election. The Mayor and all other members of the Commission shall be subject to recall, as provided by the Charter.

The candidate receiving the greatest number of votes in each group shall be considered elected upon and after the canvass of the vote and the declaration of the result of the elections as hereinafter provided.

Any commissioner whose term of office does not expire at noon on the third day after the election, desiring to run for the office of mayor shall present an irrevocable resignation of his office of city commissioner to the City Commission not less than sixty (60) days prior to the date of election, and said resignation shall become effective at noon on the third day after the election. Upon receipt of said resignation, the Commission shall make public announcement, by resolution, accepting the resignation and instructing the Clerk to accept qualified candidates to run for election for the unexpired term of the Commissioner resigning for the purpose of running for Mayor.

Within thirty (30) days after a vacancy occurs on the Commission, the remaining Commissioners shall elect a Commissioner to fill the vacancy until the next general biennial election, at which time, if the term of office vacated extends beyond such election, a Commissioner shall be elected to fill the balance of the unoccupied term, except as provided by Section 22 regarding recall. Members of the Commission shall not hold any other public office except that of Notary Public or member of the State Militia. A member of the Commission ceasing to possess any of the qualifications specified in the Charter or, if convicted of a felony while in office, shall immediately and automatically forfeit his office.

(Ch. 13972, § 8, Special Acts 1929; Ch. 21161, § 2, Special Acts 1941; Ord. No. 2453, § 2, 2-8-83, referendum 4-12-83; Ord. No. 2507, § 2(A), 7-24-84, referendum 11-6-84)

#### **Sec. 10. Regular meetings, special meetings.**

At twelve o'clock noon on the day the commissioners take office, the Commission shall meet at the City Hall and the newly elected members shall assume the duties of office. [Hereafter, the Commission shall meet at such times as may be prescribed by ordinance or resolution, but not less frequently than once each month. Special meetings shall be called by the clerk upon the written request of the Mayor, City Manager or three members of the Commission.] ~~Any such notice shall state the subject to be considered at the special meeting and no other subject shall be there considered. All meetings of the Commission shall be open to the public.~~ **[transfer marked section to City Code] and [delete strikethrough as obsolete].**

(Ch. 13972, § 9, Special Acts 1929)

#### **Sec. 11. Election to office; commission as judge of qualifications, etc.**

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

(a) *Age and residency requirements.* Every person who shall at the time of registration be a citizen of the United States and shall have resided and had his or her habitation, domicile, home and place of personal abode in the City of Coral Gables for one year shall, if otherwise qualified according to this Charter, be qualified electors at elections held in the City of Coral Gables.

(b) *Registration list.* (Rescinded due to the fact that Election Registration is under the jurisdiction of Dade county.)

(c) *Ballots, canvassing.* It shall be the duty of the City Commission to have ballots prepared and have all things done that are necessary for the holding of elections, and as soon after as may be, the Commission shall canvass the returns of elections and declare the results.

(d) *Candidates, fee; rebate of excess fees.* Any person who shall have the qualification of an elector hereunder may offer himself or herself as a candidate for City Commissioner by a written declaration to the City Clerk, and the payment of Two Hundred Dollars (\$200) as a filing fee, which fee shall be used in support of the costs of the election. Within thirty (30) days after the day of election, the City Clerk shall report to the Commission the costs of the election and the aggregate amount of such filing fees and the City Commission shall order the excess of any such fees, over and above the

costs of the election, returned pro-rata to the several candidates. The name of any person so qualified shall be printed upon the official ballot.

(e) *Qualifying period.* Candidates for office of Commissioner or Mayor shall file their written declaration of intent and pay the required Filing Fee commencing at Noon of the 50th day and ending at Noon of the 46th day prior to the election, which shall constitute a four-day Qualifying Period.

(Ch. 13972, § 10, Special Acts 1929; Ch. 16373, Special Acts 1933; Ch. 21161, Special Acts 1941; Ch. 22240, Special Acts 1943; Ch. 23217, Special Acts 1945; Ch. 24444, Special Acts 1947; Ord. No. 2453, § 2, 2-8-83; Ord. No. 3216, § 1, 1-14-97; Ord. No. 3302, § 1, 12-16-97)

### **Sec. 12. Rules of procedure; expulsion, quorum.**

The Commission may determine its own rules of procedure, may punish its own members for misconduct and may compel the attendance of members, and on a four-fifths vote may expel a member for misconduct in office or for neglect of duty. But no member shall be expelled unless notified in writing seven (7) days before any action is taken of the charge against him and given an opportunity to be heard in his own defense. A majority of all members of the Commission shall constitute a quorum to do business, but a smaller number may adjourn from time to time. ***[clerical corrections]***

(Ch. 13972, § 11, Special Acts 1929)

### **Sec. 13. Adoption of resolutions-**

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

***as superceded by F.S. 166.041(H)]***

(Ch. 13972, § 12, Special Acts 1929)

### **Sec. 14. Ordinances, form, procedure; publication.**

The Commission shall act only by ordinance or written resolution and all ordinances or resolutions except ordinances making appropriations shall be confined to one subject, which shall be clearly expressed in the title. The ordinances making appropriations shall be confined to the subject of appropriations. No ordinance shall be passed until it has been read on two separate days or the requirement of reading on two separate days has been dispensed with by a four-fifths vote of the members of the Commission. Ordinances shall be read by title only, copies of proposed ordinances shall be furnished to each Commissioner and shall be made available to all interested persons prior to the final adoption. The yeas and nays shall be taken upon the passage of all ordinances or resolutions and entered upon the journal of the proceedings of the Commission, and every ordinance or resolution shall require on final passage the affirmative vote of a majority of all its members. In the event of a tie vote, the proposed ordinance or resolution shall be carried over to the next regular or special meeting of the Commission. In the event that the proposed ordinance or resolution does not receive a majority vote at the subsequent meeting, it shall be deemed to have failed. No member shall be permitted to vote on matters involving the consideration of his own official conduct, or where his financial

interests are involved. Provisions shall be made for posting copy of such ordinance at the front door of the City Hall.

(Ch. 13972, § 13, Special Acts 1929; Ord. No. 2133, § 2(F), 1-21-75, referendum 4-8-75; Ord. No. 3291, § 1, 12-16-97)

**Sec. 15. Reserved.**

**Editor's note:** Provisions of § 2 of Ord. No. 2453, enacted Feb. 8, 1983, and ratified by the voters at the general biennial election held April 12, 1983, repealed former Charter § 15 pertaining to the election and term of office, and vacancy, of the office of mayor which was derived from Ch. 13972, § 14, Special Acts 1929, and Ch. 21161, § 4, Special Acts 1941.

**Sec. 16. Duties of mayor.**

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

(Ch. 13972, § 15, Special Acts 1929)

**Sec. 17. Compensation, commissioners and mayor.**

The Commission may by ordinance provide for the compensation of its members, including the Mayor and for the allowance of travel and office expense.

(Ch. 13972, § 16, Special Acts 1929)

**Sec. 18. Appointment of city officers; record of proceedings.**

The Commission shall keep a complete record of all its proceedings and a copy from its record certified by the Clerk shall be competent evidence in all Courts of this State; and shall appoint the following who shall not be members of the Commission: City Manager, City Clerk, City Attorney, which officers shall hold office at the will of the Commission.

(Ch. 13972, § 17, Special Acts 1929; Ord. No. 3292, § 1, 12-16-97)

**Editor's note:** The reference to judge and associate judge of the municipal court have been editorially deleted as municipal courts have been abolished.

**Sec. 19. Authority of officers to administer oaths.**

The City Clerk of the City of Coral Gables, Florida, all Deputy City Clerks appointed by resolution of the City Commission, and the Secretary of the Planning and Zoning Board, are hereby given the right, privilege and power to administer oaths to all persons appearing before them, or the Boards represented by them in the capacities stated.

(Ch. 13972, § 17A, Special Acts 1929; Ch. 25740, § 1, Special Acts 1949; Ord. No. 3293, § 1, 12-16-97) **[transfer to City Code]**

**Editor's note:** Editorially deleted the reference to municipal court clerk as municipal courts have been abolished.

**Sec. 20. Authority to provide pension plan.**

The Commission of the City of Coral Gables may, by ordinance, provide for a pension plan for the officers and employees of the City, but no such ordinance, or amendment thereto, shall become effective and operative until it shall have been ratified and approved by a majority of the qualified electors of said City actually voting in a general election, or special election called for that purpose.

Any ordinance adopted by the City Commission of the City of Coral Gables, providing for a pension plan for the officers and employees of said city, and which ordinance after submission to the people by referendum has been ratified and approved by a majority of the qualified electors of said city actually voting thereon, may be amended by an ordinance proposed to the City Commission of the City of Coral Gables by a resolution adopted by a majority of the trustees acting under such ordinance and adopted by ordinance by a majority of four-fifths of the City Commission voting in favor thereof; provided, however, that such amendatory ordinance shall be confined to clarifying of ambiguous phraseology in the ordinance sought to be amended, or to the removal of inconsistencies which may be shown, by practical application of such ordinance to exist, and provided further, that no such ordinance may be adopted without referendum which imposes any substantial liability upon the city.

(Ch. 13972, § 17 1 / 2 , Special Acts 1929; Ch. 23218, § 1, Special Acts 1945; Ch. 24448, § 1, Special Acts 1947)

**Sec. 21. Initiative and referendum.**

The electors shall have the power to approve or reject at the polls any ordinance passed by the Commission or submitted by the Commission to a vote of the electors, except an appropriation ordinance or an ordinance making the annual tax levy, such power being known as the referendum.

(a) *Effective dates.* No measure shall go into effect until thirty days after its passage, unless it be declared in such ordinance to be an emergency measure on the ground of urgent public need for the preservation of peace, health, safety or property, and the measure being passed by a vote of not less than four-fifths of the members of the Commission. But no measure granting or amending any public utility measure or amending or repealing any measure adopted by the electors at the polls shall be regarded as an emergency measure.

(b) *Petition.* Within thirty days after the final passage by the Commission of an ordinance which is subject to referendum, a petition signed by the electors of the City equal to a number of at least ten percent of the total number of registered voters as shown by the city registration books at the last preceding regular municipal election may be filed with the City Clerk requesting that any such ordinance or any specified part thereof be either repealed or submitted to a vote of the electors. A referendum petition shall clearly specify the ordinance or part thereof, repeal of which is sought, but need not contain the text thereof.

(c) *Commission action on petition, referendum.* If a referendum petition or amended petition be found sufficient by the City Clerk, he shall certify that fact to the Commission at its next regular meeting and the ordinance or part thereof specified in the petition shall

not go into effect, or further action thereunder shall be suspended if it shall have gone into effect until approved by the electors as hereinafter provided. Upon receipt of the Clerk's certificate, the Commission shall proceed to reconsider the ordinance or part thereof, and its final vote upon such reconsideration shall be upon the question "shall the ordinance (or part of the ordinance) set forth in the referendum petition be repealed?" If upon such reconsideration the ordinance or part thereof be not repealed, it shall be submitted to the electors at a municipal election held not less than thirty days after such final vote to the Commission. The Commission by vote of not less than four-fifths members may submit the ordinance or part thereof to the electors at a special election to be held not sooner than the time aforesaid. If when submitted to the electors any ordinance or part thereof be not approved by a majority of those voting thereon, it shall be deemed repealed.

(d) *Form of ballot.* Ordinances or parts thereof submitted to vote of the electors in accordance with the referendum provisions of this charter shall be submitted by ballot title which shall be prepared in all cases by the City Attorney. The ballot title may be distinct from the regular title of any such referred ordinance and shall be a clear, concise statement without argument or prejudice descriptive of the substance of such ordinance or part thereof. The ballot used in voting upon any ordinance or part thereof shall have below the ballot title the following proposition, one above the other in the order indicated "For the Ordinance" and "Against the Ordinance." Immediately at the left of each proposition there shall be a square in which by making a cross mark (X) the electors may vote for or against the ordinance or part thereof. Any number of ordinances or parts thereof may be voted on in the same election and may be submitted on the same ballot, but the ballot used for voting thereon shall be for that purpose only.

(e) *Bond issue, appropriation, franchise, preliminary steps.* In case a petition be filed requiring that an ordinance passed by the Commission involving the expenditure of money, a bond issue, the granting of a franchise, or a public improvement, be submitted to a vote of the electors, all steps preliminary to such actual expenditure, actual issuance or sale of bonds or actual execution of the contract for such franchise or improvement may be taken prior to the election.

(f) *Emergency ordinance.* Any emergency ordinance or other ordinance which in accordance with the provisions of Section 18a [Section 21(a)] of this charter shall have gone into effect prior to the filing of a referendum petition thereon shall be subject to referendum as in the case of other ordinances and further action thereunder shall be suspended from the date of the Clerk's certification to the Commission that a sufficient referendum petition has been filed. If, when submitted to a vote of the electors any such ordinance be not approved by a majority of those voting thereon, it shall be considered repealed and all rights and privileges conferred by it shall be null and void. But any such ordinance so repealed shall be deemed sufficient authority for any payments made or expense incurred in accordance therewith prior to the date of the Clerk's certification to the Commission that a sufficient referendum petition has been filed.

(g) *Publication.* The City Clerk at least fifteen (15) days before any election to which any ordinance is to be submitted to the voters shall cause publication in a newspaper of general circulation in the City of Coral Gables the full text of every such ordinance submitted.

(h) *Conflicting ordinances.* If two or more ordinances adopted or approved at the same election conflict in respect to any of their provisions they shall go into effect in respect of such of their provisions as are not in conflict and the one receiving the highest affirmative vote shall prevail insofar as their provisions conflict.

(i) *Signatures, affidavit.* The signatures to referendum or recall petitions need not all be appended to one paper, but to each separate petition paper there shall be attached an affidavit of the circulator thereof as provided by this section. Each signer of any such petition paper shall sign his name in ink or indelible pencil and shall indicate after his name his place of residence by street and number or other description sufficient to identify the place. There shall appear on each petition the name[s] and address[es] of five (5) electors of the City. On each paper the names and addresses of the same five electors who as a committee of the petitioners shall be regarded as responsible for the circulation and filing of the petition. The affidavit attached to each petition shall be as follows:

TABLE INSET:

State of _____	)	
	)	ss.
County of _____	)	

\_\_\_\_\_ being duly sworn, deposes and says that he and he only, personally circulated the foregoing paper, and that all the signatures appended thereto were made in his presence and are the genuine signatures of the persons whose names they purport to be.

Signed \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

The foregoing affidavit shall be strictly construed and any affiant convicted of swearing falsely as regards any particular thereof shall be guilty of perjury and attempted fraud upon the election provisions of this charter.

(j) *Petition papers.* All petition papers comprising a referendum or recall petition shall be assembled and filed with the City Clerk as one instrument. Within ten (10) days after a petition is filed the City Clerk shall determine whether each paper of the petition is properly attested and whether the petition is signed by a sufficient number of electors. The City Clerk shall declare any petition paper entirely invalid which is not attested by the circulator thereof as required by Section 18i [Section 21(i)] of this charter or upon which the affidavit of the circulation can be shown to be false in any particular. Upon

completing his examination of the petition the City Clerk shall attach thereto a certificate showing the result of the examination. If he should certify that the petition is insufficient he shall set forth in his certificate the particulars in which it is defective, and shall at once notify the committee of the petitioners of his findings.

(k) *Amendment of petition.* A referendum or recall petition may be amended at any time within ten days after the making of a certificate of insufficiency by the City Clerk, by filing a supplementary petition upon additional papers signed and filed as provided in case of an original petition. The City Clerk shall within five (5) days after such an amendment is filed make examination of the amended petition, and if his certificate shall show the petition still to be insufficient he shall file it in his office and notify the committee of petitioners of his findings, and no further action shall be had on such insufficient petition. The finding of the insufficiency of a petition shall not prejudice the filing of a new petition for the same purpose.

(l) *Power to institute ordinances.* The people shall have the power at their option to propose ordinances including ordinances granting franchises or privileges and to adopt the same at the polls, such power being known as the initiative. The person or persons proposing the exercise of this power shall submit the proposal to the City Commission which shall, without delay, approve as to form a petition for circulation in one or several copies as the proposer or proposers may desire.

(m) *Preparation of initiative petition; affidavit of genuineness of signatures.* Signatures of initiative petitions need not all be on one paper, but the circulator of every such paper shall make an affidavit that each signature appended to the paper is the genuine signature of the person whose name it purports to be, which affidavit shall be substantially in the form as set forth in section (i). With each signature shall be stated the place of residence of the signer, giving the street, number or other description sufficient to identify the place. All such papers pertaining to any one ordinance shall have written or printed thereon the names and addresses of at least five (5) registered voters who shall be officially regarded as filing the petition, and shall constitute a committee of the petitions for the purposes hereinafter named. All such papers shall be filed in the office of the city clerk as one instrument.

(n) *Circulating and filing of petition.* The person or persons circulating the petition shall, within thirty (30) days of the approval of the form of the petition obtain the signatures of registered voters at least equal to twenty (20) percent of the total number of registered voters as shown by the voter registration books at the last preceding regular municipal election. The petition shall then be filed with the city clerk who shall, within ten (10) days after the filing determine the sufficiency of the signatures. If, by the clerk's certificate, of which notice in writing shall be given to one or more of the persons designated, the petition is shown to be insufficient it may be amended within thirty (30) days from the date of said certificate by filing supplementary petition papers with additional signatures. The clerk shall within ten (10) days after such amendments make examination of the amended petition and if his certificate shall show the same to be insufficient, the clerk shall file the petition in his office and shall notify each member of the committee of that fact. The final finding of the insufficiency of a petition shall not prejudice the filing of a new petition for the same purpose.

(o) *Submission of petition to commission.* If the petition shall be found to be sufficient, the clerk shall so certify and submit the proposed ordinance to the commission at its next

meeting. Upon receiving the proposed ordinance, the commission shall at once proceed to consider it and shall take final action thereon within thirty (30) days from the date it is filed with them.

(p) *Election on initiated ordinances.* If the commission shall fail to pass the proposed ordinance, or shall pass it on a form different from that set forth in the petition, then the ordinance shall be submitted by the commission to the vote of the electors at the next election occurring not less than sixty (60) days after the date of the final action by the commission, and if no election is to be held within six (6) months from such date, then the commission shall call a special election to be held not less than sixty (60) days nor more than one hundred and twenty (120) days from such date. When submitted, the ordinance shall be in its original form.

(q) *Initiative ballots.* The ballots used when voting upon any such proposed ordinance shall state the substance thereof, and below it the two propositions "for the ordinance" and "against the ordinance." Immediately at the right of each proposition there shall be a square in which by marking a cross (X) the voter may vote for or against the proposed ordinance. When an ordinance proposed by initiative petition is passed by the commission, but not in its original form, and is to be submitted to a vote of the electors, the ordinance, as passed by the commission, shall not take effect until after such vote, and, if the ordinance so submitted be approved by a majority of the electors voting thereon it shall thereupon become an ordinance of the city and the ordinance as passed by the commission shall be deemed repealed. If the majority of the electors voting on any such ordinance shall vote in favor thereof, it shall thereupon become an ordinance of the city. The following title shall be substantially the form of the ballot:

TITLE OF ORDINANCE WITH GENERAL STATEMENT OF SUBSTANCE THEREOF.

\_\_\_\_\_

For the Ordinance

\_\_\_\_\_

Against the Ordinance

(r) *Number of ordinances to be initiated.* Any number of proposed ordinances may be voted upon at the same election in accordance with the provisions of this Charter.

(Ch. 13972, § 18, Special Acts 1929; Ord. No. 1972, § 2(I), 7-11-72; Ord. No. 3294, § 1, 12-16-97)

**Editor's note:** Ord. No. 1972, § 2(I), adopted July 11, 1972, proposed an amendment to § 21 to allow the electorate to propose ordinances to be adopted at the polls, which proposed amendment was duly ratified at a special election held on Nov. 7, 1972, pursuant to Resolution No. 18110, adopted Nov. 13, 1972, canvassing the returns of said election.

## **Sec. 22. Recall.**

[Editorially deleted]

(Ch. 13972, § 19, Special Acts 1929)

**Editor's note:** This section has been editorially deleted as superceded by the uniform procedure for the recall of municipal officers in F.S. § 100.361.

### **ARTICLE III. CITY MANAGER**

#### **Sec. 23. Appointment, term, removal, absence or disability.**

The City Manager shall be the chief executive officer of the City. The Manager shall be chosen by the Commission solely on the basis of his executive and administrative qualifications, and need not when appointed be a resident of the City or of the State. No member of the City Commission shall during the time for which elected be chosen as City Manager. The Manager shall be appointed for an indefinite term but shall be removed at the pleasure of the Commission. The action of the Commission in suspending or removing the Manager shall be final; it being the intention of this Charter to vest all authority and fix all responsibility for such suspension or removal in the Commission. In case of absence or disability of the Manager, the Commission may designate some qualified person to perform the duties of the office during such absence or disability.

(Ch. 13972, § 20, Special Acts 1929)

#### **Sec. 24. Responsibility, duties, authority, appointments; generally.**

The City Manager shall be responsible to the Commission for the proper administration of all affairs of the city placed in his charge and to that end he shall have the power to appoint and remove all officers and employees in the administrative service of the City. But the Manager may authorize the head of a department or officer responsible to him to appoint and remove subordinates in such department or office. Appointments made under the authority of the City Manager shall be on the basis of executive and administrative ability and on the training and experience of such appointees and the work which they are to perform.

(Ch. 13972, § 21, Special Acts 1929)

#### **Sec.25. Authority over officers and employees; removal, suspension, reduction; requests for cause and hearing; trial board.**

Officers and employees appointed by the City Manager or under his authorization may be removed, suspended, laid off, or reduced in grade by the City Manager, or by the officer by whom appointed, at any time for any cause which will promote the efficiency of service. Such action, if by a department head, shall be subject to the approval of the City Manager. Any such officers or employees, except common laborers and officers and employees in the service of the City for less than six (6) months, or police officers or firemen in the service of the City for less than twelve (12) months, continuously, may within five (5) days after such action file with the City Manager a written request for a written statement of the reasons for such action, which written statement shall be furnished to him by the City Manager within five (5) days after such request; a sworn reply to such statement of reasons may be filed with the City Manager by such officer or employee within five (5) days thereafter, accompanied by a demand for a hearing thereon. The failure of any such officer or employee to request such written statement of reasons or to reply thereto, within the period provided therefor, shall constitute a full waiver of any further rights. In the event of such request and reply thereto the matter shall then be referred to the special trial board hereinafter authorized, which trial board shall thereupon investigate and determine the propriety of such action, and, at the conclusion

of its investigation shall render a decision or verdict which shall be final. The trial board may, in its discretion, conduct hearings, summon witnesses and hear evidence. In its decision the trial board may determine whether such officer or employee is entitled to any compensation, allowance or adjustment, which decision shall likewise be final.

For the purpose of effectuating this section the Commission shall by ordinance provide for the establishment of a special trial board to be composed of five (5) citizens of the City of Coral Gables, none of whom shall be officers or employees of the City; two (2) of whom shall be appointed or elected by the City employees; two (2) of whom shall be appointed or elected by the City Commission and the fifth (5th) of whom shall be selected by the four (4) members so chosen, as provided for and prescribed in said ordinance. In the event that the four (4) members shall fail to agree on the fifth (5th) member, such member shall be appointed by the County Judge of Dade County, Florida. (Ch. 13972, § 22, Special Acts 1929; Ch. 23221, § 1, Special Acts 1945; Ch. 25738, § 1, Special Acts 1949; Ch. 27481, § 1, Special Acts 1951; Ord. No. 2133, § 2(E), 1-21-75, referendum 4-8-75)

#### **Sec. 26. Lines of authority between manager and commission.**

The Commission, by resolution duly adopted, may direct or require appointments, suspensions, or discharges of City officers or employees by the City Manager. But none of the commissioners may otherwise direct or request the appointment of any person to or his removal from, the service of the City by the City Manager or any of his subordinates. Except for the purpose of inquiry, the Commission and its members shall otherwise deal with that portion of the administrative service for which the Manager is responsible solely through the Manager, and neither the Commission except in open session, nor any member thereof, shall give orders to any subordinate of the Manager. Any violation of the provisions of this section by a member of the Commission shall work a forfeiture of the office of such member.

(Ch. 13972, § 23, Special Acts 1929)

#### **Sec. 27. Specific powers and duties.**

Power and duties of the City Manager shall be:

- (1) To see that the laws and ordinances are enforced.
- (2) To appoint and remove except as herein provided all persons and employees.
- (3) To exercise control of all departments that may be created by the Commission.
- (4) To recommend to the Commission for adoption such measures as he may deem necessary or expedient.
- (5) To keep the Commission fully advised as to the financial condition of the City.
- (6) To perform such other duties as may be required of him by resolution or ordinances of the Commission.

(Ch. 13972, § 24, Special Acts 1929)

#### **Sec. 28. Participation in commission meetings.**

The City Manager, and such other officers of the City as may be designated by vote of the Commission shall be entitled to seats in the meeting of the Commission, and to take part in the discussion of all matters coming before the Commission, but shall have no vote therein.

(Ch. 13972, § 25, Special Acts 1929)

**Sec. 29. Authority of commission over departments.**

The administrative departments now in operation in the City of Coral Gables shall remain established departments of the City, but the commission may by ordinance adopted by vote of at least three members of the commission create any department, and combine two or more departments into one department, or discontinue any department, and determine, combine, and distribute the functions and duties of departments and subdivisions thereof, excepting as herein otherwise provided.

(Ch. 13972, § 26, Special Acts 1929; Ch. 21161, § 5, Special Acts 1941)

**ARTICLE IV. MUNICIPAL COURT\***

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**\*Editor's note:** This article on municipal courts has been editorially deleted as municipal courts were abolished by art. V, § 20, Fla. Const.

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[Secs. 30--33. Editorially deleted.]

**ARTICLE V. FINANCE**

**Sec. 34. Budget estimate of expenditures and revenues of all departments.**

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

- (a) A detailed estimate of the expense of conducting each department, division or office.
- (b) Expenditures for corresponding items for the last two fiscal years.
- (c) Expenditures for corresponding items for the current fiscal year, including adjustment due to transfers between appropriations, plus an estimate of the expenditures necessary to complete the current fiscal year.
- (d) The value of supplies and material on hand at the date of the preparation of the estimate that are not included in the central storeroom in a ready of issue status.
- (e) Increases or decreases of request compared with corresponding appropriations for the current year, with reasons for such increases or decreases.
- (f) The total probable income of the city from taxes for the period covered by the estimate.

- (g) An itemization of anticipated revenues from other sources.
- (h) The total amount of the outstanding city debt with a schedule of maturities of bond issues and other indebtedness.
- (i) The amount required for interest on the city debt, for sinking funds, and for maturing bonds.
- (j) Such other information as may be required by the Commission.
- (k) Copies of such estimate shall be furnished to the newspapers of the City and to each library of the City which is open to the public, and posted at the door of the city hall. (Ch. 13972, § 31, Special Acts 1929; Ord. No. 1625, § 3, 9-20-67)

**Amendment note--** The electors voted at the regular biennial election held April 13, 1965, to amend § 34 in the following particulars: to change from 1 to 4 months the required time before the end of the fiscal year for submission of the city manager's budget estimate to the commission; and to add to subparagraph (d) the words, "that are not included . . . issue status." Ord. No. 1625, § 3, adopted September 20, 1967, and duly ratified in special election held November 21, 1967, pursuant to Resolution No. 13394 canvassing the returns of said election, amended § 34 by changing the months required time for submission of the estimate from 4 to 3 due to the change of the commencement of the fiscal year from July 1 to October 1.

**Editor's note:** This section of the Charter adopted prior to July 1, 1973, pertaining to certain powers and jurisdiction of a municipality which has not been subsequently amended by referendum has been converted to an ordinance by operation of F.S. § 166.021(5).

### **Sec. 35. Appropriation ordinance, public hearings; fiscal year established.**

Upon receipt of the budget estimate the Commission shall prepare an appropriation ordinance using the Manager's estimate as a basis. Provision shall be made for public hearings on the proposed appropriation ordinance before the Commission sitting as a committee of the whole. The Commission shall pass the appropriation ordinance on or before September 30 of each year. The fiscal year of the City shall begin with the first day of October of each year and shall end with the thirtieth day of September the following year.

**Amendment note--** At the regular biennial city election April 13, 1965, the electors voted to amend § 35 to change the fiscal year from July 1 through June 30 to October 1 through September 30 and to require passage of the appropriation ordinance in July and August whereas previously passage was required not sooner than 1 week nor later than 4 weeks after the beginning of the fiscal year. Ord. No. 1625, § 3, adopted September 20, 1967, and duly ratified at a special election held November 21, 1967, pursuant to Resolution No. 13394 canvassing returns at said election, amended § 35 to provide for passage of the appropriation ordinance on or before September 30 due to the change in the fiscal year.

**Editor's note:** This section has been superceded in part by the uniform procedure for adoption of the budget and fixing of the millage in F.S. § 200.065.

### **Sec. 36. Repealed.**

**Amendment note--** The electors voted at the regular biennial city election April 13, 1965, to repeal § 36 derived from Chapter 1372, § 33, Laws of Florida, Special Acts

1929, giving authority to the commission to make appropriations prior to passage of the appropriation ordinance.

**Sec. 37. Appropriation balances, transfer between items.**

Upon request of the City Manager the Commission may transfer any part of an unencumbered balance of an appropriation to a purpose or object for which the appropriation for the current year has proved insufficient, or may authorize a transfer to be made between items appropriated to the same office, department or division.

(Ch. 13972, § 34, Special Acts 1929)

**Editor's note:** This section of the Charter adopted prior to July 1, 1973, pertaining to certain powers and jurisdiction of a municipality which has not been subsequently amended by referendum has been converted to an ordinance by operation of F.S. § 166.021(5).

**Sec. 38. Unappropriated accruing revenue, unexpended balances.**

Any accruing revenue of the City, not appropriated, and the balance at any time remaining after the purposes of an appropriation shall have been satisfied or abandoned may from time to time be appropriated by the commission to such uses as the Commission may determine.

(Ch. 13972, § 35, Special Acts 1929)

**Editor's note:** This section of the Charter adopted prior to July 1, 1973, pertaining to certain powers and jurisdiction of a municipality which has not been subsequently amended by referendum has been converted to an ordinance by operation of F.S. § 166.021(5).

**Sec. 39. Appropriation necessary for withdrawals, notice to city manager; revision of unencumbered balance.**

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

(Ch. 13972, § 36, Special Acts 1929)

**Editor's note:** This section of the Charter adopted prior to July 1, 1973, pertaining to certain powers and jurisdiction of a municipality which has not been subsequently amended by referendum has been converted to an ordinance by operation of F.S. § 166.021(5).

**Sec. 40. Appropriation necessary for city liability; maximum duration of contracts.**

a) *Contracts for materials or supplies.* No contract for materials or supplies shall exceed three years, with all applicable extensions thereof, except when approved by four-fifths vote of the City Commission. In no event shall a contract for materials or supplies exceed ten years.

b) *Contracts for services.* Contracts for services which either exceed Seventy-Five Hundred Dollars (\$7,500.00), or exceed one year in duration, shall be subject to approval of the City Commission. In no event shall a contract for services exceed ten years.

No liability shall be enforceable against the City upon any contract not supported by a previous appropriation, nor shall the City be liable for any services, materials or supplies furnished to the City or to any department, office or division thereof, the financial requirements of which are to be met out of the proceeds of taxes or other funds controlled by the Commission, unless the Commission shall previously have made an appropriation therefor.

In the event that contracts are to extend over a period longer than one year, and which are to be met from current receipts of the City, it shall be lawful for the Commission to make appropriation sufficient to answer the requirements of any such contracts for only one year and the contract shall be legal and binding, subject to the above limitations, notwithstanding no appropriation has been made for the ensuing years over which it is to be operative, and it shall be the duty of the Commission to make appropriations from year to year as required for the purposes of such contracts. **[previously transferred to the City Code-remove]**

(Ch. 13972, § 37, Special Acts 1929; Ord. No. 3327, § 1, 5-12-98)

**Editor's note:** This section of the Charter adopted prior to July 1, 1973, pertaining to certain powers and jurisdiction of a municipality which has not been subsequently amended by referendum has been converted to an ordinance and any limitation on the exercise of such power may have been repealed by operation of F.S. § 166.021(5).

#### **Sec. 41. Claims against city paid only upon certified voucher and warrant.**

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

(Ch. 13972, § 38, Special Acts 1929) **[transfer to City Code]**

**Editor's note:** This section of the Charter adopted prior to July 1, 1973, pertaining to certain powers and jurisdiction of a municipality which has not been subsequently amended by referendum has been converted to an ordinance by operation of F.S. § 166.021(5).

#### **Sec. 42. Accounting procedure, financial reports.**

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

(Ch. 13972, § 39, Special Acts 1929)

**State law references:** Mandatory uniform finance and accounting procedures, F.S. ch. 218.

**Sec. 43. Reserved.**

**Editor's note:** Ordinance No. 3303, § 1, adopted December 16, 1997, stated § 43 as specifically preempted by Chapter 768.28. Such section pertained to tort liability, duty of city attorney and derived from Ch. 13972, § 40, Special Acts 1929.

**ARTICLE VI. TAXATION**

**[Secs. 44--51. Editorially deleted.]**

**Editor's note:** Sections 44 through 51 have been editorially deleted as the procedure for assessment, levy and collection of ad valorem taxes has been preempted by the state in F.S. ch. 192 et seq.

**Sec. 52. Disposition of revenues.**

All taxes, special assessments, license fees and other monies accruing to the City shall be collected by the Finance Director. All money received by an officer or employee of the City shall be paid promptly in [to] the City Treasury and shall be deposited with such responsible banking institutions as furnish such security as shown in Section 50 [Section 53] and shall agree to pay the rate of interest fixed. All interest on money so deposited shall accrue to the benefit of the city. The Commission shall provide by ordinance for the prompt and regular payment and deposit of all City monies as required by this section.

(Ch. 13972, § 49, Special Acts 1929) *[transfer to City Code]*

**Amendment note--** Section 52 was amended by vote of the electors at the regular biennial election held April 13, 1965, to substitute Finance Director for Tax Collector for receipt of taxes, license fees and other monies of the city.

**Editor's note:** This section of the Charter adopted prior to July 1, 1973, pertaining to certain powers and jurisdiction of a municipality which has not been subsequently amended by referendum has been converted to an ordinance by operation of F.S. § 166.021(5).

**Sec. 53. Depositories, security required.**

~~The City Commission shall at the beginning of each fiscal year and at such other times as it may see fit, designate by ordinance or resolution, the bank or banks in which the City's money shall be deposited. No funds shall be deposited in any bank until such bank shall have furnished to the City Commission security acceptable to it, of a value not less than one hundred percent (100%) of money deposited. Such security shall consist of (1) United States Government bonds or certificates. (2) Surety bonds executed in favor of the City by a solvent company authorized to do business in the State of Florida, the form and execution of such bond to be first approved by the City Attorney. (3) Bonds of any state or territory in these United States. (4) Bonds of any county or city which bonds are full and direct obligations of the respective communities, have been duly authorized and issued according to law and are payable from an unlimited tax on property within the county or municipality, provided, however, that no such bonds shall qualify unless such county or city shall have a population of at least ten thousand (10,000) people according to the last Federal Census and provided further that such county or city shall never have defaulted or delayed in the payment of interest or principal of any of its obligations. (5)~~

~~Obligations in bonds or notes of the City of Coral Gables. (6) Bonds listed on the New York Stock Exchange which are readily marketable provided such bonds are selling at not less than eighty percent (80%) of their par value and provided further that such bonds are acceptable to the State Treasurer of Florida as security for the deposit of State monies. For the purpose of determining the value of the security offered as collateral the lowest bid price within the last three months shall be taken as a basis. The foregoing provisions shall not apply where the public funds are deposited with any insured bank pursuant to the insurance provisions of the Federal Deposit Insurance Corporation so long as the funds so deposited shall not exceed the maximum insurance provisions of the regulations. The above restrictions as the security necessary for the deposit of the City's monies need not apply to any fund deposited in any bank acting as paying agent for the City, nor to any balance not exceeding five thousand dollars (\$5,000.00) which is held by such bank or savings and loan association. ***[delete-superceded by Chapter 280,Florida Statutes]***~~

(Ch. 13972, § 50, Special Acts 1929; Ord. No. 2133, § 2(H), 1-21-75, referendum 4-8-75; Ord. No. 3296, § 1, 12-16-97)

**Editor's note:** Section 53 was amended to include Federal Savings and Loan Associations among the list of authorized depositories by vote of the electors at the regular biennial city election held April 13, 1965.

#### **Sec. 54. License fees, authority to classify.**

[Editorially deleted]

(Ch. 13972, § 51, Special Acts 1929)

**Editor's note:** This section has been editorially deleted as superceded by the authority granted in F.S. § 166.221 and F.S. ch. 205.

#### **Sec. 55. Tax deeds, prima facie force and validity, possession of property under, deeds to city.**

[Editorially deleted]

(Ch. 13972, § 52, Special Acts 1929; Ch. 15129, § 1, Special Acts 1931)

**Editor's note:** This section has been editorially deleted as the procedure for assessment, levy and collection of ad valorem taxes has been preempted by the state in F.S. ch. 192 et seq.

#### **Sec. 56. Authorized tax purposes; maximum millage.**

[Editorially deleted]

(Ch. 13972, § 53, Special Acts 1929)

**Editor's note:** This section has been editorially deleted as all limitations on levy of ad valorem taxes in a Charter were repealed by F.S. § 95.241(1973).

#### **Sec. 57. Public works--Bidding contracts.**

Any public work or improvement may be executed either by contract or direct labor, as may be determined by the Commission. Before authorizing the direct execution of any work or improvement, detailed plans and estimates thereof shall be submitted to the Commission by the City Manager, and there shall be a separate accounting as to each work or improvement so executed. All contracts for the execution of public work or

improvement for more than twenty-five thousand dollars (\$25,000.00) shall be awarded to the lowest and most responsive bidder, after public advertising and competition as may be prescribed by ordinance, but the Commission shall have the power to reject all bids and advertise again. All advertisements as to contracts shall contain a reservation of the foregoing rights. Contracts for public work shall be signed by the City Manager and City Clerk after approval of the Commission. ***[Charter Amendment by Referendum]*** (Ch. 13972, § 54, Special Acts 1929; Ord. No. 1625, § 3, 9-20-67; Ord. No. 2453, § 2, 2-8-83, referendum 4-12-83; Ord. No. 3295, § 1, 12-16-97)

**Sec. 58. Same--Modifying or altering contract.**

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

(Ch. 13972, § 55, Special Acts 1929)

**Sec. 59. Audits.**

~~The City Commission shall, as soon as practical after the end of each fiscal year, cause to be made an audit of all accounts and financial affairs of the City covering the previous fiscal year, and upon receipt of the auditor's report the Commission shall consider the same and take such action thereon as may be proper. Upon the death, resignation, removal or expiration of the term of any officer of the City, the City Manager shall cause an audit and investigation of the accounts of such officer to be made and shall report to the City Commission.~~ ***[delete-superseded by F.S. 166.241 and 218.32]***

(Ch. 13972, § 56, Special Acts 1929; Ch. 21161, § 6, Special Acts 1941)

**Editor's note:** This section of the Charter adopted prior to July 1, 1973, pertaining to certain powers and jurisdiction of a municipality which has not been subsequently amended by referendum has been converted to an ordinance by operation of F.S. § 166.021(5).

**State law references:** Requirement for annual financial report, F.S. §§ 166.241(1), 218.32.

**ARTICLE VII. RESERVED\***

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**\*Editor's note:** Ordinance No. 3303, § 1, adopted December 16, 1997, repealed §§ 60--63 under the provisions of Chapter 166.021(4) and (5). Formerly, such sections pertained to debts and derived from Ch. 13972, §§ 57--59, Special Acts 1929; Ch. 15129, § 1, Special Acts 1931; Ch. 23220, § 1, Special Acts 1945; Ch. 23222, § 1, Special Acts 1945; Ch. 2133, § 2(C), 1-21-75, referendum 4-8-75.

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**Secs. 60--63. Reserved.**

**ARTICLE VIII. LOCAL IMPROVEMENTS\* (RESERVED)**

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**\*Editor's note:** The provisions regarding local improvements are on file in the city clerk's office.

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**ARTICLE IX. PUBLIC UTILITIES [transfer to City Code]**

**Sec. 87. Franchises, rights of city.**

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

- (a) To repeal the same by ordinance at any time for misuse or non-use, or failure to begin construction within the time prescribed, or otherwise to comply with the terms prescribed.
- (b) To require proper and adequate extensions of plant and service, and the maintenance of the plant and fixtures at the highest practicable standard of efficiency.
- (c) To establish reasonable standards of service and quality of products and prevent unjust discrimination in service or rates.
- (d) To prescribe the form of accounts and at any time to examine and audit the accounts and other records of any such utility; but if a public service commission or any other authority shall be given the power by law to prescribe the form of accounts for public utilities throughout the State, the forms so prescribed shall be controlling so far as they go, but the Commission may prescribe more detailed forms for the utilities within its jurisdiction.
- (e) To impose such other regulations as may be conducive to the safety, welfare and accommodation of the public. **[transfer to City Code]**

(Ch. 13972, § 82, Special Acts 1929)

**Editor's note:** This section of the Charter adopted prior to July 1, 1973, pertaining to certain powers and jurisdiction of a municipality which has not been subsequently amended by referendum has been converted to an ordinance by operation of F.S. § 166.021(5).

**Sec. 88. Extensions.**

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

hereafter granted such right shall be terminable under the same conditions as the original grant. *[transfer to City Code]*

(Ch. 13972, § 83, Special Acts 1929)

**Editor's note:** This section of the Charter adopted prior to July 1, 1973, pertaining to certain powers and jurisdiction of a municipality which has not been subsequently amended by referendum has been converted to an ordinance by operation of F.S. § 166.021(5).

**Sec. 89. Subject to terms of charter.**

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

(Ch. 13972, § 84, Special Acts 1929)

**Editor's note:** This section of the Charter adopted prior to July 1, 1973, pertaining to certain powers and jurisdiction of a municipality which has not been subsequently amended by referendum has been converted to an ordinance by operation of F.S. § 166.021(5).

**Sec. 90. Accounts to be separate from city accounts, form, content; financial reports.**

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

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

(Ch. 13972, § 85, Special Acts 1929)

**Editor's note:** This section of the Charter adopted prior to July 1, 1973, pertaining to certain powers and jurisdiction of a municipality which has not been subsequently amended by referendum has been converted to an ordinance by operation of F.S. § 166.021(5).

## **ARTICLE X. ADMINISTRATION**

### **Sec. 91. Books, records and documents deemed city property; duty to keep; delivery upon leaving office.**

All books, records, and documents used by any city officer in office or pertaining to official duties shall be deemed the property of said city, and the chief officer in charge of such office shall be responsible therefor. Any such officer or person made by this section responsible for the keeping of such books, records and documents, shall, within three days after the date of resignation or removal from office as the case may be, deliver to the City Clerk all such books, records, and documents. Any such officer or person failing to deliver such books, records, or documents as required by this section, shall be deemed guilty of an offense against the city, and subject to the general penalty provisions as set forth in the City Code. ***[transfer to City Code]***

(Ch. 13972, § 86, Special Acts 1929; Ord. No. 3298, § 1, 12-16-97)

**Editor's note:** This section of the Charter adopted prior to July 1, 1973, pertaining to certain powers and jurisdiction of a municipality which has not been subsequently amended by referendum has been converted to an ordinance by operation of F.S. § 166.021(5).

### **Sec. 92. Bonding of officers and employees, authority of commission to determine and regulate.**

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

(Ch. 13972, § 87, Special Acts 1929)

**Editor's note:** This section of the Charter adopted prior to July 1, 1973, pertaining to certain powers and jurisdiction of a municipality which has not been subsequently amended by referendum has been converted to an ordinance by operation of F.S. § 166.021(5).

### **Sec. 93. Advisory boards, authority of commission to appoint.**

The Commission may appoint Boards or Commissions, to be composed of such number of citizens as the Commission may deem expedient to act in an advisory capacity in conjunction with any one or more of the departments created or authorized hereby. The

members of all such Boards and Commissions shall serve without compensation, and may be removed at any time by a majority vote of the Commission.  
(Ch. 13972, § 88, Special Acts 1929; Ord. No. 2133, § 2(B), 1-21-75, referendum 4-8-75)

**Sec. 94. Compensation of officers and department heads; others.**

The Commission shall fix by ordinance the compensation of all officers and heads of departments. The City Manager shall, subject to the approval of the Commission, fix the number and salaries or compensation of all other officers and employees. [The salaries or compensations so fixed shall be uniform for like service in each grade of the service as the same shall be framed or classified by the City Manager in accordance with the rules and regulations adopted by the Commission.] **[transfer marked sections to City Code]**

(Ch. 13972, § 89, Special Acts 1929; Ord. No. 3299, § 1, 12-16-97)

**Editor's note:** This section of the Charter adopted prior to July 1, 1973, pertaining to certain powers and jurisdiction of a municipality which has not been subsequently amended by referendum has been converted to an ordinance by operation of F.S. § 166.021(5).

**Sec. 95. Oath of city officers.**

Every officer of the City shall, before entering upon the duties of his office, take and subscribe to an oath or affirmation, to be filed and kept in the office of the Commission, that he will support, protect and defend the Constitution and laws of the United States and of the State of Florida, and the Charter and all Ordinances of the City, and in all respects faithfully discharge the duties of his office. **[transfer to City Code]**

(Ch. 13972, § 90, Special Acts 1929)

**Editor's note:** This section of the Charter adopted prior to July 1, 1973, pertaining to certain powers and jurisdiction of a municipality which has not been subsequently amended by referendum has been converted to an ordinance by operation of F.S. § 166.021(5).

**Sec. 96. Reserved.**

**Editor's note:** Ord. No. 1625, § 3, adopted September 20, 1967, and duly ratified in a special election held on November 21, 1967, pursuant to Resolution No. 13394 canvassing returns of said election, repealed § 96 of the Charter derived from Ch. 13972, § 91, Special Acts 1929, which limited city contracts for supplies and services to one year.

**Sec. 97. Reserved.**

**Editor's note:** Ordinance No. 3303, § 1, adopted December 16, 1997, superseded and repealed Florida constitution law requiring the expenditure of public monies for a public purpose. Section 97 pertained to charitable appropriations; city representation required, financial reports and derived from Ch. 13972, § 92, Special Acts 1929.

**Sec. 98. Subdivision of property for sale, requirements.**

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

(Ch. 13972, § 93, Special Acts 1929)

**Editor's note:** This section of the Charter adopted prior to July 1, 1973, pertaining to certain powers and jurisdiction of a municipality which has not been subsequently amended by referendum has been converted to an ordinance by operation of F.S. § 166.021(5).

**Sec. 99. Platting of lands--Regulations governing.**

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

(Ch. 13972, § 94, Special Acts 1929) **[transfer to City Code]**

**Editor's note:** This section of the Charter adopted prior to July 1, 1973, pertaining to certain powers and jurisdiction of a municipality which has not been subsequently amended by referendum has been converted to an ordinance by operation of F.S. § 166.021(5).

**Sec. 100. Same--Only platted streets and alleys acceptable.**

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

(Ch. 13972, § 95, Special Acts 1929)

**Editor's note:** This section of the Charter adopted prior to July 1, 1973, pertaining to certain powers and jurisdiction of a municipality which has not been subsequently amended by referendum has been converted to an ordinance by operation of F.S. § 166.021(5).

**Sec. 101. Acceptance and confirmation of dedicated property by ordinance, required.**

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

(Ch. 13972, § 96, Special Acts 1929)

**Editor's note:** This section of the Charter adopted prior to July 1, 1973, pertaining to certain powers and jurisdiction of a municipality which has not been subsequently amended by referendum has been converted to an ordinance by operation of F.S. § 166.021(5).

**Sec. 102. Ordinances, to effectuate; authority to codify and publish.**

~~All ordinances of the City of Coral Gables, before they shall become a law or take effect, must be published by title and posted in full at the door of the City Hall, at least one time in a newspaper published in the City of Coral Gables, or in the event there is no newspaper published in the City of Coral Gables, then in a newspaper published in Dade County of general circulation in the City of Coral Gables. Provided, that nothing herein contained shall prevent the Commission, at any time appointing some person or persons and authorizing him or them to arrange, and codify the ordinances of the said City, and publishing such codification in appropriate volume or volumes, which shall become the laws of the said City upon its adoption by ordinance published as herein provided; and provided, further, that in the exercise of the power by said Commission to adopt said codification, it shall not be necessary to publish said codification, but the publication of the ordinance adopting the same shall be sufficient to make it binding as the law of said City. ***[delete as obsolete and superceded by F.S. 166.041 ]***~~

(Ch. 13972, § 97, Special Acts 1929)

**Editor's note:** This section of the Charter adopted prior to July 1, 1973, pertaining to certain powers and jurisdiction of a municipality which has not been subsequently amended by referendum has been converted to an ordinance by operation of F.S. § 166.021(5).

**Sec. 103. Prisoners, credit for work performed.**

[Editorially deleted]

(Ch. 13972, § 98, Special Acts 1929)

**Editor's note:** This section has been editorially deleted as the city no longer has a jail.

**Sec. 104. Record of ordinances, duty of city clerk.**

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

~~**[delete as superceded by F.S. 166.041 (5) and 90.202 (10)].**~~

~~(Ch. 13972, § 99, Special Acts 1929; Ord. No. 3300, § 1, 12-16-97)~~

~~**Editor's note:** This section has been superceded in part by F.S. § 166.041.~~

**Sec. 105. Ordaining clause.**

The ordaining clause of every ordinance shall be as follows: "Be it Ordained by the Commission of the City of Coral Gables." **[transfer to City Code]**

(Ch. 13972, § 100, Special Acts 1929)

**Editor's note:** This section of the Charter adopted prior to July 1, 1973, pertaining to certain powers and jurisdiction of a municipality which has not been subsequently amended by referendum has been converted to an ordinance by operation of F.S. § 166.021(5).

**Sec. 106. Annexation to another city.**

[Editorially deleted]

(Ch. 13972, § 101, Special Acts 1929)

**Editor's note:** This section has been editorially deleted as superceded by the Charter of Metropolitan Dade County, Article V.

**Sec. 107. Inspection of city records and accounts by resident or taxpayer.**

[Editorially deleted]

(Ch. 13972, § 102, Special Acts 1929)

**Editor's note:** This section has been editorially deleted as superceded by F.S. § 119.01 et seq.

**Sec. 108. Financial interest of officers and employees in city contracts.**

[Editorially deleted]

(Ch. 13972, § 103, Special Acts 1929)

**Editor's note:** This section has been editorially deleted as superceded by F.S. § 112.311 et seq.

**Sec. 109. Reserved.**

**Editor's note:** Ordinance No. 3303, § 1, adopted December 16, 1997, states § 109 was specifically superseded by State Law Chapter 336 Florida Statutes, and preempted by County Home Rule Charter. Such section pertained to duty of county commissioners to maintain county highways in city and derived from Ch. 13972, § 104, Special Acts 1929.

**Sec. 110. Authority to develop transportation facilities.**

~~The City is hereby authorized for the purpose of developing and extending the port and other shipping and transportation facilities of the city, to construct, purchase, lease or otherwise acquire, and to equip, own and maintain a single or multiple track line or lines~~

~~of railway, and also yards, terminals, stations, warehouses, team and other tracks, switches, turnouts and all buildings and appurtenances deemed necessary and appropriate in connection therewith for the receipt, transportation, housing and delivery of passengers, freight, mail and express from, into and within the City and the zone lying outside of the City and not distant more than ten miles from the city limits as now or hereafter constituted; also to extend or connect with such line or facilities, or with the lines of any common carrier, the lines or facilities of shipping or transportation now or hereafter owned by the City; said line or lines of railway may be upon or along the public highways, or said line or lines of railway may be upon lands or easements now owned or hereafter to be acquired therefor, located in any part of said area; also to acquire by donation, purchase, condemnation or otherwise, all land, easements, rights of property deemed necessary therefor by the City Commission; and to operate, or cause to be operated, said line or lines or facilities, or to lease, or grant the use of all or any part thereof without statutory limitation as to the duration thereof, or all or any part of any port, terminal or transportation line, with facilities appurtenant thereto, now or hereafter owned by the City, to any common carrier or carriers for such time and upon such terms and conditions as may be determined by the City Commission by ordinance. Provided, however, that no properties herein authorized to be acquired shall be so acquired by purchase, condemnation, or lease until ordinance for such acquisition be first ratified in the manner provided in Section 7j [Section 8(10)]. *[delete as obsolete]*  
(Ch. 13972, § 105, Special Acts 1929)~~

**Sec. 111. Authority to grant franchise for electric or general railroad; maximum duration.**

~~The City Commission may grant, lease or renew any lease to the right to use the streets, highways, alleys, public grounds or public buildings, and to grant franchises, or to enter into franchise contracts, for the construction, maintenance and operation of any electric or general railroad over, along or upon across the streets, avenues, highways, alleys and public places of said City of Coral Gables to any private person, persons, firm or corporation, but no such grant, renewal, lease or franchise or renewal thereof shall be transferable except with the approval of the Commission expressed by the ordinance and copy of all transfers and mortgages or other documents affecting the title to the use of such grants, renewals, leases or franchises shall be filed with the City Clerk within ten days after the execution thereof; and provided, no franchise shall be granted for a longer period than thirty years; and, provided, further, that no roadbed or tracks shall be constructed under such grants, leases or franchises or franchise contracts, in any public thoroughfare or way, unless and until the written consent of legal or equitable owners of two-thirds of the frontage property fronting on the portion of the thoroughfare or way over which such railroad is run, has been filed in the office of the City Clerk. *[delete as obsolete]*~~

~~(Ch. 13972, § 106, Special Acts 1929)~~

**Editor's note:** This section of the Charter adopted prior to July 1, 1973, pertaining to certain powers and jurisdiction of a municipality which has not been subsequently amended by referendum has been converted to an ordinance and any limitation on the exercise of such powers may have been repealed by operation of F.S. § 166.021(5).

**Sec. 112. Uncollected taxes, definition; anticipation notes.**

~~For the purpose of this act the term "uncollected taxes" shall include (a) taxes of the City of Coral Gables which shall have become delinquent and remain uncollected and (b) taxes of said City for which property shall have theretofore been sold to said City and remain unredeemed, and (c) taxes which are due to the City, but which have not been extended on the tax roll because of a sale to the City for taxes of a prior year. The word "collection," in connection with such uncollected taxes, shall include the receipt of moneys from the redemption or sale or other disposition of any tax certificates, deeds or other property or rights therein held by said City and arising out of sales to said City of property for uncollected taxes. — [delete as obsolete].~~

~~(Ch. 13972, § 107, Special Acts 1929)~~

**Sec. 113. Saving clause.**

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

(Ch. 13972, § 108, Special Acts 1929)

**Sec. 114. Authority to issue notes, procedure; general requirements, etc.**

~~(1) — *Authority to execute and issue promissory notes and furnish collateral.* The City Commission may by resolution authorize the execution and issuance of promissory notes of said City and pledge as collateral therefor, the anticipated collection of designated non-ad valorem revenue sources. If such designated non-ad valorem revenue sources or any part thereof shall have been previously pledged by the City to the payment of any obligations, then another non-ad valorem revenue sources shall be pledged upon the issuance of such promissory notes.~~

~~(2) — *Resolution, face value of notes.* The resolution authorizing such notes shall state the fiscal year or years (or parts or portions thereof), or the designated period during which taxes collected are pledged, or description of the real estate upon which taxes levied are pledged, or such other description as shall sufficiently identify the part or portion of taxes pledged; and the face value of such taxes remaining uncollected on the date such resolution is passed, without interest or penalties, and the aggregate face value of the notes at any time to be issued in anticipation of the collection of such uncollected taxes. The face value of such notes shall not exceed the face value of such uncollected taxes as recited in the resolution.~~

~~(3) — *Maturity of notes, redemption.* All notes issued in anticipation of the collection of any year or combination of years, or parts thereof or periods therein, or upon designated property, taxes shall mature at such time or times, not later than five years from their date, as the Commission shall by resolution determine. Such notes may be made redeemable before their maturity at such time or times and upon such terms and conditions and at such prices as may be set forth in the resolution, but the redemption price shall not exceed the face value and a premium of one percent if the time between redemption and maturity does not exceed one year, and an additional premium of not to~~

~~exceed one percent per year or portion thereof, for the time between redemption and maturity.~~

~~(4) — *Amendment of resolution after delivery of notes.* After the delivery of any such notes for value, or after any contract made for any such delivery, the provisions of such resolution as to maturity and redemption shall not be subject to amendment or repeal.~~

~~(5) — *Pledge of uncollected taxes, fund for payment.* All uncollected taxes as defined hereinabove which are anticipated by an issue of notes, and also all certificates, deeds and other property and rights founded thereon, and also all collections thereof from the date of passage of the resolution, including interest and penalties, are hereby pledged to the payment of the principal and interest and the redemption premium, if any, of and upon the notes which may be issued to anticipate such collections, and the resolution shall create a special fund, suitably designated, into which all such collections shall be placed immediately upon the receipt thereof. Such fund shall be used only for the payment of such principal and interest and redemption premium, if any, until such notes and the interest thereon shall be fully paid.~~

~~(6) — *Resolution, interest rate, denominations, execution of notes.* The Commission shall in the resolution determine the form and manner of execution of the notes, the interest rate, not exceeding the percentage allowed by state statute, payable annually or at shorter intervals, and the denomination or denominations, which shall be in multiple or multiples of \$100, and the place of payment of principal and of interest upon the notes, which place may be either within or without the State of Florida.~~

~~(7) — *Price, proceeds of notes.* Such notes may be sold in such manner as the Commission may determine, but not at a price lower than 90 cents on the dollar and accrued interest. The proceeds shall be paid into the City Treasury and used for the lawful purposes of the City for which the uncollected taxes were levied.~~

~~(8) — *Section as supplementary power.* This section shall be deemed to provide an additional and alternative method for the doing of the things authorized hereby and shall be regarded as supplementary and additional to powers conferred by other laws.~~

~~(9) — *Limitation of other laws, election unnecessary.* None of the restrictions and limitations of other laws, general or special, shall apply to the issuance of notes under this act [section], and it shall not be necessary to hold an election or to take any proceedings whatever for the issuance of notes hereunder except such proceedings as are prescribed by this Act.~~

~~(10) — *Pledge of faith and credit of city, authority to levy taxes, fund.* The notes herein authorized shall be the general obligations of said City, and the faith and credit of said City shall be pledged to the payment thereof with interest; the City Commission shall have power in each year in which any such notes shall be outstanding, to levy and collect a tax upon all taxable property within the City for the payment of the principal and interest thereof, and it shall be the duty of the City Commission, in the tax levy of the fiscal year in which such notes mature, to levy and collect a tax sufficient for such payment except that the amount of moneys in the special fund pledged to such payment may be deducted in arriving at the amount of the tax so to be levied and collected.~~

~~***[delete as obsolete].***~~

(Ch. 13972, § 107, Special Acts 1929; Ch. 15129, Special Acts 1931; Ord. No. 1625, § 3, 9-20-67; Ord. No. 3301, § 1, 12-16-97)

**Editor's note:** This section of the Charter adopted prior to July 1, 1973, pertaining to certain powers and jurisdiction of a municipality which has not been subsequently amended by referendum has been converted to an ordinance and any limitation on the exercise of such power may have been repealed by operation of F.S. § 166.021(5).

**Sec. 115. Repealing clause.**

That Chapter 10418, Laws of Florida, the same being an Act to establish the City of Coral Gables, to provide for its government and to prescribe its jurisdiction and powers, approved April 29, 1925; Chapter 10419, being an Act to amend certain sections of an Act of the 1925 Legislature entitled "An Act Establishing the City of Coral Gables, to provide for its government and to prescribe its jurisdiction and powers," the same being approved the 5th day of June, A.D. 1925; Chapter 11440, Laws of Florida, being an Act to amend an Act entitled: "An Act to establish the City of Coral Gables, to provide for its government and to prescribe its jurisdiction and powers," passed at the 1925 Regular Session of the Legislature and thereafter amended at the same Session, the same being approved on November 30, 1925; Chapter 11439, Laws of Florida, being entitled "An Act to amend an Act entitled `An Act to establish the City of Coral Gables, Florida, to provide for its government and to prescribe its jurisdiction and powers'," passed at the 1925 Regular Session of the Legislature and thereafter amended at the same Session, and approved November 30, 1925; Chapter 12631, Laws of Florida, being entitled "An Act to extend the corporate limits of Coral Gables, Dade County, Florida, and to convey to said City of Coral Gables jurisdiction over the territory embraced in said extension," same being approved May 31, 1927; Chapter 12632, Laws of Florida, being an Act to amend certain sections of an Act of the 1925 Legislature, entitled: "An Act establishing the City of Coral Gables, Florida, to provide for its government, and to prescribed its jurisdiction and powers," approved May 21, 1927; and Chapter 12633, Laws of Florida, being an Act to amend certain sections of Chapter 10418 of the Acts of the Legislature of the State of Florida, Session of 1925, entitled "An Act establishing the City of Coral Gables and to provide for its government and to prescribe its jurisdiction and powers," and to amend certain sections of an Act amendatory of said Chapter 10418, being Chapter 10419 of the Acts of the Legislature of the State of Florida, Session of 1925, entitled "An Act to amend certain sections of an Act of 1925 Legislature, entitled `An Act establishing the City of Coral Gables, to provide for its government and to prescribe its jurisdiction and powers,' " the same having been approved June 6, 1927, be and the same are hereby repealed. No municipal corporation shall be formed in the State of Florida using in any manner as part of its name the words "Coral Gables" or either of them.  
(Ch. 13972, §§ 109, 110, Special Acts 1929)

**Sec. 116. Cancellation of taxes--Certain city property.**

[Editorially deleted]

(Ch. 22911, § 1, Special Acts 1945)

**Editor's note:** This section has been editorially deleted as the procedure for assessment, levy and collection of ad valorem taxes has been preempted by the state in F.S. ch. 192 et seq.

**Sec. 117. Same--Exemption from taxes.**

[Editorially deleted]

(Ch. 22911, § 2, Special Acts 1945)

**Editor's note:** This section has been editorially deleted as the procedure for assessment, levy and collection of ad valorem taxes has been preempted by the state in F.S. ch. 192 et seq.

**Sec. 118. Same--Certificate by clerk.**

[Editorially deleted]

(Ch. 22911, § 4, Special Acts 1945)

**Editor's note:** This section has been editorially deleted as the procedure for assessment, levy and collection of ad valorem taxes has been preempted by the state in F.S. ch. 192 et seq.

**SUBPART B. RELATED SPECIAL ACTS**

TABLE INSET:

Art. I.	Generally, §§ 119--157
Art. II.	Off-Street Parking Facilities, §§ 158--169
Art. III.	Sewer Financing, §§ 170--184
Art. IV.	Municipal Projects, §§ 185--197
Art. V.	Pension System, §§ 198--203
Art. VI.	Refunding Bonds and Additional Tax Levies, §§ 212--221
Art. VII.	Firemen's Relief and Pension Fund, §§ 262--274
Art. VIII.	Special Acts Validating Actions of City

**ARTICLE I. GENERALLY**

**Sec. 119. Pledge of cigarette taxes.**

[Editorially deleted]

(Ch. 28983, § 1, Special Acts 1953)

**Editor's note:** This section has been editorially deleted as the levy of a cigarette tax is prohibited by F.S. § 210.03.

**Sec. 120. Authority to contract with University of Miami relating to sanitary sewers.**

[Editorially deleted]

(Ch. 28982, § 1, Special Acts 1953)

**Editor's note:** This section has been editorially deleted as it is obsolete.

**Sec. 121. Unit assessments for local improvements--Authority to levy.**

~~Power is hereby given the City Commission of the City of Coral Gables, Florida, by ordinance, to levy and impose special assessments or assessments for special benefits in connection with such municipal projects as sanitary sewers, storm sewers and like municipal operations, upon a unit basis as opposed to a "footage" charge, or a charge of a fixed amount so much per front foot; that is to say, upon the basis of an amount imposed for each connection or connections as opposed to the imposition of the assessment upon a basis of a fixed amount per front foot of the property involved, or, by a combination of portions of both such "unit" basis and "footage" basis. ***[delete as obsolete – see also F.S. Chapter 170].***~~

(Ch. 27486, § 1, Special Acts 1951)

**Sec. 122. Same--Prerequisite, fairness of method.**

~~As a prerequisite to the imposition of special assessments or assessments for special benefits in connection with such projects herein covered, it shall be necessary for the City Commission to find that such method is fair, equitable and advisable. ***[delete as obsolete – see also F.S. Chapter 170].***~~

(Ch. 27486, § 2, Special Acts 1951)

**Sec. 123. Cumulative effect.**

~~The powers herein given [in sections 121 and 122] are cumulative and in addition to, and not in derogation of, other powers heretofore vested in said City. ***[delete as obsolete].***~~

(Ch. 27486, § 3, Special Acts 1951)

**Sec. 124. Regulation and classification of certain skilled occupations--Authority.**

[Editorially deleted]

(Ch. 27483, § 1, Special Acts 1951)

**Editor's note:** This section has been editorially deleted as the regulation of these professions has been superceded and is performed by Dade County.

**Sec. 125. Same--Boards of examiners.**

[Editorially deleted]

(Ch. 27483, § 2, Special Acts 1951)

**Editor's note:** This section has been editorially deleted as the regulation of these professions has been superceded and is performed by Dade County.

**Sec. 126. Reserved.**

**Editor's note:** At the city's request, Sec. 126 has been deleted in its entirety. Formerly, said section pertained to the declaration of candidacy. This provision has been superseded by Sec. 11(e).

**Sec. 127. Municipal Court--Complaint unnecessary for jurisdiction.**

[Editorially deleted]

(Ch. 25751, § 1, Special Acts 1949)

**Editor's note:** This section on municipal courts has been editorially deleted as municipal courts were abolished by art. V, § 20, Fla. Const.

**Sec. 128. Same--Search warrants, grounds for issuance.**

[Editorially deleted]

(Ch. 25750, § 1, Special Acts 1949)

**Editor's note:** This section on municipal courts has been editorially deleted as municipal courts were abolished by art. V, § 20, Fla. Const.

**Secs. 129, 130. Repealed.**

**Amendment note--** Sections 129 and 130 authorizing the commission to name an Associate Judge of the Municipal Court to serve at the will of the commission, were rescinded by vote of the electorate at the regular biennial city election held April 13, 1965. Said sections were derived from the Special Acts, Laws of Florida 1949, Ch. 25749, § 2. See § 18 hereof for appointment and service of Associate Judge.

**Sec. 131. Clearing of land--Authority to enter upon.**

Specific authority is hereby granted the City of Coral Gables to enter upon improved or unimproved properties and clean up the same of weeds, trees, debris and other like matter whenever the owner or occupant of such property has neglected to do these things and has been given fifteen (15) days registered notice in which to do so and has failed.

**[transfer to City Code].**

(Ch. 25744, § 1, Special Acts 1949)

**Editor's note:** This section of the Charter adopted prior to July 1, 1973, pertaining to certain powers and jurisdiction of a municipality which has not been subsequently amended by referendum has been converted to an ordinance by operation of F.S. § 166.021(5).

**Sec. 132. Same--Authority to impose penalties; lien.**

The City Commission of the City of Coral Gables, Florida, is hereby vested with the right, power and authority, by nonemergency ordinance, to impose penalties for the nonpayment of charges and fees incurred by it in cleaning up improved or unimproved property of weeds, trees, debris and other like matter whenever the owner or occupant thereof has neglected to do such and has been given fifteen (15) days registered notice in which so to do and has failed, including the right and power to declare such unpaid charges and fees to be a lien against the property served and to provide methods for collection of such fees and charges, including the right to declare such unpaid fees and charges a lien against the real and personal property of the owner and occupant of such

property, collectible in the same manner as unpaid liens for special assessments are collectible. **[transfer to City Code].**

(Ch. 25744, § 2, Special Acts 1949)

**Editor's note:** This section of the Charter adopted prior to July 1, 1973, pertaining to certain powers and jurisdiction of a municipality which has not been subsequently amended by referendum has been converted to an ordinance by operation of F.S. § 166.021(5).

**Sec. 133. Same--Cumulative effect.**

This power herein conferred [by sections 131 and 132] is cumulative in addition to any other powers which the City of Coral Gables now has or may hereafter have. **[transfer to City Code].**

(Ch. 25744, § 3, Special Acts 1949)

**Sec. 134. Garbage and trash collection--Authority to collect fees.**

The City of Coral Gables, Florida is hereby given the right and power, by ordinance, of imposing and collecting charges or fees for trash and/or garbage collection made by said City. **[transfer to City Code].**

(Ch. 25752, § 1, Special Acts 1949)

**Editor's note:** This section of the Charter adopted prior to July 1, 1973, pertaining to certain powers and jurisdiction of a municipality which has not been subsequently amended by referendum has been converted to an ordinance by operation of F.S. § 166.021(5).

**Sec. 135. Same--Method of collecting fees, lien.**

In connection with the authority granted in Section 1 [section 134] hereof the said City of Coral Gables, Florida, is hereby granted specific right and authority, by ordinance, to provide for methods, ways and means of collecting fees and charges for trash and/or garbage collection, including the right to declare the nonpayment of such fees or charges to be a lien against the personal and real property of the debtor collectible as is now provided by law for the collection of liens for personal property taxes.

(Ch. 25752, § 2, Special Acts 1949) **[transfer to City Code].**

**Editor's note:** This section of the Charter adopted prior to July 1, 1973, pertaining to certain powers and jurisdiction of a municipality which has not been subsequently amended by referendum has been converted to an ordinance by operation of F.S. § 166.021(5).

**Sec. 136. Same--Cumulative effect.**

The rights herein contained [in sections 134 and 135] are cumulative and in addition to any such rights which said City of Coral Gables, Florida now has or may hereafter be granted. **[transfer to City Code].**

(Ch. 25752, § 3, Special Acts 1949)

**Editor's note:** This section of the Charter adopted prior to July 1, 1973, pertaining to certain powers and jurisdiction of a municipality which has not been subsequently amended by referendum has been converted to an ordinance by operation of F.S. § 166.021(5).

**Sec. 137. Pledge of revenue for public improvements--Authority.**

The City of Coral Gables is hereby given the right and power in connection with public improvements such as sewer, water works, bus terminal and transportation operation, off-street parking and the like, the mention of these being in no wise to effect other and similar operations and projects authorized by law of pledging, in connection with financing of such operations and projects, proceeds of parking meters, utility taxes, franchise taxes paid by public utilities, proceeds of transportation operation after due allowance for maintenance and operation, whenever, in the opinion of the City Commission of the said City it is necessary and expedient so to do.

(Ch. 25741, § 1, Special Acts 1949) **[transfer to City Code]**.

**Editor's note:** This section of the Charter adopted prior to July 1, 1973, pertaining to certain powers and jurisdiction of a municipality which has not been subsequently amended by referendum has been converted to an ordinance by operation of F.S. § 166.021(5).

**Sec. 138. Same--Pledge not limited to particular operation.**

The pledging of revenue provided for in Section 1 [Section 137] need not be of the revenue derived from or in connection with the particular operation or project being financed, but may be of revenues derived from one operation for the purpose of financing and/or assisting in financing another different type of operation or project.

(Ch. 25741, § 2, Special Acts 1949) **[transfer to City Code]**.

**Editor's note:** This section of the Charter adopted prior to July 1, 1973, pertaining to certain powers and jurisdiction of a municipality which has not been subsequently amended by referendum has been converted to an ordinance by operation of F.S. § 166.021(5).

**Sec. 139. Same--Powers cumulative.**

The power and authority herein given [in sections 137 and 138] is cumulative and in addition to powers now vested in the City of Coral Gables, Florida, by either special or general law. **[transfer to City Code]**.

(Ch. 25741, § 3, Special Acts 1949)

**Editor's note:** This section of the Charter adopted prior to July 1, 1973, pertaining to certain powers and jurisdiction of a municipality which has not been subsequently amended by referendum has been converted to an ordinance by operation of F.S. § 166.021(5).

**Sec. 140. Annexation of land--Unincorporated contiguous on adjacent territory.**

[Editorially deleted]

(Ch. 24452, § 1, Special Acts 1947)

**Editor's note:** This section has been editorially deleted as superceded by the annexation procedure in the Charter of Metropolitan Dade County, Article V.

**Sec. 141. Same--Voting on.**

[Editorially deleted]

(Ch. 24452, § 2, Special Acts 1947)

**Editor's note:** This section has been editorially deleted as superceded by the annexation procedure in the Charter of Metropolitan Dade County, Article V.

**Sec. 142. Same--Registration.**

[Editorially deleted]

(Ch. 24452, § 3, Special Acts 1947)

**Editor's note:** This section has been editorially deleted as superceded by the annexation procedure in the Charter of Metropolitan Dade County, Article V.

**Sec. 143. Powers as cumulative.**

[Editorially deleted]

(Ch. 24452, §§ 4, 5, 6, Special Acts 1947)

**Editor's note:** This section has been editorially deleted as superceded by the annexation procedure in the Charter of Metropolitan Dade County, Article V.

**Sec. 144. Authority to acquire hotel or health resort--Referendum.**

The City of Coral Gables, Florida, is hereby granted authority to purchase and/or operate either a hotel or a health resort, separately or in conjunction with a golf course and/or country club; specifically, the said City is authorized, for purposes hereinbefore stated, to purchase from War Assets Administration, or any other agency having the control and disposition thereof, the property commonly known as Pratt General Hospital, and formerly known as the Biltmore Hotel, Country Club and Golf Course, and the Casa Loma Hotel, together with the furniture, furnishings, apparel, equipment and all real or personal property held, owned or used in connection therewith; provided, however, that before said City undertake[s] to operate such property or any part thereof as a hotel and/or health resort, such operation must be approved by a majority of the qualified electors of said City voting in either a general or a special election called for that purpose.

(Ch. 24450, § 1, Special Acts 1947)

**Editor's note:** Certain limitations on the exercise of home rule powers in a Charter adopted prior to July 1, 1973, have been repealed by operation of F.S. § 166.021(4).

**Sec. 145. Same--Methods of finance.**

In connection with the authority granted in Section 1 [Section 144] hereof the said City of Coral Gables, Florida, is hereby authorized, subject to the specific authorization and its approval by the City Commission, to finance the planning design, and the acquisition of such property by any one or any combination of the following methods:

(a) General obligation of the City within legal debt limitations: By a mortgage with no obligation of the municipality as to its general faith and credit, but with the mortgagee

looking solely to the mortgaged property; or by revenue bonds payable solely out of revenue derived from the operation of such properties.

(b) General Fund appropriation to the extent deemed necessary or advisable.

(c) Federal and State grants and local aids to the extent available for such operations.

(d) Gift, devise, bequest or grant, provided, however, that the said City shall neither enter into or give any general obligation or furnish any obligation which is a liability or a pledge of its general faith and credit, nor shall it give or pay any appropriation from its general funds as provided for in section (b) herein unless and until such action shall have been approved by a majority of the qualified electors of said City voting in either a general or special election called for that purpose.

(Ch. 24450, § 2, Special Acts 1947)

**Editor's note:** Certain limitations on the exercise of home rule powers in a Charter adopted prior to July 1, 1973, have been repealed by operation of F.S. 166.021(4).

Sec. 146. Reserved.

**Editor's note:** At the city's request, Sec. 146 has been deleted in its entirety. Formerly, said section pertained to election of mayor--commissioners to vote when candidates are disqualified.

**Sec. 147. Beverage licenses, less than fourteen percent--Limited issuance.**

[Editorially deleted]

(Ch. 24447, § 1, Special Acts 1947; Ch. 25753, Special Acts 1949)

**Editor's note:** This section has been editorially deleted as superceded by F.S. ch. 561 et seq.

**Sec. 148. Same--Authority to regulate licensed establishments.**

[Editorially deleted]

(Ch. 24447, § 2, Special Acts 1947; Ch. 25753, Special Acts 1949)

**Editor's note:** This section has been editorially deleted as superceded by F.S. ch. 561 et seq.

**Sec. 149. Same--Affect on issued licenses.**

[Editorially deleted]

(Ch. 24447, § 2 1/2, Special Acts 1947; Ch. 25753, § 1, Special Acts 1949)

**Editor's note:** This section has been editorially deleted as superceded by F.S. ch. 561 et seq.

**Sec. 150. Same--Exception to number of licenses.**

Provided, however, that the City Commission of the City of Coral Gables may, without regard to the limit fixed herein, issue such [beverage] licenses [provided for in sections 147 and 148] to bona fide restaurants or eating places with a seating capacity of not less than fifty persons, and, provided further, that such sale of such alcoholic beverages in bona fide restaurants or eating places shall nevertheless be subject to zoning and regulatory ordinances of the City of Coral Gables now existing or which may hereafter be adopted.

(Ch. 24447, § 2 3/4, Special Acts 1947; Ch. 25753, § 1, Special Acts 1949)

**Sec. 151. Reserved.**

**Editor's note:** Ordinance No. 3303, § 1, adopted December 16, 1997, states § 151 was specifically superseded by Florida Statute Chapter 561. Formerly, such section pertained to beverage licenses, more than fourteen percent-limited issuance and derived from Ch. 24446, § 1, Special Acts 1947; Ord. No. 1625, § 1, 9-20-67.

**Sec. 152. Reserved.**

**Editor's note:** Ordinance No. 3303, § 1, adopted December 16, 1997, states § 152 was specifically superseded by Florida Statute Chapter 561. Formerly, such section pertained to beverage licenses, more than fourteen percent-exclusions and derived from Ch. 24446, § 2, Special Acts 1947.

**Sec. 153. Adjustment of taxes on city property.**

[Editorially deleted]

(Ch. 17518, § 1, Special Acts 1935)

**Editor's note:** This section has been editorially deleted as the procedure for assessment, levy and collection of ad valorem taxes has been preempted by the state in F.S. ch. 192 et seq.

**Sec. 154. Tax certificates and deeds, general law applicable.**

[Editorially deleted]

(Ch. 16374, § 1, Special Acts 1933)

**Editor's note:** This section has been editorially deleted as the procedure for assessment, levy and collection of ad valorem taxes has been preempted by the state in F.S. ch. 192 et seq.

**Sec. 155. Exclusion of part of Key Biscayne from corporate limits--Metes and bounds.**

That the following described property lying in Dade County, Florida, to-wit:

All of Tracts 2 and 3 and the North 1790 feet of Tract 1, of Matheson Estates, Key Biscayne, Dade County, Florida, according to a map or plat thereof recorded in the office of the Clerk of the Circuit Court of Dade County, Florida, in Plat Book 34 at page 34, said land being known as Crandon Park; and in addition thereto, a strip of land 100 feet in width extending from the waters of the Atlantic Ocean to the waters of Biscayne Bay and lying immediately south of, and contiguous and adjacent to, the above described lands; together with all riparian rights appurtenant to all of said property, be and the same is hereby excluded from the corporate limits and jurisdiction of the City of Coral Gables, Florida.

(Ch. 24451, § 1, Special Acts 1947)

**Sec. 156. Same--Legislative act necessary to include.**

No part of the land described in Section 1 [section 155] of this Act, shall be included hereafter in any corporate limits or jurisdiction of any municipality now in existence without an Act of the Legislature so including the same.

(Ch. 24451, § 2, Special Acts 1947)

**Sec. 157. Authority to levy additional taxes for payment of revenue bonds and refunding bonds.**

For the payment of revenue bonds and revenue refunding bonds of the City of Coral Gables and the interest thereon, the Commission of said City is hereby authorized to levy sufficient taxes upon all the taxable property within the City over and above all other taxes authorized or limited by law, and said bonds shall be the absolute, direct and general obligation of said City. In each year, at the time of the annual tax levy, there shall be included therein, a tax for the payment of the principal and interest of any revenue bonds which have matured and remain unpaid and any revenue refunding bonds, whether matured or not. It shall be the duty of said City, after the authorization of any revenue refunding bonds, to reserve from the current revenues, as received, except revenues for sinking funds for bonds maturing after the current fiscal year, a sum sufficient to meet the payment of such bonds at maturity and interest thereon. The issuance of any or all bonds authorized hereunder may be revoked by resolution of the Commission, thereby reducing the amount of authorized bonds and protanto reducing the amount of current revenue which shall be reserved for their payment. It shall not be necessary to submit such bonds, or the ordinance or resolution authorizing the same, to a vote of electors or freeholders; provided, however, that the provisions of this section, for the levying of taxes, shall be applicable only to bonds issued after June 10, 1929. ***[transfer to City Code]***.

(Act of 6-10-29; Ch. 15133, § 1, Special Acts 1931)

**Editor's note:** This section of the Charter adopted prior to July 1, 1973, pertaining to certain powers and jurisdiction of a municipality which has not been subsequently amended by referendum has been converted to an ordinance by operation of F.S. § 166.021(5).

**ARTICLE II. OFF-STREET PARKING FACILITIES\* *[transfer to City Code]***

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\* **Amendment note--** Ch. 25745, Acts of 1949, herein, apparently supersedes Ch. 24445, Acts of 1947 which covers the same subject matter. Hence, the latter has been omitted.

**Editor's note:** Sections of the Charter adopted prior to July 1, 1973, pertaining to certain powers and jurisdiction of a municipality which has not been subsequently amended by referendum has been converted to an ordinance by operation of F.S. § 166.021(5).

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**Sec. 158. Declared to be public purpose and public improvement.**

The Legislature hereby determines and declares that excessive curb parking of motor vehicles on roads and streets in the City of Coral Gables, Florida, and the lack of adequate off-street parking facilities in said City creates congestion, obstructs the free circulation of traffic, diminishes property values, and endangers the health, safety and general welfare of its citizens; that the provision of conveniently located off-street

parking facilities and the simultaneous control of curb parking by said City are necessary to alleviate such conditions; that the establishment of off-street motor vehicle parking facilities is deemed to be a public or municipal purpose of said City and the Legislature hereby declares it to be such and to be a "local improvement" within the provisions of the City Charter of said City; that the problem of providing such off-street parking facilities is an intricate and complicated one and that even the most far-seeing minds are not always able, in advance, to anticipate and to prepare for all the circumstances and contingencies which arise, or may arise and hereby declares and determines that in the construction of this Act the most liberal construction should be placed upon it in favor of the acquisition, financing and operation of such off-street parking facilities. **[transfer to City Code].**

(Ch. 25745, § 1, Special Acts 1949)

**Sec. 159. Definition, generally.**

For the purpose of this Act, "off-street motor vehicle parking facilities" are defined as accommodations provided for the parking of motor vehicles off the surface of the street or highway. Such parking facilities may consist of lots, improved or unimproved; single- or multi-level garages; buildings, structures, equipment, entrances, exits, fencing and all other accessories necessary or desirable for the safety and convenience of motorists using said facilities; or any combination of these features. They may be surface facilities or facilities above or under the ground. **[transfer to City Code].**

(Ch. 25745, § 2, Special Acts 1949)

**Sec. 160. Authority of city to acquire, eminent domain, fees.**

The City of Coral Gables is hereby authorized to acquire, construct or cause to be constructed, own, maintain and operate off-street motor vehicle parking facilities, and all such improvements and buildings as said City may deem necessary or desirable in connection therewith; to use any lands now owned by said City for the aforesaid purpose, and to acquire by purchase, gift, lease, bequest, devise, grant, or condemnation in the manner from time to time provided for the exercise of the right of eminent domain, such property, real or personal, or any interest therein, above, at or below the surface of the earth, as it may deem necessary or desirable for such purpose; and said City may charge and collect reasonable fees or rentals for the use or enjoyment of such parking facilities, and may prescribe reasonable rules and regulations for the use and operation thereof. **[transfer to City Code].**

(Ch. 25745, § 2, Special Acts 1949)

**Sec. 161. Authority to establish improvement districts, special assessments.**

The City of Coral Gables, Florida, is hereby authorized to set up local improvement districts in connection with such off-street motor vehicle parking facilities in the same manner and to the same extent as is now provided by Charter of said City, and to the applicable laws, for such local improvement districts, and to levy and impose and collect special assessments, rolls, rents, charges for services, and to impose upon properties

benefited, apportionment of benefits, charges or apportionment for availability of benefits, and the like, and the City Commission of said City is hereby vested with specific power and authority, to determine the benefits and apportionment of benefits applicable to properties within such local improvement district. **[transfer to City Code]**.

(Ch. 25745, § 4, Special Acts 1949)

**Sec. 162. Specific methods of financing.**

The City of Coral Gables is hereby authorized to finance the acquisition, planning, design, construction, alteration, enlargement, maintenance or operation of off-street motor vehicle parking facilities by any one or any combination of the following methods:

(a) By any method or methods of financing deemed expedient or necessary in the discretion of the City Commission of said City, and which method or methods are not specifically prohibited by general law or by the Constitution.

(b) Revenue bonds or Certificates payable solely out of revenue derived from such parking facilities.

(c) General obligation bonds within the legal limit and in accordance with Charter provisions of said City, as to any other general obligation bonds under said Charter, as it now exists or as it may be amended.

(d) Parking fees and charges derived from the use of such parking facilities by motorists, lessees, concessionaires or others.

(e) General fund appropriations to the extent deemed necessary or desirable for such purpose.

(f) State and Federal grants and local aids, to the extent available for the provisions of such off-street parking facilities.

(g) Parking meter revenue or revenues from other operations of said City whenever the City Commission deems advisable, expedient or necessary in connection therewith, including the right to pledge the same.

(h) Gift, bequest, devise, grant, or otherwise. **[transfer to City Code]**.

(Ch. 25745, § 5, Special Acts 1949)

**Sec. 163. General enabling powers.**

[The city is authorized] To do all acts and things necessary and convenient to carry out the powers [to establish off-street parking facilities] expressly given herein. **[transfer to City Code]**.

(Ch. 25745, § 6, Special Acts 1949)

**Sec. 164. General methods of financing.**

[The city is authorized] To use any method of financing [for any of the purposes contemplated by this Division] or any part of such method with any other means or manner of financing. **[transfer to City Code]**.

(Ch. 25745, § 7, Special Acts 1949)

**Sec. 165. Referendum, when necessary.**

No method, or combination of methods, of financing [the improvements contemplated by this Division] need be submitted to a referendum vote except general obligation bonds of said City. **[transfer to City Code]**.

(Ch. 25745, § 8, Special Acts 1949)

**Sec. 166. General fund appropriations.**

The City is hereby given specific authority to make general fund appropriations [for off-street motor vehicle parking facilities] to the extent deemed necessary, expedient and desirable. **[transfer to City Code]**.

(Ch. 25745, § 9, Special Acts 1949)

**Sec. 167. Definition of property interest.**

~~That this Legislature adopts as its understanding of the words "held" and "used" in so far as the definition applies to off-street parking facilities operated and maintained by the cities and towns in this state either fee simple title ownership of the property by such cities and towns or the use of property under lease, which is in writing, executed under seal by the lessor, with the City of Coral Gables, Florida, as lessee, and the term of which lease is for not less than ten years from the date of its beginning. **[delete as preempted by Florida Constitution Art. VII, § 1 and superceded by Florida Constitution Art. VII, § 3]**.~~

(Ch. 28985, § 1, Special Acts 1953)

**Sec. 168. Exemption from taxation.**

~~There shall be exempted from all taxation all off-street parking facilities maintained and operated by the City of Coral Gables, Florida, whether the fee simple title to the land used in connection with such facilities is owned by the city, or is owned by others and leased to the city, provided that in case of lease by the city, the term of such lease shall be not less than ten years from the date of its beginning, the said lease shall be in writing and executed under seal by both lessor and lessee. The taxing authorities of Dade County are hereby authorized and instructed to cancel any and all taxes which may have been imposed upon any such off-street parking facilities owned and operated by the City of Coral Gables, Florida, and meeting the requirements of this act and, in case any such taxes have been paid by said city on such facilities, to refund them to said city. **[delete as preempted by Florida Constitution Art. VII, § 1 and superceded by Florida Constitution Art. VII, § 3]**.~~

(Ch. 28985, § 2, Special Acts 1953)

**Sec. 169. Cumulative effect.**

~~The benefits of exemption herein granted [by sections 167 and 168] are cumulative and in addition to any other such benefits or privileges which the city may now have or which may hereafter be given to it.~~

~~All laws or parts of laws in conflict herewith are hereby repealed. ***[delete as superceded by Florida Constitution]***~~

(Ch. 28985, §§ 3, 4, Special Acts 1953)

**ARTICLE III. SEWER FINANCING\*** ***[transfer to City Code]***

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**\*Editor's note:** Certain sections of the Charter and special acts adopted prior to July 1, 1973 pertaining to certain powers and jurisdiction of a municipality which has not been subsequently amended by referendum has been converted to ordinances by operation of F.S. § 166.021(5).

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**Sec. 170. Short title.**

This Act shall be known and may be cited as "The City of Coral Gables Sewer Financing Act." ***[transfer to City Code]***

(Ch. 25743, § 1, Special Acts 1949)

**Sec. 171. Definitions.**

As used in this Act, the following words and terms shall have the following meanings:

- (a) The word "City" shall mean The City of Coral Gables, a municipal corporation in Dade County, State of Florida.
- (b) The word "Commission" shall mean the City Commission of the City of Coral Gables.
- (c) The term "sewage disposal system" shall mean and shall include any plant, system, facility or property used or useful or having the present capacity for future use in connection with the collection, treatment, purification or disposal of sewage, including industrial wastes resulting from any processes of industry, manufacture, trade or business or from the development of any natural resources or any integral part thereof, and, without limiting the generality of the foregoing definition, shall embrace treatment plants, pumping stations, intercepting sewers, pressure lines, mains and all necessary appurtenances and equipment, and shall include all property, rights, easements and franchises relating to any such system and deemed necessary or convenient for the operation thereof.
- (d) The word "cost" as applied to a sewage disposal system or to extensions or additions thereto shall include the cost of construction or reconstruction, the cost of all labor, materials, machinery and equipment, the cost of all lands, property, rights, easements and franchises acquired, financing charges, interest prior to and during construction and for one year after completion of construction, cost of plans and specifications, surveys and estimates of cost and of revenues, cost of engineering and legal services, and all other expenses necessary or incident to determining the feasibility

or practicability of such construction or reconstruction, administrative expense and such other expenses as may be necessary or incident to the financing herein authorized. Any obligation or expense heretofore or hereafter incurred by the City in connection with any of the foregoing items of cost may be regarded as a part of such cost and reimbursed to the City out of the proceeds of bonds issued under the provisions of this Act.

(e) The term "general obligation bonds" shall mean general obligations of the City which are payable from unlimited ad valorem taxes or from such taxes and additionally secured by a pledge of revenues of a sewage disposal system or systems.

(f) The term "sewer revenue bonds" or "revenue bonds" shall mean special obligations of the City which are payable solely from revenues of a sewage disposal system or systems.

(g) The word "bonds" shall include both general obligation bonds and revenue bonds.

**[transfer to City Code]**

(Ch. 25743, § 2, Special Acts 1949)

**Sec. 172. General grant of powers.**

The City is hereby authorized and empowered:

(a) To construct, and to improve, extend, enlarge, reconstruct, maintain, equip, repair and operate a sewage disposal system or systems, either within or without or partly within and partly without the corporate limits of the City;

(b) To issue either general obligation bonds or revenue bonds of the City to pay all or a part of the cost of such construction or reconstruction;

(c) To make contracts for the collection, treatment and disposal of sewage originating within the City;

(d) To fix and collect rates, fees and other charges for the services and facilities furnished by any such sewage disposal system;

(e) To acquire in the name of the City, either by purchase or the exercise of the right of eminent domain, such lands and rights and interests therein, including lands under water and riparian rights, and to acquire such personal property, as it may deem necessary in connection with the construction, reconstruction, improvement, extension, enlargement or operation of any sewage disposal system, and to hold and dispose of all real and personal property under its control;

(f) To make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this Act, and to employ such consulting and other engineers, superintendents, managers, construction and accounting experts and attorneys, and such other employees and agents, as may, in the judgment of the Commission, be deemed necessary, and to fix their compensation; provided, however, that all such expenses shall be payable solely from funds made available under the provisions of this Act;

(g) To exercise jurisdiction, control and supervision over any sewage disposal system or systems owned, operated or maintained by the City and to make and enforce such rules and regulations for the maintenance and operation of any such sewage disposal system or systems as may, in the judgment of the Commission, be necessary or desirable for the efficient operation of any such system and for accomplishing the purposes of this Act;

- (h) To enter on any lands, water or premises located within or without the City to make surveys, borings, soundings or examinations for the purposes of this Act;
- (i) To construct and operate trunk, intercepting or outlet sewers, sewer mains, laterals, conduits or pipelines in, along or under any streets, alleys, highways or other public places within the City;
- (j) To restrain, enjoin or otherwise prevent any person or corporation, public or private, from discharging into any navigable or nonnavigable waters within the corporate limits of the City, any sewage, industrial wastes or other refuse which would contribute to the pollution of such waters; and to restrain, enjoin or otherwise prevent the violation of any provision of this Act or of any ordinance, resolution, rule or regulation adopted pursuant to the powers granted by this Act;
- (k) Subject to such provisions and restrictions as may be set forth in any ordinance or resolution authorizing or securing any sewer revenue bonds, issued under the provisions of this Act, to enter into contracts with the Government of the United States or any agency or instrumentality thereof, or with any other municipality, sanitary district, private corporation, co-partnership, association or individual, providing for or relating to the treatment and disposal of sewage; and
- (l) To receive and accept from any Federal Agency grants for or in aid of the planning, construction, reconstruction or financing of any sewage disposal system, and to receive and accept contributions from any source of either money, property, labor or other things of value, to be held, used and applied only for the purposes for which such grants and contributions may be made. **[transfer to City Code]**

(Ch. 25743, § 3, Special Acts 1949)

**Sec. 173. Construction of sewage disposal systems.**

Whenever the Commission deems it expedient so to do, it shall cause to be made a comprehensive report setting forth the type of sewage treatment and estimate of cost and of revenues of each sewage disposal plant or system, the construction of which shall be deemed to be desirable and feasible, together with the approximate location thereof and of each integral part.

The Commission may order the construction of such sewage disposal system or systems as it may deem feasible and practicable. In lieu of constructing a treatment plant, the City may contract with the City of Miami for the treatment and disposal of sewage originating within the City.

All public or private property damaged or destroyed in carrying out the powers granted by this Act shall be restored or repaired and placed in its original condition, as nearly as practicable, or adequate compensation made therefor, out of funds provided by this Act.

The State of Florida hereby consents to the use of all State lands lying under water which are necessary for the accomplishment of the purposes of this Act. **[transfer to City Code]**

(Ch. 25743, § 4, Special Acts 1949)

**Sec. 174. Issuance of bonds--Revenue or general obligation authorized.**

The Commission is hereby authorized to provide by ordinance or resolution, at one time or from time to time, for the issuance of either general obligation bonds or sewer revenue bonds of the City for the purpose of paying all or a part of the cost of any sewage disposal system or systems, or extensions and additions thereto. The bonds of each issue shall bear interest at such rate or rates not exceeding the maximum rate established by the City Commission and subject to the applicable provisions of the Florida Statutes, shall mature at such time or times not exceeding forty (40) years from their date or dates, as may be determined by the Commission, and may be made redeemable before maturity, at the option of the City, at such price or prices and under such terms and conditions as may be fixed by the Commission prior to the issuance of the bonds. The principal of and the interest on such bonds may be made payable in any lawful medium. The Commission shall determine the form of the bonds, including any interest coupons to be attached thereto, and the manner of execution of the bonds, and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest, which may be at any bank or trust company within or without the state. In case any officer whose signature or facsimile of whose signature shall appear on the bonds or coupons shall cease to be such officer before the delivery of such bonds, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery. All bonds issued under the provisions of this Act shall have and are hereby declared to have, as between successive holders, all the qualities and incidents of negotiable instruments under the negotiable instruments law of the State. The bonds may be issued in coupon or in registered form, or both, as the Commission may determine, and provision may be made for the registration of any coupon bonds as to principal alone and also as to both principal and interest, and for the reconversion into coupon bonds of any bonds registered as to both principal and interest. The issuance of such bonds shall not be subject to any limitations or conditions contained in any other law, and the Commission may sell such bonds in such manner, either at public or at private sale, and for such price, as it may determine to be for the best interest of the City.

Prior to the preparation of definitive bonds, the City may, under like restrictions, issue interim receipts or temporary bonds, with or without coupons, exchangeable for definitive bonds when such bonds have been executed and are available for delivery. The Commission may also provide for the replacement of any bonds which shall become mutilated or destroyed or lost.

Bonds may be issued under the provisions of this Act without obtaining the consent of any commission, board, bureau or agency of the State, and without any other proceeding or the happening of any other condition or thing than those proceedings, conditions or things which are specifically required by this Act. Bonds may be issued under the provisions of this Act beyond the general limits of indebtedness prescribed by law and shall not be included in the amount of bonds which the City may be authorized to issue under any other law.

The proceeds of such bonds shall be used solely for the payment of the cost of the sewage disposal system or systems for the construction or reconstruction of which such bonds shall have been authorized, and shall be disbursed in such manner and under such restrictions, if any, as the Commission may provide in the authorizing ordinance or resolution. If the proceeds of such bonds by error of estimates or otherwise, shall be less

than such costs, additional bonds may in like manner be issued to provide the amount of such deficit and, unless otherwise provided in the authorizing ordinance or resolution, shall be deemed to be of the same issue and shall be entitled to payment from the same fund without preference or priority of the bonds first issued for the same purpose. If the proceeds of the bonds of any issue shall exceed the amount required for the purpose for which such bonds shall have been issued, the surplus shall be paid into the fund hereinafter provided for the payment of the principal of and the interest on such bonds.

**[transfer to City Code]**

(Ch. 25743, § 5, Special Acts 1949; Ord. No. 2133, § 2(D), 1-21-75, referendum 4-8-75)

**Sec. 175. Same--General obligations, election required; special levy, fund, pledge of sewage revenues.**

No general obligation bonds shall be issued by the City unless the issuance of such bonds shall have been approved by a majority of the votes cast in an election in which a majority of the qualified electors residing in the City shall participate, which election shall be called, noticed and conducted and the result thereof determined and declared in the manner required by law for the issuance of bonds of the City, and unless the City Commission, after a public hearing held after such election has confirmed the resolution for each local improvement district.

For the payment of the principal of and the interest on any general obligation bonds of the City issued under the provisions of this act, the Commission is hereby authorized and required to levy annually a special tax upon all taxable property within the City over and above all other taxes authorized or limited by law sufficient to pay such principal and interest as the same respectively become due and payable, and the proceeds of all such taxes shall when collected be paid into a special fund and used for no other purpose than the payment of such principal and interest; provided, however, that there may be pledged to the payment of such principal and interest the revenues of a sewage disposal system or systems, and in the event of such pledge the amount of the annual tax levy herein required may be reduced in any year by the amount of such revenues actually received in the preceding year and then remaining on deposit to the credit of the special fund for the payment of such principal and interest. **[transfer to City Code]**

(Ch. 25743, § 6, Special Acts 1949; Ord. No. 1972, § 2(J), 7-11-72)

**Sec. 176. Same--Sewer revenue, credit of city not pledged; limitations.**

Sewer revenue bonds issued under the provisions of this Act shall not be deemed to constitute a debt of the City or pledge of the faith and credit of the City, but such bonds shall be payable solely from the funds hereinafter provided therefor under the provisions of this Act. All such bonds shall contain a statement on their face substantially to the effect that the City is not obligated to pay such bonds or the interest thereon except from such bonds and that the faith and credit of the City are not pledged to the payment of the principal of or the interest on such bonds. The issuance of sewer revenue bonds under the provisions of this Act shall not directly or indirectly or contingently obligate the City to levy or to pledge any form of taxation whatever therefor or to make any appropriation for their payment.

The ordinance or resolution authorizing the issuance of sewer revenue bonds under the provisions of this Act may pledge the revenues to be received, but shall not convey or mortgage any sewage disposal system or any part thereof, and may contain such provisions for protecting and enforcing the rights and remedies of the bondholders as may be reasonable and proper and not in violation of law, including covenants setting forth the duties of the City and of the Commission in relation to the construction, reconstruction, improvement, maintenance, operation, repair and insurance of the sewage disposal system or systems, and provisions for the custody, safeguarding and application of all moneys, and for the employment of consulting engineers in connection with such construction, reconstruction or operation. Such ordinance or resolution may set forth the rights and remedies of the bondholders, and may restrict the individual right of action by bondholders as is customary in trust agreements or trust indentures securing bonds or debentures of corporations. In addition to the foregoing, such ordinance or resolution may contain such other provisions as the Commission may deem reasonable and proper for the security of bondholders. Except as in this Act otherwise provided, the Commission may provide for the payment of the proceeds of the sale of the bonds and the revenues of the sewage disposal system or systems to such officer, board or depository as it may designate for the custody thereof, and for the method of disbursement thereof, with such safeguards and restrictions as it may determine. All expenses incurred in carrying out the provisions of such ordinance or resolution may be treated as a part of the cost of operation.

The ordinance or resolution providing for the issuance of sewer revenue bonds may also contain such limitations upon the issuance of additional sewer revenue bonds as the Commission may deem proper, and such additional bonds shall be issued under such restrictions and limitations as may be prescribed by such ordinance or resolution.

No revenue bonds shall be issued under the authority of this Act unless the Commission shall have theretofore found and determined[:]

- (a) The estimated cost of the sewage disposal system or systems on account of which such bonds are to be issued,
- (b) The estimated annual revenues of such sewage disposal system or systems, and
- (c) The estimated annual cost of maintaining, repairing and operating such system or systems,

nor unless it shall appear from such estimates that the annual revenues will be sufficient to pay such cost of maintenance, repair and operation and the interest on such bonds and the principal thereof as such interest and principal shall become due. **[transfer to City Code]**

(Ch. 25743, § 7, Special Acts 1949)

**Sec. 177. Same--Authority to fix schedule of charges, method of determination.**

The Commission shall, in the ordinance or resolution providing for the issuance of sewer revenue bonds, fix the initial schedule of rates, fees and other charges for the use of, and for the services and facilities furnished or to be furnished by, the sewage disposal system or systems, to be paid by the owner, tenant or occupant of each lot or parcel of land which may be connected with or use any such sewage disposal system or systems by or through any part of the sewer system of the City. After the system or systems shall have

been in operation the Commission may revise such schedule of rates, fees and charges from time to time. Such rates, fees and charges shall be so fixed and revised as to provide funds, with other funds available for such purposes, sufficient at all times[:]

(a) To pay the cost of maintaining, repairing and operating the system or systems, including reserves for such purposes and for replacements and depreciation and necessary extensions, and, if the City shall enter into a contract with the City of Miami for the treatment and disposal of sewage originating in the City, to pay the cost of such treatment and disposal,

(b) To pay the principal of and the interest on the revenue bonds as the same shall become due and reserves therefor, and

(c) To provide a margin of safety for making such payments.

The City shall charge and collect the rates, fees and charges so fixed or revised, or may contract with the City of Miami to collect such rates, fees and charges shall not be subject to supervision or regulation by any other commission, board, bureau or agency of the City or of the State or of any sanitary district or other political subdivision of the State.

Such rates, fees and charges shall be just and equitable, and may be based or computed either upon the quantity of water consumed or upon the number and size of sewer connections or upon the number and kind of plumbing fixtures in use in the premises connected with the sewer system or upon the number or average number of persons residing or working in or otherwise connected with such premises or upon any other factor affecting the use of the facilities furnished or upon any combination of the foregoing factors.

Charges for services to premises, including services to manufacturing and industrial plants, may be determined by gauging or metering or in any other manner approved by the Commission.

In cases where the character of the sewage from any manufacturing or industrial plant, building or premises is such that it imposes an unreasonable burden upon any sewage disposal system, an additional charge may be made therefor, or the Commission may, if it deems it advisable, compel such manufacturing or industrial plant, building or premises to treat such sewage in such manner as shall be specified by the Commission before discharging such sewage into any sewer lines owned or maintained by the City.

No rates, fees or charges shall be fixed under the foregoing provisions of this section until after a public hearing at which all of the users of the sewage disposal system or systems and owners, tenants or occupants of property served or to be served thereby and all others interested shall have an opportunity to be heard concerning the proposed rates, fees and charges. After the adoption by the Commission of a resolution setting forth the preliminary schedule or schedules fixing and classifying such rates, fees and charges, notice of such public hearing, setting forth the proposed schedule or schedules of rates, fees and charges, shall be given by one publication in a newspaper published in the City at least ten days before the date fixed in such notice for the hearing, which may be adjourned from time to time. After such hearing such preliminary schedule or schedules, either as originally adopted or as modified or amended, shall be adopted and put into effect, and thereupon the ordinance or resolution providing for the issuance of sewer revenue bonds may be finally adopted. A copy of the schedule or schedules of such rates, fees and charges finally fixed in such ordinance or resolution shall be kept on file in the office of the City Manager and shall be open to inspection by all parties interested. The

rates, fees or charges so fixed for any class of users or property served shall be extended to cover any additional properties thereafter served which fall within the same class, without the necessity of any hearing or notice. Any change or revision of such rates, fees or charges may be made in the same manner as such rates, fees or charges were originally established as hereinbefore provided, but if such change or revision be made substantially pro rata as to all classes of service no hearing or notice shall be required. *[transfer to City Code]*

(Ch. 25743, § 8, Special Acts 1949)

**Sec. 178. Same--Compulsory connections; collection of charges.**

Upon the construction of a sewage disposal system under the provisions of this Act, the owner, tenant or occupant of each lot or parcel of land within the City which abuts upon a street or other public way containing a sanitary sewer served or which may be served by such sewage disposal system and upon which lot or parcel a building shall have been constructed for residential, commercial or industrial use, shall, if so required by the rules and regulations of the Commission or by ordinance, connect such building with such sanitary sewer, and shall cease to use any other method for the disposal of sewage, sewage waste or other polluting matter. All such connections shall be made in accordance with rules and regulations which shall be adopted from time to time by the Commission.

Any such ordinance or resolution may include any or all of the following provisions, and may require the Commission to adopt such ordinances or resolutions or take such other lawful actions as shall be necessary to effectuate such provisions, and the Commission is hereby authorized to adopt such ordinances or resolutions and to take such other action.

(a) That the City may require the owner, tenant, or occupant of each lot or parcel of land within the City who is obligated to pay rates, fees or charges for the services and facilities furnished by any sewage disposal system constructed or reconstructed by the City under the provisions of this Act to make a reasonable deposit with the City in advance to insure the payment of such rates, fees or charges and to be subject to application to the payment thereof if and when delinquent.

(b) That if any rates, fees or charges for the services and facilities furnished by any sewage disposal system constructed or reconstructed by the City under the provisions of this Act shall not be paid within thirty days after the same shall become due and payable, the City may at the expiration of such thirty-day period disconnect the premises from the sewer system, and the City may proceed to recover the amount of any such delinquent rates, fees or charges, with interest, in an action of assumpsit.

(c) That if any rates, fees or charges for the use and services of any sewage disposal system shall not be paid within thirty days after the same shall become due and payable, the owner, tenant or occupant of such premises shall cease to dispose of sewage or industrial wastes originating from or on such premises by discharge thereof directly or indirectly into the sewer system of the city until such rates, fees or charges, with interest, shall be paid; that if such owner, tenant, or occupant shall not cease such disposal at the expiration of such thirty-day period it shall be the duty of any municipal corporation, private corporation, board, body or person supplying water to or selling water for use on such premises to cease supplying water to or selling water for use on such premises within five days after the receipt of notice of such delinquency from the city, provided,

however, that any such municipal corporation, private corporation, board, body or person that [who] ceases supplying or selling water for use on such premises after such receipt of such notice of delinquency in compliance with the foregoing provisions of this subsection shall be relieved of all liability of any kind whatsoever to the owner, tenant, or occupant of such premises as a result of such ceasing to supply or to sell water for use on such premises; and that if such municipal corporation, private corporation, board, body or person shall not, at the expiration of such five day period, cease supplying water to or selling water for use on such premises, the city may shut off the supply of water to such premises and the city shall be so relieved of all liability of any kind whatsoever to the owner, tenant, or occupant of such premises as a result of shutting off the supply of water to such premises. **[transfer to City Code]**

(Ch. 25743, § 9(c), Special Acts 1949; Ch. 28984, § 1, Special Acts 1953)

**Sec. 179. Same--Application of revenues; annual report of operations.**

All revenues derived from any sewage disposal system or systems for which a single issue of sewer revenue bonds shall be issued, except such part thereof as may be required to pay the cost of maintaining, repairing and operating such system or systems and to provide reserves therefor as may be provided in the ordinance or resolution authorizing the issuance of such sewer revenue bonds, shall be set aside, at such regular intervals as may be provided in such ordinance or resolution and deposited for the credit of the following separate funds for the following purposes:

(1) A sinking fund for the payment of the interest on and the principal of such sewer revenue bonds as the same shall become due, necessary charges of paying agents for paying such interest and principal, and any premium upon bonds retired by call or purchase before their maturity or respective maturities, including the accumulation of a reserve for such purpose; and

(2) A fund for anticipated renewals and replacements and extraordinary repairs.

The use and disposition of moneys to the credit of such sinking fund shall be subject to such regulations as may be provided in the ordinance or resolution authorizing the issuance of the sewer revenue bonds and, except as may otherwise be provided in such ordinance or resolution, such sinking fund shall be a fund for the benefit of all bonds without distinction or priority of one over another.

The Commission shall cause to be made at least once each year a comprehensive report of the operations of the sewage disposal system or systems including all matters relating to rates, revenues, expenses of maintenance, repair and operation and of renewals and replacements, principal and interest requirements and the status of all funds. Copies of such annual reports shall be filed with the City Manager, and shall be open to the inspection of all interested persons. **[transfer to City Code]**

(Ch. 25743, § 10, Special Acts 1949)

**Sec. 180. Same--All revenues deemed trust funds; trustees.**

All moneys received pursuant to the authority of this Act shall be deemed to be trust funds, to be held and applied solely as provided in this Act. The ordinance or resolution authorizing the issuance of bonds shall provide that any officer to whom, or any bank,

trust company or other fiscal agent to which, such moneys shall be paid shall act as trustee of such moneys and shall hold and apply the same for the purposes hereof, subject to such regulations as this Act and such ordinance or resolution may provide. **[transfer to City Code]**

(Ch. 25743, § 11, Special Acts 1949)

**Sec. 181. Same--Remedies of bond holders.**

Any holder of bonds issued under the provisions of this Act or of any of the coupons appertaining thereto, except to the extent the rights herein given may be restricted by the ordinance or resolution authorizing the issuance of such bonds, may, either at law or in equity, by suit, mandamus or other proceeding, protect and enforce any and all rights under the laws of the State of Florida or granted hereunder or under such ordinance or resolution, and may enforce and compel the performance of all duties required by this Act or by such ordinance or resolution to be performed by the City or by the Commission or by any officer thereof, including the fixing, charging and collecting of rates, fees and charges for the services and facilities furnished by the sewage disposal system or systems. **[transfer to City Code]**

(Ch. 25743, § 12, Special Acts 1949)

**Sec. 182. Same--Refunding bonds.**

The Commission is hereby authorized to provide by ordinance or resolution for the issuance of sewer revenue refunding bonds of the City for the purpose of refunding any sewer revenue bonds then outstanding and issued under the provisions of this Act. The Commission is further authorized to provide by ordinance or resolution for the issuance of sewer revenue bonds of the City for the combined purposes of:

- (1) Paying the cost of any extension, addition or reconstruction of a sewage disposal system or systems or the cost of a new sewage disposal system or systems, and
- (2) Refunding sewer revenue bonds of the City which shall theretofore have been issued under the provisions of this Act and shall then be outstanding and which shall then have matured or be subject to redemption or can be acquired for retirement.

The issuance of such bonds, the maturities and other details thereof, the rights and remedies of the holders thereof, and the rights, powers, privileges, duties and obligations of the City and of the Commission with respect to the same, shall be governed by the foregoing provisions of this Act in so far as the same may be applicable. **[transfer to City Code]**

(Ch. 25743, § 13, Special Acts 1949)

**Sec. 183. Exemption from taxation.**

As proper facilities for the collection, treatment, purification and disposal of sewage are essential for the health of the inhabitants of the City and for the City's industrial and commercial development, and as the exercise of the powers conferred by this Act to effect such purposes constitutes the performance of essential municipal functions, and as the sewer system of the City including any sewage disposal system or systems

constructed under the provisions of this Act, constitutes public property and is used for municipal purposes, the City shall not be required to pay any taxes or assessments upon any such sewage disposal system or any part thereof, whether located within or without the territorial boundaries of the City. **[transfer to City Code]**

(Ch. 25743, § 14, Special Acts 1949)

**Sec. 184. As additional to other powers.**

This Act shall be deemed to provide an additional and alternative method for the doing of the things authorized hereby and shall be regarded as supplemental and additional to powers conferred by other laws, and shall not be regarded as in derogation of any powers now existing. This Act, being necessary for the welfare of the inhabitants of the City, shall be liberally construed to effect the purposes thereof. **[transfer to City Code]**

(Ch. 25743, § 15, Special Acts 1949)

**ARTICLE IV. MUNICIPAL PROJECTS\* [transfer to City Code]**

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**\*Editor's note:** Certain sections of the Charter and special acts adopted prior to July 1, 1973, pertaining to certain powers and jurisdiction other than extraterritorial jurisdiction of a municipality which have not been subsequently amended by referendum have been converted to an ordinance by operation of F.S. § 166.021(5).

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**Sec. 185. Definitions and coverage.**

That for the purpose of this Act the term "Municipal Project" shall cover only any one or more or any combination of the following: bridges, viaducts, community houses, waterworks systems (including new water lines), waterways, harbors and channels, jetties, breakwaters, public landings, wharves, docks and other improvements for harbors and shipping facilities, memorials, parks, including recreational facilities, play grounds, recreation centers, bathing beaches with necessary improvements, structures, buildings piers, public buildings and places, reservoirs, sewers, sewage or drainage systems and sewage disposal or treatment plants, stadiums, streets, roads, avenues, alleys and highways, sidewalks and curbs, gutters and storm-water sewers or drains, harbor and port facilities, toll bridges or causeways, as defined in this section; and all property real and personal appurtenant thereto or connected with such work, undertaking or project and the existing work, undertaking or project, if any, to which such work, undertaking or project is an extension, addition, betterment or improvement.

(a) The term "to construct" shall mean to build, to construct, to reconstruct, to erect, to replace, to extend, to repair, to better, to equip, to develop, to embellish, to improve, to acquire by gift, exchange of property, purchase or the exercise of the right of eminent domain, or any one or more or all of the foregoing.

(b) The term "construction" shall mean building, construction, reconstruction, erection, replacement, extension, repairing, betterment, equipment, development, embellishment, improvement, acquisition, by gift, exchange of property, purchase, or the exercise or the right of eminent domain, or any one or more or all of the foregoing.

(c) The term "the city" shall mean "The City of Coral Gables." *[transfer to City Code]*

(Ch. 21160, § 1, Special Acts 1941)

**Sec. 186. General powers.**

The City of Coral Gables shall have the power and is hereby authorized:

(a) To construct any municipal project, as defined in Section 1 [Section 185] hereof, within or without the municipality, or partially within and partially without the municipality.

(b) To operate and maintain any municipal project for public and private users and consumers within and without the municipality.

(c) To issue its general obligation bonds or its revenue bonds as provided in this Act to finance such construction, and to provide for the rights of the holders of the bonds and to secure the bonds all as hereinafter provided; to contract debts for the construction of any municipal project and to borrow money.

(d) To enter into a trust agreement with any bank or trust company within or outside the state, in connection with the construction of a project and in order to secure bonds payable exclusively from revenue which are issued in connection therewith.

(e) To assess, levy and collect ad valorem taxes on all property subject to taxation to pay the bonds, and the interest thereon, issued to finance any municipal project under this Act where such bonds are not payable exclusively from the revenue of a municipal project.

(f) To fix, levy and collect fees, rents, tolls, or other charges for the use of or in connection with any municipal project, and in the event any trust agreement with holders of bonds shall be made as hereinafter provided, to fix, levy and collect such fees, rents, tolls and other charges in accordance with such agreements and subject thereto.

(g) To acquire by purchase, exchange, gift or the exercise of the right of eminent domain and to hold and dispose of any property, real or personal, tangible or intangible, or any right or interest in any such property, in connection with any municipal project, whether or not subject to mortgages, liens, charges or other encumbrances, and construct any municipal project subject thereto, and whether within or without the municipality, or partially within and partially without the municipality.

(h) To enter on any lands, waters and premises for the purpose of making surveys, soundings and examinations in or for the furtherance of any municipal project.

(i) To perform any acts authorized under this law through or by means of its own officers, agents, and employees, or by contracts with private corporations, firms or individuals.

(j) To award any contract for the original building of any new municipal project or any part thereof upon any day at least fifteen days after one publication of a notice requesting bids upon such contract in a newspaper of general circulation in the municipality.

(k) To do all acts and things necessary or convenient to carry out the powers expressly given in this law. **[transfer to City Code]**

(Ch. 21160, § 2, Special Acts 1941)

**Sec. 187. Resolution precedent to bond issue, content.**

Before any bonds are issued under this law, the City Commission of the City shall adopt a resolution (herein referred to as the "initial resolution") determining to issue the bonds, which resolution shall state in substance:

- (a) The amount or maximum amount of bonds to be issued;
- (b) The purpose or purposes for which such bonds are to be issued;
- (c) The rate or maximum rate of interest which such bonds are to bear;
- (d) A brief concise statement of the fact whether such bonds will be payable:
  - (1) Exclusively from revenues, and if so payable the resolution shall provide that the City shall have no power to levy or to pledge any form of taxation for the payment of such bonds, or
  - (2) Exclusively from taxes, or
  - (3) From revenues, and in the event of a deficiency in such revenues from taxes, or
  - (4) From taxes and additionally secured by a pledge of revenues.

In determining the cost of any municipal project, the following items may be included as a part of the cost of such municipal project and financed by the issuance of the bonds:

- (a) Engineering, inspection, accounting, fiscal and legal expenses;
- (b) The cost of issuance of the bonds, including engraving, printing, advertising, and other similar expenses;
- (c) Any interest costs during the period of construction of such municipal project and for six months thereafter on money borrowed or estimated to be borrowed;
- (d) Working capital in an amount to be determined by resolution of the City Commission of the City. **[transfer to City Code]**

(Ch. 21160, § 3, Special Acts 1941)

**Sec. 188. Revenue bond not to obligate city, referendum.**

No holder or holders of any bonds payable exclusively from the revenue of a municipal project shall ever have the right to compel any exercise of taxing power of the City to pay said bonds or the interest thereon, and the issuance of bonds payable exclusively from revenues shall not directly or indirectly or contingently obligate the City to levy or pledge any form of taxation whatever therefor. Each such bond issued under this law shall recite in substance that said bond including interest thereon, is payable from the revenue pledged to the payment thereof, and that the holder of said bonds shall have no recourse to the power of taxation.

Bonds authorized to be issued under this Act may be issued only after the issuance of such bonds shall have been approved by a majority of the vote cast at an election at which a majority of the freeholders who are qualified electors residing in the City shall participate. Such election shall be called and held as provided by law, including Chapter 14715, General Laws of Florida, 1931, excepting where inconsistent with this Act.

**[transfer to City Code]**

(Ch. 21160, §§ 4, 5, Special Acts 1941)

**Sec. 189. Tax resolution.**

At any time before delivering any bonds to be issued pursuant to this law not payable exclusively from the revenue of a municipal project, the City Commission of the City shall adopt a resolution (herein called the "tax resolution") which shall recite in substance that adequate provision will be made for raising annually by tax upon all property subject to taxation by the City a sum sufficient to pay the interest on and principal of such bonds as the same shall become due. A tax sufficient to pay when due such principal and such interest shall be levied annually and assessed, collected and paid, in like manner with the other taxes of the City and shall be in addition to all other taxes authorized or limited by law. It shall be the duty of the City Commission of the City to include in the annual levy a tax sufficient to pay the interest on the principal of such bonds as the same become due; Provided, however, that if the bonds are payable from taxes only in the event of a deficiency in revenues or are payable from taxes and additionally secured by a pledge of revenues, and if the tax resolution shall so provide, then in such events, the tax to be levied and assessed by the City Commission of the City may be reduced by such amount and under such conditions as may be determined in such tax resolution. When for any reason all or any part of the principal of or interest on any bonds issued by the City pursuant to this law, not payable exclusively from the revenues of a municipal project, shall not be paid when due there shall be levied and assessed by the City and collected by the proper collecting officers at the first assessment, levy and collection of taxes in the City, after such omission or failure, a tax sufficient to pay the same. **[transfer to City Code]**

(Ch. 21160, § 6, Special Acts 1941)

**Sec. 190. Bond requirements generally.**

The bonds may be issued under this Act in one or more series, may bear such date or dates, may mature at such time or times, not exceeding forty years, from their respective dates, may bear interest at such rate or rates, not exceeding five percent per annum, payable semi-annually, may be in such denomination; may be in such form, either coupon or registered, may be payable at such place or places, may carry such registration and conversion privileges, may be executed in such manner, may be payable in such medium of payment at such place or places, may be subject to such terms of redemption, with or without premium, and may be declared or become due before the maturity date thereof, as may be provided by resolution of the City Commission of the City. The bonds authorized to be issued by this Act shall be sold in the manner provided by law; provided, however, that bonds payable exclusively from the revenues of a waterworks system may be sold in such manner and for such price as the City Commission may determine by resolution are for the best interests of the City; provided, further, that bonds authorized to be issued under this Act shall not be sold at less than par plus accrued interest, except by a four-fifths vote of the members of the City Commission and then at no less than ninety-seven (97%) percent of their par value plus accrued interest; and provided, further, that notwithstanding any provision, restriction or limitation in this Act, or in any of the

foregoing provisions of this sentence or in any special or general law, the bonds authorized to be issued hereunder may be issued by the City in exchange for, or as payment to the owner for the acquisition of, a waterworks system authorized hereunder and already constructed and in operation within and without the City, which issuance or exchange of bonds for such a waterworks system and its purchase and acquisition by the City from the owner thereof shall be in such a manner and for such price, terms, conditions and requirements as the City Commission of the City may by resolution determine to be for the best interests of the City. The bonds shall be fully negotiable for all purposes. All bonds issued under the provision of this Act shall have, and are hereby declared to have, as between successive holders, all the qualities and incidents of negotiable instruments under the negotiable instruments laws of the State of Florida. Bonds issued under this law bearing the signature of officers in office on the date of the signing thereof shall be valid and binding obligations, notwithstanding that before the delivery thereof any or all the persons whose signatures appear thereon, shall have ceased to be officers of the City. Pending the preparation or delivery of the definitive bonds for the purpose of financing the construction of a municipal project, interim certificates or other temporary obligations may be issued by the City to the purchaser of such bonds. Such interim certificates or other temporary obligations shall be in such form and contain such terms, conditions and provisions as the City Commission of the City may determine. At any time after the bonds have been delivered to the purchaser thereof such bonds may be repurchased by the City at a price not more than the principal amount thereof plus the accrued interest, and all bonds so purchased shall be cancelled.

In the event the City has heretofore acquired or shall hereafter acquire a project and at the time has outstanding its revenue bonds or certificates payable from the revenues of such project, and in the further event the City shall desire to construct additions, extensions, improvements or betterments to such project or to acquire by purchase or to construct an additional project of the same class and to combine such additional project with the project heretofore purchased or constructed, and to refund such outstanding bonds or certificates, the City may provide for the issuance of a single issue of bonds payable exclusively from revenues under the provisions of this Act and without the holding of an election as required in Section 5 [Section 188] of this Act for the combined purposes:

- (a) Of refunding such revenue bonds or certificates then outstanding if they shall then be subject to redemption or can be acquired for retirement, or
- (b) Of constructing such additions, extensions, improvements or betterments or of acquiring by purchase or of constructing such additional project of the same class, and the principal and interest of such bonds shall be payable solely from the revenues derived from the operation of the combined projects. **[transfer to City Code]**

(Ch. 21160, § 7, Special Acts 1941)

**Sec. 191. Rates and fees; to be self-supporting.**

The City Commission of the City issuing bonds payable exclusively from the revenue of a municipal project shall prescribe and collect reasonable rates, fees or charges for the services, facilities and commodities of such municipal project, and shall revise such rates, fees or charges from time to time whenever necessary so that such municipal project shall

be and always remain self-supporting. The rates, fees or charges prescribed shall be such as will produce revenue at least sufficient:

- (a) To pay when due all bonds and interest thereon, for the payment of which such revenue is or shall have been pledged, charged or otherwise incumbered, including reserves therefor, and
- (b) To provide for all expenses of operation and maintenance of such municipal project, including reserve therefor. **[transfer to City Code]**

(Ch. 21160, § 8, Special Acts 1941)

**Sec. 192. Maximum issuance of bonds.**

- (1) Bonds other than bonds payable exclusively from the revenue of a municipal project shall not be issued by the City in an amount, together with bonds issued under this law and bonds heretofore issued by the City which shall exceed fifteen (15) percent of the assessed value of the taxable property of the City according to the last assessment for municipal purposes prior to the issuance of such bonds, provided, however, that an additional five (5) percent of such assessed value of the taxable property of the City may be issued for the construction of sewers and incidentals thereto;
- (2) Bonds payable exclusively from the revenue of a municipal project may be issued under this law notwithstanding and without regard to any limitation on indebtedness prescribed by this or any other law;
- (3) Bonds other than bonds payable exclusively from the revenue of a municipal project, issued by the City under this law shall be considered in computing the amount of indebtedness which the City may incur under this law; and
- (4) Bonds payable exclusively from the revenue for a municipal project issued by the City under this law, shall not be considered in computing the amount of indebtedness which the City may incur under any other law. **[transfer to City Code]**

(Ch. 21160, § 9, Special Acts 1941)

**Sec. 193. Authority to secure payment.**

In order to secure the payment of any of the bonds issued pursuant to this law and interest thereon, or in connection with such bonds, the City shall have power as to such bonds:

- (a) To pledge the full faith and credit and unlimited taxing power of the City to the punctual payment of the principal of and interest on such bonds.
- (b) To pledge all or any part of the fees, rent, tolls, or other charges received or receivable by the City from any municipal project then existing or thereafter to be constructed to the punctual payment of bonds issued for such municipal project, and interest thereon, and to covenant against thereafter pledging any such fees, rents, tolls, or charges to any other bonds or any other obligations of the City for any other purpose.
- (c) To provide for the terms, form, registration, exchange, execution and authentication of such bonds.
- (d) To provide for the replacement of lost, destroyed or mutilated bonds.
- (e) To covenant as to the use and disposition of the proceeds from the sale of such bonds.

- (f) To covenant as to the fees, rents or tolls to be charged in connection with the municipal project for which such bonds are to be issued and as to the use and disposition to be made thereof.
- (g) To covenant to set aside or pay reserves and sinking funds for such bonds and as to the disposition thereof.
- (h) To redeem such bonds, and to covenant for their redemption, and to provide the terms and conditions thereof.
- (i) To covenant as to its books of account and as to the inspection and audit thereof and as to the accounting methods.
- (j) To make covenants other than, and in addition to, the covenants herein authorized.
- (k) To execute all instruments necessary or convenient in the exercise of the powers herein granted or in the performance of its covenants or duties, including trust indentures to secure bonds payable exclusively from revenues.
- (l) To make such covenants and do any and all such acts and things as may be necessary or convenient or desirable in order to secure such bonds, or in the absolute discretion of the City Commission of the City tends to make such bonds more marketable, notwithstanding that such covenants, acts or things may not be enumerated herein; it being the purpose hereof to give the City power to do all things in the issuance of the bonds and for their security that may be consistent with the Constitution of the State of Florida. **[transfer to City Code]**

(Ch. 21160, § 10, Special Acts 1941)

**Sec. 194. Rights of bond holders.**

Any holder or holders of the [municipal project] bonds, shall have the right in addition to all other rights:

- (a) By mandamus or other suit, action or proceedings in any court of competent jurisdiction to enforce his or their rights against the City, and the City Commission of the City, and any officer, agent, employee of the City, including, but not limited to, the right to require the City and the City Commission and any proper officer, agent or employee of the City to assess, levy and collect taxes, and to fix and collect fees, rents, tolls, or other charges adequate to carry out any agreement as to, or pledge of, such taxes, fees, rents, tolls or other charges, and to require the City and the City Commission and any officer, agent or employee of the City to carry out any other covenants and agreements and to perform its and their duties under this law;
- (b) By action or suit in equity to enjoin any acts or things which may be unlawful or in violation of the rights of such holder of bonds. **[transfer to City Code]**

(Ch. 21160, § 11, Special Acts 1941)

**Sec. 195. Authority to act by resolution.**

All actions required or authorized to be taken under this law by the City Commission of the City may be by resolution, which resolution may be adopted at the meeting of the City Commission at which such resolution is introduced; and shall take effect immediately upon such adoption. Except as otherwise provided in this law, no resolution under this law need be published as posted, nor shall any such resolution require for its

passage more than a majority of all the members of the City Commission then in office.  
**[transfer to City Code]**

(Ch. 21160, § 12, Special Acts 1941)

**Sec. 196. Bond recital of compliance with law; validation.**

Any resolution authorizing [municipal project] bonds under this law may provide that such bonds shall contain a recital that they are issued pursuant to this law, which recital shall be conclusive evidence of their validity and the regularity of their issuance. Bonds to be issued under this law may be validated as provided in Article 7 of Chapter XI of Title III of the Second Division of the Compiled General Laws of Florida, 1927, and amendments thereto. **[transfer to City Code]**

(Ch. 21160, § 13, Special Acts 1941)

**Sec. 197. Force and effect of the law.**

The powers conferred by this law shall be in addition and supplemental to and the limitations imposed by this law shall not affect the powers conferred by any other law and not in substitution for the powers conferred by any other law. Bonds may be issued hereunder for any municipal project notwithstanding that any other law may provide for the issuance of bonds for like purposes and without regard to the requirements, restrictions or procedural provisions contained in any other law. Any proceedings heretofore taken by the City relating to the subject matter of this law, whether or not commenced under any other law, may be continued under this law, or at the option of the City Commission of the City may be discontinued and new proceedings instituted under this law. **[transfer to City Code]**

(Ch. 21160, § 14, Special Acts 1941)

**ARTICLE V. PENSION SYSTEM**

**Sec. 198. Repealed.**

**Amendment note--** Section 198 entitled, Pension System for City Officers and Employees--Authority was rescinded by vote of the electors at the regular biennial election held April 13, 1965. Said section was derived from § 1 of Ch. 19750, Special Acts of Florida 1939.

**Sec. 199. Investment of funds.**

~~All monies paid into any pension or retirement fund created by authority of this Act [sections 198-201] except such monies as are necessary to meet current operating or pension or retirement payments shall be invested in Bonds of the City of Coral Gables or United States of America Government Bonds. **[delete as all funds under the former system have been paid out].**~~

(Ch. 19750, § 2, Special Acts 1939)

Secs. 200, 201. Repealed.

**Amendment note--** Section 200, Administration, board, composition and section 201, Referendum to validate ordinances, of the Pension System, derived from Ch. 19750, §§ 3 and 4, Special Acts of Florida 1939, were repealed by vote of the electors at the regular biennial election held April 13, 1965.

**Sec. 202. Insurance for city officers and employees in lieu of workmen's compensation--Authority.**

~~The City Commission of The City of Coral Gables, Florida, be, and it is hereby authorized to provide by ordinance for life, health, accident or annuity insurance or all or any kinds of said insurance for its officers and employees upon a group insurance plan, and to pay in whole or in part premiums therefor, and upon providing such insurance the said City shall be relieved from the provisions of the Workmen's Compensation Act to the extent that the insurance so provided affords the benefits provided by said Florida Workmen's Compensation Act. —~~**[delete as superceded by Chapter 440.02(16)(a)(17)(a), 440.03, and 440.04, Florida Statutes].**  
(Ch. 19749, § 1, Special Acts 1939)

**Sec. 203. Same--Referendum to validate ordinances.**

~~No ordinance enacted under the provisions of this Act [sections 202 and 203] shall become effective until a majority of the qualified voters of the City of Coral Gables, Florida, voting on the same at a general or special election called for such purpose shall vote in favor thereof. Said election shall be held and conducted in substantial conformity with the manner of holding and conducting other elections in said City so far as the same are applicable. The form of ballot to be used at said election shall be prescribed by the City Commission of the said City. —~~**[delete as superceded by Chapter 440.02(16)(a)(17)(a), 440.03, and 440.04, Florida Statutes]**  
(Ch. 19749, § 2, Special Acts 1939)

**ARTICLE VI. REFUNDING BONDS AND ADDITIONAL TAX LEVIES\***  
**[transfer to City Code]**

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**\*Editor's note:** Certain sections of the Charter and special acts adopted prior to July 1, 1973, pertaining to certain powers and jurisdiction of a municipality which have not been subsequently amended by referendum have been converted to ordinances by operation of F.S. § 166.021(5).

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**Sec. 212. Refunding bonds for general obligations--Authority to issue.**

The City of Coral Gables is hereby authorized to issue refunding bonds in the manner herein provided for the purpose of refunding its outstanding bonded and other indebtedness and the interest thereon, now due and payable or hereafter maturing, at or

after the maturity of such bonds or other obligations, or the interest thereof, or prior to the maturity thereof, pursuant to an agreement made with the holders of such bonds or interest coupons. **[transfer to City Code]**

(Ch. 15132, § 1, Special Acts 1931)

**Sec. 213. Same--Classes.**

Such refunding bonds [provided for in section 212] may be of one or both of the following classes: Class A, to consist of bonds constituting definite obligations of the City maturing not more than fifty years from their date and bearing interest at a rate not to exceed six percent, payable semi-annually; and Class B, to consist of obligations which may be designated as Corporate Stock, without fixed maturities and bearing interest at a rate not to exceed seven percent, the principal and interest of which shall be payable, out of the funds realized from the earnings and/or the sale of assets and/or other revenues which may be pledged therefor, upon such contingencies as may be stipulated in said bonds or in the proceedings authorizing their issuance. All bonds issued under this Act shall constitute negotiable instruments. **[transfer to City Code]**

(Ch. 15132, § 2, Special Acts 1931)

**Sec. 214. Same--Authority to execute agreement with holders.**

The Commission of the City of Coral Gables is hereby empowered to enter into agreements with the holder or holders of any outstanding bond or bonds, coupon or coupons, or other obligations heretofore issued or now owing by said City regardless of whether such bonds or coupons or other obligations are then due and payable, providing for the refunding of the indebtedness represented by such bonds and/or coupons and/or other obligations. Such agreement may provide for the exchange of refunding bonds of Class A, and/or Class B, in payment and satisfaction of said outstanding bonds and/or coupons, and/or other obligations upon such terms and conditions as may be agreed upon. **[transfer to City Code]**

(Ch. 15132, § 3, Special Acts 1931)

**Sec. 215. Same--Agreement with holders, provisions.**

An agreement for the refunding of the outstanding indebtedness of the City, pursuant to the provisions of this Act, may provide for any or all of the following:

- (a) For the issuance, in retirement of said outstanding bonds and/or coupons and/or other obligations of Class A refunding bonds and Class B refunding bonds in such proportions as may be agreed upon;
- (b) For the levy of ad valorem taxes upon all taxable property in the City, without limitation of rate or amount, for the payment of the principal and interest of Class A refunding bonds;
- (c) For the pledging for the payment of the Class B refunding bonds, or any portion or series thereof, of delinquent taxes, tax certificates and/or special improvement liens owned by the City, property owned by the City, and the income derived therefrom, and

any public utilities owned by the City and/or the income derived therefrom, and to charge the assets so pledged with a lien in favor of the holders of such Class B refunding bonds;

(d) For the levy of a tax of a fixed millage annually until all of the Class A and/or Class B bonds, together with the interest thereon, shall have been paid, at all events, or upon such contingencies as may be agreed upon between the holders of said bonds and the Commission of the City of Coral Gables;

(e) For the fixing of a definite ratio between the amount of taxes levied for current expenses and the amount of taxes levied for the payment of the principal and interest of bonds issued under the provisions of this Act, and for the maintenance of such ratio until all of the bonds issued under the provisions of this Act and the interest thereon shall have been paid in full;

(f) For a depository or trustee to receive, hold and administer all revenues, properties or other assets pledged for the payment of Class B bonds and for the payment of the fees and compensation of such depository or trustee as a current expense of the City;

(g) For the disposal by the Depository of the assets pledged for the payment of the Class B Bonds from time to time upon such terms and conditions as shall be prescribed by the holders of such bonds or by their duly constituted agents or attorneys;

(h) For the foreclosure of the liens for taxes and assessments and for the pledging of properties acquired by the City as a result of such foreclosures for the further securing of bonds issued hereunder;

(i) For the acceptance by the Commission of the City of Coral Gables in payment of such delinquent taxes or special assessments as may be specified in the agreement, of Class B bonds upon such terms and conditions as may be defined in the agreement;

(j) For such other undertakings and covenants on the part of the City of Coral Gables not inconsistent with the Constitution of the State of Florida and this Act, it being intended to confer upon the City of Coral Gables complete power and authority to enter into such agreements with its creditors as may be necessary or expedient for the purpose of refunding its outstanding bonded indebtedness and other obligations and the interest thereon, and this Act shall be liberally construed to effectuate that intent. **[transfer to City Code]**

(Ch. 15132, § 4, Special Acts 1931)

**Sec. 216. Same--Depository.**

The depository or trustee, appointed to receive, hold and administer revenues, properties or assets pledged for the payment of the Class B bonds, shall be a bank or trust company within or without the State of Florida authorized to undertake trusts. Such depository may also be constituted, by agreement with the holders of bonds issued under the provisions of this Act, custodian of all taxes and/or revenues applicable to the payment or retirement of the principal and interest of the Class A bonds. All moneys required to be paid to such depository under the provisions of any agreement made pursuant to this statute shall, as the same are collected from day to day, be paid directly by the collecting official of the City of Coral Gables to said depository, and the depository shall give such security therefor as may be stipulated in said agreement. Such depository shall be the custodian of all sinking funds accumulated for the payment or retirement of the principal and interest of bonds issued under the provisions of this Act. Funds in the hands of the depository,

unless otherwise provided by an agreement made under the provisions of this Act, shall be invested in obligations of the United States. **[transfer to City Code]**

(Ch. 15132, § 5, Special Acts 1931)

**Sec. 217. Same--Default of city.**

In the event of a default, on the part of the City of Coral Gables, in the payment of any bond or interest coupon issued under the authority of this Act [sections 212--219] on the date of its maturity, and such default shall continue for a period of sixty days, or in the event of a default, on the part of said City, in the performance of any covenant or undertaking prescribed by an agreement made with its creditors under the provisions of this Act, and such default shall continue for a period of sixty days, a court of competent jurisdiction, upon the application of any holder of a bond or interest coupon issued under the provisions of this Act, either of Class A or Class B or upon application of the depository appointed in pursuance of an agreement made hereunder, may appoint a Comptroller of Bond Revenues and Funds, who shall have the powers of a Receiver in Chancery. Said Comptroller shall be a resident of the State of Florida or some corporation organized under the Laws of Florida and authorized by such laws to act as receiver and shall be entitled to take possession of all assets pledged by the City for payment of any such bonds and to collect all revenues allotted to payment or retirement of such bonds. Such appointment by such court shall not be made except upon sixty days notice of such application for such appointment having been given to the Commission of said City. The revenues collected by the Comptroller shall be applied in the manner specified in any agreement made with the creditors of said City under the provisions of this Act. The Comptroller may be directed to foreclose, in the manner provided by law, the lien of taxes and assessments upon all delinquent properties. Such suits to foreclose the liens of taxes or assessments may be brought by the Comptroller under any statute, general or special, applicable to said City, and shall be conducted as and governed by the provisions of said Act or Acts, and the decrees, deeds and other acts therein shall have the same presumptions in their favor as though such suits have been conducted by the City. When all costs, overdue interest and bonds which are then due and payable have been paid, and any other default on the part of the City shall have been terminated, the Comptroller shall be discharged. A Comptroller so appointed by any court shall exercise no political or governmental powers conferred by law upon the Commission of said City, but shall constitute the agent of such court for the purpose of enforcing its judgments, and decrees and for the protection of the rights of the creditors of the City. **[transfer to City Code]**

(Ch. 15132, § 6, Special Acts 1931)

**Sec. 218. Same--Freeholder election.**

No bonds shall be issued under the provisions of this Act [sections 212--219] until a proposition for the issuance thereof shall have been approved by a majority of the votes cast in an election by the qualified electors who are freeholders of the City of Coral Gables, in which election a majority of the freeholders who are qualified electors, residing in such City, shall participate. Such proposition may be submitted at a general

election or at a special election called for the purpose. Notice of such special election, or the submission of such proposition at a general election shall be given by publication in a newspaper of general circulation published in the City of Coral Gables, or if there be none, then in a newspaper published in the City of Miami once a week for three successive weeks; the first of such publications to be not less than twenty one (21) days prior to the date of election. Such notice of election shall set forth the date of election, the hours the polls will be open and the place or places of election; and shall contain a complete copy of the ordinance authorizing the issuance of the bonds. If such proposition shall be submitted at a general election, the polling places shall be those designated for such general election. In the event the proposition be submitted at a special election, the Commission of the City of Coral Gables shall fix such place or places for the holding of the election as it shall deem expedient. The election shall be held and conducted, and returns made and canvassed in the manner provided by law for the conduct and canvass of elections upon bond propositions. All provisions of the City Charter, except such as may be inconsistent therewith, shall apply to and govern such election. **[transfer to City Code]**

(Ch. 15132, § 7, Special Acts 1931)

**Sec. 219. Same--Validation.**

Both Class A and Class B bonds, issued under the provisions of this Act [sections 212--219], may be validated by decree of the Circuit Court of Dade County in a proceeding brought under the provisions of Sections 5106 to 5129 inclusive of the Compiled General Laws, of Florida, 1927. **[transfer to City Code]**

(Ch. 15132, § 8, Special Acts 1931)

**Sec. 220. Revenue bonds, authority to levy additional taxes for payment.**

For the payment of revenue bonds and revenue refunding bonds of the City of Coral Gables and the interest thereon, the Commission of said City is hereby authorized to levy sufficient taxes upon all the taxable property within the City over and above all other taxes authorized or limited by law, and said bonds shall be the absolute, direct and general obligation of said City. In each year, at the time of the annual tax levy, there shall be included therein, a tax for the payment of the principal and interest of any revenue bonds which have matured and remain unpaid and any revenue refunding bonds, whether matured or not. It shall be the duty of said City, after the authorization of any revenue refunding bonds, to reserve from the current revenues, as received, except revenues for sinking funds for bonds maturing after the current fiscal year, a sum sufficient to meet the payment of such bonds at maturity and interest thereon. The issuance of any or all bonds authorized hereunder may be revoked by resolution of the Commission, thereby reducing the amount of authorized bonds and protanto reducing the amount of current revenue which shall be reserved for their payment. It shall not be necessary to submit such bonds, or the ordinance or resolution authorizing the same, to a vote of electors or freeholders; provided, however, that the provisions of this section, for the levying of taxes, shall be applicable only to bonds issued after June 10, 1929. **[transfer to City Code]**

(Ch. 13978, § 1, Special Acts 1929)

**Sec. 221. General law applicable to refunding bonds.**

Nothing in the Charter of the City of Coral Gables shall be deemed to prevent the issuance of refunding bonds by said City in the manner provided by General Law.

**[transfer to City Code]**

(Ch. 13977, § 1, Special Acts 1929)

**ARTICLE VII. FIREMEN'S RELIEF AND PENSION FUND —[delete as obsolete]**

**Sec. 262. Purpose.**

The purpose of this Act is to implement the provisions of Chapter 19112, Acts of Florida, 1939, and to provide means whereby firemen of the City of Coral Gables, Florida, may receive benefits from the funds provided for that purpose by Chapter 19112, Acts of Florida, 1939. The Fund created by this Act shall supersede a similar Fund created by Ordinance No. 753 of the City of Coral Gables, Florida. This Act shall be deemed to supplement any other pension plan of the City of Coral Gables, Florida, in so far as benefits to firemen are concerned; and nothing herein shall be construed in any way to effect the operation or benefits of any other pension plan of the City of Coral Gables, Florida. Sections 5, 6, 7, 8, 9 and 10 of Chapter 19112, Acts of Florida, 1939, shall continue to apply to the City of Coral Gables, except as otherwise specifically provided for in this act.

(Ch. 28986, § 1, Special Acts 1953)

**Sec. 262.1. Definitions.**

The following words and phrases as used herein, unless different meanings are plainly indicated by the context, shall have the following respective meanings:

- (a) — *Board.* The word Board, as used herein, shall be understood to mean the Board of Trustees of the Coral Gables Firemen's Relief and Pension Fund, as provided for herein.
- (b) — *City.* The word City shall be understood to mean the City of Coral Gables, Florida.
- (c) — *Fireman.* The Fire Chief, if one should be appointed, Officers, Inspectors, Enginemen and Firemen, and such other employees of the Fire Department of the City of Coral Gables as the Board shall determine to be engaged directly in firefighting or fire prevention work, shall be deemed Firemen for the purposes of this Act.
- (d) — *Fund.* The word Fund shall be understood to mean the Coral Gables Firemen's Relief and Pension Fund, as provided for herein.
- (e) — *Participant.* Every fireman of the city eligible to have moneys credited to his share account and to receive benefits therefrom under this Act shall automatically become a Participant.
- (f) — *Service.* The word Service shall mean all time served as a permanently appointed Fireman of the City of Coral Gables, for which regular compensation is paid by the City of Coral Gables, and all time during which a participant is absent on Military Leave. It shall include all leaves of absence with pay, but shall not include leaves of absence

during which no regular compensation is paid by the City of Coral Gables, except Military Leave as herein provided.

(g) — *Immediate Family*. The phrase Immediate Family shall mean the wife, the children, the grandchildren, and the parents of the Participant, and the parents of the Participant's wife and any other persons who are living in the family relation with the Participant and who are dependent upon the Participant for a substantial portion of their maintenance.

(h) — *Fiscal Year*. The Fiscal Year shall extend from November 1st to the following October 31st, both dates inclusive.

(i) — *Net Credit*. The phrase Net Credit shall mean the amount standing to the credit of a participant's share account, as at the end of the last preceding fiscal year. **[delete as obsolete]**

(Ch. 28986, § 2, Special Acts 1953)

### **Sec. 263. Fund created.**

There is hereby created in the City of Coral Gables, Florida, a special fund to be known as the Coral Gables Firemen's Relief and Pension Fund, into which shall be paid all moneys hereafter received by the City of Coral Gables under the provisions of Chapter 19112, Acts of Florida, 1939, and Ordinance No. 699 of the City of Coral Gables. The Participants of a similar fund created by Ordinance No. 753 of the City of Coral Gables, Florida are hereby given the option of transferring their individual account credits in that fund to the fund hereby created. Promptly after the effective date of this Act the Board of Trustees of the fund created by Ordinance No. 753 of the City of Coral Gables, Florida, shall present to each Participant in the fund created by Ordinance No. 753 an option agreement by which each participant within thirty days thereafter shall make his election to keep his individual account credits in the fund created by Ordinance No. 753 or of having his individual account credits in that fund transferred to the fund hereby created; and promptly after the Participants have all exercised their option the Board of Trustees of the fund created by Ordinance No. 753 shall pay over to the Board of the fund hereby created all the assets of the fund created by said Ordinance No. 753 except such assets as in the aggregate will equal in amount the aggregate of the individual account credits of those participants who have elected to remain in the fund created by Ordinance No. 753. Failure of any participant to file his election agreement, duly executed, with said Board of Trustees within the allowed time shall constitute an election by said participant to keep his account credits in the Fund created by Ordinance No. 753. **[delete as obsolete]**

(Ch. 28986, § 3, Special Acts 1953)

### **Sec. 264. Participants.**

Each person who is a fireman of the City on the effective date of this Act shall be a Participant in the Coral Gables Firemen's Relief and Pension Fund, subject to the provisions of this Act. **[delete as obsolete]**

(Ch. 28986, § 4, Special Acts 1953)

### **Sec. 265. Shares.**

Each fireman will be entitled to shares in the Fund based upon his period of service as a fireman of the city, as follows:

TABLE INSET:

First Period 1 Year through 4 Years.....-	5 shares-
Second Period 5 Years through 9 Years.....-	6 shares-
Third Period 10 Years through 14 Years.....-	7 shares-
Fourth Period 15 Years through 19 Years.....-	8 shares-
Fifth Period 20 Years through 24 Years.....-	9 shares-
Sixth Period 25 Years through 29 Years.....-	10 shares-
Seventh Period 30 Years through 34 Years.....-	11 shares-
Eighth Period 35 Years through 39 Years.....-	12 shares-
Ninth Period 40 Years through 44 Years.....-	13 shares-
Tenth Period 45 Years through 49 Years.....-	14 shares-

In computing the number of shares in the Fund to which each fireman shall be entitled, no credit will be given for service prior to January 1st, 1940. The First Period shall begin with the first day after the first full fiscal year of service. *[delete as obsolete]*  
(Ch. 28986, § 5, Special Acts 1953)

**Sec. 266. Determining value of shares to participant.**

The total moneys received, which constitute income to the Fund during each fiscal year, shall be allocated and the value of the respective participants shares shall be determined as follows:

- (a) The Board shall pay all costs and expenses of management and operation for the fiscal year last ended.
- (b) The Board shall set aside so much of the income as it considers advisable as a reserve for expenses for the then current fiscal year.
- (c) After deducting the moneys called for by paragraphs (a) and (b), the remaining moneys shall be allocated and credited to the share accounts of the respective participants.

The number of shares to which each and every participant is entitled as at the close of each fiscal year shall be added together and the total number of shares thus determined shall be divided into the net amount of money available to be allocated and credited to the respective share accounts. The amount to be credited to the account of each participant

will then be obtained by multiplying the value determined for one (1) share by the total number of shares to which each participant is entitled.

As promptly as practicable after the close of each fiscal year, the value of each participant's share shall be calculated and credited to his share account as at the end of the fiscal year for which the calculation is made. Such calculation shall be made and credits allocated to share accounts once only in each fiscal year; and prorations shall not be made for a part of a fiscal year. *[delete as obsolete]*

(Ch. 28986, § 6, Special Acts 1953)

**Sec. 267. Establishment of accounts for participants.**

An individual account shall be established for each participant, and the amount to which each participant is entitled shall be credited to his account as at the end of each fiscal year. No credits shall be made to an individual's account after he has been separated from service, whether by retirement, transfer to another city department or in any manner whatsoever. *[delete as obsolete]*

(Ch. 28986, § 7, Special Acts 1953)

**Sec. 268. Board of trustees.**

There is hereby created a Board of Trustees of the Coral Gables Firemen's Relief and Pension Fund, which Board shall consist of the City Mayor, the Fireman in charge of the Fire Department, or the Fire Chief, if one is appointed, and one fireman to be elected for a two-year term from among the Participants of the Fund by such Participants. The City Mayor and the Fireman in charge of the Fire Department, or the Fire Chief, shall serve so long as they continue to hold their respective offices, and upon replacement their successors shall succeed to their positions as Trustees. At the first election to be held after the effective date of this Act, the fireman receiving the highest number of votes shall be elected to serve as Trustee for a term that will expire with the close of the fiscal year in 1955. Thereafter, a fireman shall be elected for a full term of two years. In the event of a vacancy in such trusteeship, a fireman shall be elected to complete the unexpired term. The Board shall annually elect from its membership a chairman and a Secretary. The Secretary shall keep complete minutes of all proceedings of the Board, and all actions of the Board shall be by majority vote of the Board. Trustees shall receive no compensation as such. *[delete as obsolete]*

(Ch. 28986, § 8, Special Acts 1953)

**Sec. 269. Power and authority of board of trustees.**

The Board of Trustees [of the Firemen's Relief and Pension Fund] shall have power and authority as follows:

(a) — To invest and re-invest moneys of the Firemen's Relief and Pension Fund in bonds and other securities of the United States Government and in bonds of the City of Coral Gables, and in savings accounts in financial institutions doing business in Dade County, Florida in which said savings accounts are insured by an instrumentality of the United States Government. The amount invested in any such savings account shall not be greater than the amount of insurance coverage for such account.

(b) — To convert into cash such securities as may be required for the payment of expenses of operation and of claims against the Fund.

(c) — To approve claims, and to authorize payments from the Fund by warrants signed by the Chairman and Secretary of the Board.

(d) — To interpret the provisions of this Act wherein the meaning is not clear or ambiguity exists; and to promulgate necessary rules respecting the operation of the Fund, not in conflict with the wording or clear intent of this Act.

(e) — To authorize expenditures in connection with preliminary research and technical services, legal services, accounting, auditing and general administration of the Fund.

(f) — To do such other things as may be necessary to implement and provide for the proper functioning of the Fund. ***[delete as obsolete]***

(Ch. 28986, § 9, Special Acts 1953)

**Sec. 270. Custodian of the fund.**

The custody of all securities and cash of the [Firemen's Relief and Pension] Fund shall be with the Chief Finance Officer of the City, who shall provide the same protection for such securities and cash as is provided for city funds. The Chief Finance Officer shall issue vouchers against such cash of the Fund only upon warrants as provided for in Section 9 [Section 269] hereof. The Chief Finance Officer shall not be responsible for the action of the Board in directing the disbursement of any of the funds, nor shall he be required to see to the proper application of the funds after withdrawal. His sole responsibility shall be the honoring of the duly executed warrants of the Board to the extent of the funds in his control available for disbursement. ***[delete as obsolete]***

(Ch. 28986, § 10, Special Acts 1953)

**Sec. 271. Death benefits while participant on active duty.**

If a Participant [in the Firemen's Relief and Pension Fund] shall die while in service, his net credit shall be paid to such beneficiary or beneficiaries as he shall have designated by written designation filed with the Board. If the Participant shall not have designated a beneficiary, his net credit shall be paid to his surviving wife, primarily for the purpose of defraying final illness and burial expenses which are hereby made a first lien or charge against such net credit. If there be no surviving wife, and there are other members of participant's immediate family, the net credit shall be paid in such manner as directed by the Board which shall give consideration:

(1) — To payment of expenses of the last illness and funeral of the Participant;

(2) — To the children of the Participant;

(3) — To the grandchildren of the Participant;

(4) — To the parents of the Participant;

(5) — To the parents of the Participant's wife;

(6) — To other persons living in the family relation with the Participant who are dependent upon the Participant for a substantial portion of their maintenance.

If there are no immediate members of the Participant's family surviving him there shall be paid to creditors of the Participant for expenses of last illness and burial a total amount, not to exceed the net credit, and not in any event to exceed the sum of Five Hundred (\$500.00) Dollars. In such case, if the Participant's net credit exceeds the sum of Five Hundred (\$500.00) Dollars, the amount by which the net credit exceeds Five Hundred (\$500.00) Dollars shall be credited as income to the Fund.

~~The Board shall charge against a Participant's "net credit" all costs and expenses necessarily incurred by the Board in carrying out the provisions of this Section. **[delete as obsolete]**~~

~~(Ch. 28986, § 11, Special Acts 1953)~~

**Sec. 272. Separation benefits.**

~~(a) — If a Participant [in the Firemen's Relief and Pension Fund] shall separate from service for any reason whatsoever, he shall be paid the entire amount to his net credit as at the end of the last preceding fiscal year, plus such amount, if any as he may be entitled to receive under subsection (b) of this Section, in such manner as he shall elect to receive it, either in a lump sum or in installments. If payment is made by installments, no interest shall be credited on unpaid balances, and installment payments shall not be more frequent than each calendar quarter year.~~

~~(b) — When a Participant separates from the service prior to July first he shall not participate in any of the income received for the calendar year in which he separates; but if he separates from service after July 1, he shall participate in all the income received for the calendar year in which he separates, as fully as though he had not separated from the service during that calendar year. Any moneys due a separating participant under the provisions of this subsection shall not be paid until after the close of the fiscal year in which separation takes place.~~

~~(c) — Settlement as provided in subsections (a) and (b) of this Section shall be in full acquittal of all claims of a Participant against the Fund, and he shall thereupon cease to be a Participant. **[delete as obsolete]**~~

~~(Ch. 28986, § 12, Special Acts 1953)~~

**Sec. 273. Rights and benefits not subject to legal process.**

~~The rights and benefits provided for herein are vested rights of Participants in the Fund, and shall not be subject to attachment, garnishment, execution or any other legal process.~~

~~**[delete as obsolete]**~~

~~(Ch. 28986, § 13, Special Acts 1953)~~

**Sec. 274. Responsibility of the city.**

~~The City of Coral Gables shall have no responsibility for the operation of the Fund except as specified herein, and shall bear no expense in the operation of the Fund. **[delete as**~~

~~**obsolete]**~~

~~(Ch. 28986, § 14, Special Acts 1953)~~

**ARTICLE VIII. SPECIAL ACTS VALIDATING ACTIONS OF CITY**

*Chapter 13971, 1929:*

An Act Ratifying, Validating and Confirming the Action of the City Commission of the City of Coral Gables, Florida, in Selling and Transferring Certain Tax Certificates Held by it For the Nonpayment of Taxes for the Years 1925, 1926, and 1927.

*Chapter 13973, 1929:*

An Act to Legalize, Ratify, Validate and Confirm any or All Agreements, Conveyances, Certificates of Indebtedness, or other Evidences of Indebtedness, Heretofore Granted,

Executed, made or Delivered by the City of Coral Gables, Florida, by Its City Commission or by any of Its Duly Authorized Officers or Agents to Wilson & Toomer Fertilizer Company, and to Legalize, Ratify, Validate and Confirm all Acts Done, Proceedings Taken, Ordinances and Resolutions Passed or Adopted, by the City of Coral Gables, Florida, by Its City Commission, or by any of Its Duly Authorized Officers or Agents in Connection with any or all of the Aforesaid Agreements, Conveyances, Certificates of Indebtedness or Other Evidences of Indebtedness.

*Chapter 13974, 1929:*

An Act Ratifying, Validating and Legalizing the Use by the City of Coral Gables, Florida, of \$91,986.07 of an Unexpended Sum Derived from the Sale of Its Bonds for Improvement and Equipment of Public Parks and Play Grounds, for a Municipal Emergency Hospital and a Site Necessary Therefor, for Additional Fire Stations and any Sites Necessary Therefor, and for a City Hall, and to Authorize Said City to Use the Balance of Said Unexpended Sum in Redeeming in Part Outstanding Obligations of Said City, Said Balance Aggregating the Sum of \$88,530.06.

*Chapter 13975, 1929:*

An Act to Legalize, Ratify, Validate and Confirm any or all Franchises, Agreements, Conveyances, Leases, Certificates of Indebtedness, or Other Evidences of Indebtedness, Heretofore Granted, Executed, Made, Or Delivered by the City of Coral Gables, Florida, by its City Commission or by any of Its Duly Authorized Officers, or Agents, To or With C. A. Leddy, Consumers Water Company, The Miami Beach Railway Company, Utilities Land Company, Florida Power & Light Company, or Any of Them; and to Legalize, Ratify, Validate and Confirm all Acts Done, Proceedings Taken, Ordinances and Resolutions Passed or Adopted, by the City of Coral Gables, Florida, by its City Commission, or by any of its Duly Authorized Officers or Agents in Connection With Any or all of the Aforesaid Franchises, Agreements, Conveyances, Leases, Certificates of Indebtedness or Other Evidences of Indebtedness.

*Chapter 13976, 1929:*

An Act Ratifying, Validating and Confirming the Acts of the City Commission of the City of Coral Gables in Adjusting and Reducing Certain Amounts Payable for the Redemption of Certain Property from Tax Sales and in Remitting a Part of Taxes Now Payable on Property in Certain Cases, and to Authorize and Empower the City Commission of Said City, Under Certain Conditions, to Make Other Adjustments and Reductions in Cases Where Property Has Been Sold for Nonpayment of City Taxes or Upon Which Taxes are Now Due and Payable.

*Chapter 15128, 1931:*

An Act to Authorize the Board of County Commissioners of Dade County to Settle, Adjust and Compromise State and County Taxes Upon Lots and Lands in the City of Coral Gables Owned by Said City.

*Chapter 15130, 1931:*

An Act to Authorize the Commission of the City of Coral Gables to Use Certain City Owned Assets to Secure or Discharge in Whole or in Part Certain Obligations of Said City, and for that Purpose to Pledge, Sell, Exchange, Transfer and Assign Certain Improvement Liens Due to Said City, and Defining the Rights of any Pledges or Assignees of Such Liens; to Pledge, Exchange, Sell or Otherwise Dispose of Tax Sale

Certificates Held by Said City; to Sell or Exchange and Convey Certain Real Estate Owned by Said City.

*Chapter 15131, 1931:*

An Act to Authorize the Commission of the City of Coral Gables to Sell and/or Compromise and Adjust Certain Taxes, Tax Sale Certificates and Assessment Liens, Either for Cash, City Bonds or Other Obligations; and to Create an Adjustment Board to Exercise Such Powers as are Herein Conferred Upon the Commission.

*Chapter 15135, 1931:*

An Act to Validate, Legalize, Ratify and Confirm an Agreement Made and Entered into by and Between the City of Coral Gables, the City of Miami, Miami Water Company and Consumers Water Company Relating to and Providing the Terms and Conditions of the Supply of Water by the City of Miami, Through Miami Water Company and Consumers Water Company, to the City of Coral Gables and the Inhabitants Thereof.

*Chapter 17517, 1935:*

An Act to Authorize the Commission of the City of Coral Gables to Sell and/or Compromise and Adjust Certain Taxes, Tax Sale Certificates and Assessment Liens, Either for Cash, City Bonds or other Obligations; and to Create an adjustment Board to Exercise such Powers as are Herein Conferred upon the Commission.

*Chapter 17520, 1935:*

An Act to Authorize the Commission of the City of Coral Gables to Use Certain City Owned Assets to Secure or Discharge in Whole or in Part Certain Obligations of Said City, and for that Purpose to Pledge, Sell, Exchange, Transfer and Assign Certain Improvement Liens Due to said City, and Defining the Rights of any Pledges or Assignees of Such Liens; to Pledge, Exchange, Sell or Otherwise Dispose of Tax Sale Certificates held by said City; to Sell or Exchange and Convey Certain Real Estate owned by said City. ***[delete – as obsolete]***