

# TOWN OF SEWALL'S POINT



**Charter Review Committee Agenda  
February 5, 2024  
3:00 p.m.**

## I. CALL TO ORDER

- a. Pledge of Allegiance to the Flag
- b. Roll Call

## II. OPENING COMMENTS – TOWN MANAGER

**III. PUBLIC COMMENT ON NON-AGENDA ITEMS- PLEASE SUBMIT A COMMENT CARD TO THE TOWN CLERK PRIOR TO THE START OF THE MEETING AND LIMIT YOUR COMMENTS TO THREE MINUTES.** *If the thirty (30) minute time period has been exhausted, the Commission will entertain any remaining comments near the end of the meeting with the same three (3) minute per person time limitation.*

## IV. CHARTER REVIEW

- a. Article III-V

## VI. UPCOMING MEETINGS

- a. February 8, 2024 at 3 p.m. - Covering Article VI – IX
- b. February 26, 2024 at 3 p.m. - Final Meeting – Reviewing and Approving Final Report
- c. February 27, 2024 at 6 p.m. - Presentation to the Town Commission for any action

## VII. ADJOURN

**CIVILITY CLAUSE:** It is the policy of the Sewall's Point Town Commission that all persons addressing a town board or attending a Town board meeting shall conduct themselves in a manner that does not disrupt the orderly and efficient conduct of the meeting. Boisterous or unruly behavior; threatening or inciting an immediate breach of the peace; or use of profane, slanderous or obscene speech will not be tolerated and could result in ejection from the meeting after warning from the presiding officer. In accordance with the provisions of the Americans with Disabilities Act (ADA) this document may be requested in an alternate format. persons in need of a special accommodation to participate in this proceeding shall, within 3 working days prior to any proceeding, contact the Town Clerk's office, One South Sewall's Point Road, Sewall's Point, Florida 34996 (772)287-2455. If any person decides to appeal any decision made by the Town Commission with regard to any matter considered at such meeting or hearing, s/he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

ARTICLE VI. - [BONDS]

Section 1. - [Authority to issue.]

**Editor's note**— The text of §§ 1—3 and 5—7 of this article has been omitted as superseded by F.S. §§ 166.101—166.141.

Section 2. - [Signing; interest; due dates.]

**Editor's note**— See the editor's note following § 1 of this article.

Section 3. - [Ordinance prerequisite to issuance.]

**Editor's note**— See the editor's note following § 1 of this article.

Section 4. - [Form; denomination; Treasurer's surety bond; town officers', etc., interest in contract.]

**Editor's note**— This section, which has not been amended by referendum after July 1, 1973, and which is not an extraterritorial power, has been editorially deleted as unnecessary as home rule powers of a municipality are derived from the constitution and F.S. ch. 166.

Section 5. - [Accounting records.]

**Editor's note**— See the editor's note following § 1 of this article.

Section 6. - [Notice of sale.]

**Editor's note**— See the editor's note following § 1 of this article.

Section 7. - [Revenue bonds, certificates and debentures.]

**Editor's note**— See the editor's note following § 1 of this article.

ARTICLE VII. - REVENUE AND TAXATION

Section 1. - [Powers generally.]

**Editor's note**— This section, which has not been amended by referendum after July 1, 1973, and which is not an extraterritorial power, has been editorially deleted as ad valorem taxes are limited by Fla. Const., art. VII, § 9, and F.S. § 166.211 to ten mills, except for taxes levied for payment of bonds and taxes levied for

periods of not longer than two years and subject to referendum.

Section 2. - [Assessments.]

**Editor's note**— The text of sections 2—9 and 11—16 of this article has been omitted as superseded by F.S. chs. 192—195.

Section 3. - [Returns—Generally.]

**Editor's note**— See the editor's note following § 2 of this article.

Section 4. - [Same—Form, etc.]

**Editor's note**— See the editor's note following § 2 of this article.

Section 5. - [Railroad property.]

**Editor's note**— See the editor's note following § 2 of this article.

Section 6. - [Powers to enforce collection.]

**Editor's note**— See the editor's note following § 2 of this article.

Section 7. - [Assessment roll; Board of Equalization; tax sales.]

**Editor's note**— See the editor's note following § 2 of this article.

Section 8. - [Statute of limitations.]

**Editor's note**— See the editor's note following § 2 of this article.

Section 9. - [Assessment roll to constitute notice of lien.]

**Editor's note**— See the editor's note following § 2 of this article.

Section 10. - Millage limit; other taxes.

**Editor's note**— This section, which has not been amended by referendum after July 1, 1973, and which is not an extraterritorial power, has been editorially deleted as unnecessary as repealed by F.S. § 195.207.

Section 11. - [Tax Assessor and Collector.]

**Editor's note**— See the editor's note following § 2 of this article.

Section 12. - [Tax Assessor's duties.]

**Editor's note**— See the editor's note following § 2 of this article.

Section 13. - [Tax Collector's duties.]

**Editor's note**— See the editor's note following § 2 of this article.

Section 14. - [Board of Equalization.]

**Editor's note**— See the editor's note following § 2 of this article.

Section 14-A. - [Equalization Board meetings not required if Town uses county valuations.]

**Editor's note**— See the editor's note following § 2 of this article.

Section [15. - Taxes to constitute lien.]

**Editor's note**— This section as originally enacted was numbered as a second section "14." To eliminate confusion and facilitate indexing, it has been designated "[15]". As to omission of the text of the section, see the editor's note following § 2 of this article.

Section 16. - [Publication of notices.]

**Editor's note**— See the editor's note following § 2 of this article.

ARTICLE VIII. - STREETS, PAVEMENTS AND TOWN LOTS

Section 1. - [Commission to have control.]

**Editor's note**— This section, which has not been amended by referendum after July 1, 1973, and which is not an extraterritorial power, has been editorially deleted as unnecessary as home rule powers of a municipality are derived from the constitution and F.S. ch. 166.

Section 2. - [Improvements; procedure.]

**Editor's note**— This section, which has not been amended by referendum after July 1, 1973, and which is not an extraterritorial power, has been editorially deleted as unnecessary as home rule powers of a municipality are derived from the constitution and F.S. ch. 166.

**State Law reference**— Supplemental method of making local improvements, F.S. ch. 170.

Section 3. - [Removal of weeds, refuse, etc.]

**Editor's note**— This section has been editorially transferred to the Code of Ordinances as certain provisions of a Charter adopted prior to July 1, 1973, and not subsequently amended by referendum have been converted to ordinances by operation of F.S. § 166.021(5).

Section 4. - [Definition of "freeholders."]

**Editor's note**— This section has been editorially deleted as unnecessary because F.S. § 166.032 provides that any person who is a resident of a municipality, who has qualified as an elector of the state, and who has registered in the procedural manner provided by general law and ordinance of the municipality, shall be a qualified elector of the municipality.

ARTICLE IX. - [MISCELLANEOUS PROVISIONS]

Section 1. - [Application of municipal law.]

**Editor's note**— This section, which has not been amended by referendum after July 1, 1973, and which is not an extraterritorial power, has been editorially deleted as unnecessary as home rule powers of a municipality are derived from the constitution and F.S. ch. 166.

Section 2. - [Contracts involving expenditures.]

**Editor's note**— This section, which has not been amended by referendum after July 1, 1973, and which is not an extraterritorial power, has been editorially deleted as superseded by F.S. §§ 166.241(3) and 200.065.

Section 3. - [Town not liable for certain injuries.]

**Editor's note**— This section, which has not been amended by referendum after July 1, 1973, and which is not an extraterritorial power, has been editorially deleted as superseded by F.S. § 768.28.

**State Law reference**— Tort liability, F.S. § 768.28.

Section 4. - [Time limitation for bringing suit against Town.]

**Editor's note**— This section, which has not been amended by referendum after July 1, 1973, and which is not an extraterritorial power, has been editorially deleted as superseded by F.S. § 768.28.

**State Law reference**— Tort liability statute of limitation, F.S. § 768.28.

Section 5. - [Notice of injury or claim.]

**Editor's note**— This section, which has not been amended by referendum after July 1, 1973, and which is not an extraterritorial power, has been editorially deleted as superseded by F.S. § 768.28.

**State Law reference**— Tort liability, F.S. § 768.28.

Section 6. - [Severability.]

The fact that any particular provision of this Charter shall be declared by any Court to be unconstitutional shall not affect the constitutionality of any other provision of this Act.

Section 7. - [Clerk's certificate as to publication or posting of notices to be conclusive evidence of same.]

**Editor's note**— This section, which has not been amended by referendum after July 1, 1973, and which is not an extraterritorial power, has been editorially deleted as unnecessary as home rule powers of a municipality are derived from the constitution and F.S. ch. 166.

Section 8. - [Repeal of conflicting laws.]

All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 9. - [When effective.]

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

Section 10. - Transition schedule.

Commissioners in office as of the third Wednesday in March, 2008 shall continue to hold office until their successors are elected and take office in accordance with the provisions of Section 3, Article I, Town Charter.

(Ord. No. 341, § 3, 1-31-2008; referendum of 3-4-2008)