

CHAPTER 266

ST. AUGUSTINE HISTORICAL RESTORATION AND PRESERVATION COMMISSION

- 266.01 St. Augustine historical restoration and preservation commission; creation.
- 266.02 Same; definitions.
- 266.03 Same; membership, terms of office, etc.

- 266.04 Same; organization, meetings, records.
- 266.05 Same; treasurer.
- 266.06 Same; powers.
- 266.07 Appropriation.

**266.01 St. Augustine historical restoration and preservation commission; creation.**—There is hereby created the St. Augustine historical restoration and preservation commission, a body corporate, the purpose and function of which shall be to acquire, restore, preserve, maintain, reconstruct, reproduce and operate for the use, benefit, education, recreation, enjoyment and general welfare of the people of this state and nation, certain ancient or historic landmarks, sites, cemeteries, graves, military works, monuments, locations, remains, buildings and other objects of historical or antiquarian interest of the city of St. Augustine, Florida, and surrounding territory.

History.—§1, ch. 59-521.

**266.02 Same; definitions.**—Unless otherwise clearly indicated, the following words when used in this law shall mean:

(1) "Commission"—the St. Augustine historical restoration and preservation commission;

(2) "Facilities"—historic sites, objects and facilities for exhibition owned, rented, leased, managed or operated by the commission;

(3) "Slum"—any area where dwellings predominate, which by reason of dilapidation, overcrowding, faulty arrangement or design, lack of ventilation, light or sanitary facilities, or any combination of these factors, are detrimental to health, safety or morals.

History.—§2, ch. 59-521.

**266.03 Same; membership, terms of office, etc.**—The commission shall consist of five members to be appointed by the governor not later than thirty days after July 1, 1959. Members of the original board shall be appointed for terms as follows: One for two years, two for three years and two for four years, and thereafter members shall be appointed for four year terms except appointments to fill vacancies for unexpired terms in which event the appointment shall be for the unexpired term only. The members of the commission, including the chairman, shall receive no compensation for their services but shall be entitled to be reimbursed for per diem and travel expenses incurred in the performance of their official duties as members of the commission, subject to the provisions and limitations of §112.061. Each member shall give a surety bond in the sum of ten thousand dollars, executed by a surety company authorized to do business in this state, payable to the governor and his successors in office, and conditioned upon the faithful performance of his duties.

History.—§3, ch. 59-521.

**266.04 Same; organization, meetings, records.**—Not later than fifteen days after the

appointment of its membership and annually thereafter the committee shall hold an organizational meeting at which it shall elect from its membership a chairman, a vice-chairman and a secretary-treasurer. No business shall be transacted by the commission except at a regularly called meeting at which a quorum is present and the minutes thereof recorded. Permanent records shall be maintained which shall reflect all official transactions of the commission.

History.—§4, ch. 59-521.

**266.05 Same; treasurer.**—The state treasurer shall be the ex officio treasurer of the commission and shall have the custody of all of its funds to be kept in a special account. All receipts and disbursements of the commission shall be handled subject to the same laws, rules and regulations as other state funds are handled.

History.—§5, ch. 59-521.

**266.06 Same; powers.**—The commission shall be the governing body and have power:

(1) To adopt a seal and alter the same at pleasure;

(2) To contract and be contracted with, to sue and be sued, to plead and be impleaded in all courts of law and equity;

(3) To exercise any power not in conflict with the constitution and laws of the state or the United States which is usually possessed by private corporations or public agencies performing comparable functions;

(4) To establish an office at or near the city of St. Augustine for the conduct of its affairs;

(5) To acquire, hold, rent, lease, and dispose of real and personal property or any interest therein for its authorized purpose;

(6) To own, operate, maintain, repair and improve its facilities wherever located;

(7) To acquire in its own name by purchase, grant, devise, gift or lease, on such terms and conditions and in such manner as it may deem necessary or expedient, or by condemnation, except as otherwise herein provided, in accordance with and subject to state law applicable to condemnation of property for public use, real property or rights or easements therein or franchises necessary or convenient for its purposes and to use the same so long as its existence shall continue and to lease or make contracts with respect to the use or disposal of same, or any part thereof, in any manner deemed by the commission to be in its best interest but only for the purposes for which it is created. No property shall be acquired under the provisions of this law upon which any lien or other encumbrance exists,

unless at the time said property is so acquired, a sufficient sum of money be deposited in trust to pay and redeem such lien or encumbrance; nor shall any property be acquired hereunder by condemnation which is owned by a church, a cemetery association, or is presently used as a historical attraction;

(8) To demolish, clear or remove buildings from any slum area; such work or undertaking may embrace the adaption of such area to public purposes, including parks or other recreational or community purposes; or to provide decent, safe and sanitary urban or rural dwellings, apartments or other living accommodations for persons of low income; such work or undertaking may include buildings, land, equipment, facilities and other real or personal property for necessary, convenient or desirable appurtenances, streets, sewers, water services, parks, site preparation, gardening, administrative, community, health, recreational, educational, welfare or other purposes; or to accomplish a combination of the foregoing. To plan buildings and improvements, to acquire property, to demolish existing structures, to construct, reconstruct, alter and repair improvements and all other work in connection therewith;

(9) To employ and dismiss at pleasure consulting engineers, architects, superintendents or managers, accountants, inspectors and attorneys and such other employees as may be deemed necessary and to prescribe their powers and duties and to fix their compensation;

(10) To acquire from the city of St. Augustine or St. Johns county, the State of Florida, the United States or any state thereof, or any foreign country or colony, any existing property, real or personal by it now owned or hereafter acquired, suitable for the uses of the commission, and to improve, operate and maintain the same for the purpose herein stated, or to act as trustee for any such property under such terms and conditions as the owner may prescribe;

(11) To enter into contracts with the city of St. Augustine or St. Johns county for the purpose of providing police and fire protection, water, sanitation and other public services deemed necessary or expedient and said municipality and county are authorized to enter into such contracts;

(12) To contract with any agency of the State of Florida or federal government and any

firm or corporation, the city of St. Augustine or the county of St. Johns, upon such terms and conditions as the commission finds its best interest, with respect to the establishment, construction, operation, and financing of the facilities of the commission in or near the city of St. Augustine, St. Johns county;

(13) To make and enter into all contracts or agreements with or without competitive bidding, as the commission may determine, which are necessary, expedient or incidental to the performance of its duties or the execution of its powers under this law;

(14) To engage in any lawful business or activity deemed by it necessary or useful in the full exercise of its powers to establish, finance, maintain, and operate the facilities contemplated by this law, including the renting or leasing for revenue of any land, improved or restored real estate or personal property directly related to carrying out the purposes for which the commission is created;

(15) To fix and collect charges for admission to any of the facilities operated and maintained by the commission under the provisions of this law and to adopt and enforce reasonable rules and regulations to govern the conduct of the visiting public;

(16) To borrow money for any of its authorized purposes and for expenses incidental thereto, including expenses incurred during the period of organization, restoration and construction prior to the operation of the facilities of the commission and to issue negotiable revenue certificates payable solely from revenue accruing from the operation of such facilities and from authorized activities incidental thereto;

(17) To perform all lawful acts necessary and convenient and incident to effectuating its function and purpose.

*History.*—§6, ch. 59-521.

**266.07 Appropriation.**—There is hereby appropriated the sum of one hundred fifty thousand dollars out of the general revenue fund of the state to be used by the commission in defraying part of the cost incurred by it in carrying out the purposes of this law. The board of county commissioners of St. Johns county and the city of St. Augustine are hereby authorized to appropriate from such funds as may be available an aggregate amount of fifty thousand dollars to be used by said commission.

*History.*—§7, ch. 59-521.