

utilities, and such other facilities as may be required for use in connection therewith. The Stephen Foster memorial board of trustees is authorized to acquire by gift, grant, donation, lease, or purchase necessary rights-of-way for purpose of access to the memorials, buildings, and other facilities operated by the board.

(2) The division of building construction and maintenance and the Stephen Foster memorial board of trustees are authorized to acquire and construct the buildings, lands, and other facilities referred to in subsection (1) by means of a lease-purchase agreement with the division of bond finance of the department of general services and to pay rentals pursuant to such lease-purchase agreement in an amount necessary to retire bonds or revenue certificates issued to finance the acquisition and construction of said buildings, lands, and other facilities. The division of bond finance is authorized to issue bonds or revenue certificates, subject to approval of the state board of administration as to fiscal sufficiency, in an amount necessary to finance the acquisition and construction of such buildings, lands, and other facilities and to pledge for the payment and retirement of such bonds or revenue certificates the rentals to be paid under such lease-purchase agreement. The Stephen Foster memorial board of trustees may pledge as security for the payment of such rentals any and all revenues and income derived and obtained from any memorial, auditorium, museum, or other revenue or income-producing facility operated by the board of trustees, or such portion thereof as may be deemed sufficient, or such funds as may be appropriated to board of trustees by the legislature for such purpose. Two hundred twenty-eight thousand dollars of any and all revenues and income, other than general revenue appropriations, shall in each biennium beginning July 1, 1967, be budgeted for operations, and only the excess in revenues and income over and above this amount may be pledged to retire any indebtedness.

History.—§1, ch. 65-306; §10, 22, 28, 35, ch. 69-106; §4, ch. 70-155.

- 266.01 Historic St. Augustine Preservation Board of Trustees; creation.
- 266.02 Definitions.
- 266.03 Membership; terms of office, etc.
- 266.04 Organization, meetings, records.
- 266.05 Treasurer.
- 266.06 Powers.
- 266.07 Appropriation.

266.01 Historic St. Augustine Preservation Board of Trustees; creation.—There is created within the department of state the Historic St. Augustine Preservation Board of Trustees, 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; §10, 35, ch. 69-106; §1, ch. 70-160.

266.02 Definitions.—Unless otherwise clearly indicated, the following words when used in this part shall have the following meanings:

(1) "Board"—the Historic St. Augustine Preservation Board of Trustees of the department of state;

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

(3) "Slum"—any areas 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; §10, 35, ch. 69-106; §2, ch. 70-160.

266.03 Membership; terms of office, etc.—The board of trustees 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. In addition to the above members, the board of trustees shall consist of two additional members who need not be residents of the state and who shall be appointed by the governor not later than thirty days after July 1, 1965. All appointments of the board shall be confirmed by the senate. The members of the board, 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 board, subject to the provisions and limitations of §112.061. Each member shall give a surety

CHAPTER 266

HISTORIC PRESERVATION, ETC.,
BOARDS OF TRUSTEES

PART I HISTORIC ST. AUGUSTINE
PRESERVATION BOARD OF TRUSTEES

PART II HISTORIC PENSACOLA
PRESERVATION BOARD OF TRUSTEES

PART III HISTORIC TALLAHASSEE
PRESERVATION BOARD OF TRUSTEES

PART I

HISTORIC ST. AUGUSTINE
PRESERVATION BOARD OF TRUSTEES

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; §1, ch. 65-20; §3, ch. 70-160.

266.04 Organization, meetings, records.—Not later than fifteen days after the appointment of its membership and annually thereafter, the board 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 board 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 board.

History.—§4, ch. 59-521; §4, ch. 70-160.

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

History.—§5, ch. 59-521; §5, ch. 70-160.

266.06 Powers.—The board 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 board 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 part 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 which 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, St. Johns County, the state, the United States, any state thereof, or any foreign country or colony, any existing property, real or personal now owned by it or hereafter acquired, suitable for the uses of the board, 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 or the federal government, the City of St. Augustine, County of St. Johns, or any firm or corporation upon such terms and conditions as the board finds in its best interest, with respect to the establishment, construction, operation, and financing of the facilities of the board 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 board 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:

(a) 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 board is created;

(b) The selling of craft products created through the operation and demonstration of historical museums, craftshops and other facilities; and

(c) The limited sale of merchandise relating to the historical and antiquarian period of St. Augustine, Florida, and surrounding territory.

(15) To fix and collect charges for admission to any of the facilities operated and maintained by the board under the provisions of this part 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 board 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; §1, ch. 70-62; §6, ch. 70-160; §1, ch. 70-439.

266.07 Appropriation.—The board of county commissioners of St. Johns County and the City of St. Augustine are hereby authorized to appropriate annually from such funds as may be available an aggregate amount of fifty thousand dollars to be used by said board in defraying part of the cost incurred by it in carrying out the purposes of this part.

History.—§7, ch. 59-521; §22, ch. 69-353; §7, ch. 70-160.

PART II

HISTORIC PENSACOLA PRESERVATION BOARD OF TRUSTEES

- 266.101 Historic Pensacola Preservation Board of Trustees.
- 266.102 Definitions.
- 266.103 Membership; terms; compensation; bond.
- 266.104 Organization; records.
- 266.105 Treasurer; finances.
- 266.106 Powers of the board of trustees.
- 266.107 Powers of governing body of City of Pensacola; Architectural Review Board.
- 266.108 Appropriation.

266.101 Historic Pensacola Preservation Board of Trustees.—There is created within the department of state the Historic Pensacola Preservation Board of Trustees, 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 Pensacola and surrounding areas. The selection for acquisition, restoration, preservation, maintenance, reconstruction, reproduction, and operation shall be made by the board based on criteria of historical evaluation as established by the national trust for historic preservation.

History.—§1, ch. 67-303; §10, 35, ch. 69-106; §1, ch. 70-156.

266.102 Definitions. — Unless otherwise clearly indicated, the following words when used in this part shall have the following meanings:

(1) "Board" shall mean the Historic Pensacola Preservation Board of Trustees of the department of state.

(2) "Facilities" shall include historic sites, objects, and landmarks for exhibition, owned, leased, managed, or operated by the board.

History.—§2, ch. 67-303; §10, 35, ch. 69-106; §2, ch. 70-156.

266.103 Membership; terms; compensation; bond.—

(1) The board of trustees shall consist of seven members to be appointed by the governor not later than thirty days after the effective date of this part and confirmed by the state senate. Members of the original board shall be appointed for terms as follows: Two for two years; two for three years; and three for four years; thereafter, members shall be appointed for four year terms except for appointments to fill vacancies for unexpired terms, in which event the appointment shall be for the unexpired term only.

(2) Board members shall possess an active interest in the historical aspects of Pensacola and the surrounding area. The members of the board, 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 board, subject to the provisions and limitations of §112.061. Each member shall give a surety bond in the sum of five 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; the cost of each such bond shall be borne by the board.

History.—§3, ch. 67-303; §3, ch. 70-156.

266.104 Organization; records. — Within fifteen days after the appointment of its mem-

bership and annually thereafter, the board shall hold an organizational meeting at which it shall elect from its membership a chairman, a vice-chairman, and secretary-treasurer. No business shall be transacted by the board except at a regular or specially 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 board.

History.—§4, ch. 67-303; §4, ch. 70-156.

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

History.—§5, ch. 67-303; §5, ch. 70-156.

266.106 Powers of the board of trustees.—The board shall be the governing body and have the power:

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

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

(3) To exercise any power not in conflict with the constitution of the state or 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 Pensacola for the conduct of its affairs;

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

(6) To plan buildings and improvements, to demolish existing structures, to construct and reconstruct, alter, repair and improve the 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 the 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 the same or any part thereof, in any manner deemed by it to be in the best interest of the board, but only for the purposes for which it is created. No property shall be acquired under the provisions of this part upon which any lien or other encumbrance exists, unless at the time said property is so acquired, a sufficient sum of money is to 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 or a cemetery associa-

tion or is presently used as a historical attraction;

(8) 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;

(9) To draft a historical plan of development for the City of Pensacola and surrounding area, and the board shall have the authority to recommend to the governing body of the City of Pensacola the creation of a historical district or districts which shall include any section or sections of the city containing buildings, landmarks, sites, or facilities of historical value and having an overall atmosphere of architectural or historical distinction, or both. Such facilities having historical value shall be designated by the board, based on criteria of historical evaluation as established by the national trust for historic preservation or any other recognized professional historical group.

(10) To acquire from the City of Pensacola, Escambia County, the state, the United States or any state thereof, or any foreign country or colony any existing property, real or personal, now owned by it or hereafter acquired, suitable for the uses of the board and to improve, operate and maintain the same for the purposes 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 Pensacola or Escambia County for the purposes 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, the federal government, the City of Pensacola, the County of Escambia, or any firm or corporation upon such terms and conditions as the board finds in its best interest, with respect to the establishment, construction, operation, and financing of the facilities of the board in or near the City of Pensacola, Escambia County;

(13) To make and enter into all contracts or agreements with private individuals, corporations, organizations, historical societies, and others with reference to facilities; and to enter into contracts and agreements, with or without competitive bidding as the board may determine, which are necessary, expedient, or incidental to the performance of its duties or the execution of its powers under this part;

(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 part, including:

(a) 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 board is created;

(b) The selling of craft products created through the operation and demonstration of historical museums, craftshops, and other facilities; and

(c) The limited selling of merchandise relating to the historical and antiquarian period of Pensacola, Florida, and surrounding territory.

(15) To fix and collect charges for admission to any of the facilities operated and maintained by the board under the provisions of this part 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 board and to issue negotiable revenue certificates payable solely from revenue for the operation of such facilities and from authorized activities incidental thereto;

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

(18) To cooperate and coordinate all of its activities on a permissive basis through any state-wide commission, including the division of archives, history and records management of the department of state, and to participate in any overall statewide plan of historical development;

(19) To cooperate and coordinate its activities with any national project of historical development such as a national seashore and to coordinate and cooperate with any other agency, state, local, or national, undertaking historical objectives if the same are not in conflict with the objectives of the board.

History.—§6, ch. 67-303; §10, 35, ch. 69-106; §6, ch. 70-156; §1, ch. 70-335; §1, ch. 70-439.

266.107 Powers of governing body of City of Pensacola; Architectural Review Board.—

(1) **GOVERNING BODY.**—The governing body of the City of Pensacola is authorized:

(a) To establish historical districts;

(b) To name an architectural review board;

(c) To prescribe the procedure for the review of building plans (or for the destruction of a building) of any building which is to be erected, renovated or razed, which is located or to be located within the designated historical district or districts, including rules and governing decisions of the Architectural Review Board, and the procedure of appeal from decisions of the board;

(d) To adopt such other regulations as are necessary to effect the purposes of §266.106(9);

(e) To utilize its employees in the enforcement and regulation of the provisions of §266.106(9).

(2) **ARCHITECTURAL REVIEW BOARD;**

MEMBERSHIP; TERMS; POWERS; EXPENDITURES.—

(a) **Membership.**—The Architectural Review Board shall be composed of the following members:

1. Two members from the Historic Pensacola Preservation Board of Trustees;

2. The city planner of the City of Pensacola;

3. The chairman of the Pensacola Planning Board;

4. One member-at-large who shall be a resident of Escambia County; and

5. Two members who are members of the American Institute of Architects and whose principal place of business or residence is in Escambia County.

(b) **Terms.**—Members shall be appointed for a term of two years except in the case of an appointment to fill a vacancy in which event the appointment shall be for the unexpired term only.

(c) **Powers.**—The Architectural Review Board shall have authority:

1. To approve or disapprove plans for buildings to be erected, renovated or razed which are located, or are to be located, within the historical district or districts and to regulate reasonably land use to the extent necessary to preserve the historical integrity and ancient appearance within any and all historical districts established by the governing body of the City of Pensacola, including but not limited to authority to deny or grant variances from the zoning ordinances of the City of Pensacola applicable to historical districts. The designation and preservation of buildings and structures within any historical district or districts established under §266.106

(9) and the control of the erection, alteration, addition, repair, removal or demolition of new or existing buildings or structures, signs and any such facilities or appurtenances thereto to insure perpetuation of its or their historical character is hereby designated to be a public purpose but no regulation shall be adopted which is in conflict with any zoning ordinance of the City of Pensacola, applicable to such area.

2. To adopt rules for the transaction of its business, the holding of meetings and such other activities as are incident to its function.

(d) **Expenditures.**—The expenditures of the Architectural Review Board shall be within the amounts appropriated for its purpose by the city through its governing body.

History.—§6, ch. 67-303; §1, ch. 69-229; §7, ch. 70-156.

266.108 Appropriation. — The board of county commissioners of Escambia County and the City of Pensacola are hereby authorized to appropriate annually from such funds as may be available, and the board is hereby authorized to accept contributions from the United States or any agency thereof, individuals, organizations, societies or groups in the furtherance of the purposes of the board.

History.—§7, ch. 67-303; §22, ch. 69-353; §8, ch. 70-156.

PART III

HISTORIC TALLAHASSEE
PRESERVATION BOARD OF TRUSTEES

- 266.110 Historic Tallahassee Preservation Board of Trustees. (*New*)
- 266.111 Definitions. (*New*)
- 266.112 Membership; terms of office; etc. (*New*)
- 266.113 Organization, meetings, records. (*New*)
- 266.114 Treasurer; receipts and disbursement of funds. (*New*)
- 266.115 Powers of the board of trustees. (*New*)
- 266.116 Establishment of historical districts. (*New*)
- 266.117 Powers and duties of architectural review board. (*New*)

266.110 Historic Tallahassee Preservation Board of Trustees.—There is created within the department of state the Historic Tallahassee Preservation Board of Trustees, 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 Tallahassee, Florida, and surrounding areas. The selection for acquisition, restoration, preservation, maintenance, reconstruction, reproduction, and operation shall be made by the board based on criteria of historical evaluation as established by the division of archives, history and records management of the department of state.

History.—§2, ch. 70-335.

266.111 Definitions. — Unless otherwise clearly indicated, the following words when used in this part shall mean:

- (1) "Board" shall mean the Historic Tallahassee Preservation Board of Trustees.
- (2) "Facilities" shall include historic sites, objects and landmarks for exhibition owned, leased, managed, or operated by the board.

History.—§3, ch. 70-335.

266.112 Membership; terms of office; etc.—

(1) The board shall consist of seven members to be appointed by the department of state not later than July 30, 1970. Members of the original board shall be appointed for terms as follows: Two for two years; two for three years; and three for four years; and thereafter members shall be appointed for four year terms except for appointments to fill vacancies for unexpired terms, in which event the appointment shall be for the unexpired term only.

(2) Board members shall possess an active interest in the historical aspects of Tallahassee and the surrounding area, and at least four members of the board shall be residents of the County of Leon. The members of the

board, 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 board, subject to the provisions and limitations of §112.061. Each member shall give a surety bond in the sum of five thousand dollars, executed by a surety company authorized to do business in this state, payable to the department of state and conditioned upon the faithful performance of his duties; the cost of each such bond shall be borne by the board.

History.—§4, ch. 70-335; §1, ch. 70-439.

266.113 Organization, meetings, records.— Within fifteen days after the appointment of its membership and annually thereafter, the board shall hold an organizational meeting at which it shall elect from its membership a chairman, a vice-chairman, and secretary-treasurer. No business shall be transacted by the board except at a regular or specially 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 board.

History.—§5, ch. 70-335.

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

History.—§6, ch. 70-335.

266.115 Powers of the board of trustees.— The board shall be the governing body and have the power:

- (1) To adopt a seal and alter the same at pleasure;
- (2) To contract and be contracted with, to sue and be sued, and to plead and be impleaded in all courts of law and equity;
- (3) To exercise any power not in conflict with the constitution of the state or of 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 Tallahassee for the conduct of its affairs;
- (5) To acquire, hold, lease, and dispose of real and personal property or any interest therein for its authorized purpose;
- (6) To plan buildings and improvements, to demolish existing structures, and to construct, reconstruct, alter, 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 the

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 the use of same so long as its existence shall continue and to lease or make contracts with respect to the use or disposal of the same or any part thereof in any manner deemed by it to be in the best interest of the board, but only for the purposes for which it is created. No property shall be acquired under the provisions of this part upon which any lien or other encumbrance exists, unless at the time said property is so acquired, a sufficient sum of money is to 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 or cemetery association or which is presently used as a historical attraction;

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

(9) To draft a historical plan of development for the City of Tallahassee and surrounding area, and the board shall have the authority to recommend to the governing bodies of the County of Leon and the City of Tallahassee the creation of a historical district or districts which shall include any section or sections of the county containing buildings, landmarks, sites, and facilities of historical or architectural value and having an overall atmosphere of architectural or historical distinction. Such facilities having a historical or architectural value shall be designated by the board on the basis of criteria of historical evaluation as established by the division of archives, history and records management of the department of state.

(10) To acquire from the City of Tallahassee, Leon County, the state, the United States or any state thereof, or any foreign country or colony any existing property, real or personal, now owned by it or hereafter acquired, suitable for the uses of the board; to improve, operate, and maintain the same for the purposes 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 Tallahassee or Leon County for the purposes 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, the federal government, the City of Tallahassee, the County of Leon, or any firm or corporation upon such terms and conditions as the board finds in its best interest, with respect to the establishment, construction, op-

eration, and financing of the facilities of the board in or near the City of Tallahassee;

(13) To make and enter into contracts or agreements with private individuals, corporations, organizations, historical societies, and others with reference to facilities; and to enter into contracts and agreements, with or without competitive bidding, as the board may determine, which are necessary, expedient or incidental to the performance of its duties or the execution of its powers under this part;

(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 part, 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 board is created;

(15) To fix and collect charges for admission to any of the facilities operated and maintained by the board under the provisions of this part 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 board, and to issue negotiable revenue certificates payable solely from revenue for the operation of such facilities and from authorized activities incidental thereto;

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

(18) To cooperate and coordinate all of its activities on a permissive basis through any statewide commission, including the division of archives, history and records management, and to participate in any overall statewide plan of historical development;

(19) To cooperate and coordinate its activities with any national project of historical development such as a national seashore and to coordinate and cooperate with any other agency, state, local or national, undertaking historical objectives if the same are not in conflict with the objectives of the board.

History.—§7, ch. 70-335.

266.116 Establishment of historical districts.—The governing bodies of the County of Leon and the City of Tallahassee are authorized to establish such historical district or districts and are empowered to name an architectural review board with the following membership:

(1) Two members from the Tallahassee Historical Restoration and Preservation Council;

(2) The executive director of the Leon County-Tallahassee Joint Planning Commission and the chairman of such planning commission.

(3) One member at large who shall be a resident of Leon County.

(4) Two members who are members of the American Institute of Architects and whose principal place of business or residence is in Leon County.

Members shall be appointed for a term of two years except in the case of an appointment to fill a vacancy in which event the appointment shall be for the unexpired term only.

History.—§7, ch. 70-335.

266.117 Powers and duties of architectural review board.—

(1) It shall be the duty of the board to approve or disapprove plans for buildings to be erected, renovated, or razed which are located, or are to be located, within the historical district or districts.

(2) The governing bodies of Leon County and the City of Tallahassee shall prescribe the procedure for the review of plans for the erection, renovation, or razing of any building which is located or to be located within the designated historical district or districts, including rules and governing decisions of the architectural review board, and the procedure for appeal from decisions of the board.

(3) The governing bodies of Leon County and the City of Tallahassee may adopt such other regulations as are necessary to effect the purposes of §266.115(9).

(4) The architectural review board shall have the power to adopt rules for the transaction of its business, the holding of meetings, and such other activities as are incident to its function.

(5) The governing bodies of Leon County and the City of Tallahassee shall have the authority to utilize their employees in the enforcement and regulation of the provisions of §266.115(9).

(6) The expenditures of the architectural review board shall be within the amounts appropriated for its purpose by the city through its governing body.

(7) The designation and preservation of buildings and structures within any historical district or districts established under §266.115(9), and the control of the erection, alteration, addition, repair, removal, or demolition of new or existing buildings or structures, signs, and any such facilities, or appurtenances thereto, to insure perpetuation of its or their historical character is designated to be a public purpose.

History.—§7, ch. 70-335.

CHAPTER 272

CAPITOL CENTER

272.161 Rental of reserved parking spaces.
(New)

272.161 Rental of reserved parking spaces.—

(1) The department of general services is authorized to rent reserved parking space to any state employee when so requested by the employee. Employees may request a reserved parking space in a manner prescribed by the department of general services. Assignments of reserved parking spaces shall be limited to the amount of available parking under the supervision of the department of general services.

(2) All parking spaces under the supervision of the department of general services for which a request for reserved parking has not been made shall continue to be made available to state employees.

(3) All parking fees shall be payable by the payroll deduction plan periodically according to the employee's pay schedule. The collection of such fees shall be prorated in those cases in which a reserved parking space is canceled prior to the full term of the normal payroll deduction.

(4) All fees collected under the provisions of this section shall be deposited in the capitol center parking trust fund which is hereby created. The capitol center parking trust fund shall be used for the purposes of construction and maintenance of state parking facilities under the supervision of the department of general services.

(5) The department of general services shall adopt and promulgate such rules and regulations as are necessary to carry out the purposes of this section.

History.—§1, ch. 70-249.

CHAPTER 273

STATE-OWNED TANGIBLE PERSONAL PROPERTY

273.05 Surplus property.

273.06 Transfers between custodians.

273.05 Surplus property.—The custodian shall have discretion to classify as surplus any property in his custody that is obsolete or the continued use of which is uneconomical or inefficient or which serves no useful function as to any activity or location under his supervision. The fact that property is surplus shall be certified to the surplus property division of the department of general services, together with information indicating the value and condition of the property.

History.—§5, ch. 57-277; §§22, 35, ch. 69-106; §4, ch. 70-146.

273.06 Transfers between custodians.—From time to time the surplus property division of the department of general services shall offer surplus property to custodians. Any custodian may make a bid. If the bid is ac-