

ORDINANCE NO. 133.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI BEACH, FLORIDA, CALLING A SPECIAL ELECTION FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF SAID CITY, FOR THEIR APPROVAL OR REJECTION THE QUESTION OF WHETHER OR NOT THAT CERTAIN ORDINANCE PASSED AND ADOPTED THE 17th DAY OF MARCH, A. D., 1920, and ENTITLED "AN ORDINANCE NO. 130, AUTHORIZING THE SOUTH ATLANTIC TELEPHONE COMPANY, ITS SUCCESSORS AND ASSIGNS, TO ESTABLISH, CONSTRUCT, MAINTAIN AND OPERATE ITS TELEPHONE POLES, WIRES AND OTHER TELEPHONE PROPERTY UPON, ALONG, ACROSS AND UNDER THE PUBLIC STREETS, ROADS, LANES, ALLEYS, AVENUES, BOULEVARDS AND OTHER PUBLIC HIGHWAYS AND PLACES IN THE CITY OF MIAMI BEACH, FLORIDA," SHALL BECOME A LAW OF THE CITY OF MIAMI BEACH, FLORIDA, AND PROVIDING THE METHOD OF HOLDING SUCH ELECTION.

Whereas, the City Council of Miami Beach, Florida, on the 17th day of March, A. D., 1920, passed and adopted that certain ordinance entitled "Ordinance No. 130, authorizing the South Atlantic Telephone and Telegraph Company its successors and assigns, to establish, construct, maintain and operate its telephone poles, wires and other telephone property, upon, along, across and under the public streets, roads, lanes, alleys, avenues, boulevards and other public highways and places in the City of Miami Beach, Florida", and

Whereas, under Section 26 of the Charter of said City of Miami Beach, Florida, it is provided that no ordinance granting the right to use the streets and alleys of the City of Miami Beach, Florida, to any private person or corporation shall become a law until the same has been approved by a majority of the qualified voters of the City of Miami Beach, voting at an election held therefor.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI BEACH, FLORIDA:

Section 1. That pursuant to Section 26 of the City Charter, the same being an Act of the Legislature of the State of Florida, approved May 25th, 1917, known as Chapter 7672 of the Laws of Florida, 1917, entitled "An Act to abolish the present Municipal Government of the Town of Miami Beach, in the County of Dade and the State of Florida, and to establish, organize and incorporate a City Government for the City of Miami Beach, to define its territorial boundaries to prescribe its jurisdiction, powers, and privileges, and for the exercise of same, and to authorize the imposition of penalties for the violation of its ordinances;" a special election be and hereby is called and directed to be held at the City Council Chambers in said city, from 8 o'clock A. M. to sunset on Saturday the 14th day of August, A. D., 1920, for the purpose of submitting to the qualified registered voters of the City of Miami Beach, Florida, the question set forth in the election notice hereinafter contained.

Section 2. That the registration officer of the City of Miami Beach, shall open the registration books for said election, which shall remain open at the City Council Chambers from 10 o'clock A. M. until 5 o'clock P. M. the 12th day of July A. D., 1920, and each day (Sundays excepted) thereafter, until the 12th day of August, A. D., 1920, for the purpose of registering those who are qualified to register for such election.

Section 3. That John L. Crist, Ra A. Coachman, Sr., and Geo. W. Dickens, are hereby appointed and designated Inspectors, and C. H. Van Dyke as Clerk of election, and the City Clerk is hereby directed to certify the names of such Inspectors and Clerk to the Mayor.

Section 4. That all persons participating in said election shall possess the qualifications requisite to an elector at General State Election, and shall have resided in the City of Miami Beach, Florida, six months preceding said election, and shall have been registered in the municipal registration books prescribed by ordinance, and said election shall be conducted and held, except as herein provided in accordance with the provisions of the <sup>e</sup> General Election Laws of the State of Florida.

Section 5. That the Mayor is hereby directed to publish, by posting in three public places in the City of Miami Beach, Florida, and by publishing in the Miami Metropolis, a newspaper of general circulation in the City of Miami Beach, Florida, published in the City of Miami, Florida, once a week, for at least four weeks next preceding the date of said election, a notice in substantially the following form:

NOTICE OF SPECIAL ELECTION.

Pursuant to an ordinance adopted the 2nd day of June, A. D., 1920, and entitled "Ordinance No. 130 authorizing the South Atlantic Telephone and Telegraph Company, its successors and assigns, to establish, construct, maintain and operate its telephone poles, wires and other telephone property upon, along across and under the public streets, roads, lanes, alleys, avenues, boulevards and other public highways and places in the City of Miami Beach, Florida," become a law of the City of Miami Beach, Florida."

The registration books of the said City will remain open in the Council Chambers from 10 o'clock A. M. to 5 o'clock P. M. beginning the 12th day of July, A. D., 1920, and each day (Sundays excepted) thereafter until and including the 12th day of August, A. D., 1920, for the purpose of registering those who are qualified to register for said election.

John L. Crist, R. A. Coachman, Sr., and Geo. W. Dickens are hereby appointed and designated Inspectors, and C. H

ed and designated Inspectors, and C. H. VanDyke, as Clerk of said election.

\_\_\_\_\_  
Mayor of the City of Miami Beach

ATTEST:

\_\_\_\_\_  
City Clerk

MIAMI BEACH, FLORIDA, \_\_\_\_\_ A. D., 1920

Section 6. That the official ballot to be used at said election shall be in substantially the following form:

OFFICIAL BALLOT

SPECIAL ELECTION AUGUST 14th, 1920.

City of Miami Beach, Florida.

Make a cross (X) mark before your choice for or against the following proposition:

"Shall an ordinance entitled "Ordinance No. 130, authorizing the South Atlantic Telephone and Telegraph Company, its successors and assigns, to establish, construct, maintain and operate its telephone poles, wires and other telephone property upon, along and under the public streets, roads, lanes, alleys, avenues, boulevards and other public highways and places in the City of Miami Beach, Florida," become a law of the City of Miami Beach, Florida.

\_\_\_\_\_ Yes.

\_\_\_\_\_ No.

Section 7. That immediately after the closing of the polls, inspectors and clerk of said election shall proceed to count the votes at said election for and against the proposition submitted, and shall prepare duplicate lists showing the vote for each, and against each respectively, and shall certify the correctness of the same, and one of said certified lists under seal shall be handed by the inspector to the City Clerk, and the other certified list also under seal shall be handed to the President of the City Council.

Section 8. That on the first Monday after said election, or as soon thereafter as practicable, the City Council shall convene and proceed to canvass the vote cast at such election, and if it appears that a majority of the qualified electors voting at said election have, by a majority of their votes, approved an ordinance passed on the 17th day of March, A. D., 1920, entitled, "Ordinance No. 130, authorizing the South Atlantic Telephone and Telegraph Company, its successors and assigns, to establish, construct, maintain and operate its telephone poles, wires and other telephone property upon, along, across and under the public streets, roads, lanes, alleys, avenues, boulevards and other

public highways and places in the City of Miami Beach, Florida", then in such event said ordinance shall become a law of the City of Miami Beach, Florida. Section 8. This ordinance shall take effect forty days after its passage and approval by the Mayor.

PASSED and ADOPTED this 2nd day of June, A. D., 1920.

*W E Norton*  
\_\_\_\_\_  
President City Council

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED this 2nd day of June, A. D., 1920.

\_\_\_\_\_  
Mayor

*65-1-3-1-2-3-4-5-6-7-8-9-10-11-12-13-14-15-16-17-18-19-20-21-22-23-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-46-47-48-49-50-51-52-53-54-55-56-57-58-59-60-61-62-63-64-65-66-67-68-69-70-71-72-73-74-75-76-77-78-79-80-81-82-83-84-85-86-87-88-89-90-91-92-93-94-95-96-97-98-99-100*

*Not an  
Ordinance  
Canva*

public highways and places in the City of Miami Beach, Florida", then in such  
event said ordinance shall become a law of the City of Miami Beach, Florida.  
Section 8. This ordinance shall take effect forty days after its passage and  
approval by the Mayor.

PASSED and ADOPTED this 2nd day of June, A. D., 1920.

*W. E. Taylor*  
\_\_\_\_\_  
President City Council

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED this 2nd day of June, A. D., 1920.

\_\_\_\_\_  
Mayor

(Copy)

Ordinance no. 133

June 2, 1920.