

ORDINANCE NO. 14

AN ORDINANCE PROVIDING FOR AN ELECTION BY THE QUALIFIED FREEHOLDER ELECTORS OF THE CITY OF PORT ST. JOE, FLORIDA, FOR THE APPROVAL OR REJECTION OF AN ORDINANCE GRANTING TO GULF CABLE-VISION CO., INC., A CORPORATION, THE RIGHT AND PRIVILEGE OF, AND FRANCHISE FOR, CONSTRUCTING, ERECTING, INSTALLING, REPAIRING, EXTENDING, MAINTAINING, AND OPERATING A SYSTEM OF LINES OF COAXIAL CABLE AND WIRES FOR A TELEVISION ANTENNA SYSTEM: FOR CLOSED CIRCUIT TELEVISION AND PAY TELEVISION, IN THE CITY OF PORT ST. JOE, FLORIDA, AND PRESCRIBING THE METHOD, MANNER AND CONDUCT OF HOLDING SUCH ELECTION.

WHEREAS, the charter of the City of Port St. Joe provides that the City Commission shall have the right to grant such franchises, as provided by the general laws and statutes of the State of Florida, to corporations for the establishment and maintenance of said services in the City of Port St. Joe, Florida, by ordinance first passed and adopted by the City Commission, and subsequently approved by a majority of the qualified electors of the City of Port St. Joe who are freeholders, at a municipal election at which such question shall have been submitted to said electors; and

WHEREAS, in accordance with the terms of said charter of the City of Port St. Joe, Florida, said City Commission has by an ordinance duly passed and adopted by the City Commission, granted a franchise to GULF CABLE-VISION CO., INC., a Florida corporation, its legal successors and assigns, for constructing, erecting, installing, repairing, extending, maintaining, and operating a system of lines of coaxial cable and wires for a television antenna system; for closed circuit television and pay television, in the City of Port St. Joe, Florida, and now desires to submit the question of the approval or rejection of said franchise ordinance to the qualified electors of the City of Port St. Joe who are freeholders; now, therefore,

BE IT ENACTED BY THE PEOPLE OF THE CITY OF PORT ST. JOE:

Section 1. That the action of the City Commission of the City of Port St. Joe in passing and adopting an ordinance granting to GULF CABLE-VISION CO., INC., a corporation, its successors and assigns, the right and privilege of, and franchise for, constructing, erecting, installing, repairing, extending, maintaining, and operating a system of lines of coaxial cable and wires for a television antenna system; for closed circuit television and pay television, in the City of Port St. Joe, Florida, be it hereby authorized, approved and confirmed; subject, however, to the approval of said franchise ordinance by a majority of the votes cast by the qualified electors of the City of Port St. Joe who are freeholders, at a municipal election called for such purpose as provided by the charter of the City of Port St. Joe, and in accordance with the laws of the State of Florida so far as the same may be applicable, except as herein otherwise provided.

Section 2. That a special municipal election be, and the same is hereby, called and ordered to be held within the City of Port St. Joe, Florida, on Tuesday, the 10th day of November, 1964, at which election there shall be submitted to the qualified electors of said City who are freeholders the question of the approval or rejection of the said franchise ordinance.

Section 3. That notice of said special election herein called and ordered by the City Commission to be held in the City of Port St. Joe, Florida, shall be published in a newspaper of general circulation in said City for at least thirty (30) days prior to said election, such publication to be made at least once each week for four (4) consecutive weeks during said thirty (30) day period.

Section 4. That this ordinance shall serve as notice of said special election and the City Clerk is hereby ordered and directed to cause a copy of this ordinance, accompanied by a copy of the said franchise ordinance, to be posted at the front door of the meeting place of the City Commission for a period of at least thirty (30) days before the date of said election, said ordinance to remain so posted at said place until after said election shall have been held. A copy of said franchise ordinance shall likewise be made available at the Office of the City Clerk for examination by any qualified voter for a period of at least thirty (30) days prior to the holding of said election.

Section 5. That the polling place for said election shall be the City Hall in the City of Port St. Joe, and that the following persons are appointed as officers to conduct the said election, namely, Mrs. W. J. Daughtry, Mrs. O. M. Taylor, and Mrs. Fred Maddox, Inspectors of Election, and Dessie L. Parker, Clerk of Election. The qualified electors present at the polls may choose, from among their number, a person or persons to take the place or places of any such person or persons so appointed who shall fail or refuse to be present or serve as such Inspector, Inspectors or Clerk of Election.

Section 6. That the City Clerk shall be the Registration Officer for this special election and it shall be his duty to prepare or cause to be prepared sufficient number of registration books, blanks, oaths for registration, certificates for registration, applications for renewal certificates, certificates of transfer, and other blanks and forms, including ballots, necessary and/or required to be used for this election; and when not otherwise provided for under the charter of the City of Port St. Joe or in this ordinance, the governing of the election and forms and blanks used therein shall conform to the statutes and general laws of the State of Florida.

Section 7. That it shall be the duty of said Registration Officer to register all persons who are qualified as freeholder electors for said election, and who apply to him, in an appropriate registration book which he shall provide therefor. Said registration books shall be open at his office twenty (20) days before the holding of said election and shall remain open for such registration for at least ten (10) days between the hours of 9:00 o'clock A.M. and 12:00 o'clock Noon, and between the hours of 2:00 o'clock P.M. and 5:00 o'clock P.M. each day. Each person applying to be registered shall, if qualified, take oath administered by said Registration Officer or his duly appointed deputy to the effect that he is a qualified elector and freeholder of the City of Port St. Joe. Each person taking such oath shall thereupon be registered by entering in said registration book the name of such person together with address, age, color and other information appropriate for the purposes.

Section 8. That all ballots provided by the Registration Officer shall be alike, either printed or typewritten in plain type, in straight lines and on plain paper sufficiently thick that the printing or marking thereon cannot be easily distinguished from the back, and shall contain sufficient information to enable the voter to know upon what he, or she, is voting; may also contain sufficient instructions to the voter as to how to mark the ballot; and shall be to the following effect:

City of Port St. Joe, Florida  
Special Municipal Election - November 10, 1964

"This election is held for the purpose of determining whether the qualified electors of the City of Port St. Joe who are freeholders shall approve the ordinance passed and adopted by the City Commission of said City granting to GULF CABLE-VISION CO., INC., a corporation, its legal representatives, successors and assigns, the right and privilege of, and franchise for, constructing, erecting, installing, repairing, extending, maintaining, and operating a system of lines of coaxial cable and wires for a television antenna system; for closed circuit television and pay television, in the City of Port St. Joe, Florida. The voter desiring to vote in favor of the proposed ordinance granting said franchise shall put a cross mark (X) after the words 'For Franchise'; and the voter desiring to vote against said ordinance shall put a cross mark (X) after the words 'Against Franchise.'"

AN ORDINANCE GRANTING A THIRTY YEAR FRANCHISE TO GULF CABLE-VISION CO., INC., ITS LEGAL REPRESENTATIVES, SUCCESSORS AND ASSIGNS THE RIGHT AND PRIVILEGE OF, AND FRANCHISE FOR, CONSTRUCTING, ERECTING, INSTALLING, REPAIRING, EXTENDING, MAINTAINING, AND OPERATING A SYSTEM OF LINES OF COAXIAL CABLE AND WIRES FOR A TELEVISION ANTENNA SYSTEM: FOR CLOSED CIRCUIT TELEVISION AND PAY TELEVISION, IN THE CITY OF PORT ST. JOE, FLORIDA.

For Franchise: \_\_\_\_\_

Against Franchise: \_\_\_\_\_

Section 9. That the polls at said election shall be open at 7:00 o'clock A.M. and shall close at 7:00 o'clock P.M. and it shall be the duty of the Registration Officer to furnish the Clerk of Election appointed for such election a list of names of the registered and qualified electors who are freeholders and qualified to vote at this election under the Constitution and Laws of the State of Florida and the Charter and Ordinances of the City of Port St. Joe. The Clerk and Inspectors of Election appointed for said election shall, when the polls have closed, proceed to count the ballots and, when ascertained the result of the voting shall be certified by return signed by the Clerk of Election and a majority of the Inspectors of Election, and the Clerk of Election shall transmit and deliver the same to the City Clerk who shall keep said ballots securely locked and transmit same to the City Commission, sitting as a Canvass Board, at a meeting of said City Commission to be held at 12:00 o'clock Noon on the day following such election.

Section 10. That a meeting of the City Commission be, and the same is hereby, called to be held at the City Hall at 12:00 o'clock Noon on the day following said election and, at said meeting, the City Commission, acting as the Board of Canvassers, shall proceed to canvass the returns presented by the City Clerk and shall determine and declare the results of such election; and if a majority of the votes cast by the qualified electors who are freeholders shall be in favor of said franchise, the City Commission shall thereupon declare the ordinance granting the franchise to have been approved and confirmed.

Section 11. That this ordinance shall be effective upon the same being legally passed and adopted by the City Commission of the City of Port St. Joe, Florida.

Passed first reading this 15th day of September, A. D. 1964.  
Passed second reading this 6th day of October, A. D. 1964.  
Passed third reading this 6th day of October, A. D. 1964.

/s/ Frank Hannon  
Mayor-Commissioner

ATTEST:

/s/ J. B. Williams  
City Clerk