



ARTICLE I

Establishment & Powers

*This article combines
Chapters 1&2 in the
current Charter.*



INTENT

- ❖ To establish that the City of New Smyrna Beach is a municipality created by the State Legislature of Florida and as such has all powers given to municipalities under the Constitution of the State of Florida and under all of the laws of the State of Florida.
- ❖ To set forth the way new land is added to the City of New Smyrna Beach



Section Descriptions

- Section 101 states that the city will have all powers allowed by the state without those powers being enumerated
- Section 102 states that the powers of the charter shall be construed liberally in favor of the city
- Section 103 authorizes the city to participate by contract or otherwise with any governmental entity within the United States
- Section 104 confirms our current form of government as a Commission-Manager Plan
- Section 105 provides a detailed description of how land that is contiguous with the city's borders can be annexed either by a petition of the people wishing to be annexed (Voluntary Annexation) or by Involuntary Annexation provided by state law (F.S.171).



Additions & Deletions

- Sec. 101 prior language was deleted as redundant and now contains two sentences simply asserting that all powers possible for a city to have under the constitution and laws of this state belong to the City of New Smyrna Beach.
- Section 102, 103 and 104 are newly written sections but preserve the intent of the current charter
- Section 105 uses the same language in respect to annexation as that found in the current Charter