

ORDINANCE NO. 255

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF BEVIL OAKS, TEXAS, (or "City") declining to approve the change in rates requested in Entergy Texas, Inc.'s ("ETI" or "Company") Statement of Intent filed with the City on JANUARY 21, 2021, AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS CONSIDERED WAS OPEN TO THE PUBLIC AND IN ACCORDANCE WITH TEXAS LAW.

WHEREAS, ETI notified the City of its intent to file a statement of intent to offer a new optional rate related to back-up electric service for commercial and industrial customers;

WHEREAS, ETI filed with the City its *Statement of Intent for Rate Schedule UODG* ("Statement of Intent");

WHEREAS, the City has duly noticed its consideration of the Company's Statement of Intent and is acting within its authority under applicable law;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF BEVIL OAKS, TEXAS THAT the City **DECLINES** to approve any and all changes in rates requested by ETI and included in ETI's Statement of Intent and that ETI's proposed new rate should not be made effective.

PASSED AND APPROVED ON THE FIRST READING THIS 21 day of January, 2021.


Rebecca M. Ford, Mayor

ATTEST:


Barbara Emmons, City Secretary

SECTION 4. – EXCEPTIONS TO PROHIBITION

This ordinance does not limit the City, Jefferson County or Jefferson County Drainage District No. 6 to utilize any and all materials for the installation, repair or maintenance of public drainage features. For example, such entities may, from time to time, utilize engineered concrete culverts for public works. Representatives of such entities are entitled to authorize use of concrete culverts on a case-by-case basis so long as the authorization is made in writing by authorized officials.

SECTION 5. – PENALTIES

Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon a conviction in a court of competent jurisdiction shall be subject to a fine not to exceed Two Hundred Dollars (\$200.00) for each offense. Each day such offense shall continue shall be deemed a separate offense.

SECTION 6. - REPEALER AND SEVERABILITY

REPEALER: All ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.


SEVERABILITY: Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

SECTION 4. - EFFECTIVE DATE

This Ordinance shall be effective immediately upon passage.

PASSED AND APPROVED this, 21 of January, 2021, by a vote of 5 (*ayes*) to (*nays*) to 1 (*abstentions*) of the City Council of Bevil Oaks, Texas.

CITY OF BEVIL OAKS, TEXAS



Rebecca M. Ford, Mayor
City of Bevil Oaks, Texas

Barbara Emmott

City Secretary
City of Bevil Oaks

DATES OF PUBLICATION: January 26, 2021, VIA CityofBevilOaks.com