

ORDINANCE NO. 92-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JAMAICA BEACH, TEXAS, SETTING FORTH MAXIMUM RATES FOR RETAIL NATURAL GAS CONSUMPTION IN THE CITY OF JAMAICA BEACH; PROVIDING FINDINGS OF FACT; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR AN OPEN MEETINGS CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, by letter dated April 24, 1992, Southern Union Gas Company has requested certain changes in the rates it is authorized to charge local customers in Jamaica Beach; and

WHEREAS, consultants for the City of Galveston have recommended certain adjustments in calculating the rates of Southern Union Gas Company and recommended an increase of \$371,544.00 to established base rate for the entire Galveston service district (if Weather Normalization Clause is approved) based on the circumstances of the test year; and

WHEREAS, the City Council of the City of Jamaica Beach deems in the interest of the citizens of the City of Jamaica Beach to adopt such adjusted rates;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JAMAICA BEACH, TEXAS:

SECTION 1. The findings and recitations set out in the preamble to this Ordinance are found to be true and correct and that they are hereby adopted by the City Council and made a part hereof for all purposes.

Every gas company engaged in the business of selling or furnishing natural gas to private or commercial consumers within the City shall charge therefor with respect to each meter served not more than the rate set forth in the rate schedule filed with the City fifteen (15) days before implementation and approved herein by the City, such schedule is filed in the office of the City Secretary.

SECTION 2. That all Ordinances or parts thereof in conflict herewith are repealed to the extent of such conflict only.

SECTION 3. That it is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgement or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such invalid phrase, clause, sentence, paragraph or section.

SECTION 4. The City Council officially finds, determines and declares that a sufficient written notice of the date, hour, place and subject of each meeting at which this Ordinance was discussed, considered or acted upon was given in the manner required by the Open Meetings Law, Tex. Rev. Civ. Stat. Ann. Article 6252-17, as amended, and that each such meeting has been open to the public, as required by law, at all times during such discussion, consideration and action. The City Council ratifies, approves and confirms such notices and the contents and posting thereof.

SECTION 5. This Ordinance shall be and become effective from and after its adoption.

PASSED AND APPROVED this 17 day of August, 1992.


KENNETH R. DENNIS, Mayor

ATTEST:

T. D. White
TERISA WHITE, City Secretary