

CITY OF ANGUS

ORDINANCE NO. 103

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANGUS, TEXAS AMENDING ORDINANCE NO. 4 ADOPTED NOVEMBER 12, 1973 AND AS AMENDED BY ORDINANCE NO. 29 ADOPTED JUNE 13, 1983 AND CODIFIED AS APPENDIX 3 OF THE ANGUS CODE OF ORDINANCES IS HEREBY AMENDED BY REPEALING SECTIONS 3, 6 AND 8 PERTAINING TO RATES AND CHARGES CHARGED BY THE ANGUS WATER SUPPLY CORPORATION.

WHEREAS, the Angus Water Supply Corporation has submitted a complaint to the Angus City Council that the City does not have the authority to approve or regulate fees and charges of the water supply corporation;

WHEREAS, the City Council has solicited a legal opinion from the Texas Municipal League which opinion was not definitive on the issue;

WHEREAS, the City Council then solicited a legal opinion from its City Attorney and his opinion appears to support the stance submitted by the Angus Water Supply Corporation as a result of a Texas Supreme Court case of *Hardin Water Supply v. City of Hardin*, 671 S.W.2d 505 (Tex. 1984);

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ANGUS, TEXAS THAT:

Article 1: That Sections 3, 6 and 8 of Appendix 3 of the Angus Code of Ordinances is hereby repealed.

Article 2: That the remainder of Appendix 3 of the Angus Code of Ordinances be left intact and in-force.

Article 3: This ordinance shall become effective immediately upon its passage by the City Council of the City of Angus.

PASSED and APPROVED this 14 day of October, 1997.

Kathy McFisack
Mayor

ATTEST:

Billy McCain
City Secretary

