

Motion was made by Al Shriest, seconded by Leann Saut, that the following Ordinance be passed:

NO. 25

AN ORDINANCE BY THE TOWN OF WHISPERING OAKS, TEXAS, MAKING IT A VIOLATION TO INTERFERE WITH THE PROPERTY OF ELECTRIC UTILITIES OR THE DIVERSION OF ANY ELECTRIC CURRENT FROM ANY WIRE OF AN ELECTRIC UTILITY; PROVIDING FOR PENALTY AND SAVINGS CLAUSE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WHISPERING OAKS, TEXAS:

I.

That whoever intentionally and without authority injures or destroys, any meter, conduit, wire, line, pole, lamp, or other apparatus belonging to a corporation, or a political subdivision of the State of Texas, engaged in the generation, transmission, distribution or sale of electric energy, or intentionally and without authority prevents an electric meter from duly registering the quantity of electricity supplied, or in any way interferes with the proper action or just registration of an electric meter, or without the consent of such company or political subdivision, intentionally diverts any electric current from any wire of such company or political subdivision, or otherwise intentionally and without authority uses or causes to be used, without the consent of such company or political subdivision, any electricity generated, transmitted, distributed, or sold by such company or political subdivision, shall be deemed guilty of a misdemeanor and punished as herein-after set out.

II.

That upon the trial of any cause for which a violation of this Ordinance is charged, proof that the person charged is the person receiving the benefit of the electric current without charge as a result of such interference with the property of an electric utility, or such diversion of electric current, shall be prima facie proof of the violation of said Ordinance by the person so charged.

III.

That for purposes of this Ordinance, a benefit to the person charged is presumed if the person charged is the person in whose name said electric meter is listed in the business records of the electric utility company or in the official records of the political subdivision, or is the occupant of the premises obtaining electric current without charge.


IV.

That any person, firm or corporation violating any of the provisions of this Ordinance shall be fined not more than Two Hundred and No/100 (\$200.00) Dollars for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

V.

If any section, sub-section, sentence, clause, phrase or word of this Ordinance is for any reason held to be unconstitutional or invalid, such unconstitutionality shall not affect the remaining portions of this Ordinance.

PASSED AND APPROVED this the \_\_\_\_\_ day of \_\_\_\_\_, A. D. 1977.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Town Secretary

APPROVED AS TO FORM AND CONTENT:

Geo. B. Darden, Town Attorney