

**CITY OF ELEPHANT BUTTE  
ORDINANCE NO. 200**

**AN ORDINANCE ESTABLISHING A COMBINED PUBLIC  
UTILITY ADVISORY BOARD**

**WHEREAS**, NMSA 1978, Section 3-18-25 authorizes municipalities to create and maintain sewer and water lines. Moreover, NMSA 1978, Section 3-23-1 et seq. allows municipalities to create or enter into agreements with entities for the provision of public utilities; and

**WHEREAS**, the Governing Body of the City of Elephant Butte adopted ordinances establishing sewer and water utilities for the City, which have been codified in Section 51 and 52 of the City's Code of Ordinances; and

**WHEREAS**, Section 51.52 created a Sewer Advisory Board the Code of Ordinances and Section 52.54 created a Water Advisory Board;

**WHEREAS**, the Governing Body of the City of Elephant Butte wishes to promote efficiency in the operations of its utilities;

**WHEREAS**, the Governing Body of the City of Elephant Butte intends to combine the Sewer Advisory Board and the Water Advisory Board into a single Public Utility Advisory Board.

**NOW THEREFORE, BE IT ORDAINED** by the Governing Body of the City of Elephant Butte that the Code of Ordinances be amended as follows:

**Section One.** Section 51.52 and Section 52.54 of the Code of Ordinances are repealed.


**Section Two.** Section 53.01 of the Code of Ordinances is enacted as follows:

**§ 53.01 ADVISORY BOARD**

- (A) A Public Utility Advisory Board is hereby established through the combination of the Sewer and Water advisory boards which existed previously under Sections 51.52 and 52.54 of the Code of Ordinances.
- (B) The Public Utility Advisory Board will consist of at least one City Council member (but no more than two), the City Manager or designee, and at least three customers.

- (C) If the Board is established, it will meet as needed, but at least annually, to review sewer and water policies, operational income/expenses, fees or any other duties and tasks to be defined by the City Council. Any suggestions or recommendations to the City shall be advisory in nature, and they shall not bind the City Council.

**PASSED, APPROVED, AND ADOPTED by the Governing Body of the City of Elephant Butte, New Mexico, this 17<sup>th</sup> day of November, 2021.**

  
Edna Trager  
Mayor

ATTEST:

  
Rani Bush  
Clerk-Treasurer

