

ON A RESOLUTION, LAM CITY
AND ALABAMA FORM OF GOVERNMENT

On August 17, 1927 an election was held to determine if the form of government should be incorporated in a general law city. On August 17, 1927 County Judge Sawyer L. Mayfield announced the vote and determined that there were greater or 23 votes in the affirmative (24 votes were cast) to approve the formation of an incorporated general law city. Judge Mayfield issued an order that day declaring the establishment of the form of government as incorporated for municipal purposes in a general law city under the constitution form of government. A newly formed incorporated city can choose to operate under the alternative form of government or the constitution form of government.

The City of Phenixburg operated under the constitution form of government until an election was held on April 27, 1941 at which point the voters were asked whether they wanted to change from the constitution form of government to the alternative form of government. The vote was 128 in favor of changing to operating under the alternative form and 23 against the change. Since 1941 the City of Phenixburg has operated under the alternative form of government.

Because the City of Phenixburg is not divided into wards the City Council is composed of a Mayor and 12 representatives, each elected and the wards City Council can be used interchangeably with the term "alternative form of government". The same council members can be used interchangeably with citizens.

Seventy-five percent (75%) of Texas cities are general law cities. General law cities are divided into type A, B, and C based on the city's over 500 in population. It can be a type A city. Phenixburg is a type A general law city. Once the population grows to 5,000 Phenixburg would change to a home rule city.

The difference between a general law city and a home rule city is that Phenixburg, as a general law city, has to find authority under state law to do most anything it needs to do such as creating ordinances etc. Whereas, a home rule city only looks to the general form of the laws to see what it is prohibited from doing.

In conclusion, Phenixburg is an incorporated form A general law city that cannot