

§ 8388.101

WATER AND WASTEWATER
Title 6

SUBCHAPTER C. POWERS AND DUTIES

§ 8388.101. Municipal Utility District Powers

The district may exercise the rights, powers, privileges, and functions provided by general law applicable to a municipal utility district, including Chapters 49 and 54, Water Code. (Acts 69th Leg., R.S., Ch. 764, Sec. 5(a); New.)

Added by Acts 2013, 83rd Leg., ch. 112 (S.B. 1026), § 1.03, eff. April 1, 2015.

§ 8388.102. Operation and Maintenance of District Facilities

(a) The district shall operate and maintain any levee, retainage pond, pump, mitigation channel, or other facility, improvement, or property that serves property in the district unless the Harris County Flood Control District undertakes to operate or maintain the facility, improvement, or property.

(b) If, at the time the district is annexed by a municipality, the annexing municipality determines not to undertake to operate or maintain a levee, retainage pond, pump, mitigation channel, or other facility, improvement, or property that serves property in the district, the municipality may specify in the annexation ordinance that the district shall continue to exist exclusively to:

(1) operate and maintain the levee, retainage pond, pump, mitigation channel, or other facility, improvement, or property; and

(2) impose a maintenance tax in the boundaries of the district, to the extent that a maintenance tax has previously been authorized. (Acts 69th Leg., R.S., Ch. 764, Secs. 8(a), (b).)

Added by Acts 2013, 83rd Leg., ch. 112 (S.B. 1026), § 1.03, eff. April 1, 2015.

CHAPTER 8389. NORTHWEST FOREST
MUNICIPAL UTILITY DISTRICT

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**SUBCHAPTER B. BOARD
OF DIRECTORS**

39.051. Composition of Board.

39.052. Board Vacancy.

**SUBCHAPTER C. POWERS
AND DUTIES**

39.101. Municipal Utility District Powers.

WATER AND WASTEWATER
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SUBCHAPTER A. GENERAL PROVISIONS

§ 8389.001. Definitions

In this chapter:

(1) "Board" means the district's board of directors.

(2) "Director" means a member of the board.

(3) "District" means the Northwest Forest Municipal Utility Dis-
trict. (Acts 65th Leg., R.S., Ch. 687, Sec. 1 (part); New.)

Added by Acts 2013, 83rd Leg., ch. 112 (S.B. 1026), § 1.03, eff. April 1, 2015.

§ 8389.002. Nature of District

The district is a conservation and reclamation district in Jefferson
County created under Section 59, Article XVI, Texas Constitution. (Acts
65th Leg., R.S., Ch. 687, Sec. 1 (part).)

Added by Acts 2013, 83rd Leg., ch. 112 (S.B. 1026), § 1.03, eff. April 1, 2015.

§ 8389.003. Findings of Benefit and Public Purpose

(a) The district is created to serve a public use and benefit.

(b) All land and other property included in the boundaries of the
district will benefit from the works and projects accomplished by the
district under the powers conferred by Section 59, Article XVI, Texas
Constitution.

(c) The creation of the district is essential to accomplish the purposes
of Section 59, Article XVI, Texas Constitution. (Acts 65th Leg., R.S., Ch.
687, Secs. 1 (part), 3.)

Added by Acts 2013, 83rd Leg., ch. 112 (S.B. 1026), § 1.03, eff. April 1, 2015.

§ 8389.004. District Territory

(a) The district is composed of the territory described by Section 4,
Chapter 687, Acts of the 65th Legislature, Regular Session, 1977, as that
territory may have been modified under:

(1) Subchapter H, Chapter 54, Water Code;

(2) Subchapter J, Chapter 49, Water Code; or

(3) other law.

(b) The boundaries and field notes of the district form a closure. A
mistake in copying the field notes in the legislative process or another
mistake in the field notes does not affect:

- (1) the district's organization, existence, or validity;
- (2) the district's right to issue any type of bond for a purpose for which the district is created or to pay the principal of and interest on the bond;
- (3) the district's right to impose a tax; or
- (4) the legality or operation of the district or its governing body. (Acts 65th Leg., R.S., Ch. 687, Sec. 2; New.)

Added by Acts 2013, 83rd Leg., ch. 112 (S.B. 1026), § 1.03, eff. April 1, 2015.

SUBCHAPTER B. BOARD OF DIRECTORS

§ 8389.051. Composition of Board

The board is composed of five elected directors. (Acts 65th Leg., R.S., Ch. 687, Sec. 6(b) (part).)

Added by Acts 2013, 83rd Leg., ch. 112 (S.B. 1026), § 1.03, eff. April 1, 2015.

§ 8389.052. Board Vacancy

(a) Except as provided by Subsection (b), a vacancy in the office of director shall be filled in the manner provided by Section 49.105, Water Code.

(b) The Texas Commission on Environmental Quality shall appoint directors to fill all of the vacancies on the board whenever the number of qualified directors is fewer than three. (Acts 65th Leg., R.S., Ch. 687, Sec. 6(b) (part).)

Added by Acts 2013, 83rd Leg., ch. 112 (S.B. 1026), § 1.03, eff. April 1, 2015.

SUBCHAPTER C. POWERS AND DUTIES

§ 8389.101. Municipal Utility District Powers

The district has the rights, powers, privileges, and functions conferred by general law applicable to a municipal utility district, including Chapters 49 and 54, Water Code. (Acts 65th Leg., R.S., Ch. 687, Sec. 5 (part); New.)

Added by Acts 2013, 83rd Leg., ch. 112 (S.B. 1026), § 1.03, eff. April 1, 2015.