

SPECIAL DISTRICT LOCAL LAWS CODE  
TITLE 6. WATER AND WASTEWATER  
SUBTITLE A. DRAINAGE DISTRICTS  
CHAPTER 6601. ANGLETON DRAINAGE DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 6601.001. DEFINITIONS. In this chapter:

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

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

(3) "District" means the Angleton Drainage District.

Acts 2003, 78th Leg., ch. 1277, Sec. 1, eff. April 1, 2005.

Sec. 6601.002. NATURE OF DISTRICT. (a) The Angleton Drainage District is a conservation and reclamation district re-created under Section 59, Article XVI, Texas Constitution, for the reclamation and drainage of the district's overflowed lands and other lands needing drainage.

(b) The district is a municipal corporation.

Acts 2003, 78th Leg., ch. 1277, Sec. 1, eff. April 1, 2005.

Sec. 6601.003. LEGISLATIVE FINDINGS. The legislature finds that:

(1) all land and other property included in the district is, and will be, benefited by the district and by the improvements the district will purchase, construct, or otherwise acquire;

(2) the district is created to serve a public use and benefit; and

(3) the district is essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution.

Acts 2003, 78th Leg., ch. 1277, Sec. 1, eff. April 1, 2005.

Sec. 6601.004. DISTRICT TERRITORY. The district is composed of the territory described by Section 1, Chapter 9, Special Laws, Acts of the 41st Legislature, 4th Called Session,

1930, as referenced by Section 1, Chapter 43, Acts of the 57th Legislature, 3rd Called Session, 1962, as that territory may have been modified under:

(1) Section 6601.105 or its predecessor statute, Section 11, Chapter 43, Acts of the 57th Legislature, 3rd Called Session, 1962;

(2) Chapter 4, Title 128, Revised Statutes, before August 30, 1971;

(3) Subchapter G, Chapter 53, Water Code, before September 1, 1995;

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

(5) other law.

Acts 2003, 78th Leg., ch. 1277, Sec. 1, eff. April 1, 2005.

#### SUBCHAPTER B. DISTRICT BOARD OF DIRECTORS

Sec. 6601.051. BOARD OF DIRECTORS. The board consists of three directors.

Acts 2003, 78th Leg., ch. 1277, Sec. 1, eff. April 1, 2005.

Sec. 6601.052. BALLOT APPLICATION DEADLINE. An application for a place on the ballot for a directors election must be filed with the secretary of the district not later than the 30th day before the date of the election.

Acts 2003, 78th Leg., ch. 1277, Sec. 1, eff. April 1, 2005.

Sec. 6601.053. QUALIFICATIONS. A candidate for director must:

(1) be more than 21 years of age; and

(2) own land subject to taxation in the district.

Acts 2003, 78th Leg., ch. 1277, Sec. 1, eff. April 1, 2005.

Sec. 6601.054. MEETINGS. The board shall meet at:

(1) the Angleton City Hall at 7:30 p.m. on the first Tuesday in February, May, August, and November of each year; or

(2) other times and places as decided by the board.

Acts 2003, 78th Leg., ch. 1277, Sec. 1, eff. April 1, 2005.

Sec. 6601.055. ADDITIONAL DIRECTORS. (a) If territory is added to the district and the board considers it advisable, the size of the board may be increased to not more than five directors.

(b) If the size of the board is increased, the board shall appoint the appropriate number of qualified persons to serve as directors until successor directors are elected at the next regular election of directors.

Acts 2003, 78th Leg., ch. 1277, Sec. 1, eff. April 1, 2005.

Sec. 6601.056. SPECIAL ELECTION. (a) If the number of directors is reduced to one, the remaining director shall call a special election to fill the vacancies. If the remaining director fails to call the special election before the 16th day after the date the vacancies occur, the county judge of Brazoria County may order a special election on petition of any resident of the district.

(b) The election shall be conducted and notice shall be given in the manner provided by Section 49.106, Water Code, for bond elections of the district.

Acts 2003, 78th Leg., ch. 1277, Sec. 1, eff. April 1, 2005.

#### SUBCHAPTER C. POWERS AND DUTIES

Sec. 6601.101. POWERS AND DUTIES. (a) To accomplish the purposes of Section 6601.002(a), the district has all the rights, powers, privileges, and duties conferred and imposed by general law on fresh water supply districts created under Section 59, Article XVI, Texas Constitution, including the power to conserve, transport, and distribute fresh water.

(b) Repealed by Acts 2005, 79th Leg., Ch. 729, Sec. 2.02, eff. April 1, 2007.

Acts 2003, 78th Leg., ch. 1277, Sec. 1, eff. April 1, 2005.

Amended by:

Acts 2005, 79th Leg., Ch. 729 (H.B. 2019), Sec. 2.02, eff. April 1, 2007.

Sec. 6601.102. DISTRICT POWERS. (a) The district may construct, acquire, improve, enlarge, extend, repair, maintain, or replace all walls, dams, dikes, levees, embankments, canals, drains, tanks, laterals, and pumps that the board considers necessary to accomplish district purposes.

(b) The district may make, construct, or otherwise acquire improvements in or outside district boundaries as necessary to implement the powers granted by this chapter and general law.

Acts 2003, 78th Leg., ch. 1277, Sec. 1, eff. April 1, 2005.

Sec. 6601.103. EMINENT DOMAIN. (a) Not by way of limitation, the district may exercise the right of eminent domain to acquire the right-of-way over and through private land, except property used for cemetery purposes, as the board determines necessary for making the district's canals, drains, ditches, levees, and other improvements and the necessary outlets for those improvements. The power of eminent domain is limited to Brazoria County.

(b) Right-of-way in a municipality may not be condemned without the consent of the governing body of the municipality.

(c) The proceedings shall be in the name of the district and under the direction of its board.

(d) An appeal of the findings and damage assessment by the special commissioners does not suspend the work of the directors in prosecuting the work in all of its details.

Acts 2003, 78th Leg., ch. 1277, Sec. 1, eff. April 1, 2005.

Sec. 6601.104. COST OF RELOCATING PROPERTY. (a) In this section, "sole expense" means the actual cost of relocating, raising, lowering, rerouting, changing the grade of, or altering the construction of a facility described in Subsection (b) in providing comparable replacement without enhancement of the facility, after deducting from that cost the net salvage value of the old facility.

(b) If the district, in the exercise of the power of eminent domain or relocation or another power granted under this chapter, makes necessary the relocating, raising, rerouting, changing the

grade of, or altering the construction of a highway, a railroad, an electric transmission line, telephone or telegraph properties and facilities, or a pipeline, the necessary relocating, raising, rerouting, changing of grade, or alteration of construction shall be accomplished at the sole expense of the district.

Acts 2003, 78th Leg., ch. 1277, Sec. 1, eff. April 1, 2005.

Sec. 6601.105. ADDITION OF TERRITORY TO DISTRICT. (a) In addition to adding territory as provided by Subchapter J, Chapter 49, Water Code, the district may add territory as provided by this section. Territory added to the district need not be contiguous to the district.

(b) The owner or owners of land may request by petition that the board include the land in the district.

(c) A petition under Subsection (b) must be filed with the board and describe the land to be added to the district. The description may be by metes and bounds or by lot and block number. The petition must be signed and executed in the manner provided by law for the conveyance of real estate.

(d) The board shall hear and consider a petition filed under this section. The board may add the land to the district if the board considers the addition to be to the advantage of the district.

(e) A petition granted under this section shall be filed and recorded in the deed records of Brazoria County.

Acts 2003, 78th Leg., ch. 1277, Sec. 1, eff. April 1, 2005.

Sec. 6601.106. MOSQUITO HAZARD. (a) The legislature finds that to properly drain and reclaim overflowed lands and other lands needing drainage within the district and to restore and preserve its waters for beneficial use, it is necessary to reduce and alleviate the mosquito hazard existing in and around the lands needing drainage.

(b) The board may purchase the equipment and supplies necessary to conduct mosquito control work and may pay for the labor necessary to operate and maintain the equipment from money available for that purpose.

(c) If the board determines that an election should be held

to impose a tax for mosquito control work, the tax must be:

(1) submitted to the voters in a separate proposition from any bond tax, maintenance tax, or other tax of the district considered at the same election; and

(2) authorized in the manner provided by Section [49.107](#), Water Code.

(d) The board may enter into a contract with a person, firm, partnership, or corporation as necessary to obtain and provide mosquito control. All available revenue accruing from the mosquito control may be used to defray the cost of the control.

(e) Section [311.005](#)(2), Government Code (Code Construction Act), does not apply to this section.

Acts 2003, 78th Leg., ch. 1277, Sec. 1, eff. April 1, 2005.

Sec. 6601.107. AWARD OF CONTRACTS. A contract for the making or construction of a district improvement and all necessary work related to the improvement shall be awarded to the lowest responsible bidder in the manner provided by Article 7919, Revised Statutes, as amended, if the cost exceeds \$2,000.

Acts 2003, 78th Leg., ch. 1277, Sec. 1, eff. April 1, 2005.

#### SUBCHAPTER D. BONDS AND TAXES

Sec. 6601.151. LIMITATION ON DEBT. The total principal amount of bonds that the district may have outstanding at any time may not exceed 10 percent of the assessed value of all taxable property in the district according to the most recent certified appraisal roll of the district.

Acts 2003, 78th Leg., ch. 1277, Sec. 1, eff. April 1, 2005.

Sec. 6601.152. APPROVAL BY TEXAS COMMISSION ON ENVIRONMENTAL QUALITY. Before the district spends any money received from the sale of its bonds, the district must submit the plans and specifications of the proposed improvements to the Texas Commission on Environmental Quality for approval. If any substantial changes are made in the plans, the changes must also be submitted to the commission for approval.

Acts 2003, 78th Leg., ch. 1277, Sec. 1, eff. April 1, 2005.

Sec. 6601.153. CONTINUATION OF PREVIOUS MAINTENANCE TAX. The district may continue to levy a maintenance tax authorized by Chapter 9, Special Laws, Acts of the 41st Legislature, 4th Called Session, 1930.

Acts 2003, 78th Leg., ch. 1277, Sec. 1, eff. April 1, 2005.

Sec. 6601.154. DISTRICT TAX ASSESSOR AND COLLECTOR. The assessor and collector of taxes for Brazoria County is the assessor and collector of taxes for the district.

Acts 2003, 78th Leg., ch. 1277, Sec. 1, eff. April 1, 2005.