

SPECIAL DISTRICT LOCAL LAWS CODE
TITLE 6. WATER AND WASTEWATER
SUBTITLE C. SPECIAL UTILITY DISTRICTS
CHAPTER 7207. TARKINGTON SPECIAL UTILITY DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7207.001. 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 Tarkington Special Utility District.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. [3166](#)), Sec. 1.07, eff. April 1, 2009.

Sec. 7207.002. NATURE OF DISTRICT. The district is a conservation and reclamation district in Liberty County created under Section [59](#), Article XVI, Texas Constitution, as a special utility district.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. [3166](#)), Sec. 1.07, eff. April 1, 2009.

Sec. 7207.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a) The district is created to serve a public use and benefit.

(b) All land and other property in the district will benefit from the works and projects to be 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.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. [3166](#)), Sec. 1.07, eff. April 1, 2009.

Sec. 7207.004. DISTRICT TERRITORY. (a) The district is composed of the territory described by Section 3, Chapter 1321, Acts of the 76th Legislature, Regular Session, 1999, as that

territory may have been modified under:

- (1) Subchapter [J](#), Chapter [49](#), Water Code;
- (2) Subchapter [H](#), Chapter [65](#), Water Code; or
- (3) other law.

(b) The boundaries and field notes of the district form a closure. A mistake in the field notes or in copying the field notes in the legislative process 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; or
- (3) the legality or operation of the district or its board.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. [3166](#)), Sec. 1.07, eff. April 1, 2009.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 7207.051. COMPOSITION OF BOARD; TERMS. (a) The district is governed by a board of seven directors.

(b) Directors serve staggered terms of four years.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. [3166](#)), Sec. 1.07, eff. April 1, 2009.

Sec. 7207.052. DIRECTORS' ELECTION. (a) An election shall be held in the district to elect the appropriate number of directors to the board on the uniform election date in May of each even-numbered year.

(b) The board may assign a position to each director's office. If positions are assigned, directors shall subsequently be elected by position and not at large.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. [3166](#)), Sec. 1.07, eff. April 1, 2009.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 7207.101. SPECIAL UTILITY DISTRICT POWERS. The district has the rights, powers, privileges, functions, and duties provided by general law applicable to a special utility district created under Section 59, Article XVI, Texas Constitution, including those provided by Chapters 49 and 65, Water Code. Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. 3166), Sec. 1.07, eff. April 1, 2009.

Sec. 7207.102. GENERAL CONTRACT POWERS. The district may contract for:

- (1) purchasing or selling raw or treated water;
- (2) transporting, treating, or disposing of the district's domestic, industrial, or communal waste;
- (3) transporting, treating, or disposing of domestic, industrial, or communal waste of others as provided by Chapter 30, Water Code;
- (4) purchasing, leasing, using, managing, controlling, or operating a water treatment or distribution facility or a sewer collection and treatment facility, including all or part of a facility or system owned by another political subdivision; or
- (5) planning, surveying, investigating, or preparing a report of any kind.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. 3166), Sec. 1.07, eff. April 1, 2009.

Sec. 7207.103. WATER RIGHTS. The district may acquire, develop, and use rights to groundwater or surface water. Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. 3166), Sec. 1.07, eff. April 1, 2009.

Sec. 7207.104. WATER OR SEWER SYSTEM ACQUISITION OR CONSTRUCTION. (a) In this section, "system" means a water system, sewer system, or water and sewer system.

(b) The district may:

- (1) acquire a system that serves all or part of the territory located inside or outside the district;

(2) construct a system; or

(3) improve or extend a system the district acquires.

(c) A construction contract is governed by the competitive bidding requirements of the Water Code.

(d) An existing contract for the acquisition of a water or sewer facility may be made on terms agreed to by the parties.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. [3166](#)), Sec. 1.07, eff. April 1, 2009.

Sec. 7207.105. STANDARD SPECIFICATIONS FOR FACILITIES. (a) The district by rule may establish standard specifications for facilities designed or constructed to:

(1) store, treat, or transport water for domestic, municipal, or industrial purposes;

(2) collect, treat, and dispose of sewage; or

(3) dispose of solid waste.

(b) The board shall hold a public hearing on the adoption of standards for district facilities. The board shall give notice of the hearing to the Texas Commission on Environmental Quality and shall publish notice of the hearing in a newspaper with general circulation in the district not later than the 10th day before the date set for the hearing.

(c) An appeal of an order adopting standard specifications may be made to a district court of Liberty County. The substantial evidence rule applies to the appeal.

(d) The district may seek an injunction against the construction of, addition to, or operation of a facility in the district's jurisdiction if the construction, addition, or operation does not comply with the district's standard specifications.

(e) A specification adopted under this section does not apply inside the boundaries or extraterritorial jurisdiction of a municipality unless the governing body of the municipality by resolution gives its approval.

(f) The district shall file the standard specifications with the Texas Commission on Environmental Quality.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. [3166](#)), Sec. 1.07,

eff. April 1, 2009.

Sec. 7207.106. REVENUE BONDS. (a) The district may issue bonds to provide for improvements and the maintenance of those improvements necessary to achieve the purposes of Section 59, Article XVI, Texas Constitution.

(b) The district shall provide for the payment of the bonds solely through revenue collected to pay the bonds as authorized by Chapter 65, Water Code.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. 3166), Sec. 1.07, eff. April 1, 2009.