

SPECIAL DISTRICT LOCAL LAWS CODE
TITLE 6. WATER AND WASTEWATER
SUBTITLE F. MUNICIPAL UTILITY DISTRICTS
CHAPTER 8154. BLUE RIDGE WEST MUNICIPAL UTILITY DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8154.001. DEFINITIONS. In this chapter:

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

(2) "District" means the Blue Ridge West Municipal Utility District.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. 3166), Sec. 1.10, eff. April 1, 2009.

Sec. 8154.002. NATURE OF DISTRICT. The district is a municipal utility district and a conservation and reclamation district in Fort Bend County created under Section 59, Article XVI, Texas Constitution.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. 3166), Sec. 1.10, eff. April 1, 2009.

Sec. 8154.003. 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.

(d) The accomplishment of the purposes stated in this chapter is for the benefit of the people of this state and for the improvement of their property and industries. The district, in carrying out the purposes of this chapter, will be performing an essential public function under the constitution.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. 3166), Sec. 1.10, eff. April 1, 2009.

Sec. 8154.004. DISTRICT TERRITORY. (a) The district is composed of the territory described by Section 2, Chapter 633, Acts of the 60th Legislature, Regular Session, 1967 (Article 8280-379, Vernon's Texas Civil Statutes), 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 the field notes or in copying the field notes in the legislative process does not affect:

- (1) the district's organization, existence, and 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.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. [3166](#)), Sec. 1.10, eff. April 1, 2009.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 8154.051. COMPOSITION OF BOARD. The board consists of five directors.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. [3166](#)), Sec. 1.10, eff. April 1, 2009.

Sec. 8154.052. QUALIFICATIONS FOR OFFICE. (a) A person must reside in this state to be elected or appointed as a director of the board.

(b) A director is not required to reside in the district.
Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. [3166](#)), Sec. 1.10, eff. April 1, 2009.

Sec. 8154.053. DIRECTOR'S BOND. (a) Each director shall execute a bond in the amount of \$5,000 for the faithful performance of the director's duties.

(b) The bond must be:

(1) approved by:

(A) the board; and

(B) the county judge or the commissioners court of the county in which the district is located;

(2) filed for record in the office of the county clerk of the county in which the district is located;

(3) filed for safekeeping in the district's depository; and

(4) recorded in a record kept for that purpose in the district office.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. [3166](#)), Sec. 1.10, eff. April 1, 2009.

Sec. 8154.054. ABSENCE OF PRESIDENT OR SECRETARY FROM BOARD MEETING; DUTY OF SECRETARY. (a) If the board president is absent from a board meeting at which an order is adopted or other action is taken:

(1) the board vice president may sign the order or action; or

(2) the board may authorize the president to sign the order or action.

(b) The board secretary shall sign the minutes of each board meeting.

(c) If the board secretary is absent from a board meeting, the board:

(1) shall name a secretary pro tem for the meeting who:

(A) may exercise all powers and duties of the secretary for the meeting;

(B) shall sign the minutes of the meeting; and

(C) may attest all orders passed or other action taken at the meeting; or

(2) may authorize the secretary to attest all orders passed or other action taken at the meeting.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. 3166), Sec. 1.10, eff. April 1, 2009.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 8154.101. MUNICIPAL UTILITY DISTRICT POWERS AND DUTIES. The district has all of the rights, powers, privileges, and duties provided by general law applicable to a municipal utility district created under Section 59, Article XVI, Texas Constitution, including those conferred by Chapters 49 and 54, Water Code.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. 3166), Sec. 1.10, eff. April 1, 2009.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 87 (S.B. 1969), Sec. 21.068, eff. September 1, 2009.

Sec. 8154.102. ADDITIONAL POWERS. (a) The district may:

(1) purchase, construct, or otherwise acquire a waterworks system, sanitary sewer system, or storm sewer system and drainage facility, or any part of those systems or facilities;

(2) make any necessary purchase, construction, improvement, extension, or addition to a system or facility described by Subdivision (1);

(3) purchase or acquire, operate, and maintain any land, right-of-way, easement, site, equipment, building, plant, structure, or facility necessary to a system or facility described by Subdivision (1); and

(4) sell water and other services.

(b) The district may exercise any of the rights or powers granted by this chapter inside or outside the district's boundaries.

(c) The district may exercise any of its rights or powers to provide water or sewerage services to an area inside or outside the district's boundaries.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. 3166), Sec. 1.10, eff. April 1, 2009.

Sec. 8154.103. HEARINGS FOR EXCLUSION OF TERRITORY. (a) The board is not required to call or hold a hearing on the exclusion of land or other property from the district.

(b) The board on its own motion may call and hold one or more hearings on the exclusion of land or other property from the district in the manner provided by general law.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. 3166), Sec. 1.10, eff. April 1, 2009.

Sec. 8154.104. EMINENT DOMAIN. The district may exercise the power of eminent domain only in a county in which the district is located.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. 3166), Sec. 1.10, eff. April 1, 2009.

Sec. 8154.105. COST OF RELOCATING OR ALTERING PROPERTY. (a) In this section, "sole expense" means the actual cost of relocating, raising, lowering, rerouting, or changing the grade of, or altering the construction of a facility described by Subsection (b) in providing a comparable replacement without enhancing the facility, after deducting from that cost the net salvage value derived from the old facility.

(b) If the district, in the exercise of the power of eminent domain, the power of relocation, or any other power granted under this chapter, makes necessary the relocation, raising, rerouting, changing the grade of, or altering the construction of a highway, a railroad, an electric transmission line, a pipeline, or a telegraph or telephone property or facility, the necessary relocation, raising, rerouting, changing the grade of, or alteration of construction shall be accomplished at the sole expense of the district.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. 3166), Sec. 1.10, eff. April 1, 2009.

Sec. 8154.106. NOTICE OF ELECTION. The board president or secretary may give notice of an election.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. 3166), Sec. 1.10,

eff. April 1, 2009.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 8154.151. TAX METHOD. (a) The district shall use the ad valorem plan of taxation.

(b) The board is not required to hold a hearing on the adoption of a plan of taxation.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. 3166), Sec. 1.10, eff. April 1, 2009.

Sec. 8154.152. DEPOSITORY. (a) The board shall select one or more banks or trust companies in this state to act as a depository of bond proceeds or of revenue derived from the operation of district facilities.

(b) The depository shall, as determined by the board:

- (1) furnish indemnity bonds;
- (2) pledge securities; or
- (3) meet any other requirement.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. 3166), Sec. 1.10, eff. April 1, 2009.

Sec. 8154.153. PROCEDURE FOR PAYMENT. An officer or employee of the district, as designated by a standing order entered in the board's minutes, may draw and sign a warrant to pay a current expense, salary, or account of the district if the account has been contracted and ordered paid by the board.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. 3166), Sec. 1.10, eff. April 1, 2009.

Sec. 8154.154. PROJECTS AND PURCHASES EXEMPT FROM ASSESSMENT OR TAXATION. The district is not required to pay a tax or assessment on:

- (1) a district project or any part of the project; or
- (2) a district purchase.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. 3166), Sec. 1.10, eff. April 1, 2009.

SUBCHAPTER E. BONDS

Sec. 8154.201. AUTHORITY TO ISSUE BONDS. The district may vote and issue bonds of any kind, including refunding bonds, for contiguous or noncontiguous areas for any district purpose.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. [3166](#)), Sec. 1.10, eff. April 1, 2009.

Sec. 8154.202. EXCHANGING BONDS FOR PROPERTY OR WORK. The district may exchange bonds, including refunding bonds:

- (1) for property acquired by purchase; or
- (2) in payment of the contract price of work done or materials or services furnished for the use and benefit of the district.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. [3166](#)), Sec. 1.10, eff. April 1, 2009.

Sec. 8154.203. BOND ELECTION. (a) On the failure of a bond election:

- (1) a general law that provides for calling a hearing on the dissolution of the district after a district bond election fails does not apply to the district; and

- (2) the board may call a subsequent bond election after the expiration of six months after the date of the election.

(b) The outcome of a bond election does not affect the district's existence, function, or operation.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. [3166](#)), Sec. 1.10, eff. April 1, 2009.

Sec. 8154.204. BONDS EXEMPT FROM TAXATION. A bond issued under this subchapter, the transfer of the bond, and income from the bond, including profits made on the sale of the bond, are exempt from taxation in this state.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. [3166](#)), Sec. 1.10, eff. April 1, 2009.