

# Summary of Application Requirements for the Creation of Municipal Utility Districts

Below you'll find a summary of the application requirements for the creation of municipal utility districts; if you need clarification of the requirements, see 30 TAC Chapter 293 Subchapter B regarding Creation of Water Districts. The checklist below is designed to assist districts with preparing a water district creation application. Upon receipt of the application, with the items listed below completed and signed, staff will determine if the documentation provided is adequate. If adequate, staff will initiate review. If inadequate, i.e., an item from the list is not provided, or the information provided in support of the items is insufficient, a notice of deficiency (NOD) letter will be prepared and the application may take additional time to process.

A notice will be sent to the applicant to be published in a newspaper that is regularly published or circulated in the county(ies) in which the district is located, and posted on the bulletin board used for posting legal notices within the same county(ies).

## **Creation applications for all Municipal Utility Districts shall contain the following:**

- \$700 nonrefundable application fee
- Petition signed by persons holding title to land representing a total value of more than 50% of the value of all land in the proposed District
- Petition names all lien holders or a separate affidavit stating all lien holders
- Lien holders consent
- If the petitioner is a corporation, trust, partnership, or joint venture, documentation evidencing the person signing the petition is authorized to sign the petition on behalf of the corporation, trust, partnership, or joint venture
- Evidence that the petition was filed with the appropriate city secretary or clerk
- Evidence that the petition was filed with the appropriate TCEQ regional office
- Evidence that the petition was filed with the appropriate county clerk(s)
- Consent from any municipality in whose limits or extraterritorial jurisdiction the proposed District is located
  - o evidence that the application conforms substantially to the city consent
  - o evidence that the city consent does not place any conditions or restrictions on the proposed District
- Indicate whether the metes and bounds description and the vicinity map were provided to the TCEQ's Dam Safety program, (512) 239-0326, along with the response from the TCEQ's Dam Safety program indicating no dam safety concerns.
- Market study
  - o Not more than 6 months old as of date petition is filed with the Commission
  - o Indicates projections (i.e. units per year and specific years) for proposed development including single family, commercial, retail etc.

- Developer's financial statement and experience with districts
  - If the developer and the petitioner are different, documentation explaining the relationship between the developer and the petitioner
- For creations which include anticipated recreational facilities
  - detailed summary of the proposed recreational facility projects
  - estimated costs
  - proposed financing methods
- Boundary map showing metes and bounds, and survey closure computation sheet
- Vicinity Map
- Preliminary plan including:
  - Existing facilities
  - Proposed facilities
  - Any area of the proposed District contained in the 100-year flood plain (if the district contains land within the 100-year floodplain, provide a narrative statement indicating how this land will be developed or removed from the flood-plain)
- Engineering report including:
  - Description of existing area, conditions, topography, and proposed improvements
  - Land use plan
  - 100-year flood computations or source of information
  - Existing and projected populations
  - Cost estimates for proposed improvements and cost summary for anticipated bond issue requirement
  - Projected tax rate and water and wastewater rates
  - Availability for comparable service, including copies of correspondence with utilities within two miles of the proposed district
  - Evaluation of the effect the district will have on:
    - land elevation
    - subsidence
    - groundwater level within the region
    - recharge capability of a groundwater source
    - natural run-off rates and drainage
    - water quality
- Table summarizing the District's most recent overlapping tax rates
- Certificate from the central appraisal district. Certificate must:
  - State the name of the proposed District
  - State that the proposed District's metes and bounds description has been reviewed
  - Include an attached metes and bounds description for the proposed District
  - State owner's names
  - State acreage and property values
- If within a city, evidence of any city rebate for like services
- Temporary director affidavits
- If application includes a request for a fire plan approval, include application requirements for fire plan approval applications