

# **MATRIX OF LEGAL AUTHORITIES**

- Home Rule Cities (Austin; Kyle)
- General Law Cities (Dripping Springs; Bee caves; Rollingwood; Buda; Sunset Valley)
- Counties (Travis; Hays)
- Groundwater Conservation Districts (Hays-Trinity GWCD; Barton Springs-Edwards Aquifer GWCD)

# **SUPPLEMENTAL MATRIX OF LEGAL AUTHORITIES**

- Art. XVI, Sec. 59 Conservation and Reclamation Districts (e.g., WCIDs; MUDs; LCRA). Chapter 49 Texas Water Code.
- Water Control & Improvement Districts (e.g., Hays County WCID No. 1; Hays County WCID No. 2). Chapter 51 Texas Water Code.
- Municipal Utility Districts (Hays County MUD No. 4; Hays County MUD No. 5). Chapter 54 Texas Water Code.
- Lower Colorado River Authority. Chapter 222 Texas Water Code.

# HOME RULE CITIES

- Full power of local self-government and ordinance making to protect health, life and property.
- Power to protect streams and watersheds. May regulate non-point source pollution, enact impervious cover limits, and non-degradation effluent limits (e.g., SOS Ordinance).
- Regulation of subdivision plats within city or ETJ (subject to allocation of plat review authority with county).
- Zoning within city limits.
- Drainage and stormwater controls.
- Developer Agreements to apply or vary from in-city rules (up to 45 years).
- Solid waste management consistent with TCEQ regs. (may not abolish existing solid waste facility).
- Litter, nuisances and unsanitary conditions.
- Regulation of land development to minimize flood damage.
- Financial assurance as condition of plat approval.
- Power to enter and inspect land.
- Enforcement authority.

# GENERAL LAW CITIES

- Any ordinance necessary for the governance, interest, welfare or good order of the city. May promote and protect general health, safety and welfare in ETJ.
- Power to protect streams and watersheds. May regulate non-point source pollution thru pollution control & abatement programs (approved by TCEQ), both in city and ETJ.
- Regulation of subdivision plats within city or ETJ (subject to allocation of plat review authority with county).
- Zoning within city limits.
- Drainage and stormwater controls.
- Developer Agreements to apply or vary from in-city rules (up to 45 years).
- Solid waste management consistent with TCEQ regs. (may not abolish existing solid waste facility).
- Litter, nuisances and unsanitary conditions.
- Regulation of land development to minimize flood damage.
- Financial assurance as condition of plat approval.
- Power to enter and inspect land.
- Enforcement authority.

# **COUNTIES**

## **(in unincorporated areas only)**

- Regulation of plats and subdivision of land to promote health, safety, morals & general welfare and safe, orderly, healthful development of land (subject to allocation of plat review authority with cities).
- Regulation of lot frontages on county roads; building and setback limits; and major roadway widths.
- May not enact zoning ordinances.
- Regulation of drainage as part of subdivision plat approval authority.
- Developer participation contracts to construct public improvements related to development, but not buildings (w/ 30% limit on county financial participation).
- Regulation of solid waste activities consistent with TCEQ regs.
- Abatement of public nuisance and regulate storage if refuse and unsanitary conditions.
- Regulation of land development to minimize flood damages.
- Financial assurance as condition of plat approval.
- Power to enter and inspect land.
- Enforcement authority.

# **GROUNDWATER CONSERVATION DISTRICTS**

- Rules for conserving and protecting groundwater to control waste of groundwater.
- Hays-Trinity GWCD: to conserve, preserve, recharge and prevent waste of GW in western Hays County.
- Barton Springs-Edwards Aquifer GWCD: to conserve, protect and enhance GW resources of Barton Springs segment of Edwards Aquifer.
- No specific authority to enact rules to protect streams and watersheds.
- No specific authority to regulate subdivision plats.
- May not enact zoning ordinances.
- May drain lakes, depressions, draws and creeks.
- May require permits for new GW wells and set spacing and production limits.
- No specific authority to regulate solid wastes.
- No specific authority to abate litter or other unsanitary conditions.
- May require landowner to cap any open or uncovered well.