



AN ORDER FOR THE ESTABLISHMENT OF STREET LIGHT ASSESSMENT OF FEES FOR RURAL AND UNINCORPORATED SUBDIVISIONS IN THE COUNTY OF HIDALGO AS REQUIRED UNDER THE HIDALGO COUNTY MODEL SUBDIVISION RULES

WHEREAS, the Texas Transportation Code 280.003 grants to the Commissioners Court authority to impose on certain property owners by a county for the establishment of street lights along a county road; and

WHEREAS, the statute applies only to the incorporated areas of a county that has any of its territory located within 150 miles of an international boundary; and

WHEREAS, the Commissioners Court may by order provide for the establishment of street lights along county roads located in a subdivision. The order may provide for:

- (1) The installation, operation, and maintenance of the street lights by:
 - (A) The county; or
 - (B) Another public or private entity with which the county may contract;
- (2) The imposition of a fee on landowners in the subdivision who benefit from the street lights;
- (3) Collection of a fee imposed under this subsection by the county tax assessor-collector; and
- (4) Any other matter the Commissioners Court finds necessary to the installation, operation, or maintenance of the street lights.

WHEREAS, on October 9, 2018, the Hidalgo County Commissioners Court modified and adopted the Hidalgo County Model Subdivision Rules requiring the installation of streetlights on all future subdivision developments: and

WHEREAS, the Hidalgo County Tax Assessor-Collector may collect a fee imposed under Transportation Code 280.003, and shall include the fee in the tax bill prepared under Section 31.01, Tax Code, for each landowner whose real property is benefited by the street lights for which the fee is imposed.

A Commissioners Court may obtain a lien against real property benefited by the streetlights for which a fee is imposed under this section to secure payment of the fee. To obtain the lien, the Commissioner court must file a notice with the county clerk of the county in which the property is located.

NOW, THEREFORE, be it RESOLVED that the Hidalgo County Commissioners Court does hereby Order the establishment of a Street Light Assessment Fee to be imposed on a landowner in a rural or unincorporated subdivision who benefits from the street lights that are installed in accordance with the Hidalgo County Model Subdivision Rules.

Be it **ORDERED** and **APPROVED** by the Commissioners Court of Hidalgo County, Texas.

EFFECTIVE DATE

Approved this ____ day of _____, 2020.

RICHARD CORTEZ
County Judge

DAVID L. FUENTES
County Commissioner, Pct. 1

EDUARDO "EDDIE" CANTU
County Commissioner, Pct. 2

JOE M. FLORES
County Commissioner, Pct. 3

ELLIE TORRES
County Commissioner, Pct. 4

Attest: ARTURO GUAJARDO, JR.
County Clerk