



## City of Portland Annexation Frequently Asked Questions

### ***Q. Why is the City of Portland considering annexation?***

The City of Portland is considering annexation for several reasons:

1. Promote Orderly, Planned Development: The lack of land use regulations within the City's Extraterritorial Jurisdiction (ETJ) means that certain uses, such as wind turbines or industrial facilities, may locate in areas that could be offensive to adjacent property owners. The City can utilize regulatory tools such as zoning and building codes to help ensure that buildings, subdivisions, and infrastructure are compatible with each other and meet minimum standards.
2. Provide Municipal Services: The City of Portland can further extend water and wastewater service into annexed areas. Providing these services protects the health and welfare of all property owners in the vicinity.
3. Implement the Comprehensive Plan: The 2012 Comprehensive Plan outlines several recommendations related to annexation, including identifying locations for future growth and protecting residential neighborhoods from encroachment of incompatible land uses. An example of an incompatible land use is the wind turbines to the northwest of Portland, which cannot be regulated in the county and could negatively impact property values in the annexation area.
4. Room for Growth: The City of Portland is becoming landlocked unless it acquires more room to grow and expand. Without this growth potential, the City has limited abilities to regulate and provide services.

### ***Q. What is the Extraterritorial Jurisdiction and how is the ETJ determined?***

A. The ETJ of a municipality is the unincorporated area that is contiguous to the corporate boundaries of the municipality. The Texas Legislature declares it the policy of the state to designate certain areas as the extraterritorial jurisdiction of municipalities to promote and protect the general health, safety, and welfare of persons residing in and adjacent to the municipalities. The size of the ETJ depends on the population of the city. The City of Portland's ETJ generally extends 1 mile beyond the city boundaries, or in some cases has been adjudicated with adjacent municipalities.

### ***Q. What City services will be provided on the day an area is annexed into the City?***

A. In accordance with State law, the following services will be provided on the effective date of the annexation:

- Police protection
- Fire protection
- Emergency medical services

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- Solid waste collection, including recycling and monthly brush and bulky items collection
- Operation and maintenance of water and wastewater facilities that are not within the service area of another water or wastewater utility
- Operation and maintenance of roads and streets, including road and streetlights
- Operation and maintenance of publicly owned parks and playgrounds
- Operation and maintenance of any other publicly owned facility, building, or service

### ***Q. How will annexation affect my taxes?***

A. City property taxes are assessed on the January 1st after annexation and added to the City's tax rolls. You will receive your city tax bill in the fall of the same year, which must be paid by February 1 the following year to avoid penalties. The City Council adopts a new tax rate each fall. The current tax rate in Portland is \$0.529645 per \$100 assessed value.

### ***Q. Does the City provide exemptions on ad valorem (property) taxes?***

A. The City of Portland allows a \$15,000 exemption for Over-65. Other state approved exemptions may apply to your property.

### ***Q. Will I still have to pay county taxes?***

A. Yes, San Patricio County taxes are collected from all property owners throughout the county, whether a resident of a city or not, to provide the services administered by the county.

### ***Q. Will my property's address change?***

A. The Fire Code includes addressing standards to ensure the efficient dispatch of emergency services through the 911 system. Several streets in the proposed annexation areas are identified by "County Road XXX". If a street name or numbering change is required, all affected homeowners, all utility providers, and the United States Postal Service (USPS) will be notified by the Police Department. To ensure mail delivery during the transition, the USPS utilizes both the new and old mailing addresses for up to 18 months. While the Police Department has authority for street name and numbering, the USPS district office has sole authority to determine city and zip code designation of mailing addresses.

### ***Q. If I am annexed, will I have to change school districts?***

A. No, annexation into the City of Portland has no bearing on school district boundaries.

### ***Q. Will there be neighborhood police patrols?***

A. Yes, the City of Portland Police Department provides neighborhood policing services to all areas of our jurisdiction.

### ***Q. Will the city put up streetlights?***

A. It is City policy to install streetlights on new public streets at the following locations (when city funds are available):

- Intersections
- The end of dead-end streets longer than 200 feet

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- Significant curves in the street
- Mid-block 500 feet between lights

Street lights are not scheduled to be installed in existing subdivisions in the proposed annexation areas.

### ***Q. How can I get my street repaired?***

A. For minor and emergency repairs, such as patching potholes, flooding, or cleaning City drainage ditches, gutters, inlets, and culverts, call City of Portland Public Works at 361-777-4601. Requests for more extensive repairs, such as overlay, reconstruction or correction of major drainage problems will be investigated and, if appropriate, included in the appropriate maintenance or capital improvement program.

### ***Q. What is the status of the wastewater service connection project in the Doyle Addition and Nueces Bay Subdivision? Does annexation affect this project?***

A. Bids were opened on the project earlier this year and were rejected. The City has received commitments for additional funding from the Texas Water Development Board and will rebid the project following an additional resident survey of the project area. Annexation does not affect the funding or construction of the project. All property owners will be required to connect to the system once completed.

For property owners outside of the Doyle Addition and Nueces Bay Subdivision, existing water wells and septic systems (On-Site-Sewage-Facilities) may remain in use until such time you choose to hook on to City services or until such times as extensive repairs are necessary. At the time these repairs occur, you may be required to abandon your well and/or septic system and connect to City services. The San Patricio County Health Department will continue to inspect your existing OSSF systems. *[Editor's revision note: Answers from multiple questions have been combined into one section for clarity].*

### ***Q. Will my water bill increase?***

A. No, the water charges on utility bills will decrease. Customers in the existing ETJ are charged 25% more than the inside city limits rates. Once annexed, customers will no longer be charged this 25% increase.

### ***Q. How soon will water and/or wastewater facilities be available to annexed areas?***

A. Several factors determine the timing of service availability. These factors include:

- The distance of a property from existing service mains
- The number of residents in a particular area interested in service
- The existence of any proposed developments that may speed up the service being provided

The City is required by State law to have made progress toward providing service within 2 ½ years from the date of annexation, with an additional 2 years provided for the construction of infrastructure. Note that this statute does not require the City to extend services to every lot or tract within the annexed areas.

***Q. Who will pick up my trash? When will my trash day be?***

A. The City of Portland contracts with Republic Services to collect all trash and recycling within City limits. Republic Services provides two separate roll carts to residents for the collection of garbage and recycling. A welcome packet will be mailed to any affected residents prior to annexation detailing the collections days for trash, recycling, brush, and bulky collection services.

***Q. Will my trash bill increase?***

A. It is likely that your trash bill will decrease once annexed. The City of Portland charges \$17.51 per month. Services include weekly trash collection, biweekly recycling collection, and monthly bulky and brush pickup collection. More information regarding these services can be found at <http://www.portlandtx.com/index.aspx?NID=297>. [Editor's revision note: This answer previously indicated a monthly rate of \$17.32. The rate that becomes effective on November 1, 2015, is \$17.51].

***Q. Will a property owner be able to continue to use their property in the same way after annexation?***

A. Yes, you may continue the existing use of your land provided that it is a legal use. Section 43.002 of the Texas Local Government Code says that after annexing an area, a municipality may not prohibit a person from continuing to use land in a legal manner for which the land was being used when it was annexed, or from beginning to use land in a way that was planned before annexation if the owner meets certain requirements. The law does not prevent the City from imposing certain types of regulations, such as regulations relating to public nuisances. City staff can address questions about specific existing land uses.

***Q. Who will determine the zoning placed on my property?***

A. Newly annexed areas will receive an initial zoning designation of Single Family Residential until such time that permanent zoning designations are adopted by the City Council.

***Q. Do I need a building permit and inspections for construction started before annexation?***

A. No, existing structures that are legally permitted by San Patricio County are grandfathered and do not require permitting or inspections.

***Q. Will I have to bring my home up to city code if I sell it?***

A. No, you will not be required to bring your home up to city code requirements; however, you will be required to meet the Texas Real Estate Inspector's requirements before selling. As such, the Real Estate Inspector may note several items that are not within code. Those items would be dealt with in the selling process and could affect the selling price of your home.

***Q. When do I need to obtain a building permit?***

A. City Ordinance states: No building, structure, patio, porch, deck, swimming pool, spa, sign, or fence or other similar structure shall be erected, constructed, altered, moved, converted, extended or enlarged, and no structure or manufactured home shall be placed on any lot,

without the owner first having obtained a building permit. No parking lot shall be resurfaced, including seal coats, overlays, slurries, rehabilitations, or reconstructions, without the owner first having obtained a permit. Permits are obtained from City of Portland Development Services located in the Public Works Building, 1101 Moore Avenue.

***Q. Will leash-laws apply to my pets? Do I have to get licenses for my animals?***

A. Yes. It is unlawful for the owner of any dog to allow a dog to run at large or stray beyond the premises of the owner. All dogs and cats must be immunized against rabies and licensed each year. Licenses can be obtained at the Police Department by showing proof of vaccination or through a local veterinarian.

***Q. What code enforcement services will the City provide in the annexed areas?***

A. Code Enforcement Officers perform inspections and investigate complaints concerning dangerous buildings, substandard structures, junked motor vehicles, vehicles illegally parked in front and side yards, excessively high grass and weeds, accumulations of trash and debris, miscellaneous animal related violations, illegal dumping, zoning violations, and other general nuisance related violations.

***Q. Is the City going to prevent me from shooting fireworks?***

A. City ordinance prohibits shooting fireworks within city limits.

***Q. Which hunting and firearm regulations apply in annexed areas?***

Sec. 229.002 of the Texas Local Government Code states that a municipality may not apply a regulation relating to the discharge of firearms or other weapons in the extraterritorial jurisdiction of the municipality or in an area annexed by the municipality after September 1, 1981, if the firearm or other weapon is:

- 1) a shotgun, air rifle or pistol, BB gun, or bow and arrow discharged:
  - a. on a tract of land of 10 acres or more and more than 150 feet from a residence or occupied building located on another property; and
  - b. in a manner not reasonably expected to cause a projectile to cross the boundary of the tract; or
- 2) a center fire or rim fire rifle or pistol of any caliber discharged:
  - a. on a tract of land of 50 acres or more and more than 300 feet from a residence or occupied building located on another property; and
  - b. in a manner not reasonably expected to cause a projectile to cross the boundary of the tract.