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TRANSPORTATION CODE

TITLE 6. ROADWAYS

SUBTITLE E. MUNICIPAL STREETS

CHAPTER 313. STREET IMPROVEMENTS AND ASSESSMENTS IN CERTAIN **MUNICIPALITIES**

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 313.001. DEFINITIONS. In this chapter:

(1) "Cost" includes an expense of engineering and other expense incident to construction of an improvement.

(2) "Governing body" means the governing body of a **municipality**.

(3) "Highway" includes any part of a street, alley, public place, or square, including a part left wholly or partly unimproved in connection with another street improvement.

(4) "Improvement" includes the following, liberally construed:

(A) filling, grading, raising, paving, or repairing a highway in a permanent manner;

(B) constructing, realigning, or repairing a curb, gutter, or sidewalk;

(C) widening, narrowing, or straightening a highway; and

(D) an appurtenance or incidental to an improvement, including a drain or culvert.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Sec. 313.002. APPLICABILITY OF CHAPTER. This chapter applies only to a **municipality** that has a population of more than 1,000.

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Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Sec. 313.003. GENERAL POWERS OF GOVERNING BODY. (a) The governing body of a **municipality** may:

- (1) determine the necessity for and order the improvement of a highway in the **municipality**;
- (2) contract for the construction of the improvement in the name of the **municipality**; and
- (3) provide for the payment of the cost of the improvement by the **municipality** or partly by the **municipality** and partly by assessments as provided by this chapter.

(b) The governing body by resolution, motion, order, or ordinance may exercise a power granted by this chapter unless this chapter specifically prescribes that the governing body act by ordinance.

(c) The governing body by resolution or ordinance may adopt rules appropriate to:

- (1) the exercise of a power granted by this chapter;
- (2) the method and manner of ordering or holding a hearing; and
- (3) giving notice of a hearing.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

SUBCHAPTER B. IMPROVEMENTS

Sec. 313.021. HIGHWAY IMPROVEMENTS AUTHORIZED. (a) A **municipality** may improve a highway within its limits.

(b) A **municipality** that has a population of more than 285,000 may make an improvement on a highway outside the **municipality**'s limits if the improvement does not extend more than 150 feet from the municipal limits.

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Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Sec. 313.022. CONTRACT FOR IMPROVEMENT OF BOUNDARY HIGHWAY. (a) A **municipality** may contract with another **municipality** for one **municipality** to make an improvement to a part of a highway as provided by this chapter and for the other to pay a part of the cost of the improvement if:

(1) the boundary between the **municipalities** is on or along the highway or the edge of the highway; and

(2) the governing bodies of the **municipalities** determine the improvement is necessary.

(b) Either **municipality** may use its money for the improvement under the contract without regard to whether the highway is within the **municipality**'s limits.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.