

2015 JUN 17 AM 9:44

Honorable Judge Keith Self
Collin County Commissioners
2300 Bloomdale Rd, Suite 4192
McKinney, TX 75071

June 15, 2015

RE: Permitting Authority in City Extraterritorial Jurisdiction

Dear Judge Self and County Commissioners,

On May 7, 2015, the undersigned Mayors met to discuss the issue of development permitting in the extraterritorial jurisdiction. The Mayors are concerned that the issuance of building permits by Collin County within the extraterritorial jurisdiction of both home-rule and general-law cities has a detrimental effect on our communities due to the limited ability of the County to enforce building, fire and construction-related codes. Proper enforcement of these life-safety codes, through plan review, permitting and inspection, ensures that permitted structures meet the safety standards of our respective communities' adopted codes.

The legislative purpose of the extraterritorial jurisdiction, as stated in Section 42.001 of the Texas Local Government Code, is "to promote and protect the general health, safety, and welfare of persons residing in and adjacent to the municipalities." Consequently, ensuring the quality of development and construction in the ETJ is vital in protecting people, property and emergency responders in the event of an emergency. Moreover, municipal fire departments provide emergency response services within the ETJ.

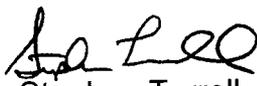
Pursuant to Chapter 242 of the Texas Local Government Code, municipalities may enter into subdivision plat approval agreements with the County. Through such agreements, a municipality may, in accordance with the Local Government Code, impose its subdivision platting regulations in the ETJ. Section 242.001(d)(1) reads as follows, "the municipality may be granted exclusive jurisdiction to regulate subdivision plats and approve related permits in the extraterritorial jurisdiction and may regulate subdivisions under Subchapter A of Chapter 212 and other statutes applicable to municipalities." The word "municipality" as used in the foregoing section is defined in Section 1.05 of the Texas Local Government Code to mean and include a "general-law municipality, home-rule municipality, or special-law municipality."

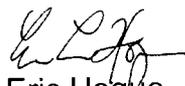
The undersigned Mayors are aligned in the belief that all municipalities, whether general-law or home-rule or special-law, have the authority to issue permits in the ETJ and the responsibility of promoting and protecting the general health, safety and welfare of those living in those

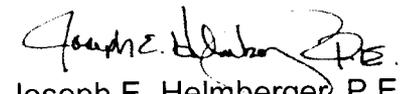
areas. The purpose of this letter is to encourage the Commissioners Court to work with the cities of Collin County in developing processes and procedures that will allow for city issuance of permits within their respective ETJs to ensure that structures are built in compliance with their adopted construction related codes.

Sincerely,

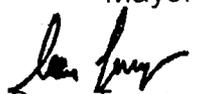

Brian S. Loughmiller
Mayor of McKinney

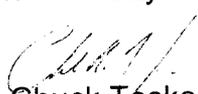

Stephen Terrell
Mayor of Allen


Eric Hogue
City of Wylie


Joseph E. Helmberger, P.E.
Mayor of Farmersville

Jim Olk
City of Lucas


Sean Terry
City of Celina


Chuck Teske
City of Lavon


Reed Greer
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Ken Bowers
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Darion Culbertson
Town of Fairview


Maher Maso
Frisco


Mike Crist
Anna


Harry LaRosiliere
Plano


Eric Bama
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