

FREQUENTLY ASKED QUESTIONS (FAQ)

EXTRATERRITORIAL JURISDICTION (ETJ)

Q: What is extraterritorial jurisdiction?

A: Extraterritorial jurisdiction (ETJ) is an unincorporated area of land that is adjacent to the municipal boundaries of a town or city in Texas that extends out from the municipal boundaries a certain distance.

Q: How big an area does the ETJ cover?

A: The size of the ETJ area depends on the number of inhabitants of the town or city.

Q: For the Town of Bartonville, how far out does the ETJ extend?

A: Generally speaking, the Town's ETJ extends one-half mile out from its Town limits because it is a municipality with fewer than 5,000 inhabitants. Municipalities with more inhabitants have ETJs that are larger in size.

Q: Does the Town's ETJ extend one-half mile beyond the Town limits uniformly around the Town?

A: No, the exact size of the Town's ETJ depends on the area, the history of whether the area is adjacent to the ETJ or boundary of another municipality, and whether through agreement or other action the ETJ has been reduced.

Q: Where can someone review the Town's ETJ areas?

A: The Town maintains a map of the Town's boundaries and ETJ areas that is accessible to the public in Town Hall, and on the Town's website.

Q: What is the purpose of the ETJ?

A: The ETJ designation was created in 1963 by the Texas Legislature to regulate the ability of a municipality in Texas to annex areas adjacent to the municipality. With a couple of exceptions, a municipality can only annex an area that is within its ETJ and that is adjacent to the municipality's current municipal limits.

Q: Can the ETJ of one municipality be located within the ETJ of another municipality?

A: No, there are no overlapping ETJ areas. In 1963 there was a process to work out ETJ areas that were newly created by municipalities in close proximity to one another to avoid overlap.

Q: Can an adjacent city annex the ETJ area of another municipality?

A: No, a city or town can only annex an area within its own ETJ.

Q: How can property in the Town's ETJ be annexed?

A: Because the Town is a General Law municipality, annexation can only occur with the consent/permission of the property owner.

Q: What is the process of annexation?

A: The process of annexation is complex and detailed, and is set forth in Chapter 43 of the Texas Local Government Code. Annexation begins with documents sent by the municipality to the ETJ property owner, and the process includes public hearings and other procedures.

Q: Does property in the ETJ pay real property taxes to the municipality?

A: No, only property located within municipal boundaries pays real property taxes to the municipality.

Q: Does property in the ETJ receive municipal services from the municipality?

A: No, only property located within municipal boundaries receives municipal services.

Q: Do the Town's zoning regulations apply to property in the Town's ETJ?

A: No, zoning regulations only apply to property located within the Town's municipal boundaries.

Q: Can the Town regulate and govern the development of property in the Town's ETJ?

A: No, other than approving a plat, the Town's development regulations, including building codes, cannot be enforced in the ETJ. County development regulations, therefore, apply.

Q: Can the Town agree to reduce the size of its ETJ and transfer it to a neighboring municipality?

A: Yes, by contract, the Town can transfer its ETJ to an adjacent municipality.

Q: Can the Town receive payment for such transfer?

A: Yes, such transfers usually include compensating the municipality who is transferring away its ETJ to a neighboring municipality.