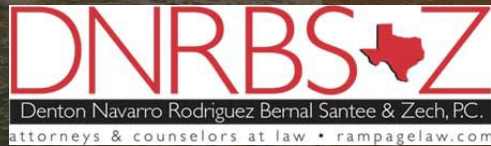


Municipal Law & Courts in Texas

Presented by: Paloma Flores, JD



Three Case Studies: Sandy Jones | Shelly Jones | Summer Jones



What Is Municipal Law?

Municipal law governs the legal framework for cities, towns, and local governments in Texas. It covers how municipalities are created, structured, and operated.

City Charters

Home-rule cities draft their own charters to govern local affairs

Ordinances

Local laws enacted by city councils to regulate conduct within city limits

Taxation & Revenue

Powers to levy taxes, issue bonds, and manage municipal finances

Public Services

Water, utilities, emergency services, and infrastructure management

Texas Municipal Law Framework

The legal foundation governing Texas municipalities

XI

Texas Constitution

Article XI establishes the foundation for municipal governance, granting cities the power to self-govern.

LGC

Local Government Code

Comprehensive statutes covering city creation, annexation, zoning, and municipal operations.

5K+

Home Rule vs. General Law

Cities over 5,000 may adopt home-rule charters; smaller cities operate under general law.

GR

General Rule

Texas courts limit municipal powers to those expressly granted by the state legislature.

Key Areas of Municipal Law

Zoning & Land Use

- Comprehensive planning
- Zoning ordinances
- Variance procedures
- Subdivision regulations

Code Enforcement

- Building codes & permits
- Property maintenance
- Health & safety standards
- Violation penalties

Property Maintenance

- Dilapidated buildings
- Neighbor complaints
- Demolition authority
- Lien recovery

Case studies to follow

CRIMINAL CASE
STUDY

Davy Jones

Addressing Fine-only Crimes

Municipal Criminal Authority



CASE STUDY 1

Sandy Jones

Zoning & Land Use Dispute

A residential property owner challenges the City of Galveston's denial of a zoning variance for a beachfront commercial development.





Sandy Jones v. City of Galveston

Zoning Variance Denial | 2024

Facts & Background

- Sandy Jones owned a beachfront residential lot in Galveston zoned R-1
- Applied for a zoning variance to build a boutique surf shop
- City planning commission denied the variance citing neighborhood impact
- Jones appealed to the Board of Adjustment under TX LGC Ch. 211

Ruling & Takeaways

- Board upheld the denial — no undue hardship shown
- Court affirmed: variance requires unique property conditions, not economic preference
- **Key Principle: Zoning protections serve community welfare over individual profit**
- **Lesson: Variance applicants must demonstrate genuine hardship unique to the property**

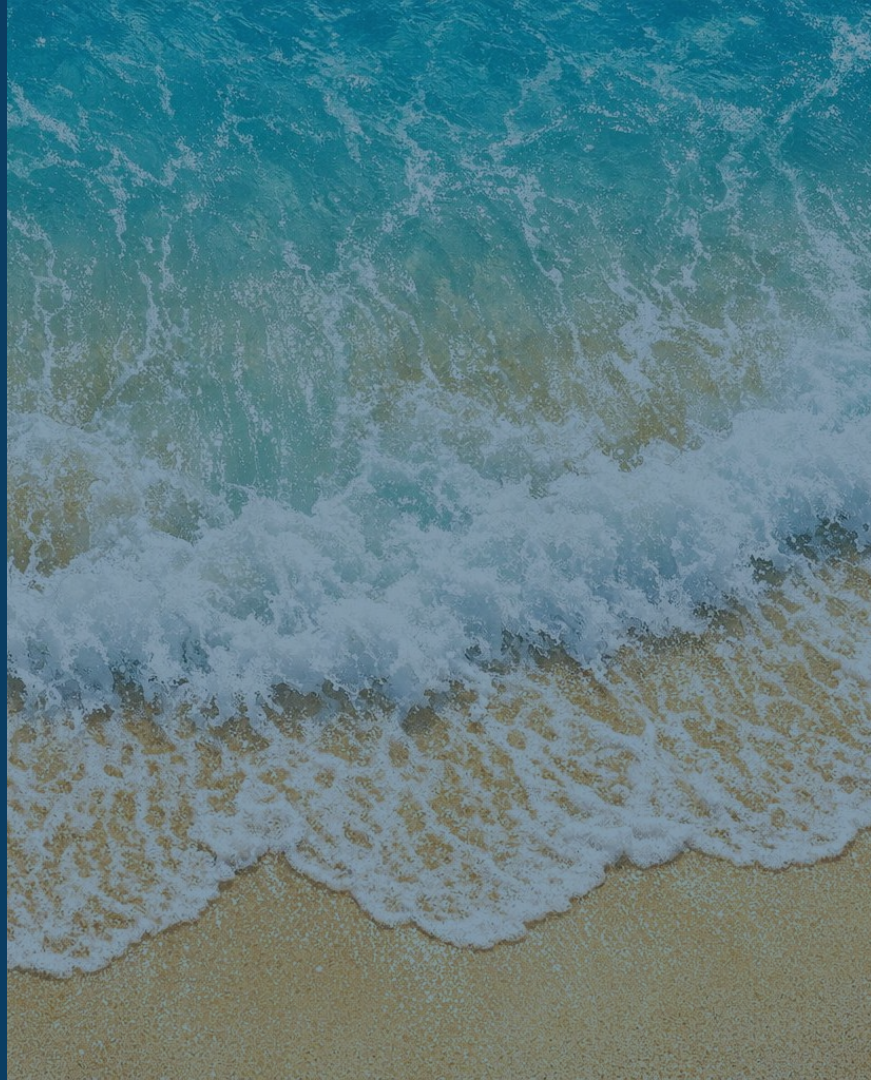


CASE STUDY 2

Shelly Jones

Code Enforcement

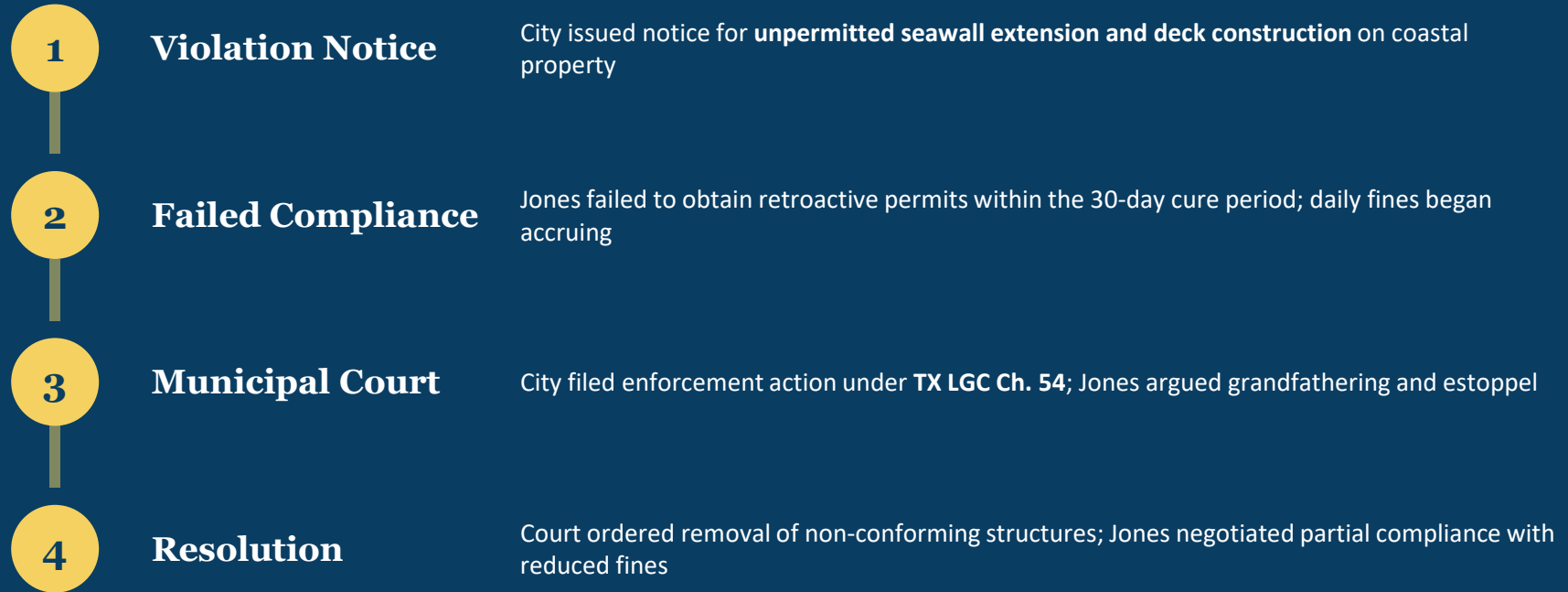
A Corpus Christi homeowner faces escalating code enforcement actions over unpermitted coastal property modifications.





Shelly Jones v. City of Corpus Christi

Code Enforcement Action | 2023





Municipal Fine Collection Authority

How Texas Cities Enforce and Collect Code Violation Fines | Shelly Jones Case

Statutory Collection Tools

- **Municipal Liens (TX LGC §214.0015)** — City may file a lien against the property for unpaid fines, making the debt attach to the land itself
- **Civil Lawsuits (TX LGC §54.017)** — Municipality may bring a civil action in district court to recover fines, costs, and attorney fees
- **Tax Lien Parity** — Code enforcement liens may be given priority similar to tax liens, surviving property transfers
- **Criminal Prosecution** — Continued violations may be prosecuted as Class C misdemeanors in municipal court with fines up to \$2,000/day

Enforcement Mechanisms

- **Judicial Enforcement Orders** — Courts can issue injunctions requiring compliance and authorizing the city to perform remediation at the owner's expense
- **Foreclosure on Liens** — If fines remain unpaid, the city may foreclose on the lien, potentially forcing sale of the property to satisfy the debt
- **Third-Party Collections** — Cities may contract with collection agencies or the Texas AG's office to pursue outstanding fine balances
- **Permit Holds** — Cities may withhold future building permits and certificates of occupancy until all outstanding fines are resolved



Collecting Fines: Shelly Jones Case

How the City of Corpus Christi Pursued Collection of Imposed Fines

1

Property Lien Filed

After the 30-day cure period expired, Corpus Christi filed a lien against Jones's coastal property for \$47,500 in accumulated daily fines, attaching the debt directly to the land.

2

Civil Suit Filed

The city concurrently filed a civil action under TX LGC §54.017 in district court, seeking recovery of the full fine amount plus litigation costs and attorney fees.

3

Permit Freeze

All future building permits and certificates of occupancy for Jones's property were placed on administrative hold until the fine balance and structural violations were resolved.

Negotiated Resolution

- Facing the combined pressure of the lien, civil suit, and permit freeze, Jones agreed to a partial compliance plan
- Fines were reduced from \$47,500 to \$18,000 in exchange for full removal of the unpermitted seawall extension
- The lien was released upon payment, but the case demonstrates the city's ability to leverage multiple collection tools simultaneously to compel compliance

A sunset over a beach with waves and palm trees. The sky is a mix of orange, yellow, and blue, with the sun low on the horizon. The water is dark with white foam from the waves washing onto the sandy beach. Several palm trees are visible on the right side of the horizon.

CASE STUDY 3

Summer Jones

Dilapidated Building Dispute

A neighbor in the small rural city of Hebbronville, Texas, reports a dilapidated building that poses safety hazards, triggering the city's property maintenance enforcement process.

Central Question

What authority does a small general-law city like Hebbronville have under TX LGC Chapter 214 to compel a property owner to repair or demolish a dangerous dilapidated structure?

Summer Jones v. City of Hebbronville

Dilapidated Building Enforcement | 2024

Background

- Jones owned a vacant property in Hebbronville with a deteriorating structure
- A neighbor filed a formal complaint citing safety hazards and vermin
- City issued notice under TX LGC §214.001 requiring repair or demolition

Legal Issues

- TX LGC §214.001 empowers cities to require repair or demolition of substandard buildings
- Jones argued the building was not “dangerous” under the statutory definition
- City relied on building official’s inspection report and TX Health & Safety Code §342.004

Outcome

- Court upheld the city’s demolition order — structure met the statutory definition of dangerous
- City demolished the building and filed a lien under §214.001(d) for remediation costs
- Case reinforced that even small rural cities have full authority to enforce building standards

TX LGC §214.001 Enforcement Process

Authority Regarding Substandard Buildings

01 Ordinance Adoption

Municipality adopts ordinance establishing minimum building standards for all structures, regardless of construction date.

§214.001(b)(1)

02 Building Identified

Structure flagged as dilapidated, substandard, unsecured from unauthorized entry, or inadequately boarded up. Create a report.

§214.001(a)(1)–(3)

03 Notice to Owner

Proper notice sent to owner, lienholders, and mortgagees with hearing details and requirement to show scope of repair work.

§214.001(b)(2), (c)

04 Public Hearing

Hearing held to determine if the building violates ordinance standards. Owner must present proof of planned repairs and timeline.

§214.001(b)(3)

05 Municipal Order

If violation found, city orders vacation, securing, repair, removal, or demolition within a reasonable time period. Ch. 54.

§214.001(d)

06 Enforcement & Lien

If owner fails to comply, city may act directly, then file a lien against the property to recover all expenses incurred.

§214.001(d)

Key Takeaways

01

Zoning Variance Standards

Applicants must prove unique hardship tied to the land itself — economic desire alone is insufficient under Texas law.

02

Code Enforcement Power

Texas municipalities have broad enforcement authority, including daily fines and court-ordered removal of non-conforming structures.

03

Property Maintenance Authority

Under TX LGC Chapter 214, even small general-law cities can compel repair or demolition of dangerous structures and recover costs via lien.

A tropical beach at sunset. The sky is a mix of orange, yellow, and dark brown. The sun is a bright orange circle on the horizon. Waves are breaking on the sandy beach. Palm trees are silhouetted against the sky on both sides.

Thank You

Questions & Discussion