



ANNEXATION FREQUENTLY ASKED QUESTIONS

UPDATED November 30, 2017

The City of Whitehouse is providing the following information to help answer questions about the proposed annexation area. Please feel free to call the City Manager at 903-839-4914 extension *225 or email asmith@whitehousetx.org with any additional questions.

GENERAL QUESTIONS

Why does the City want to annex my property?

Municipalities annex land for many reasons, such as: to efficiently provide services such as public safety; to distribute the cost of services more equitably; to manage land use for orderly future growth; to ensure unified planning and zoning thereby protecting property values; to increase size and population; and to protect or to enhance the municipal tax base.

What do I gain from being annexed into the City of Whitehouse?

A higher level of police patrol and more rapid police/fire response are the most obvious benefits. Other immediate City benefits include a higher level of residential garbage service at a lower cost than private providers in the area. Businesses generally also benefit from the contractually set rates with the City's trash provider. Permitting and inspection of new construction protects homeowners and businesses. Zoning and development regulations protect residents and neighborhoods from incompatible or detrimental uses on adjacent properties which in turn protects property values. You will receive voting rights and local representation in the City of Whitehouse. As water and/or wastewater infrastructure is expanded over time, access to fire hydrants could result in decreased home insurance premiums. If you currently receive utilities from the City of Whitehouse, the rates you pay will be reduced to the inside City rate.

Can I use my property in the same manner that I do now?

Yes. All land uses at the time of annexation will be permitted to continue. However, State law allows the City to impose regulations regarding: the location of sexually oriented businesses; public nuisances; flood control; fire safety and prevention; storage and use of hazardous substances; and the discharge of firearms.

Do I lose my agricultural exemption or any other exemptions I have when annexed?

No. Exemptions granted by other entities are not affected by annexation. The exemptions will remain on the property for as long as the use does not change and the ownership qualifies for the exemptions.

If I have an agricultural, wildlife management or timber tax exemption, can I enter into a development agreement with the City?

Yes. Under State law, property owners may enter into a development agreement with the City if they have an agricultural, wildlife management, or timber ad valorem tax exemption. The agreement means the City may enforce all ordinances, regulations and planning authority that do not interfere with agricultural, wildlife management, and/or timber uses of the land. During the term of the agreement, which is 10 years, the property remains outside the city limits and it is not subject to City property taxes. However, property owners may not receive tax-supported services from the city such as police, fire, trash collection, and more. The agreement shall serve as a voluntary petition to annex into the City at the conclusion of the term or upon development of the property, whichever occurs first.

What if I don't agree to or with the development agreement?

If a property owner declines to enter into the offered agreement with the City, then annexation of the property may proceed in accordance with Texas Local Government Code, Chapter 43.

Why are some of the land owners offered a development agreement and others are not? Only properties that are appraised for ad valorem tax purposes as agricultural or wildlife management are offered the development agreement.

What happens to my property appraisal?

The Smith County Appraisal District establishes property valuation for tax purposes. Annexation of land does not automatically increase the valuation. City taxes are assessed based upon the value of the property within the City's corporate limits on the 1st of January of each year and are due by January 31st of the following year.

How will Public Input be handled?

Public meetings are held to receive public comments. Depending on the type of meeting, notice of these meetings will be posted on the City website, www.whitehousetx.org, and/or by mail to the property owners listed on the tax roll in the proposed annexation area. Two public hearings were held on November 16, 2017 and November 28, 2017, both at 6 pm, at Whitehouse City Council Chambers, 306 E. Main Street, Whitehouse, Texas 75791. There will be an additional meeting held on December 19th at 6:00PM. At this meeting annexation ordinances pertaining to each of the proposed parcels will be considered. Anyone may use this as an opportunity to express support or opposition to the proposed annexations. Additionally, staff welcomes property owners to meet prior to the meeting to discuss property owner's questions and concerns.

Will residents be notified of future meetings on this annexation?

Yes. The City will provide the same written notification of any additional public meeting in which this topic is placed on the agenda for City Council discussion or consideration.

When is the City Council going to complete the annexation of my property?

Barring no unforeseen circumstances, the City Council is scheduled to take action on the ordinance completing the annexation process on December 19, 2017.

I'm in the City's ETJ (extraterritorial jurisdiction). Does that mean I have to start paying City taxes?

No, only properties inside the corporate limits of the City pay city taxes. Properties in the ETJ do not pay city taxes, though they are subject to certain health and safety regulations.

What is the ETJ?

The ETJ, which stands for Extraterritorial Jurisdiction, was created by the Texas Legislature and is a designated area surrounding a municipalities corporate limit for the purpose of promoting and protecting the general health, safety and welfare of persons residing in and adjacent to the municipality. ETJ regulations are established in Chapter 42 of the Texas Local Government Code.

TAXATION, EXEMPTIONS AND REVENUE TO THE CITY**How much will my taxes be affected?**

The City of Whitehouse current tax rate is .675207 cents per \$100 valuation of property. So, for the average home value within the City of Whitehouse of \$151,677, your city taxes will be about \$1025 per year. Your City property tax may be lower if you apply and qualify for any of the following exemptions: Over 65, Disability, Disabled Veteran, Agricultural, Wildlife, or Timber Management. Please note though that the tax rate is subject to change annually. You may also visit the following website for more specific tax rate calculations: <https://www.smithcad.org/taxestimator.html>

When will I start paying City taxes?

Newly annexed properties are added to the tax roll on January 1st following the annexation of the property. City property taxes will not be assessed on the property until October 1st following the annexation. Therefore, if your property is annexed into the City in December 2017, City taxes will not be reflected on your tax bill until October 2018.

Will I still have to pay County property taxes?

Yes, 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.

POLICE AND FIRE SERVICES**Will the public safety services change?**

The Whitehouse Police Department patrols and responds to calls for service inside the City limits. The response time to calls for service from the annexed area will typically be much less than half of what can be provided by the Sheriff's Office. The Whitehouse Police Department maintains a strong presence throughout the City limits to proactively address crime and traffic concerns. The Whitehouse Municipal Fire Department will provide for the fire needs in the annexed area. Response time for the annexed area will typically be much less than half of that provided by Smith County ESD # 2.

Will I still be allowed to use firearms on my property?

Yes, if you own a sizeable tract of land, the discharge of firearms will be permitted. Local Government Code Section §229.002 states that you may use a shotgun, air rifle or pistol, BB gun, or bow and arrow if you are 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. You may also use a center fire or rim fire rifle or pistol of any caliber if you are 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.

Can I continue to use a burn barrel for our trash, and burn our pastures and brush accumulations?

No, the Texas Commission on Environmental Quality (TCEQ) regulations do not allow open burning within the City limits. The City's trash provider will pick up trash once per week and if selected the provider will pick up recyclable materials once per week. Additionally, the City's trash provider will

pick up bundled limbs and yard debris/bulky items twice monthly upon request as well as providing for Whitehouse residents with a monthly trip to the landfill at no charge. Burn permits (\$10 fee) may be obtained after making application to the City and passing an inspection by the Fire Department prior to burning. The Texas Department of Agriculture (TDA) allows for exception to the TCEQ regulations for burning of pastures if related to agriculture purposes. Regulations apply and may be found on the TDA website. Outdoor burning regulations do not apply to recreational fire pits (i.e. small pits for a purpose other than disposing of brush or trash.)

Will I still be allowed to shoot fireworks on my property?

No, the City of Whitehouse prohibits the sale and use of fireworks inside the City limits.

PLANNING, ZONING AND DEVELOPMENT

How does Zoning/Land Use Regulation benefit me?

Zoning and land use regulations help to prevent incompatible land uses on adjacent properties and ensures higher quality construction of new structures, thus preserving property values. All property within the City must be zoned for specific uses. When there is a request for a change in zoning or variance to the zoning regulations, property owners within 200 feet of the property are notified and have the opportunity to address the designed board concerning the proposed change. The City's Code Enforcement Division enforces compliance with the Zoning Ordinance.

What will my property be zoned?

Upon completion of the annexation, newly annexed areas will be assigned a zoning district classification. Your participation in the zoning process is sincerely appreciated and you will want to consider the existing and future use of your land. Staff will work with you to identify the best zoning for your land and surrounding properties.

Will I be able to continue to use my property in the same way after annexation?

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.

Will I be subject to Whitehouse City Ordinances?

Yes, ordinances applied to newly annexed areas will include but are not limited to the following: Building and Fire Codes; Zoning and Land Use Regulations; Noise Ordinance; Animal Control; and Health and Safety.

Does the City require permits to make changes or repairs to my home?

Yes, the City does have specific permits that are required for new construction, remodeling, and some repairs. Cosmetic improvements such as painting, flooring, etc. do not require permits. Homeowners may do their own work and the City will provide inspections and counseling on the meeting the various state mandated building and fire codes. While homeowners may do their own work, permits are still required.

What if I have a structure or use that does not conform to the City of Whitehouse building standards or zoning requirements?

Non-Conforming Uses

Staff will work with you to assign a zoning classification to your property that best fits the existing and future use plans for the property. In the event that a zoning classification is assigned that does not allow for the use that is currently existing on the property, the existing use will be allowed to remain as a non-conforming use. In most cases, non-conforming uses may be sold and/or transferred and allowed to continue. Non-conforming uses may not be expanded or extended.

Non-Conforming Structures

Existing non-conforming structures that do not meet the zoning requirements upon annexation will be allowed to remain as non-conforming structures. In most cases, non-conforming uses may be sold and/or transferred and allowed to continue. Non-conforming uses may not be enlarged or altered without special approvals.

Will I be able to build a metal shed or barn?

Yes, accessory structures are permitted to be constructed in all zoning districts. There are minimum structure standards for all zoning districts.

Do I have to get a fence permit to fence in or across my pasture?

The City will not impose fence permit requirements on fencing for agricultural purposes on large acreage tracts.

What does Code Enforcement do?

The Code Enforcement Division performs inspections and investigates 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.

Do I have to mow my fields?

The City's property maintenance regulations apply to developed tracts of land. Property that is used for agriculture purposes or is undeveloped will not be subject to the mowing requirements, with the exception of ensuring tall weeds or worthless vegetation are mowed three times a year

TRANSPORTATION AND PUBLIC WORKS

Will our street name change? Will being annexed enable the 911 emergency services to find us in a timely manner?

Although street names will not change, address numbers may. However, timely response to emergency 911 calls will not be affected.

What does the City plan on doing about street maintenance?

The City Council has made a commitment to improving and maintaining City streets and annually budgets money to maintain streets. The Public Works Department strives to keep a street rehabilitation program and continue to address maintenance issues. Street maintenance is one of the services Whitehouse will provide to the annexed areas.

Will the City pave and maintain my private road?

Private roadways remain private property and will not be maintained by the City.

TRASH AND RECYCLING

Do I have to pay for water and sewer service to get the trash pick-up?

All residential consumers will receive trash service from the City regardless of water and sewer services. Republic The City's trash provider collects trash once per week, recyclables once per week, and brush/bulky items twice per month upon request. Whitehouse residents are also provided a monthly trip to the landfill. Commercial consumers may elect what level of trash services they receive from the City's trash provider.

What is the current cost for trash pick-up?

Residential customers currently pay \$22.38 per month for trash, recycling, and brush/bulk collection. Commercial customer rates vary based on level of service selected. Rates are established by a contractual agreement between the City and Republic. Rates are typically lower than private service providers outside of the City limits.

What items are picked up through the brush and bulk program?

The trash provider will pick up bundled tree limbs that are no longer than 4-feet in length, bagged yard debris, and other items that are not typical household waste. The following items will not be collected: automobile parts, batteries and tires; major remodeling waste; electronic equipment such as computers and televisions, household appliances that contain coolant, gasoline or other chemicals; dirt, rocks or concrete; and liquids, poisons or explosives.

WATER, WASTEWATER AND ELECTRIC

Do I have to change my electric provider to the City of Whitehouse?

No, your electric provider will not change.

I have an existing well and/or septic system. Will I have to hook up to City water and wastewater mains?

The council can decide if existing water wells and septic systems may remain in use. The council could allow these systems to remain until you choose to connect to City services (if available) or until extensive repairs are necessary. At the time these sort of repairs are necessary, you may be required to abandon your well and/or septic system and connect to City services. Please note that you are not assessed a fee for City services if you do not use them, but you could potentially save money if you tie onto the City's sewer system instead of maintaining your own septic system.

Who pays for the re-route from the water well and/or septic tanks to the service taps at the property line if I connect to City services?

The property owner must hire an approved plumber to get a plumbing permit from the City of Whitehouse and is responsible for the costs of the plumbing route.

How soon will water and/or wastewater services be available to annexed areas?

Several factors determine the timing of service availability including the distance from existing service mains, the number of residents and businesses in a particular area interested in service, and the existence of any proposed developments that may speed up the service being provided. State law regulates the length of time that the City must make certain services available to annexed areas. There are exceptions but the required time is generally between 2 ½ to 4 ½ years

I currently receive water from Walnut Grove Water Supply or Southern Utilities. Will the City now provide me water?

More than likely no. The City, Walnut Grove, and Southern Utilities each have a service area that is established and approved by the Public Utilities Commission (PUC). If you're currently in Walnut Grove's or Southern Utilities Water Supply's service area, your provider will not change.

I already receive City water and/or sewer services. Will my services change?

No, however the rates you are charged will be reduced to the "inside City" customer rate.

Does the City impose any watering restrictions for outdoor watering?

The City encourages the smart use of water. During times of drought, residents and businesses may be asked to curtail usage. This could be done by limiting days on which outside watering is allowed. Currently there are no water restrictions in place. Water utilizing a private well is not restricted.

Does the City allow security lighting and is there a limit on the brightness?

Security lighting is allowed and encouraged if desired. The City does not limit the watts for a security light unless the property is adjacent to a residential area.

ANIMAL CONTROL

Will I be able to keep my animals in the city?

Current animal control regulations permit residents inside the city to own no more than 4 dogs or 4 cats. Should you have more than this number of pets, please disclose this to City staff at the time of annexation. Livestock, fowl and rabbits are also permitted subjected to the regulations set forth in the Animal Control Ordinance. Swine and pigs are not permitted within the City limits. Agricultural uses and animals related to agricultural uses are allowed. In addition, Ag. Code section 251.004 prevents a City from prohibiting an "ag operation" that has been in existence for 1 year or more. Therefore, if owners in our ETJ being annexed have had chickens for 1 year, the City can't prohibit the property owner from keeping them.

Will leash laws apply to my pet?

Yes, upon annexation all City health and safety requirements become effective. The City also requires dogs to be kept behind physical fences to separate them from the public.

What purpose does Animal Control serve?

The Animal Control Division protects the community from the threat of rabies and other diseases and injuries caused by roaming animals. The Division does this by promoting responsible pet ownership through education, enforcement and regulation.

ECONOMIC DEVELOPMENT

The City of Whitehouse is in the beginning stages of creating the Whitehouse Economic Development Corporation (EDC). The EDC will coordinate economic assistance and incentive agreements for businesses seeking to expand and/or relocate operations within the City limits of Whitehouse. The goal will be to pursue economic development using public-private partnerships. These partnerships will allow the generation of primary jobs by using incentive packages that can include economic development grants, participation in the cost of infrastructure, equipment purchases, relocation expenses, employee training, interest buy-downs, and other incentive tools . If you are a business being annexed into the City this will be a service that could potentially help you.