

FORM Petition for Creation of Emergency Services District in Texas

©The Carlton Law Firm, P.L.L.C. 2016

This form is provided for informational purposes only and may not reflect the most current legal developments. This form is not intended, and should not be taken, as legal advice on any particular set of facts or circumstances. You should contact an attorney for advice on specific legal issues prior to use of this form in order to meet the current requirements of Texas Law.

III.

That the area of the District does not overlap with any existing emergency services district (*must be modified if District overlaps another ESD as required by Health & Safety Code 775.0205*) and will include portions of the city limits and extraterritorial jurisdiction of _____ (*insert cities, if any, the boundaries and ETJ of which will overlap the proposed District*)(*modify if no overlapping cities or partial overlap*). The boundaries of the District are more particularly described by the description attached as **Exhibit “A”** (*description must satisfy the requirements of Health & Safe Code 775.013(3)*), which is attached hereto and incorporated herein for all purposes, and generally shown on the attached sketch in **Exhibit “B”** (*attach map of proposed district in black & white – suitable for copying*).

IV.

The District will provide services in response to any emergency situation in accordance with the authority granted to emergency services districts under Chapter 775 of the Texas Health & Safety Code, including but not limited to the following services (*description of service may need to be adjusted if District overlaps another ESD as required by Health & Safety Code 775.0205*):

1. Fire Fighting services;
2. Fire Prevention services;
3. Search and Rescue services; and
4. Emergency Medical services.

V.

The creation of the District complies with Sections 775.020 and 775.0205 of the Texas Health & Safety Code. None of the land encompassed within the District is now included within

FORM Petition for Creation of Emergency Services District in Texas

©The Carlton Law Firm, P.L.L.C. 2016

This form is provided for informational purposes only and may not reflect the most current legal developments. This form is not intended, and should not be taken, as legal advice on any particular set of facts or circumstances. You should contact an attorney for advice on specific legal issues prior to use of this form in order to meet the current requirements of Texas Law.

any other Emergency Services District (*must be modified if District overlaps another ESD as required by Health & Safety Code 775.0205*).

VI.

That _____ (*insert name of petitioner #1*), who resides at _____ (*insert mailing address of petitioner #1*), and _____ (*insert name of petitioner #2*), who resides at _____ (*insert mailing address of petitioner #2*) (*additional petitioners may be named if desired, but minimum is two*), petitioners herein, agree and obligate themselves to pay the cost incident to the formation of the District, including the costs of publishing notices, election costs, and other necessary and incidental expenses, such cost not to exceed one hundred fifty (\$150.00) dollars for _____ County.

VII.

The cities of _____ are the only municipalities whose consent must be obtained under Section 775.014 of the Texas Health & Safety Code. (*modify if no overlapping cities*)

VIII.

The signatures required by the Texas Health & Safety Code, Section 775.011, for the creation of _____ County Emergency Services District No. ___ are attached on **Exhibit "C"** respectively.

WHEREFORE, PREMISES CONSIDERED, petitioner prays that such notices be issued by the County Clerk of _____ County as required by law; that a public hearing be held on this petition in the county; and, that upon such hearing, the Commissioners Court of

FORM Petition for Creation of Emergency Services District in Texas

©The Carlton Law Firm, P.L.L.C. 2016

This form is provided for informational purposes only and may not reflect the most current legal developments. This form is not intended, and should not be taken, as legal advice on any particular set of facts or circumstances. You should contact an attorney for advice on specific legal issues prior to use of this form in order to meet the current requirements of Texas Law.

_____ County grant said petition and call a special election regarding the creation of the District on the next authorized uniform election date that allows sufficient time to comply with other requirements of law.

RESPECTFULLY SUBMITTED this ____ day of _____, 20__.

PETITIONERS:

By: _____

Printed Name: _____

By: _____

Printed Name: _____

SAMPLE

Exhibit "A"

Description of Proposed _____ County Emergency Services District No. ____

Boundary Description

(ATTACHED)

SAMPLE

Exhibit B
Map of Proposed
_____ **County Emergency Services District No. ____**

(ATTACHED)

SAMPLE

Exhibit “C”

Real Property Owners Qualified to Vote in _____ County for Proposed _____ County Emergency Services District No. ____

Owner Name(s) (printed)	Residence Address	Mailing Address	Date of Birth	Voter Registration Number	County of Registration	Owner Signature	Date

(Requirements of form established by Texas Election Code, Chapter 277)