

Types of City Government



*13th Annual Riley Fletcher
Basic Municipal Law Seminar*

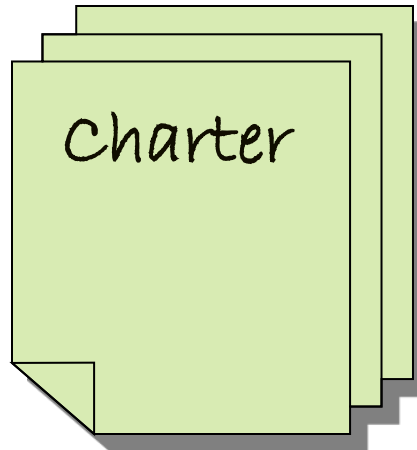
Scott Houston

TML/TCAA General Counsel

General Law



Home Rule



Home Rule v. General Law

A home rule city may do anything authorized by its charter that is not specifically prohibited or preempted by state or federal law.

A general law city has no charter and may only exercise those powers that are expressly granted or necessarily implied by state or federal law.



History

- Special law cities: 1836
- General law cities: 1858
 - Title 28: Cities, Towns and Villages
 - Local Government Code: types A, B, & C
 - The “borrowing provision”
- Home rule cities: 1912
 - Article XI, Section 5

Examples of Differences

- Annexation
- Initiative and Referendum

Questions?

