

Bond Case Briefs

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GOVERNMENTAL IMMUNITY - TEXAS

Port of Houston Authority v. Aaron

Court of Appeals of Texas, Houston (1st Dist.) - September 5, 2013 - S.W.3d - 2013 WL 4760963

More than ninety property owners filed a lawsuit against the Port of Houston Authority, alleging that its negligent operation of a container terminal along the Bayport Ship Channel constituted a nuisance that interfered with the use and enjoyment of their property and violated a municipal noise-control ordinance.

The Port Authority filed a plea to the jurisdiction, seeking dismissal based on governmental immunity.

The court of appeals held that the property owners' claims did not fall within the scope of the limited waiver of governmental immunity stated in the Texas Tort Claims Act, and rendered judgment dismissing the property owners' claims.