

Grayson County Regulations

Policy, Procedures And Specifications Of Grayson County, Texas For The Installation Of Driveway Culverts, Road Bores, Use Of Heavy Equipment And Utility Lines Within Grayson County Road Right-of-Way



Table of Contents

Authority	3
Jurisdiction	3
Purpose	3
Definitions	3
Applications - General.....	4
Plan Requirements –Driveways and Culverts	5
Plan Requirements – Mailboxes	8
Records	8
Construction Requirements.....	9
Construction Requirements – Sidewalks	9
Construction Requirements – Driveways	9
Construction Requirements – Culverts.....	9
Construction Requirements – Utilities (General).....	10
Construction Requirements – Utilities (High Pressure Pipeline)	12
Construction Requirements – Utilities (All Others)	13
Prohibited Activity	14
Right-of-Way Safety Hazards	15
Liability	15
Enforcement	16
Collection of Fees.....	17
Severability.....	17
Effective date	18

Authority

These Regulations are adopted by the Commissioners Court of Grayson County pursuant to Texas Utilities Code Chapter 181, Texas Transportation Code Sec. 251.003, Sec. 251.016 and Sec. 251.017. Additional authority is found in a Texas Attorney General Opinions GA-1013 and GA-0693.

Jurisdiction

These Regulations apply to all laying, construction, repair and/or installation of driveway, culvert, road bores, and utility lines within Grayson County right-of-way (ROW).

Purpose

The purpose of these Rules is to protect the public, to maintain safe and efficient operating regulations, and to provide a safe environment on County roads. Structures built and work performed in the county right-of-way and/or easements must be accomplished in a manner that is safe for the traveling public and shall meet at least the minimum standards outlined in this document.

Definitions

As used in these Rules, the following words and phrases have the following meaning:

APPLICANT – Property or utility owner, or their designated representative.

COMMISSIONERS COURT – The Commissioners Court of Grayson County.

COUNTY – Grayson County, Texas.

COUNTY ENGINEER – where used in these Regulations, “County Engineer” shall mean the Grayson County Director of Development Services and his/her authorized and/or appointed representatives.

COUNTY ROAD(WAY) – a public roadway under the control and maintenance of the County.

DEVELOPMENT SERVICES – Grayson County Development Services Department.

DRIVEWAY CULVERT – a structure that allows water to flow under a driveway or similar obstruction that is typically surrounded by soil, rock or other stabilizing materials.

ENGINEER – a person licensed under the provisions of the Texas Engineering Practice Act to practice the profession of engineering in the State of Texas.

HEAVY EQUIPMENT – equipment that has more or less restricted mobility and a large capacity for heavy duties and is commonly used in mining, utilities, construction, forestry, handling aggregates, recycling, concrete, paving, asphaltting, demolition, agricultural and public works type projects.

HIGH PRESSURE PIPELINE – any pipeline designed to transport a liquid or gas at a pressure equal to or in excess of sixty (60) pounds per square inch.

MINIMUM REQUIREMENTS – Minimum acceptable requirements; such requirements may be modified by the Director of Development Services as may be necessary to protect the public health, safety, and welfare.

OWNER – the Owner of the parent tract or lot of record.

PERSON – any individual, corporation, partnership, limited partnership, joint venture or other legal entity.

RESIDENT – a person who lives somewhere permanently or on a long-term basis.

RIGHT-OF-WAY – a parcel of land that is occupied or intended to be occupied by a roadway that is subject to a right of access by someone other than the owner. The parcel of land can be dedicated or acquired

through the claimant's adverse actions taken under a mere semblance of legal rights that have persisted for at least ten (10) years. The right of access does not necessarily contain written documentation or language and can be simply implied.

ROAD BORE – the making of a tunnel, mine, well, passage, etc. by hollowing out, cutting through or removing a core of material.

REGULATIONS – Policy, Procedures And Specifications Of Grayson County, Texas For The Installation Of Driveway Culverts, Road Bores, Use Of Heavy Equipment And Utility Lines Within Grayson County Road Right-of-Way, as may be amended.

UTILITY – any pipeline, main, conduit, cable or utility structure of a publicly, privately and/or cooperatively owned utility company engaged in furnishing electrical services, gas, water, sewage, community antenna or cable television.

Applications - General

- A. Applications for permits are required for:
 - Widening of existing driveways;
 - New residential or commercial culvert placement;
 - New residential or commercial mailbox placement;
 - New residential or commercial driveway and/or sidewalk construction;
 - Extension of existing culverts;
 - Replacement of driveway, sidewalk, mailbox or culvert;
 - Repair of existing driveways;
 - Installation, repair, or other modification to existing utility lines within the existing right-of-way, and;
 - Any other modifications within the existing County right-of-way.
- B. Traffic control plans shall be submitted for construction activity requiring a lane closure. A detour plan should be developed after working with Grayson County Development Services and submitted to the County Engineer when appropriate. Traffic control plans shall be in accordance with all Federal and State regulations.
- C. All permits issued by the County Engineer or Development Services Department shall require conformance with:
 - these Regulations including any subsequent amendments or revisions thereto;
 - *Grayson County Standard Construction Drawings* as promulgated by the County Engineer;
 - all Federal and State regulations.
- D. Applications for permit shall be submitted online at <https://www.co.grayson.tx.us/page/dev.home> through the Development Certificate Portal.
- E. All permits which require a bond must be approved by Grayson County Commissioners Court.

- F. Permits must be obtained from the County Engineer or Development Services prior to the start of construction.
- G. Permits shall provide that construction pursuant to the permit will be commenced within six (6) months and be completed within nine (9) months from the date of the permit.
- H. Grayson County Development Services Department does not provide service for installation of culverts.
- I. The permit applicant will be responsible for cost of the pipe material, pipe fittings, safety ends, and other required accessories/material including delivery and off loading at the driveway site, and applicant will also provide all labor, materials and equipment to install the pipe including excavation, grading, and backfill between the adjacent road surface and the property line or right-of-way line.
- J. Temporary drainage pipes (180 days or less) are exempt from this Regulation provided a permit is obtained for working within the Grayson County right-of-way.
- K. Questions are to be directed to the Grayson County Development Services Department, 100 W. Houston St., Sherman, TX 75090, Phone 903-813-5275.

Plan Requirements –Driveways and Culverts

- A. When an application for a driveway, with or without a culvert or sidewalk, is filed, the applicant will provide and consider the following:
 - 1. Street Address for residential properties (Grayson County 9-1-1 provided address). An application for a 911 address can be processed in conjunction with a driveway permit.
 - 2. The location of the driveway culvert by staking its beginning and the end on the ground and showing the distance from the nearest property corner or intersecting street or road.
 - 3. Clearly denote whether the driveway will provide ultimate access to single-family residential, agricultural, multi-family residential, industrial, or commercial development.
 - 4. Identify the driveway material type.
 - 5. All culverts shall be constructed of galvanized corrugated steel or reinforced concrete pipe with size and type identified.
 - 6. If safety ends are used, they shall have a maximum slope of 4:1.

7. The location of all physical objects such as drainage inlets or catch basins within the portion of the driveway or sidewalk within the County or public easement or right-of-way that might conflict with the construction of the driveway. In addition, the applicant must provide the location of all manmade objects within the portion of the driveway or sidewalk which is within the County or public easement or right-of-way.
- B. After permit application submittal, Grayson County Development Services Department will notify the applicant of the required pipe size diameter.
1. Minimum pipe size shall be twelve inch (12") unless special conditions exist that may warrant a smaller size approved by the County.
 2. The maximum pipe size for a driveway crossing shall not exceed a single row of thirty-six inch (36") diameter pipe. Any driveway culvert requiring a larger pipe size shall be designed by a Professional Engineer licensed in Texas and constructed by a general contractor in order to obtain a permit.
- C. Culverts will be placed in the center of the ditch approximately nine feet (9') from the property line.
- D. The required length of the proposed culvert is based on the following standards unless an exception is granted by the applicable county commissioner:

	Single Family Residential/Agricultural	All other driveways
Minimum for walkway	One joint of pipe (8')	
Minimum for driveway	30 ft.	30 ft.
Maximum for driveway	40 ft.	60 ft. (inlets shall be spaced 50 ft. or in the midpoint of any culvert over 50 ft. in length)

New Street Crossings or Connection to Existing Streets: Length to be determined by the County Engineer.

- E. Safety end treatments with pipe runners are required for all pipes larger than thirty-six inches (36") in diameter.
- F. A driveway constructed over a roadside ditch culvert shall conform to at least the geometric requirements of the *Grayson County Standard Construction Details*.
- G. Proposed driveways on a corner lot shall not be located within any portion of public street curb radii.

H. A special design is required whenever the driveway may be proposed in a location hazardous to traffic safety as determined by the County Engineer.

I. Single-Family/Residential/Agricultural Driveways and Culverts shall conform to the following guidelines:

1. Driveways shall be separated by a minimum of sixty feet (60') with no more than three (3) driveways placed adjacent to one another.
2. Sidewalks constructed in County right-of-way or easements be constructed in accordance with the *Grayson County Standard Construction Details* and any subsequent amendments or revisions thereto as promulgated by the County Engineer.
3. If the County has need to increase the size or change in depth or grade of an existing roadside ditch or drainage easement, the County will incur the cost of the replacement of existing driveways within the work area. Driveways will be replaced with similar material. The driveway installation will only be offered to properties that exhibit signs of recent and frequent access or to properties that have existing structures that require vehicular access.
4. The property owner will be responsible for the maintenance, upkeep, and repair of the culvert crossing (driveway surface and pipe opening).
5. Horseshoe or multiple driveways to County roads on a tract of land may be permissible, depending on existing conditions. A separate permit must be obtained for each installation. The maximum number of driveways allowed on a tract of land:

Parcel Frontage Length	Number of Driveways
Less than 105 ft.	1
105 ft. to 210 ft.	2
Greater than 210 ft.	3

J. Commercial/Industrial/Multi-Family Driveways and Culverts shall conform to the following guidelines:

1. A Traffic Impact Analysis shall be completed by a Professional Engineer licensed in the State of Texas for all land uses other than single-family residential or agricultural. Any improvements required by the Traffic Impact Analysis shall be designed by a Professional Engineer licensed in the State of Texas and submitted to the County Engineer for review. All improvements shall be completed by the developer at their expense.

2. Commercial/Industrial/Multi-Family driveways shall be spaced with a minimum of fifty feet (50') separation. On major thoroughfares (arterials and collectors), driveways shall be placed with a minimum of one hundred fifty feet (150') separation.
 3. Commercial/Industrial/Multi-Family driveways on arterial roadways shall be placed no closer than one hundred fifty feet (150') from the ultimate curb line of an intersecting arterial or collector street. Commercial/Industrial/Multi-Family driveways on local streets are to be placed no closer than seventy-five feet (75') from the ultimate curb line of an intersecting arterial. Commercial/Industrial/Multi-Family driveways on arterials are to be placed no closer than seventy-five feet (75') from the ultimate curb line at an intersection of a collector or local street.
 4. Commercial/Industrial/Multi-Family tracts with ninety-five feet (95') or less frontage on a public street shall have no more than one (1) driveway. Commercial/Industrial/Multi-Family tracts with between three hundred twenty feet (320') and ninety-six feet (96') frontage on a public street shall have no more than two (2) driveways. Commercial/Industrial/Multi-Family tracts with between six hundred feet (600') and three hundred twenty-one feet (321') frontage on a public street shall have no more than three (3) driveways.
- K. All work shall be done by a responsible, qualified contractor.

Plan Requirements – Mailboxes

- A. The placement and construction of individual mailboxes will be strictly enforced. Mailboxes shall be installed no closer than 13.5' from the centerline of the existing pavement or eighteen inches (18") from the edge of the existing pavement, whichever is less.
- B. Mailboxes and their installation in County right-of-way shall meet specifications found in United States Postal Service Regulations. Further information can be found here: <https://www.usps.com/manage/mailboxes.htm>.
- C. The County allows brick or other masonry mailboxes only if they are placed a minimum of 13.5' from the centerline of the existing pavement or eighteen inches (18") from the edge of the existing pavement, whichever is less. Furthermore, the County maintains the authority and discretion to remove, or require to be moved, any mailbox it deems to be unsafe.

Records

- A. All applications and file copies of permits issued pursuant to these Requirements shall be maintained by the County Engineer or Development Services as part of the permanent records of his/her office.

Construction Requirements

- A. The owner is responsible for requesting an inspection at intervals described in the following sections. An inspection may be requested online via Grayson County's online portal.
- B. Materials not used during construction shall be removed from the site and the ROW restored to original condition.
- C. If work is to be performed less than ten feet (10') from existing edge of travelway, a traffic control plan shall be submitted to Grayson County Development Services for review and approval at least five (5) working days before construction begins.

Construction Requirements – Sidewalks

- A. Sidewalks will be inspected before placement of concrete while formwork and re-bar are exposed. Inspection will verify nominal thickness of concrete. Items inspected will cover location, slope and obstruction by improperly elevated manholes, water valves etc.

Construction Requirements – Driveways

- A. Driveways connecting to concrete curb and gutter roadways shall be constructed of concrete and inspected after the placement of reinforcing steel and prior to the pouring of concrete, and again after the concrete pour for conformance with County standards.
- B. Concrete driveways connecting asphalt or chip seal roadways shall be inspected after the placement of reinforcing steel and prior to the pouring of concrete, and again after concrete pouring for conformance with County standards. The concrete shall **not** extend closer than 13.5' from the centerline of the existing pavement or eighteen inches (18") from the edge of the existing pavement, whichever is less. The remaining area shall be filled with not less than six inches (6") of base rock with not less than two inches (2") of asphalt.
- C. Asphalt or all-weather surface driveways connecting to asphalt roadways will be inspected after the placement of materials for conforming to plans.
- D. All driveways requiring special geometric design as determined by the County shall be inspected for conformance with plans.
- E. The County Engineer may make any additional inspections deemed necessary to administer these Regulations.

Construction Requirements – Culverts

- A. The installation of culverts shall be governed by the following procedures:

1. The applicant shall place a stake or similar marker at the desired location of the driveway. Once complete, the applicant may apply for a development certificate through the online portal.
2. The application is reviewed by Grayson County Development Services and the precinct barn is notified of the application.
3. The precinct barn inspects the desired location of the driveway for compliance with these regulations and determines the required culvert size. The required culvert size is sent to the applicant.
4. The applicant may proceed with the installation of the correct culvert size with either corrugated metal or reinforced concrete pipe. Asphalt and all-weather surface driveways may also be constructed at this time. The placement of reinforcement steel for concrete driveways may also be placed at this time. The applicant shall notify Grayson County through the online portal that the culvert and driveway is ready for inspection.
5. For concrete driveways only:
 - a. An inspection of the reinforcement and proposed location of the concrete will be conducted prior to pouring concrete. Approval or denial of the reinforcement placement and location of the concrete is sent to the applicant. Deficiencies will be sent with any denial and must be corrected and inspected prior to proceeding further.
 - b. The applicant may then proceed with pouring concrete. The applicant shall notify Grayson County through the online portal that the concrete driveway is ready for inspection.
6. A final inspection will be conducted by the precinct barn. If approved, notification is sent to the applicant. If denied, notification is sent to the applicant of the deficiencies and the process is repeated until the culvert and driveway are approved.

Construction Requirements – Utilities (General)

- A. Grayson County requires a completed *Application for Permit for the Installation of Pipe and/or Utility Lines within a County Maintained Right-of-Way or Easement*. Every permit application must be accompanied by a complete set of construction details and specifications to fully convey the work to be performed in the County right-of-way and to assure conformance with these Requirements including *Grayson County Development Services Department Standard Construction Details* and any subsequent amendments or revisions thereto. The following shall be included:
 - an accurate site plan, including a depiction of existing right-of-way;

- proposed improvements drawn to scale and fully dimensioned;
 - existing and proposed drainage patterns;
 - specifications of materials to be used; and
 - non-refundable and non-transferable permit fee.
- B. Applications for permit shall be submitted online at <http://www.co.grayson.tx.us/page/dev.home> through the right-of-way permit portal at least thirty (30) days prior to construction. A copy of the County permit shall be on site at all times.
- C. Backfill requirements for all open cut excavation and trenches will be as follows:
1. Areas not subject to vehicular traffic, the trench backfill is to be placed in lifts not more than ten inches (10") in depth. The method of compaction shall be left to the contractor.
 2. Areas subject to vehicular traffic will be backfilled in six inch (6") lifts and mechanically tamped to ninety-five percent (95 %) modified proctor density.
 - a. Gravel/Dirt Roads - Backfill will be tamped in six inch (6") lifts until within nine inches (9") of the road surface. After which, one foot (1') of flexible base shall be tamped so that it is level with driving surface. Flexible base shall be in accordance with the most recently adopted version of the Texas Department of Transportation *Standard Specifications for Construction and Maintenance of Highways, Streets, and Bridges*, Item 247, Flexible Base, or other as approved by the County Engineer.
 - b. Asphalt Roads - Backfill materials shall be selected mineral aggregate and cement in proportions of 27 to 1 properly compacted to ninety-five percent (95%) modified proctor density to within two inches (2") of the road surface. Asphaltic concrete will then be added and tamped or rolled to make a level driving surface. Asphaltic concrete shall be in accordance with the most recently adopted version of the Texas Department of Transportation *Standard Specifications for Construction and Maintenance of Highways, Streets, and Bridges*, Item 334, Hot-Mix, Cold-Laid Asphalt Concrete Pavement, or other as approved by the County Engineer.
- D. Any utility pole line parallel to a County road shall be constructed with poles set no further than one foot (1') from the right-of-way line. Any deviation must have the written approval of the County Engineer.
- E. All underground road crossings shall be clearly and permanently marked, on each side of the ROW, with warning signs indicating owner and type of installation, where practical. Pipelines carrying water and domestic sewage are exempt from this requirement.

- F. If an open cut is required, the cut shall not be more than one-half of the roadway at a time in order to maintain the flow of traffic at all times. However, in an emergency, or with the permission of the County Engineer, the entire width of the roadway may be cut or opened, provided barricades are placed at the first intersection each way from the cut, and suitable detour signs are erected. The detour route must be developed in cooperation with and the approval of the County Engineer.

Construction Requirements – Utilities (High Pressure Pipeline)

- A. High-pressure pipelines shall be installed at the greater of the following depth:
 - 1. minimum of six feet (6') below the crown of the road, or
 - 2. a minimum of three feet (3') below the bottom of the roadside ditch after it is cut to the correct depth.
- B. In curb and gutter streets, the pipeline shall be installed a minimum of two feet (2') under the bottom of the slab at the gutter.
- C. All measurements are from the top of the pipe and/or casing.
- D. All high-pressure pipelines must be cased and vented or have the equivalent protection in the design.
- E. Bore pits for high pressure pipeline installation shall be a minimum of thirty feet (30') from the nearest through traffic lane and not less than twenty feet (20') from the edge of the pavement.
- F. A Professional Engineer licensed to practice in the State of Texas must seal all high-pressure pipeline drawings submitted and certify that the drawings meet all Federal and State requirements and guidelines for the specific design.
- G. All lines, where practicable, shall be located so as to cross the County roadbed at a right angle to the road.
- H. No lines are to be installed under or within fifty feet (50') of either end of any bridge.
- I. No lines shall be placed in any culvert or within ten feet (10') of the closest point of any culvert.
- J. Parallel lines will be installed as near to the ROW line as possible, and no parallel line will be installed in the roadbed or between the roadside ditch and the roadbed without special permission of the County Commissioner.

- K. Written notice shall be given to the County Engineer at least forty-eight (48) hours before laying, constructing, boring or maintaining and/or repairing any utility in, under, across or along any County road which involves disturbance of the soil.

Construction Requirements – Utilities (All Others)

- A. All utilities that cross improved County roads shall be drilled, tunneled, or bored under the road for the full width of the improved portion of the road. Improved County roads, as used within this subsection, are defined as any road surfaced with a material other than dirt. The improved portion is considered as that portion of the road lying between the front slope of each roadside ditch, or on curb and gutter sections, the area lying between the back of each curb and the ROW line.
- B. If, however, such procedure is deemed impractical by reason of rock, utilities, underground construction or terrain, special permission may be granted by the Grayson County Engineer before an open road cut will be allowed. If approved, trenching, backfilling, and resurfacing of the cut shall be done in accordance with the procedures outlined in these Regulations and in compliance with *Grayson County Construction Standard Details*. The applicant shall be responsible for all paving repair for a period of two (2) years after completion of the cut.
- C. All underground utilities, except high pressure pipelines, that cross County roads shall be installed at the greater of the two following depths:
 - 1. at least six feet (6') below the crown of the road, or
 - 2. at least three feet (3') below the bottom of the roadside ditches on each side of such County road after it is cut to the correct depth.
- D. Such depth distances shall be measured from the top of such utilities to the bottom of the roadside ditches or from the crown of the road as the case may be; unless by reason of proposed or anticipated changes in the grade of such County road or roadside ditches, the Grayson County Engineer determines that a greater depth is advisable.
- E. On curb and gutter sections, all utilities that cross County roads shall be installed at a minimum of three feet (3') below the bottom of the slab at the gutters. Such depths shall be measured from the top of such utility to the bottom of the slab at the gutter. However, in particular instances where it is determined by the Grayson County Engineer that a greater depth is required, such utility shall be installed at the depth required.
- F. Fire hydrants shall be installed no closer than eighteen inches (18") to the edge of the road.
- G. All utilities, except high-pressure pipelines, parallel to and within the ROW of any County road shall be laid, constructed, maintained and/or repaired at a distance of not less than four feet (4') from the edge of the road. The underground installation shall be at such depth so as to provide a

minimum of three feet (3') of cover above the top of the buried structure to the existing or proposed grade.

- H. On curb and gutter sections, all utilities paralleling the road should be a minimum four feet (4') behind the back of the curb. All utilities constructed, maintained or repaired above any County road ROW shall be a minimum of twenty feet (20') above the ground or as determined by the County Commissioner.
- I. Operations along roadways shall be performed in such a manner that, during non-working hours, all excavated material be kept off the pavements at all times, as well as all operating equipment and materials to avoid inconvenience to the public in the use of the road. In all cases where excavated material is piled along the side of a trench resulting from the laying, constructing, maintaining and/or repairing of utilities parallel with a County road, weep holes shall be dug through such piles of dirt in order that water may drain from the roadbed and shoulders to the roadside ditches. Weep holes shall be dug according to the following specifications:
 - 1. At intervals not to exceed two hundred feet (200') along such parallel construction, and at all swags or low places in the roadbed of such County road, each weep hole having a width of twelve inches (12"), and
 - 2. Drains to the roadside ditch, or to such an elevation that the bottom of the weep holes will discharge their water into the roadside ditch.
 - 3. Such weep holes must be maintained free of obstruction until construction is completed and the trench backfilled tamped and leveled true to the original grade. If weep holes have not been properly constructed or maintained, operations shall cease until same are corrected. The contractor shall maintain storm water flow in its pre-existing condition.

Prohibited Activity

- A. No person shall enter upon Grayson County right-of-way for the purpose of laying, constructing, repairing and/or installing of any driveway culvert; road bores; public utility construction; or any work involving the disturbance of the soil, until a construction permit regarding location of the culvert, bore, or utility has been approved by the County Engineer.
- B. No person shall lay, construct and/or install driveway culvert, bore a road or construct utilities in such a manner as to interfere with the construction, maintenance and/or repair of any County road, ditch or ROW. In the event that any such utility interferes in any manner with the construction, maintenance and/or repair of any County road, the person in control of the utility shall alter the utility no later than thirty (30) days after notice from the Grayson County Engineer identifying the location of the current line and its subsequent relocation and bear the cost and expense of any change or alteration.

- C. No person shall lay, construct, and/or install driveway culvert, road bore or utilities in such a manner as to interfere with use of, or obstruct, vehicular or pedestrian traffic on any County road, or drainage on or along such road.
- D. No person shall lay, construct, and/or install a driveway culvert, road bore or utilities in such a manner as to constitute a danger or hazard of any kind to persons or vehicles using or maintaining such road, or any public property located within the boundaries of the County right-of-way.
- E. The issuance of a permit by Grayson County does not grant any right, claim, title or easement within County right-of-way. Should Grayson County, for any reason, need to work, improve, relocate, widen, increase, add to, decrease, or in any manner change the structure of the road or right-of-way, the utility, if affected, will be moved, or relocated at the sole expense of the utility company.

Right-of-Way Safety Hazards

The County prohibits safety hazards from being placed in the right-of-way and requires that any existing safety hazards within the right-of-way are removed immediately. A partial list of safety hazards might include, but is not limited to, large trash dumpsters, trees, shrubs, signs, and mailboxes.

Grayson County reserves the right to require an Owner to make changes, maintain or repair structures or property adjacent to the roadways, as may be necessary to provide protection of life and provide safety for the traveling public. Changes in design will be made only with approval of the County Engineer.

Applicant shall not erect any sign on or extending over any portion of the County road right-of-way.

This policy will include right-of-way under County control that is obtained by dedication or prescriptive use and the right-of-way is typically a distance of eighteen feet (18') from the edge of the road.

Applicant shall hold harmless the County of Grayson and its duly appointed agents and employees against any action for personal injury or property damage sustained by reason of the exercise of this permit.

Grayson County reserves the right to remove any improvements or obstructions in County right-of-way should the applicant fail to comply with the Regulations.

Liability

The owner of any driveway culvert, road bore or utility shall save and hold harmless Grayson County against any and all liability that arises or may arise from any activity the owner, its agents, servants, employees and contractors may conduct on the premises.

Enforcement

The County Engineer and/or his or her designated representative shall be charged with the enforcement of these Regulations. If any person violates any provision of these Regulations, the County Engineer will attempt to obtain compliance with these Regulations.

- A. Driveways that have been installed without obtaining a County permit and have been found to hinder drainage or violate one of the above Regulations, will be removed following the process noted below:
 1. A Notice of Violation (NOV) will be placed on a stake or fence post to notify the property owner or installer that a violation has been identified by the County. The NOV provides the property owner with basic information regarding the cause for violation and provides contact information for the County Engineer or his representative.
 2. If no response is received within the ten (10) day period provided on the NOV, then a letter will be mailed to the property owner noting the cause for violation along with the contact information for the County Engineer or his/her representative.
 3. Nothing herein contained shall prevent Grayson County from taking such other lawful action as is necessary to prevent or remedy any violation, including but not limited to withholding E911 addresses and/or on-site sewage facility (OSSF) permits.
- B. If any person engages in the construction of a driveway, sidewalk or culvert crossing a County easement or right-of-way without a permit, the Commissioners Court may direct the County Attorney to file suit to enjoin the violation of these Regulations.
- C. If any person engages in the construction of a driveway, sidewalk or culvert crossing a County easement or right-of-way without a permit, or if any person engages in the construction of a driveway or culvert in any manner except as specified in the permit issued therefore by the County Engineer, the Commissioners Court may order the landowner to remove or repair the driveway or culvert at the landowner's expense. See Texas Local Government Code §81.025, 1987 for additional information.
- D. When regulating driveway installations wherein a permit has been issued, but the installer (property owner or contractor) has failed to:
 1. Start construction within the six (6) month period allowed;
 2. Correct the element that failed an inspection; or
 3. Complete construction within the nine (9) month period allowed;

The County Engineer may so report to the Commissioners Court and the following remedies may be pursued:

1. If any person engages in the construction of a driveway, sidewalk or culvert in any manner except as specified in the permit issued by the County Engineer, the Commissioners Court may direct the County Attorney to file suit to enjoin the violation of these Regulations.
2. Any person securing a permit under these Regulations must certify to Commissioners Court that the terms, provisions and conditions of the permit will be complied with. Violation of this certification constitutes contempt of Commissioners Court.
3. If the Commissioners Court finds a person to be guilty of contempt, it may enter such orders consistent with general law as it deems appropriate to punish the person guilty of contempt, and may enter such order and further orders enforceable by civil and criminal contempt, and consistent with its authority under general law, as Commissioners Court deems necessary to enforce and protect its jurisdiction over the matter and to uphold the integrity of these Regulations.
4. The procedure for contempt proceedings before Commissioners Court will be consistent with procedures in actions before other courts in this state for enforcement of court orders, and for the protection of the jurisdiction of courts by process of contempt. Provided, however, that the person shall be given ten (10) days notice of said contempt proceeding by certified or registered mail, return receipt requested.
5. Nothing herein contained shall prevent Grayson County from taking such other lawful action as is necessary to prevent or remedy any violation, including but not limited to withholding E911 addresses and/or on-site sewage facility (OSSF) permits.

Collection of Fees

All fees collected for permits and/or inspections shall be made payable to Grayson County, Texas. Permitting Fees will be set annually by the Grayson County Commissioners Court during their regular budget adoption process.

Severability

The provisions of these Requirements are severable. If any word, phrase, clause, sentence, section, provision, or part of these Requirements should be held invalid or unconstitutional, it shall not affect the validity of the remaining provisions, and it is hereby declared to be the intent of the Commissioners Court that these Requirements would have been adopted as to the remaining portions, regardless of the invalidity of any part.

Effective date

This Order shall be in full force and effect from and after its date of approval as required by law.

AND IT IS SO ORDERED:

PASSED AND APPROVED THIS 3 DATE OF August, 20 21.


County Judge Bill Magers


Commissioner Jeff Whitmire
Precinct One


Commissioner David Whitlock
Precinct Two


Commissioner Phyllis James
Precinct Three

Absent
Commissioner Bart Lawrence
Precinct Four

Attest: 
County Clerk

