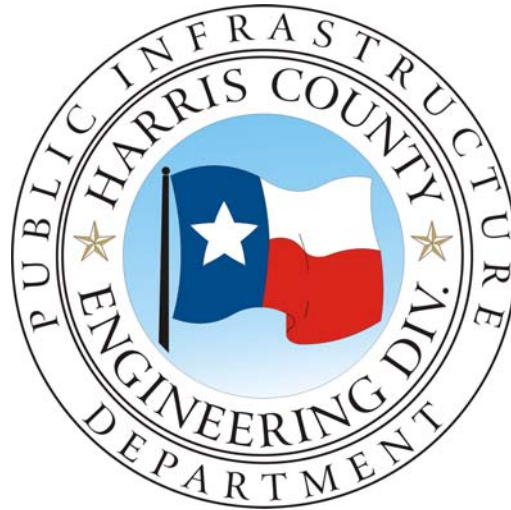


**REGULATIONS OF HARRIS COUNTY, TEXAS
FOR THE CONSTRUCTION OF
DRIVEWAYS AND/OR CULVERTS
ON COUNTY EASEMENTS AND RIGHTS-OF-WAY**



**AS
ADOPTED: 27 SEPTEMBER 2005
EFFECTIVE: 15 NOVEMBER 2005**

**HARRIS COUNTY
PUBLIC INFRASTRUCTURE DEPARTMENT
ENGINEERING DIVISION**

**ARTHUR L. STOREY, JR. P.E.
COUNTY ENGINEER**

**JACKIE L. FREEMAN, P.E.
ENGINEERING DIVISION DIRECTOR**

**PERMIT OFFICE
10555 NORTHWEST FRWY, STE 146
HOUSTON, TEXAS 77092
(713) 956-3000**

**ORDER AMENDING REGULATIONS OF HARRIS COUNTY FOR THE
CONSTRUCTION OF DRIVEWAYS AND/OR CULVERTS IN COUNTY
EASEMENTS AND RIGHTS-OF-WAY AND SETTING PERMIT FEES**

**THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §**

On this the 27th day of September, 2005, the Commissioners' Court of Harris County, Texas, sitting as the governing body of Harris County, upon motion of Commissioner Jerry Eversole, seconded by Commissioner Steve Radack, as duly put and carried.

WHEREAS, the Commissioners' Court of Harris County adopted Regulations of Harris County for the Construction of Driveways and/or Culverts on County Easements and Rights of Way on January 1, 1983; and

WHEREAS, said Regulations were amended by Commissioners' Court on October 25, 1983, and on May 10, 1988; and on June 22, 1993; and on January 4, 1994; and on November 28th 1995, and

WHEREAS, the Commissioners desires to further amend said Regulations to include changes needed to clarify various provisions; and

WHEREAS, the Commissioners' Court of Harris County, Texas, is of the opinion and hereby affirmatively finds, determines and declares that the following amended regulations should be adopted.

Therefore, it is ORDERED, ADJUDGED AND DECREED by the Commissioners' Court of Harris County, Texas, that the following regulations be and are hereby adopted effective September 27, 2005, with a November 15, 2005 implementation date.

Robert Eckels
County Judge

EL FRANCO LEE
COMMISSIONER, PCT. 1

SYLVIA R. GARCIA
COMMISSIONER, PCT. 2

STEVE RADACK
COMMISSIONER, PCT. 3

JERRY EVERSOLE
COMMISSIONER, PCT. 4

ARTHUR L. STOREY JR. , P.E.
COUNTY ENGINEER

HARRIS COUNTY ENGINEERING DEPARTMENT
PERMIT DIVISION
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**REGULATIONS OF HARRIS COUNTY, TEXAS, FOR THE
CONSTRUCTION OF DRIVEWAYS AND CULVERT IN
COUNTY EASEMENTS AND RIGHTS-OF-WAY**

SECTION 1. AUTHORITY

These regulations are adopted by the Commissioners' Court of Harris County, Texas, pursuant to the authority granted to it by Section 2 of the Harris County Road Law, Acts 1983, 68th Legislature, Page 4643, Chapter 801.

SECTION 2. DEFINITIONS

As used in these Regulations, the following words and phrases have the following meanings:

- A. "County or public easements or rights-of-way" mean any right, title or interest in land acquired, claimed or maintained by Harris County for road and road drainage.
- B. "Person" means any individual, corporation, partnership, limited partnership, joint venture or other entity.
- C. "County Engineer" means the County Engineer of Harris County, Texas.
- D. "Roadway" means the portion of the improved surface of the County or public easement or right-of-way used for travel by vehicular traffic which is usually constructed of concrete, asphalt, gravel, shell or other material providing a hard surface.
- E. "Driveway" means an improved surface used for vehicular access from the edge of a County roadway to the right-of-way or easement line.
- F. "Culvert" means a hollow structure of concrete which provides waterway openings to conduct water for drainage purposes.
- G. "Sidewalk" means an improved surface used for pedestrian traffic along the County right-of-way or easement.
- H. "Start of Construction" means the commencement of any grading, excavation, removal of concrete curb, or setting of culvert pipe on County or public easements or rights-of-way.

SECTION 3. GENERAL PROVISIONS

- A. Construction of driveways, sidewalks, culverts whenever applicable, or the replacement of existing driveways, sidewalks or culverts on County or public easements on rights-of-way without first securing a permit is prohibited.

- B. Applications for permits for the construction of driveways, sidewalks and culverts on County or public easements or rights-of-way shall be made to the County Engineer.
- C. When an application for a driveway with or without culvert or sidewalk is filed, the applicant will provide the County Engineer with the data needed to determine the following:
 - 1. The location of the driveway, sidewalk and/or culvert within the County or public easement and right-of-way.
 - 2. The location of all physical objects such as drainage inlets or catch basins within the portion of the driveway or sidewalk which is within the County or public easement or right-of-way that might conflict with the construction of the driveway. The applicant must provide the location of all man-made objects within the portion of the driveway or sidewalk which is within the County or public easement or right-of-way.
 - 3. That a driveway connecting to a concrete curb and gutter street or road is designed in accordance with Harris County Engineering Department Drawings and any subsequent amendments or revisions thereto as promulgated by the County Engineer.
 - 4. That a driveway constructed over a roadside ditch culvert conforms to at least the geometric requirements of the aforementioned drawings.
 - 5. That the maximum width of a driveway serving a single family dwelling or an agricultural property and connected to a County street or road with roadside ditches shall not exceed thirty-six (36) feet.
 - 6. That the maximum width of a commercial driveway over a roadside ditch shall not exceed ninety-six (96) feet.
 - 7. That an island proposed within a commercial driveway on a curb and gutter street has a maximum width of two (2) times the total width of the driveway, including the return radii, divided by eight (8). No island shall be placed inside the curb line on a concrete curb and gutter street or no closer than six feet to the edge of pavement on a street with roadside ditches. No island shall be allowed within the right-of-way of a residential street.
 - 8. That driveways proposed to be located on a corner lot is not shown to be located within any portion of public street curb radii.
 - 9. Whether a special design is required whenever the driveway may be proposed in a location hazardous to traffic safety.

10. The proposed culvert conforms to Section 3D of these Regulations.
 11. That driveways located on the same property shall be separated by a minimum of twenty (20) feet.
 12. That sidewalks constructed in the County right-of-way or easements be constructed in accordance with the Harris County Engineering Department drawings and any subsequent amendments or revisions thereto as promulgated by the County Engineer.
 13. That any sidewalk constructed on a corner lot shall have a wheel chair ramp constructed in accordance with the latest requirements of the Architectural Barrier Act, Article 9102 Texas Civil Statutes, if said ramp is not already in place.
- D. When an application for only a culvert is filed, the applicant will provide the County Engineer with the data needed to determine the following:
1. The location of the culvert by staking the beginning and the end of the proposed culvert on the ground and showing the distance from the nearest property corner or intersecting street or road.
 2. Whether the culvert will provide ultimate access to a single family dwelling or whether it will serve another type of land use.
 3. The type of culvert structure. All culverts shall be constructed of reinforced concrete. All pre-cast conduits or pipe shall be new, tongue and groove (bell ended pipe shall not be use), reinforced Class III pipe. An exception may be granted for the use of used reinforced concrete pipe for residential use only after an inspection of the pipe by a County Commissioners' Precinct Superintendent and County Engineer determines that the quality of the used pipe is equivalent to new pipe.
 4. The length of the proposed culvert based on the following standards:
 - a. Single Family Dwellings:

(1) Minimum for walkway:	one joint of pipe
(2) Minimum for driveway:	16 feet
(3) Maximum for driveway:	40 feet
 - b. All Other Driveways:

(1) Minimum for driveway:	16 feet
(2) Maximum for driveway:	100 feet
(3) Inlets shall be spaced 50 feet or in the mid-point of any culvert over 50 feet in length.	

c. New Street Crossings or Connections to Existing Streets:

(1) Length to be determined by the County Engineer

5. All culverts shall be bedded and backfilled with cement stabilized sand from a point six (6) inches below the culvert to one (1) foot below the subgrade of the proposed driveway. Temporary culverts, culverts used for access to property used for agricultural purposes or for access to single family dwellings are exempt from this requirement.

E. The County Engineer shall review the application and supporting information and determine the following:

1. The size of culvert. [The minimum culvert diameter shall be eighteen (18) inches.]
2. Whether the proposed culvert conforms to all other requirements of these regulations.

F. Permits shall stipulate 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 and that fees collected for said permits shall not be refundable. Inspection fees may only be refunded upon written request by the permittee and after approval by Commissioners' Court. Permit fees are not refundable.

G. Permits for the installation of driveways, sidewalks or culverts must be obtained from the County Engineer prior to the start of construction. Permits are not required for the following:

1. The repairs of driveways constructed on concrete curb and gutter public streets prior to May 10, 1988.
2. The repair, replacement or installation of culverts on roads that are not on the County's Road and Bridge Units and Sections Log.
3. Repair of sidewalks constructed prior to November 1, 2005.

H. All permits issued by the County Engineer for the construction of driveways, sidewalks or culverts on a County or public easement or right-of-way shall require conformance with these Regulations including Harris County Engineering Department Drawings and any subsequent amendments or revisions thereto as promulgated by the County Engineer.

I. The County Engineer shall promulgate forms to be used in the administration of these Regulations.

SECTION 4. CONSTRUCTION & INSPECTION

- A. Driveways connecting to concrete curb and gutter roadways shall be inspected after the placement of reinforcing steel and prior to the placing of concrete, and again after the concrete placement for conformance with County standards.
- B. Driveways connecting to asphalt roadways without curbs and gutters will be inspected after the placement of materials for conformance with the geometric requirements of these Regulations.
- C. The installation of culverts shall be governed by the following procedures:
 - 1. Culverts shall not be set until grade stakes are provided by Harris County.
 - 2. Culverts shall not be backfilled until an inspection is conducted by Harris County to determine that the elevation and grade of the culverts have been correctly set.
 - 3. Culverts shall also be inspected upon completion of the placement of cement stabilized backfill and prior to commencement of driveway construction.
- D. All driveways requiring special geometric design shall be inspected for conformance with drawings.
- E. The County Engineer may make any additional inspections deemed necessary to administer these Regulations.
- F. Sidewalks will be Inspected after placement of concrete. Inspection will verify nominal thickness of concrete, and compliance with the Architectural Barriers Act, Article 9102, Texas Civil Statutes. Items inspected will cover location, slope and obstruction by improperly elevated manholes, water valves etc.

SECTION 5. ENFORCEMENT

The County Engineer 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. In the event the County Engineer is unable to obtain compliance within a reasonable time the County Engineer may so report to the Commissioners' Court and the following remedies may be pursued:

- A. If any person engages in the construction or repair 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.
- B. If any person engages in the construction or repair of a driveway, sidewalk or culvert in any manner except as specified in the permit issued therefor by the County Engineer, 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 or repair of a driveway or culvert in any manner except as specified in the permit issued therefor by the County Engineer, the Commissioners' Court may order the landowner to remove or repair the driveway or culvert at the landowner's expense.

[Texas Local Government Code §81.025, 1987 Tex. Sess. Law, Serv. 1557 (Vernon), provides that the Commissioners' Court may punish contempt by fine not to exceed twenty-five dollars (\$25.00), or by imprisonment not to exceed twenty-four (24) hours and in case of fine, the party may be held in custody until the fine is paid.]

- D. 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.
- E. 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.
- F. 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.

SECTION 6. EXCEPTIONS

An appeal for exception to these Regulations will be considered on the following basis and only after good and sufficient cause has been demonstrated by the applicant for an exception:

- A. Upon denial of permit, the applicant may appeal the County Engineer's decision by stating and submitting his reasons in writing to the County Engineer and within ten (10) days of the denial of said permit.
- B. The County Engineer shall review the appeal and within fifteen (15) days of receipt of the said appeal, shall reduce his findings to writing and submit his findings and recommendation to Commissioners' Court. The applicant shall be provided with a copy of the County Engineer's recommendations and may appear before Commissioners' Court to support his appeal.

SECTION 7. RECORDS

All applications and file copies of permits issued pursuant to these Regulations shall be maintained by the County Engineer as part of the permanent records of his office.

SECTION 8. EFFECTIVE DATE

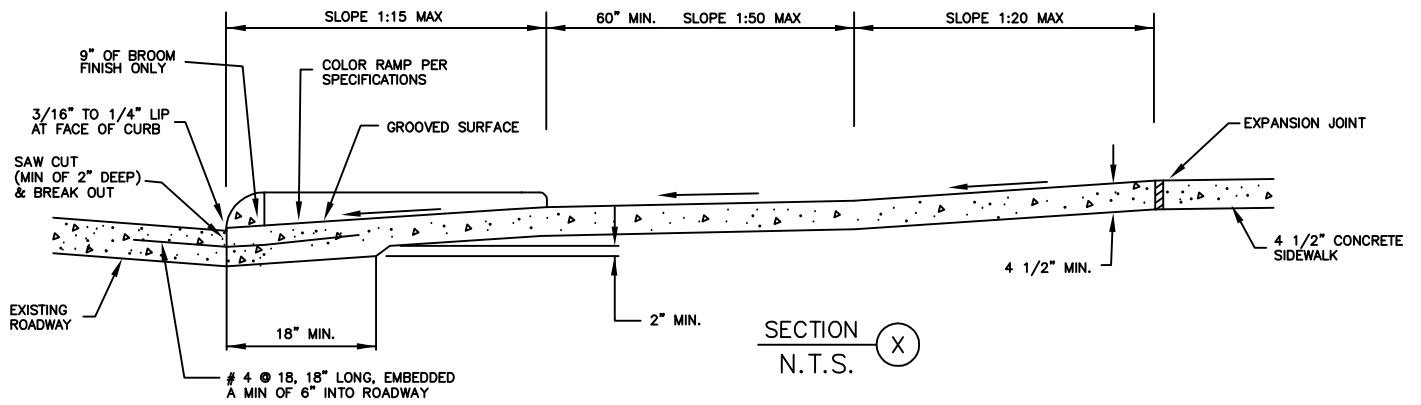
These revised Regulations shall become effective upon adoption by Commissioners' Court.

SECTION 9. SEVERABILITY

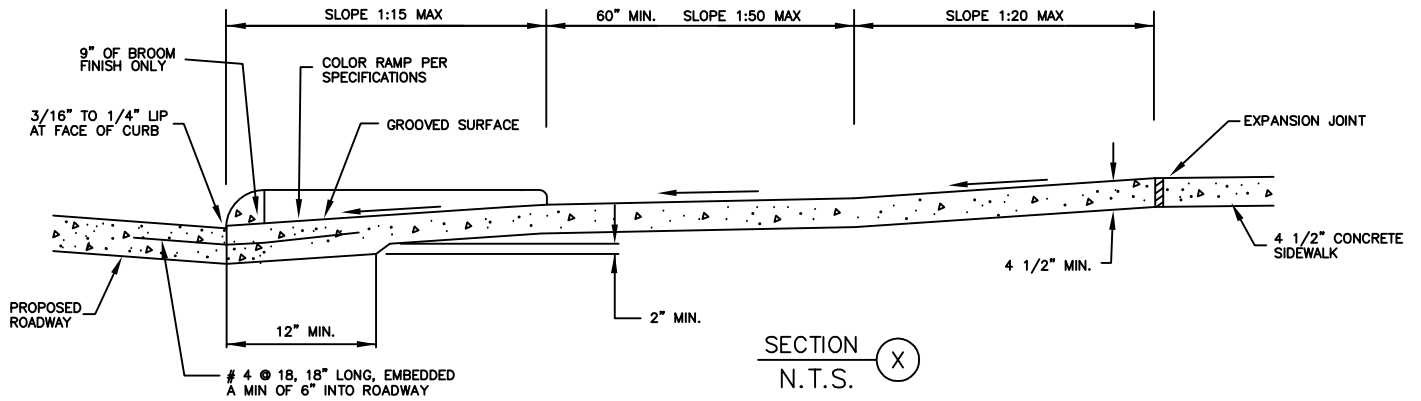
The provisions of these Regulations are severable. If any word, phrase, clause, sentence, section, provision, or part of these Regulations should be held invalid or unconstitutional, it shall not affect the validity of the remaining provisions, and it is hereby declared to be the intent of the Commissioners'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

SECTION 10. FEES

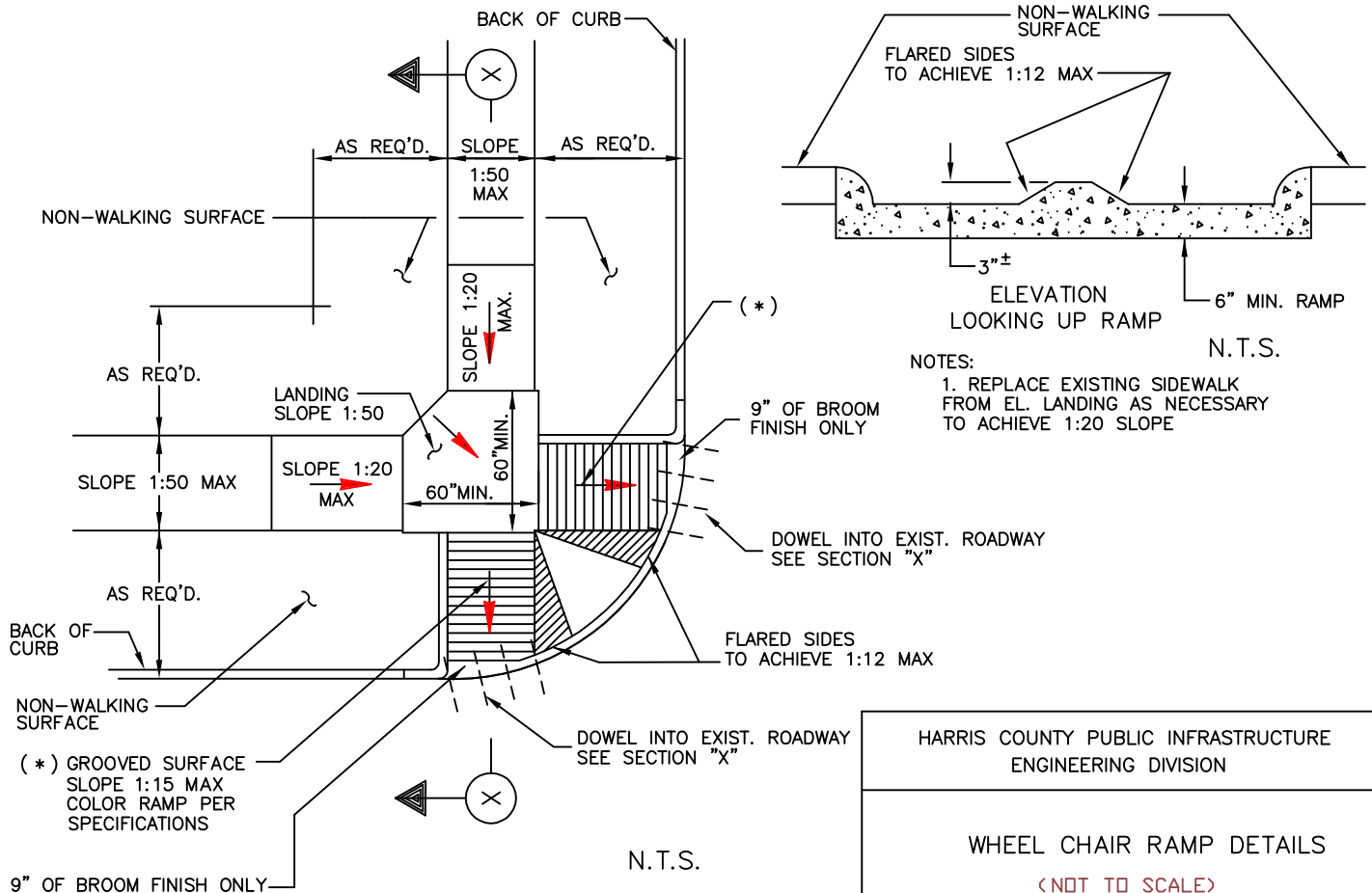
The fees for permits and inspections shall be paid in accordance with the fee schedule adopted by Commissioners Court.



EXISTING CONCRETE PAVEMENT CONSTRUCTION



NEW CONCRETE PAVEMENT CONSTRUCTION



STREETS WITH NON-WALKING SURFACE BEHIND CURB

HARRIS COUNTY PUBLIC INFRASTRUCTURE ENGINEERING DIVISION	
WHEEL CHAIR RAMP DETAILS (NOT TO SCALE)	
APPROVED BY: J.R. BLOUNT	DRAWN BY: CASTANEDA, C.
EFF DATE: 15 NOV 2005	DWG NO: WC-1

