

ORDER NO. _____

ORDER ADOPTING AND AMENDING REQUIREMENTS FOR PERMITS TO CONSTRUCT ACCESS DRIVEWAYS ON LEE COUNTY RIGHT OF WAY

BE IT REMEMBERED, that the Commissioners Court of Lee County, Texas (the "Commissioners Court"), met in Regular Session on the 28th day of December, 2020, after notice of meeting had been posted in the form, manner, and place required by law, and with a quorum of its members present and participating in the meeting when, among other matters, the following came on to be considered and action taken thereon, to-wit: LEE COUNTY REQUIREMENTS FOR PERMIT TO CONSTRUCT ACCESS DRIVEWAY ON COUNTY RIGHT OF WAY.

**LEE COUNTY REQUIREMENTS
FOR PERMITS TO CONSTRUCT ACCESS DRIVEWAYS ON
COUNTY RIGHT OF WAY**

By adoption of these requirements, the Lee County Commissioners Court finds that the purpose of the Lee County Right Of Way Driveway access standards is to promote the public health, safety, and general welfare of the county; to ensure access that does not impede public drainage, traffic, public safety, or public road maintenance; and to ensure accurate 911 addressing for EMS employees, emergency response vehicles, Sheriffs Deputies, First Responders, and other service providers.

1. A permit from the Lee County permitting office will be required for any driveway connecting to a county road. The non-commercial driveway permit fee is \$25 plus any additional fees based on the installation of a culvert or other structure in the county right-of-way. The fee for non-commercial joint access driveways is \$50 plus any additional fees based on the installation of a culvert or other structure in the county right-of-way. The commercial driveway permit fee is \$150 plus any additional fees for installation of a culvert or other structure placed in the county right-of-way. Commercial driveways include but are not limited to oil field location entrances, multiple residence developments or subdivisions, RV parks, manufactured home parks, retail businesses.
2. Permits for driveways not requiring a culvert (dip-type driveways) will not have any additional fees. Dip-type driveways are allowed and must be properly designed to not impede the natural drainage along the roadway, to not cause damage to the road shoulder, and to not cause scouring of the public roadway surface or of the county drainage ditch.

3. The driveway must be located within twenty-five feet (25') of the designated 911 address. Driveway permits will not be issued without applicant also obtaining a 911 address.
4. No more than two (2) properties may be serviced by a joint driveway.
5. Non-Commercial driveways shall be spaced no closer than twenty-five feet (25") to any other driveway. Driveways serving a commercial development shall be spaced at the minimum intervals of one hundred-fifty feet (150').
6. Installation of non-commercial driveways requiring culverts will be done by the Lee County Commissioner in whose precinct the driveway is located. Lee County sets culverts at the additional fee of \$15.00 per foot of culvert. At the sole discretion of the Lee County Commissioner in whose precinct the driveway is to be located, Lee County may allow a culvert installation by a private contractor in compliance with County standards. Included in as part of Lee County's installation of culverts, Lee County will provide the labor and equipment needed to set the culvert and enough flexible base material to adequately cover said culvert. Entrances, fencing, gates, road surface materials will be the sole obligation of the Applicant.
7. Commercial driveways and real estate development driveways will be installed by a contractor approved by County and be constructed in compliance with county standards or as requested by the Lee County Commissioner. A representative of Lee County will inspect the installation to make determinations on the required structure and placement according to County requirements.
8. All persons needing culverts must acquire them and have them delivered to the site where they are to be installed. All driveway pipes shall be corrugated galvanized metal pipe of adequate size and length per the application site as approved by the Lee County Commissioner. Alternate driveway pipe material may be permitted at the sole discretion of the Lee County Commissioner in whose precinct the driveway is located.
9. Minimum culvert length is twenty-four feet (24'). Maximum culvert length is forty feet (40'). Any culvert lengths over forty feet must be approved in writing by the Lee County Commissioner in whose precinct the driveway is located.
10. Existing driveways and the associated maintenance are the responsibility of the current landowner.
11. Lee County reserve the right to inspect driveways and to require such changes as may be considered necessary. If at any time a driveway or culvert is deemed to cause a traffic

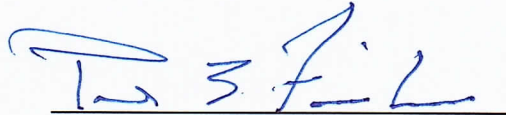
hazard, maintenance obstacle, adverse drainage, or pose damage to the existing roadway, Lee County will notify the property owner. If the culvert cannot be repaired, the driveway may be removed by the county. Applicant will be required to re-apply for a driveway permit with no fee, except owner is responsible for any additional costs based on the size of the new culvert and provided the landowner provides an approved replacement culvert.

12. Failure to obtain a permit prior to installing a driveway incurs a penalty as follows \$100 for non-commercial driveways and \$500 for commercial driveways. Imposition of the penalty may be appealed to the Lee County Commissioners Court for a determination whether the penalty shall be imposed.

13. Lee County shall adopt forms for use in the administration of these regulations.

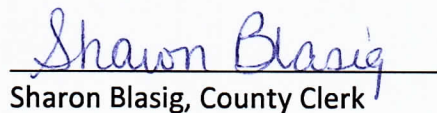
14. These Rules take effect upon their passage.

PASSED, APPROVED, AND ADOPTED by the Lee County Commissioner's Court on this the 28th day of December, 2020.

A handwritten signature in blue ink, appearing to read "P. E. Fischer", written over a horizontal line.

Paul E. Fischer, County Judge

ATTEST:

A handwritten signature in blue ink, appearing to read "Sharon Blasig", written over a horizontal line.
Sharon Blasig, County Clerk