

PERMIT PROCEDURES

Any Applicant seeking to engage in construction within the right-of-way of a Gillespie County maintained roadway shall make application for a permit in conformity with the Gillespie County Regulations and Procedures Authorizing Permits for Construction within the Public Road Right-of-way of County Maintained Roads adopted by the Commissioners Court of Gillespie County, Texas on the 2nd day of December, 2019. The Application will contain the following:

1. Confirmation that the Applicant has complied with the Gillespie County Regulations and Procedures Authorizing Permits for Construction within the Public Road Right-of-Way of County Maintained Roads.
2. Identification of the individual or company that is making the application, and any contractor OR sub-contractor actually doing the work.
3. Describe the nature of the construction to be conducted within the County Road right-of-way, with citation to the statutory authority for placement underneath the county road.
4. Describe the dimensions and specification of the construction to be conducted within the County Road right-of-way, and provide plans developed by a licensed engineer, along with a statement that the facility will be installed in conformity with all applicable state or federal regulations, along with a citation to the applicable regulations.
5. Representation that Best Management Practices will be used to minimize erosion, contamination, sedimentation and a commitment to restore the work area to its former state of usefulness, including revegetation of the project area at the sole cost and expense of the Applicant.
6. Describe fully all traffic control measures to be utilized, in conformity with the Texas Manual of Uniform Traffic Control Devices to be used during construction.
7. Describe fully the location of the proposed line, the scope of work intended, and any engineering design/drawings, or schematic to fully describe the work to be performed.
8. Particular details regarding the minimum depth of any utility/pipeline, any safety features, such as cathodic corrosion protection, casing or sleeve pipe to facilitate subsequent repairs of the utility/pipeline, and the location of such utility/pipeline in relation to the traveled portion of the roadway, as well as any drainage facilities related to the roadway.
9. Full design drawings for any access driveway, and whether such access will be temporary or permanent in nature, including drainage considerations, and line of sight dimensions.

IT IS EXPRESSLY UNDERSTOOD THAT GILLESPIE COUNTY DOES NOT PURPORT, BY THE CONSIDERATION OR GRANTING OF A PERMIT, TO EXTEND ANY GRANT, RIGHT, CLAIM, TITLE, OR EASEMENT IN OR UPON THE IDENTIFIED ROAD, AND THAT THE APPLICANT ACKNOWLEDGES THAT GILLESPIE COUNTY MAY REQUIRE THE APPLICANT, OR ANY SUBSEQUENT OWNER, TO RELOCATE THE LINE, SUBJECT TO THE PROVISIONS OF TEXAS LAW, BY GIVING APPROPRIATE NOTICE.

Pursuant to §251.156 Texas Utilities Code, it is understood and agreed that any damages sustained to the facilities installed under any permit as a result of routine county road maintenance, including but not limited to mowing, ditch cleaning, culvert repair or replacement, roadway excavation and base work as a result of insufficient ground cover over the installed facilities shall be the responsibility of the Applicant. Routine county road maintenance is defined by §251.156 (c)(2), Texas Utilities Code.

Applicant will notify the Gillespie County Commissioner having jurisdiction over the construction site, or any designee Texas registered engineer retained by the County for such purposes, not less than two business days prior to the commencement of any work conducted by the Applicant within the county road right-of-way, and will conduct such work in a manner suitable to the County Commissioner or Commissioners Court.

Applicant shall conduct all work in conformity with the construction plans and traffic control detail required by this application and the Gillespie County regulations and procedures regarding construction within the County Road right-of-way.

This Application will be reviewed by the Gillespie County Commissioners Court, or its designee, in a timely manner, not to exceed fourteen (14) working days after receipt of a complete application. The Commissioner for the Precinct in which the project is located will be the primary County contact and official responsible for review of the Application.

The Commissioner may require a site visit prior to the approval of any permit application. Such site visit is optional with the Commissioner or his designee, but in any case, detailed plans and specifications of the proposed project will be required.

Note that the requirement of §111.020(b)(4), Texas Natural Resources Code, shall be treated as a minimum spacing for installations laid parallel with a county maintained roadway, and may be increased by the County to insure that parallel lines do not interfere with the primary use of the public right-of-way as a means of vehicular traffic.

If approved by the Commissioners Court, or its designee, the appropriate permit will be signed by the Commissioner responsible for the area subject to the permit.