


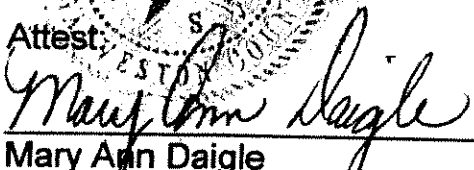
REGULATIONS RELATING TO
OPENING COUNTY ROADS

STATE OF TEXAS


COUNTY OF GALVESTON

By and under the authority vested in the Commissioners' Court of Galveston County the Galveston County Regulations Relating to the Opening of County Roads are hereby amended and approved effective

APRIL 5, 2006.

The seal of Galveston County, Texas, is circular and features a five-pointed star in the center. The words "GALVESTON COUNTY TEXAS" are written around the perimeter of the seal, and "ESTD 1822" is written at the bottom. The seal is partially obscured by the signature of the County Clerk.
Attest:


Mary Ann Daigle
County Clerk


James D. Yarbrough
County Judge

1.0 ELIGIBILITY

Only individual property owners abutting an unopened County right-of-way may apply for an extension of an existing County Road at County expense. Such Road opening must be for the purpose of providing access to a permanent residence or place of business.

2.0 DEFINITIONS

As used in these regulations, the following words and phrases have the following meanings unless context herein clearly demonstrates otherwise:

SECTION 3.01 - PERSONS

"Person" means any individual, corporation, organization, business, trust, partnership, association, dba, group, etc.

SECTION 3.02 - DEVELOPER

"Developer" means any person, individual, corporation, organization, business, trust, partnership, association, dba, group or any other entity which sells or transfers in excess of two lots, parcels or tracts per year from a contiguous piece of property, whether sale by promissory note, sales contract, deed or any other means. An exception to this definition may be applied at the sole discretion of the county where more than 2 previously platted lots are required to satisfy the health district for water well and/or septic permits. If this exceptions is applied the transaction will be considered one lot, parcel, or tract under these rules.

SECTION 3.03 - SUBDIVISION OR RE-SUBDIVISION

"Subdivision or Re-Subdivision" recorded or unrecorded is any division of property as defined in local government code 232.001.1 Any subdivision of land shall be done per the county's subdivision regulations including roads & drainage and all roads and drainage shall be done at no expense to the county.

SECTION 3.04 - COMMERCIAL

"Commercial" - business, light industry

PART 4 - GENERAL PROVISIONS

In areas of Galveston County, not within the territorial limits of incorporated cities or towns, the following general regulations shall apply to all road opening requests.

SECTION 4.01 - APPROVAL

All roads to be opened or extended shall be submitted to the County Engineer on application forms available. The application will be reviewed for completeness and conformation to these regulations by the County Engineer. The request will be approved by the County Engineer if it meets the requirements.

SECTION 4.02 - REQUIREMENTS

1. Roads in subdivisions or re-subdivisions as define here-in platted or created after 1948 are not eligible for road openings.
2. Roads to be opened or existing roads to be extended by the County shall be governed by the following:

- a). A minimum of 60 feet of right of way dedicated and recorded to the use of the public or Galveston County will be required without cost to the County. Any out of pocket expenses like surveying etc will be performed to the county's requirements and provided at no cost to the county.
- b). The right of way must be cleared of all obstructions or encroachments, such as fences, pipelines, buildings, sheds, barns, trash, concrete items, utility lines or poles, or any other man-made items without cost to the County. If natural tree & brush clearing is required, the applicant may do this himself or pay the county in advance to do the clearing. If a boundary survey is required to accurately locate the R.O.W. the applicant will provide to the county's specifications.
- c). The original right of way, regardless of width, must have been dedicated and recorded for roadway purposes prior to December 31, 1948.
- d). A maximum of 500 linear feet of roadway may be extended for any one or several applicants during any budget year. Only one road opening may be approved for any road in a year. To qualify the road extension must reach the applicants property and extend at least 20ft past the nearest property corner. No road extensions will be undertaken which require bridges or culverts which exceed the capacity of one row of 30 inch diameter pipe. No private driveway culverts will be furnished by the County.

- e). The road opening program is at the sole discretion of the Galveston County Commissioners Court and may be discontinued at any time for any reason. Priorities are to be in the order of the dates of completion of all requirements by the applicant. After all budgeted funds are depleted in any one budget year, the remaining road opening requests will be considered in the next year's agenda and will be first in line of priorities.
- f). If in the opinion of County such person making application of a road opening is a developer as defined as a Developer (developer as defined in Section 3.02), then they will not qualify under these rules.
- g). Any developer (developer as defined here-in) must install their own roads and drainage facilities to County specifications as defined in the County Subdivision Regulations and these regulations at no expense to the county.
- h). All requirements of the Galveston County Building Department must be met.
- i). If approved the road base work will be started within 180 days provided bad weather or any other extenuating circumstances don't exist. No penalty will be assessed if the 180 days is not met.
- j). All applicants must prove by evidence satisfactory to the County that construction on a residence or business has begun or is committed to begin as soon as the road base is installed. The applicant will be responsible for reimbursing the county if construction is not begun within 60 days of installation of the base materials.

Any special or non-ordinary features or requirements such as but not limited to safety end treatments, permits, or curb & gutters which are required by others or due to circumstances will be provided at no expense to the county.

- k). A \$250.00 non-refundable application fee is required. All applicants who are eligible under these regulations but do not complete the requirements of the application within three months will have to re-apply and pay a \$50.00 re-application fee. The three month period will begin when the county initially notifies the applicant that the requirements have not been met.
- l). No more than one application will be approved for any one person, business, partnership, organization, group, association, corp, dba, trust.
- m). Any road which does not have a place to route the drainage without detention or additional off site drainage improvements will not qualify.
- n). In the event an additional residence or business is to be constructed adjacent to the applicants location or across the street, all within the 500 linear feet as referenced in Item "d" this will not be considered sufficient reason to extend the roadway an additional 500 feet or any length. Each applicant must submit their own application separate and apart from any one else. An applicant who has delinquent taxes will not qualify. Any property which has access to an existing maintained public road will not qualify. All the property owned by the applicant will be viewed as one tract when determining if there is existing access.
- o). Any road opening requests with wetland or any other environmental issue will not qualify.

- p). Blank application forms can be secured from the County Engineer or the County Road Administrator. After application has been filled out use additional space by letter, if needed, to show proof of meeting these regulations.

- q). All County Roads hereafter opened or accepted for County Maintenance shall be a minimum R.O.W. width of 60 feet. No additional construction will be made to existing County Roads with less than 60 feet of Right of Way width. All right of way to be furnished at no cost to the County.

- r). If a cattle guard or canal crossing is required the application will not qualify.

SECTION 5 – The County reserves the right to deny any road opening request for any reason at any time.