

PERMIT APPLICATION FOR COUNTY ROAD ENTRANCE

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DATE OF APPLICATION: _____

TYPE OF USE (Check One): _____ RESIDENTIAL USE _____ AGRICULTURE USE
 _____ BUSINESS USE _____ INDUSTRIAL USE

NAME OF THE APPLICANT: _____

APPLICANT MAILING ADDRESS: _____

TELEPHONE: _____

PROPERTY OWNER'S NAME: _____; PROPERTY ID#: _____

PROPERTY ADDRESS: _____

COUNTY ROAD(S) INVOLVED: _____

DESCRIPTION OF THE LOCATION FOR ROAD RIGHT-OF-WAY TO BE UTILIZED (including the length of the right-of-way):

**** PRIOR TO ANY INSTALLATION, CONTACT THE PRECINCT COUNTY COMMISSIONER ****

Instructions

1. Fill out the County Road Entrance Permit Applications and contact the County Commissioner's office for the respective precinct.
2. Applicants must meet the Milam County Commissioner on site with a County Road Entrance Permit Application.
3. A representative from the County Commissioner's office will inspect the driveway location and determine the required culvert diameter, length, and type, including concrete abutments if necessary. Any needed modifications to the ditch/flowline will be noted and established by the Precinct Commissioner prior to commencing driveway construction. The County Commissioner's office will notify the applicant of culvert specifications within seven (7) days.
4. Make payments to "Milam County, Texas".

Permit Fee:

- Private & Agriculture:	\$25	(\$500 Penalty for not acquiring a permit)
- Business:	\$150	(\$1,000 Penalty for not acquiring a permit)
- Industrial:	\$5,000	(\$20,000 Penalty for not acquiring a permit)

BY GRANTING THIS PERMIT, THE COUNTY DOES NOT ASSUME ANY RESPONSIBILITY FOR ANY DAMAGES FROM ANY SOURCES THAT MIGHT OCCUR TO MATERIAL AND/OR OBJECTS PLACED ON COUNTY RIGHT-OF-WAY.

OFFICIAL USE

_____ ft culvert x \$20/ ft = \$ _____

Permit Fee: \$ _____

Penalty: \$ _____

Total Paid: \$ _____

Sized By: _____; Printed Name: _____

Date: _____; Required Culvert Diameter: _____ Inches; No Culvert Required: _____

Comments: _____

Inspected By: _____; Printed Name: _____

Date: _____

Comments: _____

County Commissioner Signature: _____

Comments: _____

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

By adoption of these requirements, the Milam County Commissioners Court finds that the purpose of the Milam 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, Sheriff's Deputies, First Responders, and other service providers.

1. A permit from Milam County will be required for any driveway connecting to a county road. The Private/Agricultural 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 noncommercial 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 business driveway permit fee is \$150 plus any additional fees for installation of a culvert or other structure placed in the county right-of-way. Business driveways include but are not limited to, multiple residence developments or subdivisions, RV parks, manufactured home parks, retail businesses. The industrial driveway permit fee is \$5,000 plus any additional fees for installation of a culvert or other structure placed in the county right-of-way. Industrial driveways include but are not limited to, oil and gas facilities, oil field location entrances, and industrial complexes.
2. Permits for driveways not requiring a culvert (dip-type driveways) are required 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. Permit fees and installation fees shall be required for the installation of non-culverted driveways based on the width of the entrance from the edge of the county road.
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. Agricultural entrances are excluded from this section.
4. No more than two (2) properties may be serviced by a joint driveway without a Private Rad designation.
5. Installation of non-commercial driveways requiring culverts will be done by the Milam County Commissioner in whose precinct the driveway is located. Milam County sets culverts at the additional fee of \$20.00 per foot of culvert. At the sole discretion of the Milam County Commissioner in whose precinct the driveway is to be located, Milam County may allow a culvert installation by a private contractor in compliance with County standards. Included in as part of Milam County's installation of culverts, Milam County will provide the labor and equipment needed to set the culvert and enough flexible base material to adequately cover said culvert up to the edge of the county-maintained easement. Entrances, fencing, gates, road surface materials will be the sole obligation of the Applicant.
6. Business driveways and real estate development driveways will be installed by a private owner, or a contractor approved by County, installed using approved materials, and

constructed in compliance with county standards or as requested by the Milam County Commissioner. A representative of Milam County will inspect the installation to make determinations on the required structure and placement according to County requirements.

7. 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 Milam County Commissioner. Alternate driveway pipe material may be permitted at the sole discretion of the Milam County Commissioner in whose precinct the driveway is located.
8. Minimum culvert length is thirty feet (30').
9. Existing driveways and the associated maintenance are the responsibility of the current landowner.
10. Failure to obtain a permit prior to installing a driveway incurs a penalty as follows \$500 for a private or agricultural entrance; \$1,000 for a business entrance; and \$20,000 for an industrial entrance. Imposition of the penalty may be appealed to the Milam County Commissioners Court for a determination whether the penalty shall be imposed.
11. Milam County shall adopt forms for use in the administration of these regulations.
12. Typically, only one driveway to a property under the same ownership or controlling interest may be granted. Additional driveways may be permitted by the Milam County Commissioners Court as a variance to these rules if the necessity for such access (due to topography, size of the tract, number of roads adjacent to the property, proposed use of the driveway(s), e.g., residential/commercial/oil activities) is demonstrated.
13. Gated entrances that will be utilized for trailered traffic shall have the gate no closer than 60 feet from the edge of the county-maintained easement. Said trailers include, but are not limited to, livestock trailers, cargo trailers, hay haulers, or other industrial trailers.
14. Temporary Entrance(s) used for construction purposes for up to six (6) months, may be approved by the County Commissioners of the Precinct. Said temporary entrances will be allowed and constructed at the discretion of the County Commissioner and shall be assessed the following fees:
 - a. Homesites: None
 - b. Business: None
 - c. Industrial: \$1,000
15. It will be the responsibility of the owner of an entrance to pay for any damages that are out of the scope of the normal “wear and tear” to the County Roads resulting from the use of an entrance. At the sole discretion of the Milam County Commissioner in whose precinct the entrance is located, repairs will be made by the Milam County Commissioner or a private contractor in compliance with county standards. Said damages are determined by the Milam County Commissioner in whose precinct the entrance is located. Imposition of the damage penalties may be appealed to the Milam County Commissioners Court for a determination whether the penalty shall be imposed.

16. These amended rules take effect upon their passage.
17. Each entrance to the County Road that corresponds to a residential and/or commercial building shall be clearly marked with a reflective address marker made up of numbers no less than two (2) inches in height and placed in a location to be seen clearly from the County Road in order to be seen by emergency vehicles should the need arise. Said marker can be on a Mailbox if the Mailbox is adjacent to the entrance or directly across the County Road from the entrance.
18. While this document primarily pertains to new entrance installations to the County Roads, existing entrances that are being significantly redesigned and/or reworked may require a new Permit Application for County Road Entrance as well. The significance of the work and the necessity of a new Application shall be at the discretion of the appropriate Precinct Commissioner.

1 to 16 – adopted in Milam County Commissioners’ County on February 17, 2023

17 to 18 – adopted in Milam County Commissioners’ Court on July 27, 2023

Item 5 – Modified in Milam County Commissioners’ Court on April 22, 2024