

**BRAZORIA COUNTY
PROCEDURES TO BE FOLLOWED FOR ACTIVITY
IN, UNDER, ACROSS OR ALONG
BRAZORIA COUNTY ROADS, STREETS, HIGHWAYS**

Anyone proposing to conduct activity in a Brazoria County Right of Way (in, under, across, or along), shall apply for a permit. Such activity, including but not limited to laying, constructing, maintaining, and/or repairing cable, conduit, pole lines, gas lines, or any other utility, shall apply for a permit. To make application for a permit, the following must be submitted.

1. Complete application form (attached hereto);
2. Attach a Vicinity Map or Key Map page; and
3. Provide detailed construction drawings indicating the scope of work and compliance with the attached Brazoria County Design Standards and Safety Precaution Requirements for Work Conducted in Brazoria County Rights of Way.

The completed application and all of its appurtenances shall not contain any false information nor conceal any material facts.

Only after obtaining the Right of Way Permit can construction begin. Early start on any construction, other than emergency situations, will not be considered.

A separate application must be filed for each work site.

Written notices are required:

1. 24 hours in advance of construction start up;
2. If an emergency existed, 24 hours notice after construction started; and
3. Notification that construction is complete and ready for County to inspect to ensure right of way is returned back to original condition.

Provide Notice to:

Cuca Tamayo
Permit Coordinator
Brazoria County Engineer's Office
111 E. Locust, Building A29, Suite 230
Angleton, Texas 77515
e-mail - cucat@brazoria-county.com

Phone Numbers
(979) 864-1265 (Angleton)
(281) 756-1265 (Pearland)
(979) 388-1265 (Clute)

OR

Facsimile Numbers
(979) 864-1270
(281) 756-1270
(Facsimile transmission, e-mail or mail copies
are all acceptable)

ENGINEER INSPECTORS

Clyde Moss
(979) 415-4547
Terry Novak
(979) 848-6365

Failure to obtain a permit and/or notify the County Engineer's Office within 24 hours of beginning construction shall constitute grounds for job shutdown.

**NOTIFICATION OF PROPOSED INSTALLATION AND/OR REPAIRS
OF TELEPHONE FACILITIES AND DESIGNATING
PLACEMENT OF UTILITY IN COUNTY RIGHT OF WAY**

TO: THE COUNTY ENGINEER OF BRAZORIA COUNTY, TEXAS

Comes now _____ [company name], hereinafter referred to as "Company" a _____ [state] Corporation, with authority to transact business in Texas, acting by and through its duly authorized representative, and hereby notifies the County Engineer of its intent to lay, construct, maintain, repair and/or operate a telephone facility under, over, across and/or along certain County Roads as shown on drawings and diagrams attached hereto and said location described as follows:

Facility to Cross Road

Road Name & Block Number	Length of Crossing	TYPE OF CONSTRUCTION (CHECK ONE)			
		Bored	Jacked	Driven	Cased

Facility to Parallel County Road Within Right-Of-Way

Road Name and Block Number	From	To	Distance

The location and description of the proposed installation and appurtenances must be *fully* shown on detailed drawings attached to this Notification.

The Company shall commence actual construction/work in good faith within 60 days from the date of said permit and shall complete said construction /work within _____ working days. (**COMPANY MUST FILL IN**). If such construction is not begun by the 60th day, Company will be required to provide a new notice.

Company declares that prior to filing this application, it has ascertained the location of all existing utilities, both aerial and underground, and the filing of this application is prima facie evidence that the proposed installation will not conflict with any existing utility.

A copy of this notice shall be kept at the job site any time work is being performed.

In the event of deviation from this notice, the Brazoria County Engineer's Office or its designated representative will be notified as soon as practicable.

Approval of County Engineer's Office may take as long as two weeks after complete application is received.

Failure to notify the County Engineer's Office within 24 hours of beginning construction shall constitute grounds for job shutdown.

By signing below, I certify that I am authorized to represent the Company listed below, and that the Company agrees to the conditions/provisions included in this notification.

Company Name

By:

Signature

Title

Address

City State Zip

Phone Number

Email:

ACCEPTANCE OF NOTIFICATION

Brazoria County offers no objection to the proposed location of the utility in the County right of way as shown by accompanying drawings and notice dated _____ except as noted below:
(Month/Day/Year)

EXCEPTIONS:

Brazoria County Engineer

Signature

Title

**BRAZORIA COUNTY ROADWAY SAFETY AND ROAD
PRESERVATION STANDARDS FOR WORK CONDUCTED IN
BRAZORIA COUNTY RIGHTS OF WAY**

A. *General Requirements*

1. Adequate drainage shall be maintained in ditches at all times.
2. Permittee will use best management practices (“BMP”) (EPA and TCEQ both provide lists of examples of BMPs) to minimize erosion and sedimentation resulting from the proposed installation.
3. The permittee shall take precautions to avoid damage to property. All County Rights of Way and property shall be restored to its original condition, as far as practical, in the opinion of the County Engineer or appointed representative.
4. The construction and maintenance of such utility shall not interfere with the property or rights of a prior occupant.
5. Permittee shall not interfere with other utilities located in the right of way. In the event damages occur, permittee will be liable to the County or other utilities running through the right of way.
6. County Engineer shall determine whether or not permittee’s plans shall inconvenience the public. If it is determined that inconvenience to the public exists, then the County Engineer will decide whether such project will be allowed or if an alternative exists so as not to inconvenience the public.

B. *Safety Requirements*

1. Proper traffic control measures must be put in place prior to beginning work and remain in place during the duration of the job. All traffic control measures must follow the Texas Manual of Uniform Traffic Control Devices (TMUTCD). See Traffic Control Requirements below.
2. During construction, all safety regulations of the Texas Department of Transportation shall be observed.
3. Permittee must take such precautions and measures, including placing and displaying safety devices, as may be necessary, in order to safely conduct the public through the project area. Company shall provide flagmen, signs, signals or devices necessary to provide complete safety to the public.
4. Adequate provisions must be made to cause minimum inconveniences to traffic and adjacent property owners.
5. No cable, conduit and/or pole line shall be laid, constructed, maintained and/or repaired so as to constitute a danger or hazard of any kind to persons or vehicles using such road. Any poles placed in the Right of Way for future installation shall be placed at the back of the Right of Way. Exceptions may be approved by the County Engineer.

C. *Traffic Control Plan*

1. A traffic control plan, pursuant to the TMUTCD or Engineered Traffic Control Plan must be provided for the following:
 - a. Any construction (i.e. pit, excavation, hole) left open over night, requires specific nighttime traffic control measures pursuant to the TMUTCD;
 - b. If construction is within ten (10) feet of the roadway; or
 - c. Any work performed in the road right-of-way;
2. Plan must be attached to the permit and kept at the job site any time work is being performed.

3. Plan must set forth the time of completion for the job.

D. Protection of County Roads

1. Crossings under a county road shall:
 - a. be bored or jacked. ABSOLUTELY NO OPEN CUTS WITHIN COUNTY ROAD PAVEMENT;
 - b. be pressure grouted for the full length of the crossing *if* the annular space between pipe and casing and soil exceeds one (1) inch;
 - c. TxDOT Standard Specification Item 476 shall be followed for all boring, jacking, tunneling and joints.
2. Bore Pits
 - a. no pits shall remain open longer than 2 days;
 - b. all pits shall have proper traffic control measures in place. See Traffic Control Plan listed above.
 - c. pits shall NOT be located within ten (10) feet from the edge of pavement without prior approval from the County Engineer or his representative;
 - d. when pits are to remain open for more than 8 hours, due diligence will be used in protecting the spoil pile to prevent drainage problems;
 - e. based upon soil conditions, the County Engineer or his representative may require shoring to protect pavement integrity;
 - f. based upon soil conditions, the County Engineer or his representative may require pits be placed further from the edge of road.
3. Any installation within ten (10) feet of edge of pavement shall meet the following:
 - a. location must be approved by the County Engineer or his representative
 - b. backfilled with cement stabilized material.
 - c. based upon soil conditions, the County Engineer or his representative may require shoring to protect pavement integrity.
 - d. All excess water and mud shall be removed from the trench prior to backfilling. Any backfill placed during a rainy period or at other times where excess water cannot be prevented from entering the trench will be considered TEMPORARY and shall be replaced with PERMANENT cement stabilized material as soon as weather permits;
 - e. All disturbed base and pavement materials shall be removed and restored to the satisfaction of the County Engineer or his representatives.
 - f. No side or lateral tamping to fill voids under the base and pavement materials is allowed.
4. Company must be careful to not jeopardize the slope or integrity of the shoulder of the road. In the event Company damages the slope, shoulder or any other portion of the right-of-way, Company will be responsible for repairing the damage and replacing the right-of-way to the condition it was prior to commencing construction.
5. Operation of construction and/or maintenance equipment on the traveled surface of any improved County road will not be permitted, except in an instance whereby the laying, construction, maintenance and/or repair of cables, conduits and/or pole lines cannot be accomplished by any other method and in this event all such equipment shall be of the rubber tire variety. Appropriate traffic control shall be provided meeting TMUTCD requirements.
6. In the event said construction and/or maintenance and/or repair requires Company to remove, cut or jeopardize any section of the road (asphalt, cement, road base, etc), Company will be required to provide a performance bond or letter of credit securing necessary repairs. Said bond amount will be determined by the County Engineer.
7. The applicant shall submit a letter of "No Objection" from the Army Corps of Engineers for all designated wetlands and environmentally sensitive lands.

F. Emergency work

1. In the event Company is required to perform emergency services and unable to notify the County Engineer prior to conducting emergency repairs, Company shall notify County Engineer within 24 hours of beginning construction/repairs. This will allow the County Engineer's Office an opportunity to inspect the site to ensure the integrity of the County Right of Way.