

**STATE OF GEORGIA**

**COUNTY OF EVANS**

**EVANS COUNTY DRIVEWAY ORDINANCE**

WHEREAS, pursuant to Georgia Laws, the Evans County Board of Commissioners has the authority to establish by ordinances such rules and regulations, not in conflict with existing State or federal law, relating to the health, safety and welfare of the public; and

WHEREAS, the efficiency and safety of the County Road System of Evans County depends upon the amount and type of roadside interference with moving traffic, and it is necessary that reasonable standards be established to protect the interest and rights of both the road fronting landowners having certain rights of access to County roads and road users to maintain safety and free traffic flow along the County Road System;

NOW, THEREFORE, be it resolved that the following rules and regulations are hereby adopted pertaining to the construction and installation of driveways connecting private property to any County Road within Evans County:

Section 1. Requirements for Driveway:

(a) No person or entity shall be allowed to conduct work upon, or to disturb land on, County owned property, without prior written approval of the Evans County Board of Commissioners. This shall specifically include the construction and installation of driveways connecting private property to a County Road, whether or not a pipe is required or used for construction and installation of said driveway.

(b) Prior to installation of any driveway connecting private property to a County Road, an Application for Permit shall be made to the County Clerk, providing name, address and telephone number of applicant and the County Road and site address of the proposed driveway. An application fee of \$100.00 shall be paid to Evans County upon filing of the Application.

(c) Upon the application being filed and payment of the application fee, the County Road Superintendent shall inspect the proposed driveway site and determine if same meets the GDOT road safety requirements for installation. If the proposed site, or agreed alternative site, meets the GDOT requirements, the County Road Superintendent shall determine the type, diameter and length of pipe required and the estimated amount of fill dirt

required for the construction and installation of the proposed driveway. The County Road Superintendent shall provide to the County Clerk the information as to the approved site location and as to the pipe and dirt requirements.

(d) The County Clerk, upon receipt of approval as to site location and pipe and dirt requirements, shall advise the applicant as to said information, and shall issue the Permit for the construction and installation of the driveway.

(e) The applicant shall have the right to request the Evans County Road Department to construct and install the driveway and, upon said request, the County Clerk shall advise the applicant as to the estimated costs, (pipe at cost and fill dirt at \$50.00 per load) and estimated date for installation. Upon payment of the estimated costs by the applicant and execution of a Construction Easement by the applicant, the County Clerk shall issue a Work Order for the construction and installation of the driveway. Upon completion of the driveway, the County Road Superintendent shall issue his final approval, and any cost differences in the estimated costs paid shall be billed to or refunded to the applicant.

(f) The applicant shall have the right to construct and install the permitted driveway, or to have same done by a private contractor; provided, however, that the County Road Superintendent shall inspect the work upon completion to determine compliance with the Permit, prior to final approval and use of the driveway.

## Section 2. Penalties:

A violation of this Ordinance shall be a misdemeanor offense and shall be punishable by a fine not to exceed \$1,000.00 or imprisonment of not more than 12 months, and jurisdiction shall be in the Magistrate Court of Evans County. Each day that this Ordinance is violated shall constitute a separate offense.