



## LAVACA COUNTY APPLICATION FOR PERMIT TO LAY TEMPORARY WATER LINE IN ROAD RIGHT OF WAY

COMES NOW \_\_\_\_\_ (company name) (hereafter “Company”), a \_\_\_\_\_ (state), \_\_\_\_\_ (type – corporation, partnership, sole proprietorship, etc.) with the right to transact business in Texas, acting by and through its duly authorized representative, and hereby petitions Lavaca County (hereafter “County”) for the right to lay a temporary water line over and along certain County Roads and rights of way as shown on map(s) and lists(s) attached hereto in the following manner: (insert description of line, Example “10 inch poly”):

\_\_\_\_\_  
\_\_\_\_\_

Within a length along the right of way of approximately \_\_\_\_\_ feet, along (describe roads)

\_\_\_\_\_  
\_\_\_\_\_

We propose to begin our operations on or about \_\_\_\_\_ (mm/dd/yyyy) and complete our operations by \_\_\_\_\_ (mm/dd/yyyy).

Company agrees that:

- 1) To induce the County to grant the requested permit, Company agrees, and stipulates as follows:
  - a. That it is expressly understood that Lavaca County does not grant any right, claim, title, or easement in or upon the County right of way.
  - b. The temporary waterline will be laid on the surface, as far to the edge of the County Road right of way or fence line, as is possible.
  - c. Where necessary, Company agrees to remove, and dispose of, at its own expense, brush, debris, and other impediments when installing the temporary water line. Company also agrees to mow or maintain County right of way until temporary water line is removed.

- d. Company will cross a County Road right of way, or culvert, only with the permission of the Commissioners Court. Temporary water lines crossing a roadway may use existing drainage structures.

Open cuts of the roadway will not be permitted. If a bore is used, a separate crossing permit is required, contact the County Commissioners Office. If an existing drainage structure is used to cross a roadway, the following is the allowable number and size pipe for each drainage structure. This information shall also be shown on the attached location map.

24" drainage structure: one 8" or one 10" temporary water pipe(s).

36" drainage structure: three 8", two 10", or one 12" temporary water pipe(s).

48" drainage structure: four 8", three 10", or two 12" temporary water pipe(s).

- e. The temporary water line shall not be laid or maintained by the Company in such manner as to interfere with the use, construction, maintenance or repair of roads, and in the event it shall develop, that the line, in the opinion of the Lavaca County Commissioners Office, in any manner interferes with the use, construction, maintenance or repair of any existing road, or for any other reason, the Company, upon request of the shall promptly change or alter, at Company's sole expense, the temporary water line, in such manner that the same will no longer interfere with such construction, maintenance or repair.
- f. Company will not maintain any pump, switch, storage facility, or anything else, except the above described temporary water line, in the County Road right of way.
- g. Lavaca County may require Company to relocate, or to permanently or temporarily remove the temporary waterline when deemed necessary, for any reason, by Lavaca County, by giving 5 days' notice.
- h. Lavaca County may require Company to immediately relocate, or to, permanently or temporarily, remove the temporary waterline, if adverse weather, or other factors, create an emergency condition, or if, in the opinion of the Lavaca County Commissioners Office, the Company is in any way in violation of this permit.
- i. That the temporary waterline be maintained in such a manner that is acceptable to the Lavaca County Commissioners Office, or his designee.
- j. Adequate signs, barricades, flares, flagmen, etc., shall be maintained as necessary to protect the traveling public during installation, moving, maintenance, or any other situation and or emergency that may arise. Company shall comply with the Texas Manual of Uniform Traffic Control Devices.
- k. Company must not interfere with the free and safe flow of traffic, along the County Road right of way, or to and from driveways. All driveways shall be crossed by using road crossings. The intent is to not cause damage to a driveway. The traveling surface of the road crossing must extend the entire width of the driveway.
- l. When operations are immediately adjacent to the County Road right of way, all equipment should be parked and/or operating on one side of the roadway only.

- m. Operations will be postponed when the ground conditions are such that operations within the County Road right of way would, in the opinion of the Lavaca County Commissioners Office, cause extensive rutting and/or tracking of mud onto the roadway surface.
  - n. Company will submit with this application a current Certificate of Insurance in the amount of not less than \$1,000,000 and a certificate of Workers Compensation insurance. Company will insure, and shall demonstrate to the County, that such insurance remains in full force and effect, while any operations continue under the permit. Such insurance policy will list Lavaca County as an additional insured.
  - o. The permit, if granted, will give Company permission to conduct allowed operations within County Road rights of way only, and does not authorize Company to conduct any operations on other property. s. Company shall arrange an onsite inspection of the proposed route of the temporary water line, by the Lavaca County Commissioners Office, before approval may be granted.
  - p. Company shall notify the Lavaca County Commissioners Office at least 48 hours before any operations begin under this permit.
  - r. Company shall by \_\_\_\_\_(mm/dd/yyyy) remove the temporary water line, not to exceed ninety days from date of permit issuance. Company shall restore the right-of-way to its original condition, free of any damage, including ruts or any injury to vegetation, except that brush, debris and other impediments need not be restored. Any costs incurred by the County for replacement signs, delineators, etc., for the removal of debris, or for any other necessary restoration work performed by the County to place the County right-of-way into a condition equal to that prior to survey operations will be billed to the company at cost.
  - s. Renewal of temporary water line permit. In the event Company anticipates exceeding the ninety-day issuance of the temporary water line permit, the Company shall apply to renew permit with the Lavaca County Commissioners Office. The renewal notice must be submitted to the Lavaca County Commissioners Office no later than ten days (10) before the expiration of the existing permit. If all information in existing permit remains the same, Company shall just sign declaration page certifying to all information in previous application. In the event information from original application has changed, Company shall be required to complete application again in full.
- 2) On the attached maps (two copies one for the Permit Office and one for the Commissioner in which Applicant seeks a permit), Company has:
- a. Outlined the general area of proposed operations
  - b. Highlighted, in color, the county right of way(s) to be used.
  - c. Labeled each County Road with its road number, or name.
  - d. List all driveways the temporary water line will cross.
- 3) On the attached list(s), Company has listed in alpha-numerical order each County Road where company plans to lay temporary water lines.
- 4) The application fee is \$1,000.00, for temporary water lines occupying up to one mile of

County Road right of way, plus \$500.00 for each additional mile, or portion of a mile. If Company has installed any portion of the proposed temporary waterline on a County Road right of way without an approved permit, the application fee is \$6,000.00, plus \$500.00 for each additional mile, or portion of a mile.

- 5) The renewal fee is \$1,000.00, for temporary water lines occupying up to one mile of County Road right of way, plus \$500.00 for each additional mile, or portion of a mile. The renewal fee is due ten days prior to the expiration of the existing permit.
- 6) Violation of permit requirements. In the event Company fails to perform permit requirements as listed above, when the Company applies for ANY application or renewal permit for ANY right of way, the Company shall receive penalties as follows:

**ADMINISTRATIVE 1<sup>st</sup> PENALTY:**

- 1. Failure to place required signs as required. Up to \$500.00
- 2. Failure to repair water leaks within 24 hours of notification. Up to \$500.00
- 3. Failure to remove pipe and other materials when complete. Up to \$500.00
- 4. Failure to mow and maintain ROW. Up to \$500.00

**ADDITIONAL ADMINISTRATIVE 2<sup>nd</sup> PENALTIES:**

- 1. Failure to place required signs as required. Up to \$1,000.00
- 2. Failure to repair water leaks within 24 hours of notification. Up to \$1,000.00
- 3. Failure to remove pipe and other materials when complete. Up to \$1,000.00
- 4. Failure to mow and maintain ROW. Up to \$1,000.00

- 7) Permit application, supporting documentation, and fee are to be submitted in person or by mail to the Lavaca County Commissioners Office, 109 N. LaGrange ST Hallettsville, TX 77964. By mail; P.O. Box 243 Hallettsville, TX 77964.

Incomplete applications will not be accepted.

**CONTACT PERSON FOR PERMIT APPLICATION**

Questions regarding the Temporary Waterline Permit Application should be addressed to:

Print or type name \_\_\_\_\_

Office Telephone \_\_\_\_\_

Title Office Fax \_\_\_\_\_

Cell Phone \_\_\_\_\_

Address \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Email Address \_\_\_\_\_

**PRIMARY 24 HOUR CONTACT PERSON(S) FOR EMERGENCIES**

During the period of operation under the permit, Lavaca County may contact this agent of Company at any time:

Print or type name \_\_\_\_\_

Office Telephone \_\_\_\_\_

Title Office Fax \_\_\_\_\_

Cell Phone \_\_\_\_\_

Address \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Email Address \_\_\_\_\_

**SECONDARY 24 HOUR CONTACT PERSON(S) FOR EMERGENCIES**

During the period of operation under the permit, Lavaca County may contact this agent of Company at any time the primary contact cannot be reached:

Print or type name \_\_\_\_\_

Office Telephone \_\_\_\_\_

Title Office Fax \_\_\_\_\_

Cell Phone \_\_\_\_\_

Address \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Email Address \_\_\_\_\_

PERMIT # \_\_\_\_\_ (FOR COUNTY USE ONLY)

SUBMITTED this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**SWORN TO, SUBSCRIBED, AND ALL TERMS AND CONDITIONS AGREED TO:**

Print or type name \_\_\_\_\_

Signature \_\_\_\_\_

Office Phone \_\_\_\_\_

Cell Phone \_\_\_\_\_

Address \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Email Address \_\_\_\_\_

**THE STATE OF TEXAS** §

**COUNTY OF** \_\_\_\_\_ §

BEFORE ME, the undersigned authority on this day personally appeared \_\_\_\_\_  
(Name), \_\_\_\_\_ (Title) known to me to be the person and officer who is  
subscribed to the foregoing instrument and acknowledge to me that the same was the act of  
\_\_\_\_\_ (Company) of \_\_\_\_\_ (City and State) for  
the purposes and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_

Notary Public Signature

**LAVACA COUNTY COMMISSIONER REVIEW**

I have reviewed the foregoing Application, and I:

- Approve. Company may conduct the operations described in the permit application, subject to the rules and conditions in the permit application.
- Do not approve, because \_\_\_\_\_

\_\_\_\_\_

Lavaca County Commissioner