

#22

COURT ORDER GOVERNING THE LOCATION, CONSTRUCTION AND  
MAINTENANCE OF CULVERTS IN THE PUBLIC RIGHT-OF-WAY

ORDER No. 2024-02

On the 26 day of February, 2024, the Commissioners Court of  
Navarro County, Texas met in regular session with the following member's present and  
participating, to-wit:

H.M. Davenport Jr., County Judge  
Jason Grant, Commissioner Precinct 1  
Eddie Perry, Commissioner Precinct 2  
Eddie Moore, Commissioner Precinct 3  
David Brewer, Commissioner Precinct 4

During such session, the Court considered the adoption of an Order regulating the  
location, construction and maintenance of culverts in the public right-of-way.

WHEREAS, the Legislature of the State of Texas has in Section 16.314 and 16.315 of the  
Texas Water Code delegated the responsibility to local governments to adopt regulations  
designed to minimize flood losses by restricting or prohibiting uses that are dangerous to  
health, safety, or property in times of flood or cause excessive increases in flood heights  
or velocities.

WHEREAS, the Navarro County Commissioners Court finds that the county is  
experiencing significant development in rural areas which is creating more vehicular  
traffic on public roadways and creating additional storm-water runoff; and

WHEREAS, the Navarro County Commissioners Court has the responsibility to regulate  
the location of culverts for drainage and other improvements in the public right-of-way in  
order to protect the public health and safety; and

WHEREAS, uniformity in size and elevation of access culverts is necessary to maintain  
an adequate natural flow of drainage waters and protect the county roadways;

NOW THEREFORE BE IT ORDERED BY THE NAVARRO COUNTY  
COMMISSIONERS COURT;

Prior to the installation of any culvert in the Navarro County right-of-way, the property  
owner or the owner's agent shall apply in writing on the form provided, to the County  
Commissioner for a permit to place such culvert.

The County Commissioner shall determine the size and location of a culvert. All culverts  
shall be placed so as to permit the free and unobstructed flow of surface water over the  
driveway. No driveway shall be constructed in a manner that would interfere with the  
drainage of roads or ditches.

Mailboxes, paper boxes or similar repositories may be placed in the public right-of-way provided its front edge is no closer than twenty-four (24) inches to the edge of the roadway. Other permanent installations, such as entrance gates, pillars, etc. shall not be placed in the public right-of-way.

The property owner shall be responsible for the maintenance of the flow of drainage water and to keep the ditches and culvert in the right-of-way unobstructed. In the event of a flood or conditions likely to result in damage to the roadway or danger in road travel, the County Commissioner may authorize removal of obstructions or replacement of the culvert and hold the property owner responsible for payment of any such expense incurred.

Failure to obtain a culvert permit is a violation of this Court Order. Any person who violates this Court Order or fails to comply with any of its requirements shall upon conviction thereof be fined not less than \$100.00 and not more than \$500.00 for each violation, and in addition shall pay all costs and expenses involved in the case.

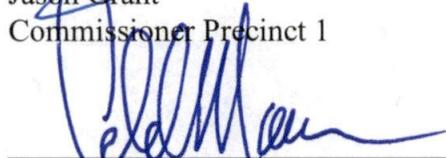
It has been determined by the Commissioner's Court that a permit be required to install a culvert in the amount of \$250.00 made payable to Navarro County Planning and Zoning.

APPROVED AND ORDERED by Navarro County Commissioners Court on this the

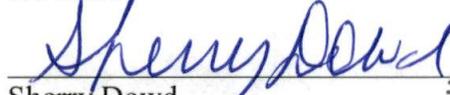
26 day of February, 2024.



H.M. Davenport, Jr.  
County Judge

  
\_\_\_\_\_  
Jason Grant  
Commissioner Precinct 1  
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Eddie Perry  
Commissioner Precinct 2  
\_\_\_\_\_  
Eddie Moore  
Commissioner Precinct 3  
\_\_\_\_\_  
David Brewer  
Commissioner Precinct 4

ATTEST:

  
\_\_\_\_\_  
Sherry Dowd  
Navarro County Clerk

## NAVARRO COUNTY CULVERT POLICY

Navarro County has established this culvert policy to accomplish the following:

- Provide adequate access to resident's property.
- Maintain a minimum standard of open ditch capacity within the county's drainage system.
- Minimize conflicts between neighboring residents due to drainage.
- Provide a comprehensive list of requirements.

### **Culvert Installation Policies:**

A request for driveway access / culvert installation permit can only be made by the property owner of the addressed property adjacent to the county ditch.

Culvert cannot be removed by private residents or by request from private residents.

Property owners will provide the culvert and the installation. The county will only accept new culverts made of reinforced concrete (RCP), doubled walled high density polyethylene (HDPE) or galvanized corrugated steel.

The driveway culvert will be limited to a minimum inside diameter of 15", a minimum length of 20 feet, and a maximum length of no greater than 50% of the lot frontage. For corner lots, the secondary frontage may have a maximum of 20 feet.

Any requests to place a culvert within 5 feet or less of the property corner will require an inlet with grate at the property corner. If the adjacent property's culvert is within 5 feet from their property corner, the property owner requesting to connect to the adjacent property will provide the Planning and Zoning Office with the neighbor's acceptance, in writing, and cover all cost for the connection to the adjacent culvert.

All inlets with grates must be a minimum of 2 tenths of a foot (2 3/8") below the county road and adjacent property. If the minimum of 2 tenths cannot be achieved, the culvert length will be limited to the shortest length or approved location not requiring an inlet.

Any right of way that has minimal depth for drainage will not be required to have a driveway culvert. Such driveways will only be allowed if they follow the contour of the ditch and the finished surface of the driveway is no higher than the flow

line of the ditch as determined by the appropriate County Commissioner, or designee.

Unpaved driveways shall be covered with a standard flexible base material within the right-of-way.

The County will allow the private paving of culverted area within the right-of-way. For concrete pavement, the County requires an expansion joint at the right-of-way line, if the county roadway is a paved roadway. The elevation of the pavement shall not exceed the surface of the county road, and must grade into the grated inlet within the culverted section of the ditch. The location, elevation of the pavement, and grade into the grated inlet must be approved in advance of placement by the Road and Bridge Department.

The county will not maintain the private pavement, and if the County has need to increase the size of an existing drainage ditch parallel to a county road or drainage easement, the county will not replace the privately placed pavement.

Driveways that have been installed without an approved driveway access permit and have been found to hinder drainage or violate one of the above regulations will be removed and placed on the adjacent offending property.

### **Culvert Installation Procedures:**

1. Residents requesting a permit for a culvert for a new driveway, must contact the Planning and Zoning Office at 601 N 13<sup>th</sup> Street, Corsicana, TX 75110 or (903) 654-3312 to receive a Culvert/Driveway Permit Application.
2. Residents will contact the appropriate county commissioner at least 48 hours prior to installation of the permitted culvert so that inspection by road crew personnel can be scheduled during installation.
3. Culvert Permits can be purchased at the Planning and Zoning office for \$250. Navarro County accepts only money orders, or cashier's check made payable to Navarro County. Personal/Business Checks and cash will not be accepted.
4. If further assistance is needed, please call the Commissioner's Office at (903) 654-3030.



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NAVARRO COUNTY CULVERT/DRIVEWAY PERMIT APPLICATION

LANDOWNER: \_\_\_\_\_

PHONE NUMBER: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

INSTALLER NAME: \_\_\_\_\_

ROAD NAME/NUMBER: \_\_\_\_\_

LOCATION DESCRIPTION:

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

**Attach sketch of proposed culvert installation and surrounding area.**

**Culvert Installation:** All culverts shall be constructed of galvanized corrugated metal, RCP or HDPE. Culverts shall be placed in the ditch line at elevations that will assure proper drainage. All culverts shall be constructed so as to permit the free and unobstructed flow of surface water. At no time shall a culvert be installed that would interfere with the drainage of roads or ditches. All driveways shall be graded in such a way that no storm water reaches the roadway. Culvert safety ends and treatments are optional, except those locations regulated by the Texas Department of Transportation.

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- The property owner is responsible for placing stakes to mark the proposed location of the culvert.
  - Once the proposed location is marked, the property owner is responsible for notifying the Commissioner so the location can be researched and the design of the culvert can proceed. Culverts and or safety ends are not allowed to cross property lines.
  - Within ten (10) working days of this notification, the County Commissioner shall provide the property owner with the size culvert to be installed.
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If your driveway fronts a Farm to Market road or State Highway, please contact the Texas Department of Transportation, 903-874-4351 for permit application.

**(903) 654-3030**

**Jason Grant, Commissioner Precinct 1**

**Eddie Perry, Commissioner Precinct 2**

**Eddie Moore, Commissioner Precinct 3**

**David Brewer, Commissioner Precinct 4**

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I, the undersigned, hereby certify that I have read and fully understand the Navarro County Culvert/Driveway Permit Application and will abide by the requirements of said application. I understand that while requiring minimum standards for driveway and culvert construction, Navarro County in no way guarantees these minimum standards to be adequate for the intended use of the improvements, and hereby save Navarro County harmless from all claims resulting from the construction, operation and maintenance of said improvements.

If the improvements, when inspected, are found to be in violation of the Court Order governing the location, construction and maintenance of culverts in the public right-of-way, I understand that I shall be given thirty (30) days within which to upgrade the improvements to meet the requirements of the Court Order. I understand that if I fail to acquire acceptance of the work to acceptable standards that I shall reimburse Navarro County for costs including reasonable attorney's fees to collect said costs.

APPLICANT PRINTED NAME: \_\_\_\_\_

APPLICANT SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

**To be completed by county official:**

Your minimum culvert diameter is \_\_\_\_\_ inches.

Your minimum culvert length is \_\_\_\_\_ feet.

Development Permit # \_\_\_\_\_

Permit Amount \$ \_\_\_\_\_

GPS coordinates:

N. \_\_\_\_\_

W. \_\_\_\_\_