

**GRIMES COUNTY
RULES AND REGULATIONS
FOR SUBDIVISIONS**

September, 1995

RULES, REGULATIONS AND REQUIREMENTS
RELATING TO THE APPROVAL AND ACCEPTANCE
OF IMPROVEMENTS IN SUBDIVISION
OR RE-SUBDIVISIONS

STATE OF TEXAS §

COUNTY OF GRIMES §

On this, the 25th day of September, 1995, at a regular meeting of the Commissioners Court, sitting as the governing body of Grimes County, Texas, came on to be considered the necessity of adopting rules, regulations and requirements providing for the supervision of the development of new subdivisions or re-subdivisions in Grimes County, Texas, outside the legal limits of any incorporated city or town in Grimes County in accordance with Article 6702-1, Vernon's Civil Statutes and Sections 12.002 VTCA, Property Code.

Upon due consideration, the Court was of the opinion that there exists a necessity for establishing such rules, regulations and requirements and that these rules, regulations and requirements shall supersede all existing rules, regulations or requirements heretofore passed by the Commissioners Court;

NOW, THEREFORE, by and under the authority vested in the Commissioners Court, upon the motion of Commissioner seconded by Commissioner _____, duly put and carried, it is ordered, adjudged and decreed that the following rules, regulations and requirements relating to the supervision of new subdivisions or re-subdivisions in Grimes County are hereby adopted as conditions precedent to the approval, by the Commissioners Court, of plats or subdivisions and re-subdivisions for recording and shall be in full force and effect from September 25, 1995 to wit:

1. Whenever the Court in its judgment deems it to be in the best interest of the public to change any part of these rules and regulations, said changes shall be published in a newspaper of general circulation in the County at least thirty (30) days in advance of formal consideration by the Court.
2. These rules, regulations and requirements, any and all future additions thereto and changes thereof, will be binding on all new subdivisions or re-subdivisions in Grimes County. Said rules, regulations and requirements must be complied with before approval or acceptance of the streets, roads, storm sewers, drainage ditches and drainage easements of a subdivision or re-subdivision and may be recorded with the County Clerk after same has been first approved by the Commissioners Court as set forth herein.

3. The roads and/or streets which have not been taken into the County Road System for maintenance by the County in previously approved subdivisions shall be considered on individual merits. This policy shall not apply to any roads now being maintained by Grimes County, Texas.
4. Plats of each proposed subdivision or re-subdivision will be submitted in compliance with the following sections hereof to the Commissioners Court of Grimes County. All plans and plats shall be drawn to conform to the requirements set forth herein.
5. In all newly developed subdivisions a final plat must be submitted and approved by the Commissioners Court of Grimes County prior to the issuance of permits or authorization of inspection.
6. It shall be the duty of the developer to see that layout and construction, subject to inspection by the County Commissioner follow the approved plans as presented with the final subdivision plat.
7. Access to all new subdivisions shall be from an adequate County maintained street or a state or federally maintained road or street.
8. All roads providing principal access to and within subdivisions shall be public roads subject to the rules and regulations provided herein.

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SECTION ONE DEFINITIONS

For the purpose of these regulations, the following terms, phrases, words and their derivations shall have the meaning given in this article. When not inconsistent with the context, words used in the present tense include the future, words used in the singular number include the plural number, and words used in the plural number include the singular number. Definitions not expressly prescribed herein are to be determined according to customary usage in planning and engineering practices.

ACCEPTABLE OUTFALL. Tidewater or that point as determined by the Developer's Engineer and approved by the County where storm water can be released to a channel without causing erosion or resulting sedimentation to the receiving channel or its flood plain. Where necessary, the outlet shall include structural and vegetative measures to assure non-erosive velocities.

ALLEY. An "alley" is a minor public right-of-way which provides a secondary means of vehicular access to abutting property and which is used primarily for vehicular traffic to the rear or side or properties which otherwise abut on a "public street" as that term is defined herein.

BENCHMARK. Permanent marker with elevation established on U.S.C. & G.S. Data Plane or other governmental agency, acceptable to the Commissioners Court of Grimes County, Texas.

BUILDING SETBACK LINE. A "building setback line" is a line on a plat generally parallel to the street right-of-way, indicating the limit beyond which buildings or structures may be erected and the area between a street right-of-way and the building setback line within which no structure may be permitted.

CLUSTER DEVELOPMENT. A method of development for land that permits variation in lot sizes without a significant increase in the overall density, due consideration shall be given to open space provided within the plat boundary and in other portions of the total development. Each lot in a cluster sequence should be considered in relation to the entire group of which it is a part. This allows subdivisions with varying lot sizes so as to provide home buyers a choice of lot sizes according to their needs, and preserves open space, tree cover, scenic vistas, natural drainage ways and outstanding topography. Such measures prevent soil erosion by permitting development according to the nature of the terrain, provides larger open areas with greater utility for rest and recreation and encourages the development of more attractive and economic site design.

COLLECTOR STREETS. Public streets which provide for expeditious movement of vehicular traffic within a neighborhood collecting traffic from minor streets and connecting to a major street.

COMMISSIONERS COURT. The words "Commissioners Court" shall refer to the County Commissioners Court of Grimes County, Texas.

COMPENSATING OPEN SPACE. Those areas designated on a plat which are restricted from development, except for landscaping and recreational uses and which all owners of residential properties within the plat have a legal common interest or which is retained in private ownership

and restricted from development, except for landscaping and recreational uses for the exclusive use of all owners of residential property within the plat. The terms compensating open space and common open space may be used interchangeably and can be considered the same.

COUNTY. The word "County" shall refer to the County of Grimes.

COUNTY OF GRIMES STANDARDS. County of Grimes Standards as used herein, shall mean the regulations for streets and alleys, storm sewer lines and appurtenant structures, which are set forth herein, and such additional standards as may be adopted by the Commissioners Court, and which may be amended from time to time, and are hereby referred to.

COUNTY STREET. "County street" is defined as a public street or public road which has been accepted by the County for maintenance purposes or is a street or road that was constructed and is maintained by the County.

CUL-DE-SAC. A short public street having but one (1) opening or access to another public street and is terminated by a permanent vehicular turn-around.

DEAD-END. That portion of a public street, that initially has only one (1) opening or access to another public street and which will be extended at a later date.

DETENTION POND. A reservoir which functions to reduce the peak flow of the stream or streams downstream from the reservoir by temporarily storing the runoff within the reservoir by means of a limited outflow structure.

EASEMENT. An "easement" is the area for a right granted thereon for the purpose of limited private, public or semi-public use across, over, or under private property for a specified purpose or purposes.

FLOOD HAZARD BOUNDARY MAP. The maps or plats prepared by the U. S. Department of Housing and Urban Development, Federal Insurance Administration, effective date June 17, 1977, for Grimes County, Texas (Community No. 481173) which identifies Special Flood Hazard Areas, or latest version thereof.

GENERAL OVERALL PLAN. A map or plat designed to illustrate the general design features and street layout of a proposed subdivision which is proposed to be developed and platted in sections. This plan, when approved by the County, constitutes a guide which the County will refer to in the subsequent review of more detailed sectional plats as contained within the general overall plan and adjacent properties.

LOOP ROAD. A minor road or street that serves the purpose of providing circulation with its beginning and ending being at the same road, street or thoroughfare.

MAJOR THOROUGHFARE. Public streets which provide for the major vehicular circulation of crosstowns, loops, by-pass or radial routes of a region, county or city.

MINOR STREET. Used primarily for access and circulation to abutting residential properties and which is intended to serve traffic within a limited area.

MOBILE HOME. Means any vehicle or similar portable structure having no foundation other than wheels, jacks, blocks or skirting, and so designed or constructed as to permit occupancy for dwelling or sleeping purposes.

MOBILE HOME PARK. A contiguous development of land comprised of two (2) acres or more and/or more than ten (10) sites, which has been planned and improved for the placement of mobile homes.

MODULAR OR RECONSTRUCTED HOME. A structure, transportable in one (1) or more sections, which is eight (8) body feet or more in width and is thirty-two (32) body feet or more in length, and which is built to be placed on a permanent slab foundation, when connected to the required utilities and includes the plumbing, heating, air conditioning and electrical system contained herein.

PARTITION. Partition is defined as the division of land into two (2) or more parts without a change of ownership or between persons related within the second degree of consanguinity or affinity.

PLAT. A "plat" is a subdivision plan submitted for preliminary or final approval to the Commissioners Court in conformity with the provisions of these regulations and which if given final approval, will be submitted to the County Clerk of Grimes County for recording. A replat or re-subdivision shall be considered a plat as defined herein.

PRIVATE STREET. A "private street" is defined as any street that is not a public street, including streets designated as private at the time of original platting. Notwithstanding the foregoing definitions, however, the following shall not be considered public streets within the purview of these regulations, namely:

- A. Any driveway designed or used principally to provide vehicular access to the outbuildings appurtenant to any principal building, or to provide vehicular access to delivery platforms or entrance of a building appropriate for the delivery thereto of goods of merchandise, and located wholly on private property.
- B. An area appurtenant to a store, a group of stores, a theater, a church or any similar establishment, designed or used primarily for a vehicular parking lot or vehicular parking facilities by customers, patrons or employees of the establishment or group of establishments in question.
- C. An entrance or roadway designed or used to provide either vehicular entrance to or communication or passage between the several units of a single industrial or commercial establishment or a group of such establishments which are under common control of management; provided such industrial or commercial entranceway or roadway shall be considered a public street under the terms of these

regulations if it has entrance upon two or more public streets unless there are at each of such entrances, gates, chains or watchmen by which all persons are prevented from using the same except those employed by or having business to conduct at such industrial or commercial establishments in question.

- D. An entrance or driveway designed or used to provide principal or primary vehicular access to an apartment building or a group of apartment buildings designed for multi-family occupancy and under one (1) ownership. Such entrance or driveway shall not be used to provide public street access to adjacent areas.

PUBLIC STREET. A "public street" is an area, parcel or strip of land which provides vehicular access to adjacent property or land whether designed as a street, highway, freeway, thoroughfare, avenue, lane, boulevard, road, place, drive or however otherwise designated and which is either dedicated or granted for public purposes or acquired for public use by prescription. Access to and within proposed subdivisions shall be by way of public streets.

RECREATIONAL VEHICLE. A vehicular, portable structure built on a chassis, designed by the manufacturer as a temporary dwelling for travel, recreational and vacation use, having a total body width not exceeding eight (8) feet and body length not exceeding thirty-two (32) feet.

RESIDENTIAL USE. The term "residential use" shall be construed to include single-family residential uses; two-family uses; and multi-family residential apartment, townhouse uses or condominiums.

SHALL AND MAY. As used herein, the word "shall" is mandatory and the word "may" is permissive.

SHOULD AND WILL. As used herein, the word "should" is a recommendation and is preferred. The word "will" is mandatory.

SPECIAL FLOOD HAZARD AREAS. Those areas shown by the Flood Hazard Boundary Maps to be subject to flooding conditions. Generally accepted as the 100-year flood plain based on available data.

SUBDIVISION. A subdivision is the division of any lot, tract or parcel of land by plat, map or description, into two (2) or more parts, lots, building lots, sites or building sites, mobile home parks, for the purpose, whether immediate or future, of sale, rental or lease or division of ownership and of laying out streets, alleys, squares, parks or other parts of the lot, tract or parcel intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks or other parts. Any dedication and the laying out (or realignment) of new streets or other public access ways, with or without lotting, is a replatting of land or lots which are part of a previously recorded subdivision. An "addition" is a subdivision as defined herein. A testamentary division of land, partition as herein defined, or division upon dissolution of a corporation or partnership shall not be considered a subdivision.

SUBDIVIDER OR DEVELOPER. These terms are synonymous and are used interchangeably and shall include any person, partnership, firm association, corporation (combination thereof) or any officer, agent, employee, servant or trustee thereof, who performs or participates in the performing of any act toward the subdivision of land within the intent, scope and purview of these regulations.

TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) STANDARDS. Refers to those standard specifications set forth in the TxDOT Standard Specifications for Construction of Highways, Streets and Bridges.

SECTION TWO
PLAT FILING PROCEDURES

I. PRELIMINARY PLAT

- A. PRELIMINARY PLAT SPECIFICATIONS. The scale of the preliminary plat should be 1" = 100', 200' or 400'. The following shall be shown on the Preliminary Plat:
1. Topographic contours of not more than five-foot (5') intervals, based on U.S.G.S. or accepted County datum.
 2. Title or name of the subdivision.
 3. Names and address of owners and/or subdividers.
 4. Names and addresses of persons or firms preparing plat.
 5. North point and scale.
 6. Key map showing location of subdivision in relation to existing streets and highways, railroads, water courses and original survey lines to a distance of one (1) mile.
 7. The boundary of the subdivision and scaled dimensions, both linear and angular, of the boundary tied to an original survey corner or street right-of-way intersection.
 8. Within 200 feet of the boundaries of the subdivision, all existing utilities, streets and lots, as to size and location and property lines, survey lines and adjacent subdivisions, easements, etc.
 9. All proposed blocks, lots, alleys, streets, easements and purposes thereof, drainage or water courses, recreation and special use areas, reserves, setback lines, proposed dedication of areas for public use other than streets and easements and the approximate dimension of all proposed items shall be shown. Public facilities and easements included in any city, county or regional plan that are included or adjacent to the land being subdivided shall be shown. Dimensions of latter to be shown, scaled accuracy only.
 10. Street names and lot and block numbers. Street names shall be coordinated with County 911 system to avoid duplication.

11. Proposed sectioning, if any.
12. Area in subdivision, total number of lots and total area of reserves.
13. Special Flood Hazard Areas to be shaded in as identified by the Flood Hazard Boundary Map for Grimes County, Texas.
14. A general statement of the proposed uses of the land within the subdivision, including an outline or brief form of proposed restrictions.

B. SUBMITTAL. All persons desiring to subdivide land within the area of jurisdiction of these regulations shall first prepare and submit a preliminary plat to the County Clerk not less than fifteen (15) working days prior to any meeting at which the plat is to be considered. The preliminary plat submittal shall include the following information.

1. Six (6) black line or blue line copies of a general overall plan or preliminary plat covering all the contiguous land owned or controlled by the subdivider intended to be developed at any time, even though it is intended by the developer to file final plats and install improvements for parts of said tract by sections or units. The developer should deliver three (3) copies of the general overall plan or preliminary plat to the County Clerk.
2. A letter of transmittal in duplicate giving the name, address and telephone number of the owner or agent and the person or firm who prepared the plan. The letter of transmittal should indicate the type of dwelling proposed: residential, commercial, industrial, recreational or mobile homes, variances requested - and if central water and sewer is proposed. The letter of transmittal should indicate whether or not the proposed development lies within an Extra Territorial Jurisdiction of an incorporated area.
3. A cashier's check or money order, payable to the County Clerk, or cash in fifty percent (50%) of the amount specified in Schedule 1.

Prior to such submittal, it is urged that informal discussions be held between the developer and the Commissioner within whose precinct the proposed subdivision lies to insure compliance with the basic requirements and to arrive at a coordinated plat layout.

C. APPROVAL OF PRELIMINARY PLAT

1. Upon receipt of the preliminary plat and other information the Commissioners Court shall render a decision. Such decision may consist of approval, disapproval or conditional approval. Conditional

approval shall be considered to be approval of a plat subject to conformity with prescribed conditions but shall be deemed to be disapproval of such plats until such conditions are complied with. All objections made to the preliminary plat, or conditions imposed, shall be furnished the subdivider in writing.

2. When a preliminary plat has been approved, the subdivider must thereafter file a final plat of sections of the proposed subdivision upon which approval of the preliminary plat has been obtained, and upon the filing of a final plat covering a portion of such subdivision, the remainder of the preliminary plat shall be deemed as considered approved or conditionally approved as in Item 1 above; provided, however, that such approval or conditional approval of the remainder of the preliminary plat shall be limited to a three (3) year period from the date of final approval of a section or sections thereof; provided further, however, that the Commissioners Court may, upon application and its discretion, extend such period of validity not to exceed two (2) one (1) year periods. When a preliminary plat has been approved and thereafter the subdivider fails to file a final plat of the subdivision or a section thereof within a period of six (6) months, the approval of the preliminary plat shall be void; except, however, the Commissioners Court may, upon application and at its discretion, extend such period of validity. Under special circumstances when a subdivision is subject to review by others having extra territorial jurisdiction or other governmental review, the period between the acceptance of the preliminary plat and the final plat will be one (1) year.

II. FINAL PLAT

A. FINAL PLAT SPECIFICATIONS

1. GENERAL. Accurate dimensions, both linear and angular, of all items on the plat shall be indicated and shown on the final plat at a scale of at least 1" = 100' or 1" = 200' for lots equal to or greater than 2.5 acres or 1" = 400' for lots (tracts) equal to or greater than twenty (20) acres. The boundary of the site shall close within one in ten thousand (1:10,000). Linear dimensions shall be expressed in feet and decimals of a foot; angular dimensions may be shown by bearing. Plat dimensions shall be eighteen (18) inches by twenty-four (24) inches or twenty-four (24) inches by thirty-six (36) inches. Multiple sheet plats must have subdivision name and sheet number located in lower right hand corner of each sheet. A key map must be provided on the dedication sheet showing individual sheet relationship.
2. The name of the subdivision, name and addresses of owners and/or subdividers, name and addresses of engineer or surveyor preparing

plat. Legal description of plat and date of preparation or revision to facilitate flood plain checking and County mapping.

3. A certificate or letter from a title guaranty company or from an attorney duly licensed to practice law in Texas and reviewed by the attorney for the County certifying to at least the following concerning the title to the land: A statement of records examined and date of examination within thirty (30) days of submittal. Name of the fee owner as of the date of examination and the date, file number, and volume and page or the recording of the deed involved; the name of any lienholder together with the date of filing and volume and page of such lien and a general description of any easements or fee strips granted, along with the file number, date of filing, and volume and page of recording.
4. In the event any public street is to be platted across any conflicting exclusive-use surface easement or right-of-way or any land not owned by the subdivider or developer, the owner of such land or conflicting exclusive-use surface easement or right-of-way must join in the dedication of such public street. A letter of consent shall be provided for the crossing of any easement or right-of-way where a non-exclusive-use interest is held.
5. Proposed location of drainage easements for purposes of sediment traps or detention ponds, if any, to be constructed for temporary or permanent purposes in stream and other drainage ways.
6. Legal description of location of subdivision. This description shall be sufficient for the requirements of title examination.
7. North point, scale and vicinity map.
8. All certification statements, dedication restrictions and other inscriptions as required by the order.
9. All lots, blocks, streets, alleys, pipelines, fee strips, water courses, easements, reserves and total area, number of lots and number of blocks.
10. Setback lines.
11. Street names, block numbers, lot numbers and alphabetical identification of reserves.
 - a. Blocks are to be Roman numbered consecutively within the overall plat or sections of an overall plat as recorded.

- b. Lots are to be numbered consecutively within the overall plat as recorded.
- c. Reserves (land to be used for other than residential purposes) are to be labeled A, B, C, etc., rather than numbered as blocks and lots.

12. Dimensions

- a. Street and Alley Rights-of-Way
 - (1) Complete curve data (radius, delta angle, arc length, chord bearing, chord length) shown on each side of streets and alleys and center line of streets.
 - (2) Length and bearings of all tangents on street centerline and on each side of streets.
 - (3) Dimensions from all angle points and points of curve to an adjacent side lot line.
 - (4) Actual right-of-way width of all streets and alleys, measured at right angles or radially where curved.
- b. Lots: Complete bearings and dimensions for front, rear and side lot lines.
- c. Water Courses and Easements: Distances to be provided along the side lot lines from the front lot line to the point where the side line crosses the drainage easement line or the high bank of a stream. Transverse line shall be provided along the edge of all large water courses in a convenient location, preferably along a utility easement if parallelling the drainage easement of stream.
- d. Pipelines: Pipelines having no defined easement location or width shall be tied to dimensions to all adjacent lot and tract corners. If no agreement can be reached on a defined easement, then building setback lines shall be shown at a minimum distance of twenty-five (25) feet from and parallel to the center line of the pipeline.

13. Boundaries: Ownership or outlines of the tract or tracts the plat is proposed to subdivide shall be shown with heavy, solid lines. The boundaries of the plat shall be described with complete and overall dimensions and bearings and be tied to an original corner of the

original survey of which the subdivision is a part or to the nearest possible street intersection.

14. Extension Data: The location, width and name of existing streets and subdivisions and the location of existing lots, easements, pipelines, fee strips, survey lines, building lines, water courses or other important information shall be shown on all sides of the subdivision for a distance of not less than 200 feet. Recording information shall be provided on the plat. The lines of such indication beyond the plat boundary shall be dashed.

15. No "stick ons" may be used on the final plat.

B. SUBMITTAL. After the foregoing procedure has been complied with, the subdivider shall prepare and submit not less than fifteen (15) working days prior to any meeting at which the plat is to be considered the following information:

1. The original and six (6) copies of a final plat meeting all applicable requirements as set forth herein and certified by a surveyor registered by the State of Texas. The plat shall be drawn on mylar, plastic or their equivalent with waterproof black tracing ink or reproduced by photographic process on mylar, plastic, or their equivalent to scale from an accurate survey made on the ground, and in all respects shall be neat. The final plat shall not show construction features, cross-section, public utility lines or other structures not involved in the title covenant.
2. Tax certificates shall accompany the plat, indicating that all taxes have been paid.
3. A cashier's check or money order, payable to the County Clerk, or cash in the amount specified in Schedule 1. Final plat fees are separate and apart from the preliminary plat fees, and credit will not apply to final platting.
4. Subordinations to be filed separately shall accompany the final plat along with the necessary filing fees as required by the County Clerk's Office.
5. A general statement of the proposed uses of the land and a copy of the restrictive covenants, if any, to accompany the filing of the plat if approved.

III. REQUIREMENTS PRIOR TO APPROVAL OF FINAL PLAT. Before approval of the plat by the Commissioners Court and before recording of the plat shall be permitted by the Commissioners Court, compliance with the following requirements shall be made. The subdivider or developer shall provide to the County Clerk the drainage plan, individual septic study and improvement plans for the proposed development

(all certified to by a Registered Professional Engineer registered by the State of Texas). Additionally, the required construction and maintenance bond shall also be submitted in acceptable form.

A. DRAINAGE PLAN

A complete and detailed drainage plan prepared and sealed by a Professional Engineer, registered by the State of Texas, shall be submitted to the County Clerk along with any plat submitted for recording. This drainage plan shall provide for the handling of runoff entering the development from adjacent property, runoff within the development and runoff leaving the development to an acceptable outfall. An inset should be shown on the drainage plan at a scale that will allow any off-site drainage areas to be shown in their entirety. The drainage plan should show contour lines of the existing property, any natural drainage ways, proposed ditches and culverts with the direction of flow indicated and the drainage areas clearly marked and numbered. At each proposed drainage structure the following information should be shown: the drainage area number or numbers which will flow through the proposed structure, the total acreage of the drainage area and the calculated flow rate.

Typical sections of the proposed roadway and ditches as well as typical sections of all proposed drainage easements will also be required. The proposed section of the ditches and drainage easements must be based on hydraulic computations to provide adequate capacity.

Drainage calculations shall be made using the Rational Method or some other acceptable method.

Drainage for major thoroughfares shall be designed using: (a) twenty-five (25) year design frequency for open ditch drainage and (b) ten (10) year frequency for curb and gutter and/or storm sewer drainage.

Drainage for collector streets, minor streets, loop roads and cul-de-sacs shall be designed using: (a) ten (10) year frequency for open ditch drainage and (b) five (5) year frequency for curb and gutter and/or storm sewer drainage.

All outfall ditches shall be designed to handle a 100-year frequency rainfall.

For curb and gutter streets, storm water drainage system by plans and profile the means and methods of draining the proposed subdivision, showing in detail all existing and proposed drainage structures and the means and method of connecting the proposed drainage system into any existing drainage system and the means and methods of sediment control shall be shown.

Where open ditch drainage is proposed, an adequate number of outfall ditches should be provided to prevent any road ditch from being deeper than four (4) feet below natural ground with three (3) feet being desirable.

The characteristics of an individual development may be such that additional calculations, plans and details may be required both for proper review and for construction. The County shall notify the Developer or the Engineer as this need becomes evident.

The Developer or Engineer shall present on the Drainage Plan, proposed driveway culvert sizes for each lot. This plan, when approved by the County, shall be used as a guide to driveway construction.

The placement of driveway pipe shall be controlled by the County or other responsible public entity, etc., to insure proper size and grade. All driveway pipes and drainage structures shall be approved in writing by Grimes County prior to installation thereof. The subdivision developer will be held responsible to notify builders or lot owners of this requirement. It shall be placed in all deed restrictions. The minimum length for driveway pipe shall be sixteen (16) feet.

It shall be demonstrated in the drainage plan that any increased runoff from the proposed development, under typical hydrologic and meteorologic conditions, will not result in significant increases in flood damage to downstream property.

B. PRIVATE SEWAGE FACILITIES

If a residential subdivision proposed to contain only single-family or duplex dwelling units is not to be served by a public sanitary sewer system and private sewage facilities are to be used, lot sizes should be adequate to accommodate the size of drainfield as necessary because of soil type to effectively absorb the effluent without creating a health hazard or nuisance. The minimum reasonable lot sizes and sewage facilities shall be, for each proposed development, as set forth by the Texas Natural Resource Conservation Commission and applicable County standards. In no event shall applicable State laws or regulations as may be established by separate regulation or other order of the Texas Natural Resource Conservation Commission, or other agency with jurisdiction, be violated. Private sewage facilities may be prohibited in certain or all areas of the County.

If private sewage facilities are to be utilized for disposal of domestic liquid wastes, an Independent Septic Study shall be prepared by a Registered Professional Engineer and submitted to Grimes County. A letter to the County shall be provided certifying that in consideration of the soil types, slope of land, proximity to streams or other water courses, proximity to parks or lakes and proposed density of population in the subdivision that the use of septic tanks will not likely result in foul, unhealthful or obnoxious conditions which may be or become detrimental to the public health, safety or welfare. In those areas which appear questionable as a site for private sewage facilities under State standards, the County shall recommend that further

study of the problem of wastewater disposal for the subdivision be undertaken by a Registered Professional Engineer.

The Subdivider or developer is further advised that it is the intent of these rules that harmony be maintained with prior County orders and State laws and that any reference to such be construed to include the latest revisions, additions and amendments thereof. The current "Rules of Grimes County, Texas for Private Sewage Facilities" are included in Appendix III of these subdivision rules and regulations.

C. IMPROVEMENT PLANS (FOR CURB AND GUTTER CONSTRUCTION)

1. All proposed bridges or culvert crossing roadways within the proposed subdivision, showing in detail, by plan and/or profile, the structural members, connectors, railings, approaches, reinforcing steel and deck.
2. All existing and proposed streets and alleys within the proposed subdivision, showing by plans and profiles the width of the right-of-way, the widths of the proposed roadways; the gradient of the curb lines, the location and size of all drainage inlets; and the type of base and pavement.
3. All of the above-required plans and specifications must be approved by the County before the plat will be approved and permitted to be recorded.

D. CONSTRUCTION AND MAINTENANCE SECURITY

The owner or developer of the proposed subdivision shall file a bond (from a company on approved TxDOT list), or an equivalent instrument reviewed by the County Attorney and approved by the Commissioners Court as to form and surety or sureties on such bond or the equivalent instrument guaranteeing the completion and maintenance of the completed improvements as are required to be constructed by the owner or developer in accordance with the specifications contained in these regulations. The security requirement shall apply to both public and private road subdivisions. Bonds of corporate Principals shall be individually guaranteed.

The security shall be payable to the "County Judge of Grimes County, Texas, or his successor" and shall guarantee the quality of the construction against defects, poor materials and poor workmanship for a period of one (1) year from the date that such improvements were completed. The security amount for local streets shall be calculated at the amount on the attached Schedule 2, Item (1) per linear foot of street or road and shall remain in force until the roads are accepted into the one year maintenance period. Upon acceptance into the maintenance period, the security amount for local streets shall be reduced to the amount per the attached Schedule 2, Item (2) per linear foot.

The security shall be dated to be effective for a minimum of eighteen (18) months from the date of plat acceptance at the greater amount and twelve (12) months from the date of acceptance into the one (1) year maintenance period at the lesser amount. Provisions should be made within the wording of the security to automatically reduce to the lesser amount at the time of acceptance into the maintenance period. The security shall be filed with the County at the time of final plat approval. The estimated amount of the security shall be approved by the County. Property will not be accepted. See Appendix III for bond form. The security shall remain in force until such time as the roads have been inspected and accepted into the County system.

Where for good cause shown to the satisfaction of the County, the developer or owner has not completed the required site improvements within eighteen (18) months from the date of final approval of the plat, the Commissioners Court may grant additional time, not to exceed one (1) year, within which to complete said improvements. The request for an extension of time shall be addressed in writing to the County Judge stating just cause for said extension. No such extension shall be granted unless the developer or owner has filed new security in conformance with the conditions applied to the original document.

All securities shall be kept in the custody of the County Auditor, and it shall be the responsibility of the developer or his authorized representative to notify Grimes County upon completion and also thirty (30) days prior to the end of the one (1) year maintenance period. A security shall be released to the Principal and/or surety only after all the subdivision requirements have been fulfilled or the money sum of the security or the amount of the work required yet to be finished has been paid to the County and one (1) year has passed since completion of the construction and the County Commissioner has certified to the County Judge that such required improvements have been completed and have not become defective. In the event that a money settlement is paid the County in lieu of performing the required work, the County Commissioner shall certify to the County Judge that such sum is adequate compensation for compliance herewith. All construction of streets and drainage facilities will be subject to inspection by the County Commissioner or his representative. The developer shall notify the County at least forty eight (48) hours prior to when construction is to begin.

IV. APPROVAL AND RECORDING

A. APPROVAL OF FINAL PLAT

1. Upon receipt of the final plat, the bond and other required information, the Commissioners Court should render a decision. Such decisions may consist of approval, disapproval or conditional approval. Reasons for disapproval, or conditional approval shall be stated to the developer-subdivider in writing. When a plat is conditionally

approved, the subdivider may subsequently refile the final plat meeting the objections or imposed conditions, and the Commissioners Court shall at its next regularly scheduled meeting approve the final plat, provided it meets the objections or imposed conditions.

2. On approval of the plat, said plat being otherwise fully and properly endorsed, the County Judge and Commissioners Court shall sign in the spaces provided. This approval, by the Commissioners Court shall be on the same sheet as the plat itself, and each sheet of the final plat shall be numbered consecutively such as 1 of 1, 1 of 2, 2 of 2, etc. and identifying the subdivision on each individual sheet. In no case shall the Commissioners Court allow said plat to be recorded until all plats and planning documents for the subdivision as herein required and the appropriate construction and maintenance bond has been filed by the developer.
3. Commissioners Court will act by separate action (motion) to accept or reject the roads, streets and drainage facilities for maintenance and secure the land referred to above upon recommendation by a Registered Professional Engineer retained by the County and certification by the County Commissioner as to the acceptability of same.
4. After acceptance of the final plat, the final plat must be filed for record with the County Clerk within thirty (30) days. Failure to file a final plat and supporting documents within thirty (30) days will require resubmission to the Commissioners Court, and a forfeiture of filing fees. All required recordation fees are to be paid by the developer.

B. RECORDING A FINAL PLAT

1. Staking plat on ground. Before submittal to the Commissioners Court for recordation all final plats must be in full accordance with the required certification made upon the plat by a registered professional land surveyor ascertaining that the plat represents a survey made by him and that all necessary monuments are accurately and correctly shown. The surveyor shall place monuments at all corners and angle points of the boundaries of the original tract to be subdivided and at all street intersections, angle points in street lines and points of curve and at such intermediate points as may be required. Such monuments shall be of iron pipe or rod not less than 5/8-inch in diameter and thirty inches (30") in length, driven securely into solid earth with the grades of same being at grade with established sidewalk or if walk is not established, flush with natural grade of earth's surface.
2. After final approval and proper endorsement have been obtained and all requirements of these regulations have otherwise been complied

with, the plat and all other instruments may be recorded. No changes, erasures, modifications or revisions shall be made in any plat of a subdivision or to any required instrument after approval has been given to the plat and endorsed on the plat in writing, unless such changes, modifications or revisions are first submitted to and approved by the Commissioners Court.

3. After the plat has been approved and signed by the Commissioners Court, the original plat and supporting documents will be forwarded to the County Clerk's office for recording. No land sale, contract for sale, contract for deed, intent to purchase or other commitment shall be entered into prior to recordation of the final plat.

SECTION THREE
SUBDIVISION DESIGN STANDARDS

I. GENERAL PRINCIPLES OF ACCEPTABILITY

- A. The subdivision shall REASONABLY conform to the existing and projected future transportation plan.
- B. The subdivision layout shall make reasonable provisions for development or protection of adjacent land.
- C. Name of Subdivision. Duplication of subdivision names shall be prohibited.

II. STREET AND ALLEYS, DESIGN RECOMMENDATIONS

- A. GENERAL. The street pattern of a neighborhood must provide adequate circulation within the subdivision and yet discourage excessive through traffic on minor or local streets. The arrangement, character, extent, width, grade and locations of all streets should be considered in their relation to existing and planned streets, to topographical conditions, to public safety and convenience and in their appropriate relation to the proposed uses of the land to be served by such streets. The street layout should be devised for the most advantageous development of the entire neighborhood development and shall conform to connecting streets in land adjacent to the new subdivision. Provision shall be made within the subdivision to provide street access to adjacent undeveloped acreage in such a way as to assure adequate circulation for future development.

Subdivisions with residential lots shall provide a finished roadway access to within one (1) foot of the adjacent properties by means of dedicated roadway easements. Dead-end streets and those which do not conform to adjacent established streets are to be avoided whenever possible. Where a subdivision abuts or contains an existing or proposed major street and reverse frontage lots are designated, residential access should be denied to the major streets, and approved screen planting or screening device, should be provided along the rear property line abutting such existing or proposed major streets. Paved alleys should be provided in commercial and industrial developments, except where other definite and assured provision is made for service access, such as off street loading, unloading and parking consistent with and adequate for the uses proposed. The street system layout should be so designed insofar as practicable to preserve natural features such as trees, brooks, hilltops, scenic views and other such features. The street system layout shall provide for the acceptable disposal of storm water and provision must be made by the developer to handle storm water to comply with provisions elsewhere in these regulations in the County.

- B. MINIMUM RIGHT-OF-WAY WIDTH. The minimum right-of-way requirements for various street classifications are as follows:

<u>Type Street Facility</u>	<u>R.O.W. Width Requirements (ft.)</u>	
	<u>Without Curb and Gutter</u>	<u>With Curb and Gutter</u>
Minor (Local)	60	55
Collector	90	70
Thoroughfare	120	100

Where proposed streets are extensions of existing or planned streets having a right-of-way width greater than sixty (60) feet, the proposed streets shall be the same widths as the existing or planned streets. Alleys, where provided, should not be less than twenty (20) feet wide. Intersecting alleys should have corner cut-offs of at least twenty (20) feet on a slider or radius of twenty-five (25) feet. Alleys with only one point of access should have a turn-around with a minimum radius of twenty (20) feet at their closed ends.

- C. CURVES. Minor streets shall have a minimum centerline radius of 300 feet. Collector streets shall have a minimum centerline radius of 800 feet. Thoroughfare streets shall have a minimum centerline radius of 1,200 feet. The maximum tangent separation between points of reverse or compound curves shall be 100 feet. The horizontal and vertical geometric requirements of individual streets shall be designed based on projected traffic characteristics using generally accepted transportation engineering standards.
- D. OFFSETS. Street offsets should be offset a minimum distance of 125 feet on centerline. Offset distance shall be indicated on the final plat.
- E. INTERSECTIONS
1. All streets and alleys should intersect at a ninety degree (90N) angle with variations of ten degrees (10N).
 2. Acute angle intersections as may be approved should have thirty-foot (30') or greater radii at acute corners.
 3. Street or alley intersections extending to meet an existing street or alley should be tied to the existing street or alley on centerline with dimensions and bearings to show relationship.

F. CUL-DE-SAC

1. Turn-arounds shall have a minimum right-of-way radius of fifty (50) feet for single-family use and sixty (60) feet for apartment, commercial or other uses.
2. Maximum length of cul-de-sac streets shall be based on the average lot size fronting on the subject street in accordance with the following table:

Average Lot Size Not Greater Than (Ac.)	Cul-de-Sac Length (Ft.)
0.5	600
1.0	800
1.5	1,000
2.5	1,250
5.0	1,800
10.0	2,500
20.0	3,550
30.0	4,350
40.0	5,000
50.0	5,600

3. Temporary turn-arounds, conforming to the minimum radii requirements shall be used at the end of a street which will be extended in the future. [The following note shall be provided on the final plat when a temporary turn-around is used: "Cross-hatched area is temporary easement for turn-around until street is extended (direction) in a recorded plat."]

- G. PROVISIONAL RESERVES. A provisional one-foot (1') reserve shall be used along the side or end of streets that abut undeveloped acreage tracts; when used, the following note shall be shown on the face of the final plat:

"A one-foot (1') strip is reserved as a buffer separation along and between the side or end of all streets in this subdivision plat where such streets abut adjacent tracts. At such time as the adjacent property is subdivided in a recorded plat, the one-foot (1') reserves at such locations that abut the land in adjoining tracts that has been dedicated to the public for street right-of-way purposes and is shown for such propose on a recorded plat shall thereupon become vested in the public for street right-of-way purposes."

- H. STREET NAMES. The names of proposed streets should conform to the names or numbers of existing streets of which they may be or become extensions and shall not duplicate or conflict with the recognized name of

any other street located in the area and be in coordination with local postal service and County 911 recommendations.

- I. BLOCK LENGTH. Maximum block length shall be based on the average lot size fronting on the subject street in accordance with the following table:

Average Lot Size Not Greater Than (Ac.)	Block Length (Ft.)
0.5	1,200
1.0	1,700
1.5	2,000
2.5	2,600
5.0	3,600
10.0	5,100
20.0	7,200
30.0	8,800
40.0	10,100
50.0	11,300

J. LOTS

1. General. The lot design should provide for lots of adequate width, depth and shape to provide open area to eliminate over-crowding and to be appropriate for the location of the subdivision and for the type of development and use contemplated. Lots should have the side lot lines at right angles to the streets on which the lot faces or radial to curved street lines. The depth-to-width ratio for lots should generally range between 1.5:1 and 2.5:1. Flag type lots should be avoided. Lot size shall comply with the requirements, outlined by the "Rules of Grimes County, Texas for Private Sewage Facilities" and the Texas Natural Resource Conservation Commission, Construction Standards for On-Site Sewerage Facilities.
2. Rear and Side Driveway Access. Rear and side driveway access to major thoroughfares or freeways should be avoided.
3. Double Frontage Lots. Double frontage lots should be avoided except when they back on major thoroughfares or freeways, where access is denied.

4. Recommended Minimums for Residential Lots
 - a. Single-Family and Duplexes
 - (1) Minimum width at building setback line _ sixty (60) feet.
 - (2) Minimum width at front lot line of pie shaped lots - forty (40) feet.
 - (3) Minimum area of lots with a central sanitary sewer system - 7,000 square feet.
 - (4) Minimum area of lots for approved individual sewerage facilities and individual water systems shall be one and one-half (1-1/2) acres.
 - (5) Minimum area of lots for approved individual sewerage facilities and public water supply shall be one (1) acre.
 - (6) Corner lots siding on minor streets should have a minimum width at the building setback line of not less than sixty (60) feet.
 - (7) Corner lots siding on major thoroughfare or freeway should have a minimum width at the building setback line of not less than seventy-five (75) feet.
 - (8) Minimum length or depth of lots should be 115 feet except lots facing or backing on a major thoroughfare or freeway should be not less than 125 feet deep.
 - b. Townhouses. Townhouses included as cluster developments should be evaluated on their own merits.
 - (1) Only one (1) townhouse should be constructed per lot.
 - (2) Townhouses should be served by central sanitary sewer system.
 - (3) Minimum Width - Twenty (20) feet, except the end unit or unit which occupies a corner lot shall provide an additional ten (10) feet per side.
 - (4) Minimum Lot Area - 1,400 square feet.
 - (5) Minimum Number of Lots in a Townhouse Project - Two (2).
 - c. Multi-Family Apartments

- (1) No lot to be used for multi-family or apartment purposes should contain an area of less than 7,000 square feet plus an additional 1,500 square feet for each dwelling unit in excess of two (2) dwelling units within structures to be constructed or occupied upon such a lot.
- (2) Each lot containing a multi-family complex or apartment should be served by a central sanitary sewer system.

d. Cluster Developments

- (1) Each lot should be served by a central sanitary sewer system.
- (2) Each lot should have a minimum width at front lot line - twenty-five (25) feet.
- (3) Lots may be of various sizes and widths but in no event should the minimum area of any individual lot be less than 1,400 square feet.

e. Condominiums

- (1) All residential condominium projects or condominium projects containing residential uses as well as a combination of any other use or uses should be served by a central sanitary sewer system.
- (2) Only one (1) condominium regime should be established per lot as recorded by the "master deed," "master lease" or "declaration" as found in the Official Records of the County.

f. Mobile Home Park

- (1) A subdivider may either plat one (1) master lot on which there may be located a mobile home condominium as defined by state law or a mobile home park or several distinct lots wherein there are to be no common elements. For purposes of this section a subplot of a mobile home condominium or mobile home park should be the area that is exclusively designated for an individual purchaser in a condominium regime or for an individual lessee in a mobile home park exclusive of all common elements, including private

streets, private alleys, recreational open spaces, public easements and other facilities for common uses.

If a subdivider wishes to plan for the purposes of creating a mobile home park he should file a preliminary plat in accordance with these guidelines except that private streets, private alleys and sublots should be shown in the same manner as lots, alleys and streets.

- (2) Each mobile home lot or subplot which is part of a master lot should be served by a central sanitary sewer system and a community water supply system.
- (3) Minimum Width:
 - (a) Sublots of a condominium or mobile home park should be:
 - i. Forty (40) feet if double-wide mobile homes are to be placed upon such sublots.
 - ii. Twenty-five (25) feet if only single-wide mobile home units are to be placed on such subplot.
 - (b) Individual lots not part of a mobile home park or condominium should be sixty (60) feet at the building setback line and forty (40) feet at the front lot line.
- (4) Minimum areas should be:
 - (a) Sublots of a condominium or mobile home park: 2,000 square feet - single-wide sublots, 2,500 square feet - double-wide sublots.
 - (b) Individual lots not part of a mobile home park or condominium - 5,000 square feet.
- (5) A mobile home park or condominium subdivision should have not less than 250 square feet of open space per mobile home subplot. This area is in addition to any automobile parking areas, private street areas and facilities for laundry and other services but may include any paved private sidewalks, bicycle path, clubhouse facilities or park spaces.

- (6) Minimum number of lots in a mobile home project should be not less than ten (10).
- g. Recommended Building Setback Lines. For subdivision for single-family and two-family dwellings, building setback lines adjacent to streets should be shown and labeled on all plats, both preliminary and final, and should be not less than twenty-five (25) feet. Building setback lines in single-family and two-family dwelling subdivisions from side lot lines, except corner lots, as set forth above should be noted on the plat to be not less than ten (10) feet from a side lot line for the main residential building and five (5) feet for a garage or other out-building. Building setback lines for apartment or multi-family developments should be less than twenty-five (25) feet from any street. The minimum front setback line for a townhouse lot should be twenty-five (25) feet.
- K. COMPENSATING COMMON OPEN SPACE. In those instances where the proposed lot has a gross area of less than the specified requirement, compensating common open space should be established and provided within the plat boundary or in the other portions of the total development and based upon the following schedule.

Compensating Open Space Requirements
(Lots Less Than 5,000 Square Feet in Area)

<u>Average Area of Lots (Sq. Ft.)</u>	<u>Compensating Open Space Required Per Lot (Sq. Ft.)</u>
1,400-2,000	720
2,001-2,500	600
2,501-3,000	500
3,001-3,500	400
3,501-4,000	300
4,001-4,500	200
4,501-Less Than 5,000	100

In no instance, however, should the compensating open space contained within any subdivision having special lots be less than 21,780 square feet (1/2 acre) or shall the compensating open space required be in excess of twenty-five percent (25%) of the gross area of the property within the plat boundary exclusive of any public street rights-of-way involved. This does not apply to subdivisions having special lots and containing less than ten (10) acres.

Subdivisions having special lots and containing less than ten (10) acres should, however, provide compensating open space in accordance with the schedule. If a plat containing lots requiring compensating open spaces is less than ten (10) acres, but is a part of a larger tract being planned and developed as an overall design, the Commissioners Court may take into determination of compensating open space requirements provided for herein.

- L. PRIVATE RESTRICTIONS. A copy of the private restrictions (covenants) to be recorded with the final plat shall be submitted for review and comments by the Commissioners Court. Any amendments to and/or changes regarding restrictions or covenances shall be presented to the Commissioners Court for their approval.

III. EASEMENTS AND UTILITIES

- A. DRAINAGE. Where conditions require, there should be provided a storm water drainage easement adequate for the purposes, as determined by the developer based on a drainage plan by a Registered Professional Engineer and reviewed and approved by the County. Where such easement is adjacent to lots, tracts or reserves, the easement shall be noted on the final plat as follows:

"This easement shall be kept clear of fences, buildings, plants and other obstructions to be the operation and maintenance of the drainage facility, and abutting property shall not be permitted to drain into this easement by approved means."

- B. UTILITIES
1. When not located in alleys having a width of not less than twenty (20) feet, the location or width or other necessary utility easements should be determined by the public and private utility companies and should connect with easement established in adjoining properties. Each easement shall be shown on the plat and appropriately dedicated.
 2. There also shall be shown on the plat and dedicated for utilities, unobstructed aerial easements and guy wire easements.

3. Easements as set forth in any applicable County or regional plan for the location of future sewerage or utility facilities shall be provided and indicated upon the plat.
4. Easements providing for sanitary control shall be shown on any plat where individual sanitary sewer facilities and private water wells are to be utilized.

C. UNDERGROUND UTILITIES. If the following matters relating to utility services to the subdivisions are not reviewed by other local governmental entities having jurisdiction over the same, the information shall be submitted to the County for review:

1. The water distribution system showing the size and location of all existing and proposed water mains, service lines, valves, fire hydrants, if provided, and all other water distribution appurtenances within the proposed subdivision, also the location and method of connecting the proposed water lines, water mains and water services to any existing system. Fire hydrants where provided must have a six-inch (6") main fire rated service.

NOTE: Where lot sizes are to be less than the minimum size acceptable to the Texas Natural Resource Conservation Commission for individual water wells and on-site waste disposal systems, complete water supply and distribution plans shall be submitted and approved by the County. Such plans and specifications shall also be approved by the Texas Natural Resource Conservation Commission or other appropriate reviewing authority.

2. The sanitary sewer system showing by plan and profiling the size, location and the gradient of all existing and proposed sanitary trunk lines laterals, manholes and service within the proposed subdivision and the location and method of connecting the proposed sewer system into any existing sanitary sewer system or the proposed location, type, capacity and schematic of operation of proposed treatment plant. Such plans, specifications and permit shall also be approved by the Texas Natural Resource Conservation Commission or other appropriate reviewing authority.

SECTION FOUR
CONSTRUCTION REQUIREMENTS

I. GENERAL REQUIREMENTS

- A. APPROVAL PRIOR TO CONSTRUCTION. After final plat recordation and before beginning any construction of proposed roadways, public utilities or drainage facilities or structures pertaining to any subdivision coming under the provisions of these regulations, the Subdivider or developer shall coordinate the specifications and construction methods for such improvements with the County to achieve mutual agreement and compliance with County standards. All improvements shall be constructed in conformity with the provisions of this order.
- B. CONSTRUCTION AND MAINTENANCE SECURITY. Road and drainage improvements shall be installed with a security guaranteeing same for all of the area of any subdivision or portion thereof given final approval and filed or to be filed for record.
- C. INSPECTION DURING CONSTRUCTION. The County shall from time to time inspect the construction of all drainage structures and streets in the subdivision during the course of construction to see that they comply with the regulations governing the same. In this regard, free access to the subdivision shall be accorded the County by the subdivider, his agent and employees. Inspection by the County shall not in any way impair or diminish the obligation of the subdivider to install improvements in the subdivision in accordance with the County's Regulations.
- D. REVISION TO REGULATIONS. The regulations for streets, parkways, driveway entrances and curbs and gutters are established and set forth herein. All other regulations which are referred to herein, but not included, may be altered from time to time by the Commissioners Court without requiring an amendment to this order; such regulations being subject to change from time to time by motion duly adopted by the Commissioners Court. Any such changes or alterations shall be immediately noted upon such regulations.

- E. RECORD CONSTRUCTION PLANS (FOR CURB AND GUTTER CONSTRUCTION). After all required improvements have been completed by the owner or subdivider of the subdivision, one (1) set of record construction plans of all underground utilities and street improvements that have been constructed shall be filed with the County within ninety (90) days after completion of all required improvements.
- F. TRAFFIC CONTROL DEVICES. The subdivision developer will be required to properly install (in conformance with the Texas Manual on Uniform Traffic Control Devices for Streets and Highways) the following signs:
1. Subdivision Sign: A subdivision sign bearing the name of the development shall be provided at the public entrance in a clearly visible location. The sign shall be composed of a durable, all-weather design with a minimum of fifty (50) square feet in surface area and shall be reflectorized or internally/externally lighted.
 2. Street Signs: At each street intersection, one (1) minimum 1-1/2 inch I.D. galvanized pipe standards, set in concrete, on which is attached, with acceptable four (4) way assembly hardware baked enamel bonderized steel plate signs [four-inch (4") letters on six-inch (6") background] or approved equivalent. Height of sign above natural ground shall be approximately seven (7) feet.
 3. Traffic Signs: At intersections and locations designated by the County "Stop" signs and "Yield" signs mounted on galvanized pipe shall be installed.
 4. Signalization: Signalization of intersections will be reviewed and approved on an individual basis with proper warrant studies submitted to the County.
- G. CHANGE IN PLANS. In the event exigencies of construction necessitate change in plans and specifications, approval by the County will be required.

II. MINIMUM STANDARDS FOR IMPROVEMENT OF STREETS AND ROADS

- A. CURB AND GUTTER SECTIONS. Streets or roads with curb and gutter sections shall be constructed of portland cement concrete or asphaltic surfaced flexible base sections.
1. Local streets or roads shall have a minimum width of thirty (30) feet back-to-back of curb.
 2. Collector streets or roads shall have a minimum width of forty (40) feet back-to-back of curb.

3. Major streets, roads or thoroughfares shall be considered on a case-by-case basis and shall be designed in accordance with generally accepted engineering standards to meet the traffic demands therefor.
 4. Each of the facilities described in 1-3 shall be constructed of concrete or flexible pavement in accordance with the standards outlined herein.
- B. OPEN DITCH SECTIONS. Streets or roads with an open ditch section shall have a roadway base crown and surface with the following minimum widths.
1. Local streets or roads shall have a minimum base width of twenty-two (22) feet, a minimum paved surface of twenty (20) feet and a minimum cross slope of 1/4 inch per foot.
 2. Collector streets or roads shall have a minimum base width of forty-two (42) feet, a minimum paved surface of forty (40) feet and a minimum cross slope of 1/4 inch per foot.
 3. Major streets or thoroughfares shall be considered on a case-by-case basis and shall be designed in accordance with generally accepted engineering standards to meet the traffic demands therefor.
 4. Each of the facilities described in 1-3 shall be constructed of concrete or flexible base in accordance with the standards outlined herein.
- C. SUBGRADE
1. Lime treated subgrade shall be provided, placed and constructed in accordance with the provisions of Item 260 - Lime Treatment for Materials in Place and Item 264 - Hydrated Lime and Lime Slurry of the TxDOT Standards.
 2. Subgrades for all types of roads shall be accurately shaped prior to placing base material or pavement thereon and shall be compacted to provide for uniform density capable of supporting the pavement loads to be imposed there upon. Unstable subgrade is to be carefully stabilized by the addition of suitable material or removing the unstable area and placing therein suitable subgrade material. Subgrades, such as blackland, with high plasticity, [those with a P.I. of more than twenty (20)] shall be lime treated. Subgrades such as sand, with low plasticity, [those with a P.I. of less than five (5)] shall be cement stabilized.

3. All subgrade shall be compacted to ninety-five percent (95%) Standard Proctor density. Compaction shall be accomplished by use of approved and acceptable mixing and rolling equipment and construction methods.

D. FLEXIBLE BASE COURSE

1. Flexible base course shall be provided, placed and constructed in accordance with the provisions of Item 247 - Flexible Base of the TxDOT Standards.
2. Flexible base shall consist of a Type A, Grade 2 as set forth by the TxDOT Standards.
3. Flexible base course shall be a minimum of six-inch (6") compacted depth for local or minor road facilities. For collector or thoroughfare facilities, a pavement design section should be prepared by a Registered Professional Engineer and submitted to the County for approval.
4. Flexible base material shall be approved by the County prior to construction.
5. Flexible base material shall be compacted to ninety-five percent (95%) of Standard Proctor density.

E. SURFACE COURSE. For local or minor roads, a surface or wearing course is required. For collector or thoroughfare facilities, a surface or wearing course is required and limited to the use of hot mix asphaltic concrete.

1. Hot mix asphaltic concrete shall be provided, placed and constructed in accordance with the provisions of Item 340 - Hot Mix Asphaltic Concrete Pavement and of related items of the TxDOT Standards. Local roads or streets shall have a compacted depth of not less than 1.5 inches. Collectors and thoroughfares shall have a compacted depth of not less than 2.0 inches. Hot mix shall be compacted to ninety-six percent (96 percent) or greater of the laboratory density as determined by Texas Method 207-F.
2. Hot mix material sources shall be approved by the County prior to construction.
3. For local or minor roads, a three (3) course surface treatment may be used in lieu of the hot mix pavement. Three (3) course surface treatment shall be provided, placed and constructed in accordance with the provisions of Item 316 of the TxDOT Standards.
4. Aggregate sources for three (3) course surface treatment shall be approved by the County prior to construction.

5. Asphalt paving shall be applied only under acceptable temperature and surface conditions.

F. CONCRETE PAVEMENT

1. Concrete pavement shall be provided, placed and constructed in accordance with the provisions of Item 360 - Concrete Pavement and related items of the TxDOT Standards.
2. Minimum thickness shall be six-inch (6") uniform thickness for portland cement concrete construction. Unless otherwise approved, Class A (3,000 psi) concrete shall be provided.
3. Expansion Joints. All slabs shall be provided with an acceptance load transmission device at expansion joint, with expansion joints at approximately eighty-foot (80') intervals. Expansion joints shall also be placed at all structures and at curb return at street intersections. Material for expansion joints shall be redwood or equal material.
4. Contraction joints (dummy joints) shall have an approximate spacing of twenty-six feet (26').
5. Construction joints (transverse), when not placed at expansion or contraction joints, shall not be closer than ten feet (10') to an expansion or contraction joint. Longitudinal construction joints shall be at the centerline of the pavement and at approved locations for greater width pavements.
6. Reinforcing Steel. Concrete pavement shall be reinforced with 3/8-inch round deformed steel bars spaced not more than twenty-four inches (24") center-to-center each way.
7. Curbs shall be constructed monolithic or shall be dowelled to the pavement.
8. Minimum gutter gradients and inlet spacing shall be in accordance with drainage requirements.
9. Hot-poured asphaltic-joint sealing compound or equivalent shall be used at all expansion joints, construction joints and contraction joints. Expansion joints made with 3/4 inch (Crowned Section) asphalt saturated fiberboard, shall have hot-poured asphaltic joint sealing or its equivalent in top one-inch (1").

G. MATERIALS TESTING

1. All tests and retests shall be by an approved commercial testing laboratory. All related costs shall be borne by the developer.
 2. Copies of all materials test reports shall be submitted to the County.
 3. Subgrade shall be tested a minimum of every 500 feet for density. Base courses shall be tested a minimum of every 500 feet for density and depth. Proctor curves will be required for each specific material type.
 4. Hot mix shall be tested a minimum of every 500 feet for density and depth. The job mix formula shall be designed in accordance with TxDOT Standards.
 5. Surface course thickness shall be tested by the coring method.
 6. Concrete shall be tested for compressive strength at seven (7) and twenty-eight (28) days. One (1) set of cylinders [three (3)] shall be tested for each 1,000 square yards of pavement. Structures shall be tested on the basis of one (1) set (3) per 100 cubic yards.
 7. Concrete pavement shall be tested by coring a minimum of every 1,000 feet for thickness. A minimum of three (3) tests is required.
- H. FINISH GRADE. The finish grade of all yards shall not be less than one foot (1') above the one hundred (100) year flood plain elevation.
- I. SUPERVISION AND MONITORING OF CONSTRUCTION. The developer shall provide adequate, on-site superintendence to projects connected to the subdivision in order that adherence to plans and specifications may be assured.
- Careful and particular inspection must be made of the subgrade, form lines and grades prior to and while the base material or pavement is being laid in order to attain a true line, a uniform thickness, and a smooth riding surface. One (1) complete set of record construction drawings, certified to by the Engineer, shall be furnished for the County.
- J. RECORD DRAWINGS. The record drawings shall be accompanied by a certification from a Registered Professional Engineer that all work was in substantial accordance with plans and specifications as outlined in the drawings.

III. STORM SEWERS AND CULVERTS

- A. RUNOFF CALCULATIONS. The rational method of determining the runoff shall be used for areas both inside subdivision and outside subdivision.
- B. VELOCITY. Sewers shall be designed to carry the discharges, but must have a design velocity of not less than 3.0 feet per second nor more than 10.0 feet per second.
- C. MANHOLE SPACING. At all sewer intersections, street intersections and a maximum spacing of 750 feet on straight lines.
- D. TYPES OF CONSTRUCTION
1. Reinforced precast concrete pipe shall be used as specified by the manufacturer as to depth of fill. Jointing of pipe may be either an approved mastic or rubber gasket joint.
 2. Monolithic, reinforced concrete sewers may be used for all storm sewers forty-two inches (42") in diameter or larger.
 3. Corrugated Galvanized Pipe may be used for culverts in accordance with TxDOT Standards.
 4. All culverts and open-ended storm sewers shall be terminated with 6:1 sloping ends in proposed rights-of-way and headwall structures of discharge points.
- E. MINIMUM SIZE. Design of storm sewers shall follow acceptable engineering practice using not less than eighteen-inch (18") diameter pipe.
- F. EXCAVATION AND BACKFILL. The bottom of the storm sewer trenches shall be accurately hand graded and the pipe properly bedded. The backfilling shall be done in such a manner as to not disturb the pipe or the jointing material. The compaction across future roadway sections shall be comparable to the specified pavement section density.
- G. STREETS WITH CURB AND GUTTER SECTION
1. Location of Storm Sewers. Storm sewers shall not be placed under pavement unless specifically authorized; when authorized to be placed under pavement, the excavation shall be backfilled with cement stabilized processed sand, a 1-1/2 sack per ton minimum, or cement stabilized bank-sand 1-1/2 sack per ton minimum to within one foot (1') of subgrade.
 2. Grades
 - a. Minimum Gradient on Gutters - 0.25%.

Maximum Gradient on Gutters - 7.00%.

- b. Minimum Drop Around Curb Return - 0.10 feet.
 - c. When a curb and gutter section intersects a drainage ditch, the grade of the gutter shall be above the design water surface of the ditch.
3. Inlets spaced to serve runoffs from the area at rate consistent with drainage design requirements.
- a. Inlets shall be spaced so that maximum travel distance of water in gutter will not exceed 750 feet.
 - b. Inlets shall be placed at all low points on gutter gradient.
4. Inlet Size and Allowable Design Discharge
- a. Throat 5" x 5'0" Capacity - 5.0 cfs.
 - b. Throat 6" x 3'0" Capacity - 3.5 cfs.
5. Leads from inlets to be of such size as to be able to carry the design discharge of the inlet served, but not less than eighteen-inch (18") diameter.
6. Valley Gutters are not permitted; except valley gutter curb grades through intersections, with approval by the County.

H. ROAD SECTION WITH OPEN DITCHES

- 1. Minimum Grade on Ditches - 0.15 percent, 0.30 percent desirable. Maximum Grade on Ditches - 7.00 percent.
- 2. Ditch section to handle design discharge as derived by the rational method, or as may be determined by study of the drainage area.
- 3. Side slopes of ditch not steeper than 3:1 front slope, or 2:1 back slope.
- 4. Culverts
 - a. Designed to carry ditch discharge and not less than the equivalent of an eighteen-inch (18") pipe.
 - b. All driveways to have culverts.

- I. OUTFALL. Outfalls from sewers and ditches into drainage ways or natural navigable waterways shall enter at the grade of the drainage channel. If necessary, rip-rap and/or drop type outfall structures shall be used to prevent erosion. When the drop type outfall structure is used, it shall be placed so that the structure will not interfere with maintenance of the channel.
- J. MAJOR STRUCTURES. If the developer proposes to construct major structures, such as box culverts or bridges across drainage channels, such structures shall conform to current standards for culverts and bridges and specifications of TxDOT.
1. All bridges are to be designed to minimum HS-20 load design.
 2. Bridge Widths
 - a. Where there are no curbs on approach pavement, the width of bridge from curb face to curb face, shall be the width of approach road pavement edges, plus four (4) feet.
 - b. Where curbs are on approach pavement, the width of the bridge from curb face to curb face, shall be the same as the width between curb faces on the approach road.
- IV. SEDIMENT AND EROSION. The subdivider shall provide effective sediment control measures in the planning and construction of subdivisions. These measures shall comply with the latest TxDOT guidelines and requirements of the Environmental Protection Agency National Pollution Discharge Elimination System (NPDES) program.
- V. PERMANENT EROSION CONTROL. At such time as construction of roads is complete the right-of-way shall be seeded from the roadway crown to the right-of-way line for open ditch sections. Curb and gutter sections shall be seeded from curb line to right-of-way line.

Seeding Rates

October through February	Rye	20 lb./ac.
	Bermuda (Hulled)	15 lb./ac.
	Bermuda (Unhulled)	15 lb./ac.
March through September	Bermuda (Hulled)	20 lb./ac.

Fertilizer Rate

All Seasons	Shall be 13-13-13 or approved alternate.	500 lb./ac.
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SECTION FIVE
VARIANCES AND APPEAL

- I. VARIANCES. The County Commissioners Court may authorize a variance from these regulations when, in its opinion, undue hardship will result from requiring strict compliance. In granting a variance, the Commissioners Court shall prescribe only conditions that it deems necessary or desirable to the public interest; in making the findings herein below required, the Commissioners Court shall take into account the nature of the proposed use of land involved and existing uses of land in the vicinity, the number of persons who will reside or work in the proposed subdivision and the probable effect of such variances upon traffic conditions and upon the public health, safety, convenience and welfare in the vicinity. No variance shall be granted unless the Commissioners Court find:
- A. That there are special circumstances or conditions affecting the land involved such that the strict application of these regulations would deprive that applicant of the reasonable use of his land.
 - B. That the granting of the variance will not be detrimental to the public health, safety, welfare or injurious to other property in the area.
 - C. That the granting of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of these regulations.

Such findings of the Commissioners Court together with the specified facts upon which such findings are based, shall be incorporated into the official minutes of the Commissioners Court meeting at which such variance is granted. Variances may be granted only when in harmony with the general purpose and intent of these regulations so that the public health, safety and welfare may be secured and substantial justice done. Pecuniary hardship to the subdivider, standing alone, shall not be deemed to constitute hardship. No request will be considered until a written petition has been submitted outlining the specific variance(s) from these regulations. No variance shall be granted as to required drainage plans, proposed county road improvements nor as to bond requirements.

- II. APPEAL. Any subdivider contesting any disapproval and/or the interpretation and/or the application of any rule standard, regulation determination, requirement or necessity set forth in these regulations directly or by delegation of authority shall have the right after filing a written request with the County Commissioners Court to have a hearing before the Commissioners Court within twenty-one (21) days after the date of filing of such request. Decision of the Commissioners Court shall be final and such further appeal shall be in accordance with appropriate law.

SECTION SIX
ROAD ACCEPTANCE PROCEDURE

- I. GENERAL. All conditions of final plat approval must be met. All constructions must be in accordance with approved plans and construction standards set forth herein or as may be adopted by Commissioners Court.
- II. ACCEPTANCE INTO ONE-YEAR MAINTENANCE PERIOD. At such time as the road construction is complete, the developer shall notify the County Judge in writing.

The County Commissioner or his representative shall then inspect the roads and improvements and give written notice of any deficiencies. To ascertain compliance with County construction specifications, the County will require copies of test results performed by a certified testing laboratory.

Upon rectification of deficiencies and reinspection, the County Commissioner shall upon favorable report by a Registered Professional Engineer retained by the County recommend to Commissioners Court that the roads be accepted into the one (1) year maintenance period.

Upon court action (by motion of the court) the roads shall be accepted into the one (1) year maintenance period.

- III. FINAL ACCEPTANCE. Thirty (30) days prior to the end of the one (1) year maintenance period the developer shall notify the County in writing.

The County Commissioner or his representative shall inspect the road and improvements and notify the developer in writing of any deficiencies.

Upon rectification of deficiencies and reinspection, the County Commissioner shall recommend to Commissioners Court that the roads be accepted by Grimes County.

Upon court action (by motion of the Court) the Maintenance Bond shall be released to the developer and the roads accepted into the County system.

centerline of any and all gullies, ravines, draws, sloughs or other natural drainage courses located in said subdivision, as easements for drainage purposes, giving Grimes County and/or other public agency the right to enter upon said easement at any and all times for the purpose of construction and/or maintaining drainage work and/or structure."

"FURTHER, all of the property subdivided in the above and foregoing map shall be restricted in its use, which restrictions shall run with the title of the property, and shall be enforceable, at the option of Grimes County by Grimes County or any citizen thereof, by injunction as follows:

1. The drainage of septic tanks into road, street, alley or other public ditches, either directly or indirectly, is strictly prohibited.
2. Drainage structures under private driveways shall have a net drainage opening area of sufficient size to permit the free flow of water without backwater, and shall be a minimum of one and three quarters (1-3/4) square feet [eighteen-inch (18") diameter pipe culvert]."

(The following paragraph is to be used for all subdivisions:)

"FURTHER, I (or we) do hereby declare that all parcels of land designated as lots on this plat are originally intended for the construction of residential dwelling units thereon (or the placement of mobile home subdivision) and shall be restricted for same under the terms and conditions of such restrictions filed separately, unless otherwise noted."

WITNESS my hand (or our hands) in _____, Grimes County, Texas, this ___ day of _____, 19__.

(Signature of Owner)

(Name to be Printed)

(Or Signature of Owners)

(Name to be Printed)

Note: All owners signatures shall be acknowledged by a Notary Public.

B. FORM OF DEDICATION FOR CORPORATIONS

THE STATE OF TEXAS §

COUNTY OF _____ §

We, (name of President) and (name of Secretary), President and Secretary, respectively of (name of company), owner of the property subdivided in the above and foregoing map of (name of subdivision), do hereby make subdivision of said property for and on behalf of said (name of company), according to the lines, streets, lots, alleys, parks, building lines and easements thereon shown and designate said subdivision as (name of subdivision), located in the _____ Survey, Grimes County, Texas, and on behalf of said (name of company); and dedicate to public use, as such, the streets, alleys, parks and easements shown thereon forever, and do hereby waive any claims for damages occasioned by the establishing of grades as approved for the streets and alleys dedicated, or occasioned by the alteration of the surface of any portion of streets or alleys to conform to such grades; and do hereby bind ourselves, our successors and assigns to warrant and forever defend the title to the land so dedicated.

(The following paragraph is to be used when the subdivision is outside the corporate limits of any city and within Grimes County:)

"This is to certify that we, (name of President) and (name of secretary), president and secretary, respectively of (name of company), owner of the property subdivided in the above and foregoing map of (name of subdivision), have complied or will comply with all regulations heretofore on file with the County and adopted by the Commissioners Court of Grimes County, Texas."

(The following paragraph is not required, but is necessary for overhead lines in easements:)

"There is also dedicated for utilities an unobstructed aerial easement five (5) feet wide from a plane twenty (20) feet above the ground upward, located adjacent to all easements shown hereon."

(The following paragraphs are to be used when the subdivision is outside the city limits of any city and within Grimes County:)

"FURTHER, we, (name of company), do hereby dedicate forever to the public a strip, a minimum of land fifteen (15) feet wide on each side of the centerline of any and all gullies, ravines, draws, sloughs or other natural drainage courses located in the said subdivision, as easements for drainage purposes, giving Grimes County and/or any other public agency the right to enter upon said easements at any and all times for the purpose of constructing and/or maintaining drainage work and/or structures."

"FURTHER, all of the property subdivided in the above and foregoing map shall be restricted in its uses, which restrictions shall run with the title to the property, and shall be enforceable, at the option of Grimes County, by Grimes County or any citizen thereof, by injunction, as follows:

1. That drainage of septic tanks into road, street, alley or other public ditches, either directly or indirectly, is strictly prohibited.
2. Drainage structures under private driveways shall have a net drainage opening area of sufficient size to permit the free flow of water without backwater, and shall be a minimum of one and three quarters (1-3/4) square feet [eighteen-inch (18") diameter pipe culvert]."

(The following paragraph is to be used for all subdivisions:)

"FURTHER, I (or we) do hereby declare that all parcels of land designated as lots on this plat are originally intended for the construction of residential dwelling units thereon (or the placement of mobile home subdivision) and shall be restricted for same under the terms and conditions of such restrictions filed separately, unless otherwise noted."

IN TESTIMONY WHEREOF, the (name of company) has caused these presents to be signed by (name of President), its President, thereunto authorized, attested by its Secretary, (name of Secretary), and its common seal hereunto affixed this ____ day of _____, 19__.

(Name of Company)

By:
(President)
(Name to be Printed)

ATTEST:

(Secretary)
(Name to be Printed)

Note: All owners' signatures shall be acknowledged by a Notary Public.

C. ALTERNATIVE PARAGRAPHS TO BE USED AS APPROPRIATE AND AS FOLLOWS:

1. (When private streets are established within the plat.)

FURTHER, I (or we) do hereby covenant and agree that those streets located within the boundaries of this plat specifically noted as private streets, shall be hereby established and maintained as private streets by the owners, heirs and assigns to property located within the boundaries of this plat and always available for the general use of said owners and to the public for fireman, fire fighting equipment, police and other emergency vehicles of whatever nature at all times and do hereby bind myself (or ourselves), (or our) heirs and assigns to warrant and forever defend the title to the land so designed and established as private streets.

2. (When plat indicates building setback lines and public utility easements are to be established in adjacent acreage owned by the subdivider.)

FURTHER, I (or we) do hereby certify that I am (or we are) the owners of all property immediately adjacent to the boundaries of the above and foregoing plat of (name of subdivision) where building setback lines or public utility easements are to be established outside the boundaries of the above and foregoing plat and do hereby make and establish all building setback lines and dedicate to the use of the public forever all public utility easements shown in said adjacent acreage.

II. LIENHOLDERS ACKNOWLEDGEMENT AND SUBORDINATION STATEMENT

Holders of all liens against the property being platted must be made a part of the final plat or prepared as separate instruments which shall be filed for record with the plat.

I (or we), (name of mortgagee or names of mortgagees), owner and holder (or owners and holders) of a lien (or liens) against the property described in the plat known as (name of plat), said lien (or liens) being evidenced by instrument of record in Volume _____, Page _____, of the Official Records of Grimes County, Texas, do hereby in all things subordinate to said plat said lien (or liens), and I (or we) hereby confirm that I am (or we are) the present owner (or owners) of said lien (or liens) and have not assigned the same nor any part thereof.

By: (Signature of Lienholder)
(Name to be Printed)

Note: All lienholder signatures shall be acknowledged by a Notary Public.

III. NOTARY PUBLIC ACKNOWLEDGEMENT

A. ACKNOWLEDGEMENT FOR INDIVIDUAL OR INDIVIDUALS

THE STATE OF TEXAS §

COUNTY OF _____ §

This instrument was acknowledged before me on the _____ day of _____, 19____, by _____.

NOTARY PUBLIC, STATE OF TEXAS
Notary's Name (Printed):

Notary's Commission Expires:

B. ACKNOWLEDGEMENT FOR CORPORATIONS

THE STATE OF TEXAS §

COUNTY OF _____ §

This instrument was acknowledged before me on the __ day of _____, 19__, by _____, of _____, a corporation, on behalf of said corporation.

NOTARY PUBLIC, STATE OF TEXAS

Notary's Name (Printed):

Notary's Commission Expires:

IV. SURVEYOR'S ACKNOWLEDGEMENT

This is to certify that I, (name of surveyor), a Registered Professional Land Surveyor of the State of Texas, have platted the above subdivision from an actual survey on the ground; that all easements as appear of record in the office of the County Clerk of Grimes County, Texas, are depicted thereon and that all block corners, angle points and points of curve are properly marked with iron rods of minimum 5/8 inch diameter and thirty (30) inches long, and that this plat correctly represents that survey made by me.

(Name)

Texas Registration No.

(SEAL)

V. INCORPORATED CITY ACKNOWLEDGEMENT

(The following paragraph is to be used when the subdivision is inside the corporate limits of any city or within any city's extra-territorial jurisdiction. Any specific city's declaration may vary somewhat:)

"This is to certify that the City Commission (or Council) of the City of _____, Texas, has approved this plat and subdivision of (name of subdivision) as shown hereon."

"IN TESTIMONY WHEREOF, witness the official signature of the Mayor and Secretary of the City Commission (of Council of the City of _____, Texas, this ___ day of _____, 19__.

Name of Secretary

Name of Mayor

VI. COMMISSIONERS COURT ACKNOWLEDGEMENT

(The following paragraph is to be used when the subdivision is outside any city limits and within Grimes County:)

"APPROVED by the Commissioners Court of Grimes County, Texas, this day of _____, 19__.

County Judge

Commissioner, Precinct 1

Commissioner, Precinct 2

Commissioner, Precinct 3

Commissioner, Precinct 4

VII. COUNTY CLERK FILING ACKNOWLEDGEMENT STATEMENT

THE STATE OF TEXAS §

COUNTY OF _____ §

I, _____, Clerk of the County Court of Grimes County, Texas, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on _____, 19__, at _____ o'clock, __.M., and duly recorded on _____, 19__, at o'clock, __.M. in cabinet _____ sheet _____, of record of _____ for said County.

WITNESS MY HAND AND SEAL OF OFFICE, at Anderson, Grimes County, Texas, the day and date last above written.

Clerk, County Court,
Grimes County, Texas

VIII. DIRECTIONS FOR PROPER DEDICATION EXECUTION

All plats shall have original signatures in black ink. Each signature shall have, immediately under it in legible lettering or typing in black ink, the name corresponding to the original signature. All corporate, legal, license and registration seals shall be affixed and darkened in such as manner as to be legible.

SECTION EIGHT
SEPARABILITY OF PROVISIONS AND EFFECTIVE DATE

- I. SEPARABILITY. It is hereby declared to be the intention of the County Commissioners Court that the several provisions of these regulations are separable, in accordance with the following:
- A. If any sentence, phrase, section, paragraph, article or any part of these rules, regulations and requirements is declared invalid, unenforceable or unconstitutional for any cause of reason, such invalidity, unenforceable or unconstitutionality shall not be held to affect, invalidate or impair the validity, force or effect of any other sentence, phrase, section, paragraph, article or any other part of these rules, regulations and requirements.
- B. If any court of competent jurisdiction shall judge invalid the application of any provisions of these regulations to a particular property, such judgment shall not affect the application of said provisions to any other property not specifically included in said judgment.
- II. EFFECTIVE DATE. Whereas an emergency is apparent for the immediate preservation of good order, good government and the good order, good government and the general public safety and welfare, these regulations shall become effective and applicable immediately upon its passage and it is accordingly so ordained.

Passed and adopted by the Commissioners Court of the County of Grimes, Texas, on the 25th day of September, 1995.

County Judge

County Clerk

SECTION NINE
AMENDMENTS

1. When subdivisions are planned that do not have provisions for laying out of streets, alleys or parks or other portions intended for public use. Grimes County continues to require a plan submitted to the Court through the County Clerk's office, indicating the lots, location of the planned subdivision and other data required to enable the Commissioners' Court to plan for future growth and requirements of the Court to provide needed County services. (Approved February 12, 1996)

APPENDIX I

DEVELOPMENT CHRONOLOGY

APPENDIX I
DEVELOPMENT CHRONOLOGY

1. Submit Preliminary Plat and Supporting Documents.
2. Submit Final Plat, Construction/Maintenance Security and Supporting Documents.
3. Record Final Plat (by County Clerk).
4. Construction of improvements begin.
5. Lot sales, transactions commence.
6. Monument and stake corners, etc.
7. Written notification of construction completion.
8. Inspection by the County.
9. Remedial work (if required) and reinspection.
10. Initial acceptance by the County.
11. One (1) year maintenance period commences.
12. Notify the County thirty (30) days prior to the end of the maintenance period.
13. Inspection by the County.
14. Remedial work (if required) and reinspection.
15. Final acceptance by the County and release of bonds to the developer.

The above chronology is intended to provide a typical example of the step-by-step development procedure required by this document. This chronology is provided for reference purposes only and is not intended to replace or supersede the specific provisions of these Rules.

APPENDIX II

TYPICAL CROSS-SECTION FOR
GRIMES COUNTY LOCAL OR MINOR ROADWAYS
(OPEN DITCH SECTION)

TYPICAL PLAN LAYOUT FOR
LOCAL ROADWAY INTERSECTION
(OPEN DITCH SECTION)

APPENDIX III

CONSTRUCTION AND MAINTENANCE BOND

[THIS FORM IS TO BE UTILIZED WHEN THE
CONSTRUCTION AND MAINTENANCE SECURITY IS
TO BE PROVIDED BY A COMMERCIAL SURETY
COMPANY ON THE APPROVED TxDOT LIST.]

CONSTRUCTION AND MAINTENANCE BOND
WITH SURETY

STATE OF TEXAS §

COUNTY OF GRIMES §

That _____ of _____ County, Texas, hereinafter called the Principal, and _____, a Corporation existing under and by virtue of the laws of the State of _____ and authorized to do an indemnifying business in the State of Texas, acting herein by and through the signatory agent and attorney in fact, and whose Principal office is located in the City of _____, State of _____, whose officer residing in the State of Texas, authorized to accept service in all suits and actions brought within said State, is _____, residing in the City of _____ at _____, hereinafter called the Surety, are held and firmly bound unto _____, County Judge of Grimes County, Texas or his successors in office, in the full sum of DOLLARS (\$_____) current lawful money of the United States of America, to be paid to County Judge of Grimes County, Texas, or his successors in office, to which payment well and truly to be made and done, we, the undersigned, bind ourselves and each of us, our heirs, executors, administrators, successors, assigns and legal representatives, jointly and severally, by these presents.

WHEREAS the said Principal is the owner of the following subdivision(s):

located in Grimes County, Texas, as per Plat Cabinet No. ____ Plat Records of Grimes County, Texas; and WHEREAS, the Commissioners Court of Grimes County, Texas, has promulgated certain rules, regulations and requirements relating to subdivisions in Grimes County, Texas, and all revisions and additions as may be adopted by separate action prior to the date of this bond; same being made a part hereof for all purposes, as though fully set out herein, wherein it is provided, among other things, that the owner of a subdivision will construct the roads and streets therein shown in accordance with the specifications set out therein and maintain such roads and streets for a period of not less than one (1) year following the completion thereof.

It is further stipulated and understood that the approval of the map or plat of the above subdivision(s) is conditioned upon and subject to the strict compliance by the Principal herein with the aforesaid specifications, including all deletions, additions, changes or modifications of any kind or character, such and it is understood by the Principal that the approval of said map or plat of the above subdivision(s) was obtained only by the undertaking of the Principal to so comply with the said regulations and specifications, and that without such undertaking such approval would have not been granted.

NOW THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bonded Principal, his, their, or its heirs, executors, administrators, successors, assigns and legal representatives and each and every one of them to do in all things well and truly observe, perform, fulfill, keep and comply with all and singular the rules, regulations, requirements and specifications above referred to, including any deletions, additions, changes or modifications of any kind or character, in the construction and maintenance of all roads and streets in the above named subdivision(s), and that upon approval of the construction of said roads or streets by the County, upon the expiration of one (1) year thereafter, the time required for proper maintenance thereof, and the approval of such maintenance by the County, then this obligation to be void and of no force and effect.

The Principal and the Surety hereon each agree, bind, and obligate himself and themselves to pay to the County Judge of Grimes County, State of Texas, for the use and benefit of Grimes County, all loss or damages to it occasioned by reason of failure of the Principal to comply strictly with requirements and specifications above referred to relating to the construction of roads and streets in the above named subdivision(s), and further agree, bind and obligate themselves to save and keep harmless the County of Grimes from any and all damages, expenses and claims of every kind and character which the County of Grimes may suffer, directly or indirectly, as a result of the Principal's failure to comply with the rules, regulations and specifications relating to the construction and maintenance of the roads and streets in the above named subdivision(s).

The word "Principal" when used herein means Principal or Principals whether an individual, individuals, partnership, corporation, or other legal entity having the capacity to contract. The words "Roads" or "Streets" used herein mean each and every road or street in said subdivision(s). The word "Maintenance" as used herein means all needful, necessary and proper care and repair for a period of one (1) year from the completion of the roads or streets and the approval thereof by the County. The word "Surety" when used herein means Surety or Sureties and it is understood by the parties that any and all liabilities of any kind or character assumed or imposed upon the Principal by the terms hereof extends in full force and vigor to each and every Surety jointly and severally.

In the event of suit hereunder, such suit shall be brought in Grimes County, Texas.

Executed this _____ day of _____, A.D., 19____.

ATTEST:

Secretary

Principal

Address:

Surety

Address:

APPROVED this _____ day of _____, 19____.

County Judge

APPENDIX IV

RULES OF GRIMES COUNTY, TEXAS
FOR ON-SITE SEWAGE FACILITIES

Subdivison Regulations

RULES OF GRIMES COUNTY
FOR
ON-SITE SEWERAGE FACILITIES

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CHAPTER 1 DEFINITIONS

The following words and terms, when used in these Rules, shall have the following meanings, unless the context clearly indicates otherwise:

1. ABSORPTION UNIT. Any subsurface system that primarily relies on soil absorption in an absorption trench or absorption bed to dispose of the effluent from a wastewater treatment unit.
2. AUTHORIZATION. A subdivision construction authorization as required in Chapter 8 of these Rules.
3. GOVERNING BODY. The elected officials of any political subdivision of the State of Texas, including utility districts, counties and river authorities.
4. EVAPOTRANSPIRATION UNIT. A subsurface sewage disposal facility which relies on soil capillarity and plant uptake to dispose of treated effluent through surface evaporation and plant transpiration.
5. EXISTING ON-SITE SEWERAGE FACILITIES. Any on-site sewerage facility that was in use on the effective date of these Rules. Such a facility shall be an existing on-site sewerage facility as long as that facility is not causing pollution, a threat to the public or nuisance conditions; or is not substantially modified after the effective date of these Rules. Any on-site sewerage facility that has been actually used at any time during the twelve (12) month period immediately preceding the effective date of these Rules, shall be conclusively presumed to have been in use on the effective date of the rules.
6. DESIGNATED REPRESENTATIVE. Any person(s), group or department authorized by the governing body of a political subdivision and approved by the State of Texas for the administration of these rules within the adopting entity's jurisdiction.
7. INSTITUTION. Any establishment other than a single-family residence.
8. LICENSE. A license to operate as required by Chapter 7 of these Rules.
9. MOBILE HOME PARK. Any facility or area developed for the lease or rental of two (2) or more mobile homes.
10. NEW ON-SITE SEWERAGE FACILITY. Any on-site sewerage facility that does not qualify as an existing private sewerage facility.
11. NUISANCE. Any activity or condition that is or tends to be, injurious to or adversely affects human health or welfare, animal life, vegetation or property or interferes with the normal use and enjoyment of animal life, vegetation or property.

12. ORGANIZED DISPOSAL SYSTEM. Any publicly or privately owned system for the collection, treatment and disposal of sewage that is operated in accordance with the terms and conditions of a valid waste discharge permit issued by the Texas Natural Resource Conservation Commission.
13. PERMIT. A Permit to Construct as required by Chapter 7 of these Rules.
14. PERSON. Any individual, corporation, organization, government or governmental subdivision or agency, business, trust, estate, partnership and any other legal entity or association, including but not limited to, owners, developers, installers, operators or any other person responsible for the construction, installation or operations of a private sewage facility.
15. POLLUTION. The alteration of the physical, thermal, chemical or biological quality of or the contamination of any water in the State that renders the water harmful, detrimental or injurious to humans, animal life, vegetation or property or to the public health, safety or welfare or impairs the usefulness of the public enjoyment of the water for any lawful or reasonable purpose.
16. ON-SITE SEWERAGE FACILITY (OSSF). All systems and methods used for the disposal of sewage, other than organized disposal system. On-site sewerage facilities are usually composed of three (3) units: the generating unit (the residence, the institution, etc.), the treatment unit (septic tank, etc.) and the disposal unit (the drainfield that may be an absorption trench or bed or an evapotranspiration bed).
17. PROPOSED INDIVIDUAL OR PUBLIC WATER SUPPLY WELLS OR SYSTEMS OR PROPOSED ORGANIZED DISPOSAL SYSTEMS. Any such well or system for which the owner or operator has entered into contractual obligations, which cannot be cancelled or modified without substantial loss for the construction of such well or system that will be completed within a reasonable time.
18. SEWAGE. Waterborne wastes that are primarily organic and biodegradable or decomposable and that generally originate as human, animal or plant wastes from domestic activities, such as washing, bathing and food preparation and certain retail or commercial activities.
19. SINGLE-FAMILY RESIDENCE, SINGLE-FAMILY DWELLING. A habitat structure constructed on, or brought to its site, and occupied by one (1) or more persons.
20. SPECIAL HEARING EXAMINER. Officers appointed by the Commissioners Court to hear appeals of decisions or actions by the designated representative. (REQUIRED IF THE OPTIONAL SUBSTITUTE FOR 3.02 IS USED.)
21. STANDARDS. The standards set forth in the pamphlet entitled "Construction Standards for On-Site Sewerage Facilities" and all future amendments thereto, which were adopted by the Texas Board of Health, pursuant to Chapter 366, Health and Safety Code of the Texas Revised Civil Statutes Annotated, as Texas Department of Health Rules 25 TAC 301.11-301.17 and which were originally published 12 Texas Register 2226.

22. STATE. The State of Texas.
23. SUBDIVISION. A subdivision that has been platted and recorded with the County Clerk or that is required by statute to be so platted and recorded; or any four (4) or more adjoining lots or tracts, any one of which is less than two (2) acres in size or a mobile home park.
24. SUBSTANTIAL MODIFICATION. An increase in the size or use of an on-site sewerage facility's generating unit (residence or institution) that, based on the considerations in the Standards could be expected to result in an increase of twenty-five percent (25%) or more in the average daily volume of sewage generated by that unit; or an action that, based on the considerations in the Standards, could be expected to result in an increase or decrease in the capacity of a private sewage facility's treatment unit (septic tank) or disposal unit (drainfield); by twenty-five percent (25%) or more.
25. WATER OR WATER IN THE STATE. Groundwater, percolating or otherwise, lakes, bays, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Gulf of Mexico, inside the territorial limits of the State and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, navigable or nonnavigable and including the beds and banks of all watercourses and bodies of surface water, that are wholly or partially inside or bordering the State or inside the jurisdiction of the State.

CHAPTER 2
ESTABLISHMENT AND GENERAL PROVISIONS

- 2.01 AUTHORITY. These Rules are adopted by the governing body of Grimes County under the authority of Chapter 366, Health and Safety Code.
- 2.02 PURPOSE. The purpose of these Rules is to abate or prevent pollution or injury to the public health in Grimes County.
- 2.03 AREA OF JURISDICTION
- A. These Rules shall apply to all of the area of Grimes County except for the areas regulated under an existing Rule and the areas within the boundaries of the incorporated cities and towns of Navasota.
 - B. (OPTIONAL) These Rules shall also apply to those incorporated cities or towns that have executed cooperative agreements with the entity for coverage under these Rules.
 - C. (OPTIONAL) These Rules shall apply in the legal jurisdiction area, excluding incorporated cities or towns unless contracted, of Todd Mission Municipal Utility District, River Authority or other political subdivision of the State of Texas.
- 2.04 EFFECTIVE DATE. These Rules shall become effective upon their approval by the State of Texas.
- 2.05 INCORPORATION BY REFERENCE. The Standards and all future amendments and revisions thereto are incorporated by reference and are thus made a part of these Rules. A copy of the current Standards is attached to these Rules as Appendix I.
- 2.06 CONSTRUCTION, PRECEDENCE AND INTERPRETATION. These Rules shall be construed, liberally to accomplish their purpose. In construing the Standards, precatory words contained therein shall be deemed mandatory.
- 2.07 SEVERABILITY. If any provision of these Rules, or the application thereof to any person or circumstances is held invalid, the validity of the remainder of these Rules and the application thereof to other persons and circumstances shall not be affected.

CHAPTER 3
ADMINISTRATIVE PROVISIONS

3.01 EXCEPTION

- A. A person desiring an exception to any requirement of these Rules shall file a written request with the licensing authority stating:
 - 1. The nature of the exception requested;
 - 2. The reason that justifies the granting of the exception;
 - 3. Any information that the designated representative reasonably requests.
- B. Within thirty (30) days after the receipt of said request, the designated representative shall review the request and reply to the applicant in writing either granting or denying the request. If the request is denied, the designated representative shall include the reasons for denial in the reply.

3.02 APPEAL

- A. Any person aggrieved by an action or decision of the designated representative made hereunder may, within thirty (30) days of the action, if no document is given, appeal to the Commissioners Court.
- B. The appeal shall be initiated by filing a written objection with the governing body. The written objection shall state what the complainant believes the action or decision of the licensing representative should have been and the reasons therefor. A copy of the document containing the notice of the complained of action or decision, or a written statement of the complained of action or decision, if no document was given, shall be attached to said written objection.
- C. When an objection is filed, the governing body shall notify the presiding official who shall place the matter on the Agenda of the governing body for review at the next regular meeting of the governing body, that is at least ten (10) days after the date of the filing of the objection. The governing body shall notify the designated representative and the complainant that the matter is on the Agenda.
- D. The governing body shall review the matter and consider such information and evidence that the governing body may deem relevant and that may be offered by the designated representative or the complainant. The governing body shall either affirm, reverse or modify the action or decision of the designated representative.
- E. These provisions for appeal are not exclusive, but are cumulative of any other remedies at law or in equity.

- 3.03 NOTICE. Any notice required to be given pursuant to these Rules shall be considered given by depositing the same in the U.S. Mail, postage prepaid and addressed in accordance with the information given by an applicant or complainant.

3.04 FEES. To defray the reasonable cost of administering these Rules, the designated representative shall require fees to be paid in accordance with the schedule established from time to time by the governing body. Such fees shall be paid with the filing of an application for a permit, license or authorization, a written request for an inspection or exception or an appeal.

CHAPTER 4
DUTIES AND POWERS

- 4.01 DUTIES AND POWERS. The Emergency Management Coordinator of Grimes County is designated by the governing body to be the designated representative for these Rules within its jurisdiction and thus have the duty and necessary powers, to administer and enforce these Rules. The Coordinator as the designated Representative shall have the following duties and necessary concomitant powers:
- A. To enforce these Rules and to make appropriate recommendations to proper entity officials when instances of noncompliance with these Rules have been determined.
 - B. To make inspections of any existing on-site sewerage facilities, when requested or required, and all new on-site sewerage facilities.
 - C. To collect all fees set by the governing body as necessary to recover the reasonable costs incurred in meeting the requirements of these Rules.
 - D. To make semi-annual reports to the governing body on all actions, including legal actions, taken concerning these Rules.
 - E. To perform all other duties necessary to meet the requirements of these Rules.

CHAPTER 5
LAWFUL DISCHARGES AND GENERAL REQUIREMENTS

5.01 LAWFUL DISCHARGES. After the effective date of these Rules, only the following types of sewage discharges shall be lawful:

- A. Sewage discharged into an organized disposal system operating under a valid permit issued by the Texas Natural Resource Conservation Commission.
- B. Sewage discharged into an on-site sewerage facility designed, installed, licensed, operated and maintained in accordance with these Rules.
- C. Sewage discharged into an existing on-site sewerage facility that is in use on the effective date of these Rules, that has not been substantially modified since the effective date of these Rules, and that is operated and maintained in such a manner as not to cause pollution, a threat to the public health or nuisance conditions.

5.02 REQUIREMENTS

- A. No person, except the person owning or having the right of possession and use of the parcel of land upon which a proposed on-site sewerage facility is to be located, may apply for a facility permit or license.
- B. The design, construction and installation of any new on-site sewerage facility and the maintenance of any on-site sewerage facility shall, at a minimum meet the requirements set forth in the Standards.
- C. No person may cause, suffer, allow or permit the construction or installation of, or a substantial modification to, an on-site sewerage facility unless a permit therefor has first been issued.
- D. The construction, installation or substantial modification of an on-site sewerage facility shall be made in accordance with the approved design and requirements of the permit issued therefor.
- E. No component of an on-site sewerage facility shall be covered until an inspection by the designated representative has been made. Provided, however, absorption trenches or beds, or evapotranspiration beds may be partially backfilled, but all ends and other critical areas shall not be covered until the designated representative has determined, as evidenced by the issuance of a license, that the installation, construction or substantial modification complies with these Rules, the Standards or other special conditions specified in the permit.

- F. No person may cause, suffer, allow or permit the operation or use of a new on-site sewerage facility unless a license, or necessary license amendment therefore, has first been issued.

CHAPTER 6
DEVELOPMENT OF ORGANIZED DISPOSAL SYSTEMS

- 6.01 CONNECTION TO ORGANIZED DISPOSAL SYSTEMS. In order to implement the stated policy of the legislature and the State of Texas to encourage the development and use of organized disposal systems to serve the waste disposal needs of the citizens of the State and to prevent pollution, protect the public health and maintain and enhance the quality of water in the State, the following requirements are made:
- A. No person may cause or allow the installation of an on-site sewerage facility when any part of the facility is to be within 300 feet in horizontal distance (measured on the closest practicable access route) of an existing organized disposal system, unless one of the following requirements has been met:
 - 1. The person has received a written denial of service from the owner of governing body of the organized disposal system; or
 - 2. The person has received a written determination from the designated representative that it is not feasible for the person to connect to the organized disposal system.
 - B. Whenever an organized disposal system is developed within 300 feet in horizontal distance (measured on the closest practicable route) from any part of a private sewage facility, that facility shall be connected to the organized system unless one (1) of the requirements set forth in subsections A.1. or A.2. of this section has been met.

CHAPTER 7
CONSTRUCTION AND OPERATION REQUIREMENTS

7.01 REQUIREMENTS FOR NEW ON-SITE SEWERAGE FACILITIES

- A. A Permit to Construct must be obtained from the designated representative prior to commencing the construction or installation of, or a substantial modification to, an on-site sewerage facility and will be issued upon a finding that construction can commence.
- B. A License to Operate must be obtained from the designated representative prior to operating a new on-site sewerage facility and will be issued after satisfactory completion and approval of construction.

7.02 PERMIT TO CONSTRUCT

- A. To make an application for a Permit to Construct, the applicant shall submit to the designated representative the following:
 - 1. A properly completed application form.
 - 2. The required fee.
 - 3. The results of the percolation tests performed by a Registered Professional Engineer, Registered Professional Sanitarian or similarly qualified person approved by the designated representative.
 - 4. A drawing or drawings reflecting that the proposed private sewage facility will comply with these Rules and demonstrating that the lot or tract is large enough for the on-site sewerage facility to be constructed thereon.
 - 5. A statement or evidence that shows that the requirements set forth in 6.01 of these Rules have been met.
 - 6. Any additional information that the designated representative may require.
- B. The completed application and all additional information submitted shall not contain any false information or conceal any material facts and shall be sworn to and notarized.
- C. Within thirty (30) days after a proper and complete application has been made, the designated representative shall make a finding on the issuance of a permit, based upon the information contained in the completed application and any other information available to the designated representative.
 - 1. Upon a finding that construction can commence, a Permit to Construct shall be issued to the applicant.
 - 2. Upon a finding that a Permit to Construct cannot be issued, the designated representative shall so notify the applicant in writing within

ten (10) days of that finding and shall include the reasons for denying the issuance of a permit.

- D. A permit shall expire one (1) year from the date of issuance unless construction has commenced on the on-site sewerage facility for which the permit was issued. An expired permit may be reissued provided the conditions under which the permit was originally issued have not changed. A fee will be charged to defray the cost of reissuance. When a permit has expired and the original conditions have changed, a new application must be submitted with a new application fee.

7.03 LICENSE TO OPERATE

- A. Each new on-site sewerage facility shall be inspected and approved by the designated representative prior to the final covering of the facility.
 - 1. The applicant or installer shall notify the designated representative that an inspection is desired at least five (5) working days prior to the need for inspection.
 - 2. The applicant or installer shall provide whatever reasonable assistance the designated representative requests in order to make the inspection.
- B. Within five (5) days after an inspection, the designated representative shall make a finding on the issuance of a license, based upon the information obtained from the inspection and any other information available to the designated representative.
 - 1. Upon a finding that the use of the new on-site sewerage facility will not cause pollution, injury to the public health or nuisance conditions and is not in conflict with these Rules and upon payment of appropriate fees, a License to Operate the facility shall be issued to the applicant.
 - 2. Upon a finding that a License to Operate cannot be issued, the designated representative shall so notify the applicant in writing within five (5) days of that finding and shall include the reasons for denying the issuance of a license.
- C. Licenses to Operate issued under the authority of these Rules shall be for an indefinite period and shall be transferred to a succeeding owner. Upon the request of a new owner of a licensed on-site sewerage facility, the designated representative shall transfer the license to that new owner, provided the facility has not been substantially modified.

7.04 EXISTING ON-SITE SEWERAGE FACILITIES

- A. Existing on-site sewerage facilities are not required to be licensed, provided the facility is not causing pollution, a threat to the public health or nuisance conditions or has not been substantially modified.
- B. If an existing on-site sewerage facility is causing pollution, a threat to the public health or nuisance conditions or has been substantially modified, the designated representative shall require that the facility be licensed in accordance with 7.01-7.03 of these Rules as appropriate and shall undertake actions pursuant to Chapter 9 of these Rules.

7.05 SPECIAL REQUIREMENTS FOR INSTITUTIONS. A Registered Professional Engineer, Registered Professional Sanitarian or similarly qualified person approved by the designated representative at its discretion, shall design all on-site sewerage facilities serving institutions. Said designs shall be made in accordance with these Rules, including the Standards.

7.06 MOBILE HOMES. The installation of a mobile home onto a lot shall be considered as a new construction regardless of whether a mobile home was previously located on the lot or not. Restrictions of lot size, boundaries, etc. as described in the current construction standards will apply.

CHAPTER 8
SUBDIVISIONS

8.01 SUBDIVISION CONSTRUCTION AUTHORIZATION. Any person desiring to create a subdivision, including mobile home parks, that will utilize on-site sewerage facilities, in whole or in part, must obtain a Subdivision Construction Authorization from the designated representative prior to commencing or continuing construction in the subdivision.

8.02 APPLICATION

A. An applicant for a Subdivision Construction Authorization shall submit an application to the designated representative containing information that is adequate to establish:

1. That it is not feasible for the applicant to provide sewer service to the subdivision by means of an organized disposal system; and
2. That on-site sewerage facilities may be used in the specified subdivision without causing, or threatening to cause, individually or collectively, pollution, injury to the public health or nuisance conditions. This information will include as a minimum:

a. A map locating the subdivision relative to on- and off-site:

- 1) Surface water,
- 2) Watersheds,
- 3) Floodplains,
- 4) Existing and proposed individual and public water supply wells, and
- 5) Existing and proposed organized disposal systems.

b. An accurate plat of the subdivision that details the size and intended use of each lot and that details roads and utility right-of-ways. This plat shall show all areas of the subdivision where the groundwater table is less than six (6) feet below the surface as the surface exists or as it will be after grading and filling that may be required in the subdivision development.

c. A list that specifies the type and maximum size (floorspace, bedrooms, seating, etc.) of the intended construction that will be allowed on each lot. Based on this list, the applicant shall provide further information to confirm that an on-site sewerage facility that meets all of the requirements of these Rules and the Standards can be constructed on each lot. This information shall include:

- 1) Preliminary locations and distances between sewage generating units, treatment units, disposal units, water wells and lot boundaries. These distances shall be shown between these items on each lot and to any existing or proposed water supply wells on adjacent lots.
 - 2) Average daily wastewater volume to be generated by the specified maximum size construction.
 - 3) Capacity and/or size of treatment (tank) and disposal (drainfield) units. The disposal area size shall be calculated assuming a specific type of drainfield (absorption trench or bed or evapotranspiration bed) and using adequately documented permeability measurements taken at or in reasonable proximity to the drainfield locations.
- d. At the direction of the designated representative and in consideration of the size and density of the proposed subdivision and other conditions known to exist in the vicinity of the proposed subdivision, one or more geological cross-sections may be required from the applicant. These cross-sections shall illustrate the geologic formations that make up the subsurface below the subdivision down to the first aquifer that supplies, or may be used to supply, drinking water in the area. These cross-sections shall illustrate the primary dip and characteristics (permeable, impermeable, water bearing, etc.) of each formation and the elevation of any water table.
- B. The required fee shall accompany the application.
- C. Within forty-five (45) days after a proper and complete application has been made, the designated representative shall make a recommendation on the issuance of a Subdivision Construction Authorization, based upon the information contained in the completed application and any other information available to the designated representative. When made, said recommendation for approval, with appropriate restrictions, if any, or denial shall be submitted to the clerk of the governing body and mailed to the applicant within five (5) days.
- D. When a recommendation is submitted, the clerk of the governing body shall notify the presiding official who shall place the matter on the Agenda of the governing body for review at its next meeting that is at least ten (10) days after the date of the submission of the recommendation. The clerk shall notify the designated representative and the applicant that the matter is on the Agenda.
1. Upon the approval of a Subdivision Construction Authorization by the governing body, the authorization shall be issued to the applicant. A Subdivision Construction Authorization does not constitute either a

Permit to Construct or a License to Operate a specific on-site sewerage facility. An approved Subdivision Construction Authorization, however, is a prerequisite for obtaining a permit or license for a specific on-site sewerage facility in a subdivision.

2. Upon the disapproval of a Subdivision Construction Authorization by the Commissioners Court, the designated representative shall so notify the applicant in writing within ten (10) days of the disapproval and shall include the reasons for denying the approval of the authorization.

8.03 NOTICE

- A. Upon the approval of the Subdivision Construction Authorization, the authorization, the application therefore, and any other critical evaluation information shall be filed as a deed record for the subdivision lots.
- B. Any person, or his agents and assignees, desiring to create a subdivision that will utilize on-site sewerage facilities, in whole or in part, and sell, lease or rent the lots therein shall inform each prospective purchaser, lessee or renter.
 1. That the subdivision is subject to all of the terms and conditions of these Rules;
 2. That a Permit to Construct shall be required before an on-site sewerage facility can be constructed in the subdivision;
 3. That a License to Operate shall be required for the operation of such an on-site sewerage facility; and
 4. That an application for a Subdivision Construction Authorization has been made and whether or not it has been approved, including any restrictions placed on any such approval.

CHAPTER 9
ENFORCEMENT

9.01 INFORMAL

- A. It is unlawful for any public service company to furnish service to any new building, tent, structure or outdoor wiring of any kind, nature or description without first obtaining a permit number from the Grimes County Emergency Management Coordinator indicating that an application for a Sewage Permit has been made with that office.
- B. The designated representative may routinely inspect on-site sewerage facilities to assure continued compliance with these Rules.
- C. The designated representative shall inspect any on-site sewerage facility that is reasonably believed to be causing pollution, a threat to the public health or nuisance conditions, or to have been substantially modified without complying with these Rules based on a creditable complaint or other information available to the designated representative and may inspect any new on-site sewerage facility should the conditions existing at the time of licensing be found to have changed. If upon such inspection, it is found that pollution, a threat to the public health or nuisance conditions is occurring, or an unpermitted substantial modification was performed, the designated representative shall so notify the owner of the on-site sewerage facility in writing and include what problems must be remedied in order to achieve compliance, and set a reasonable amount of time to achieve compliance. The on-site sewerage facility shall be reinspected at the expiration of the allotted time.
 - 1. If the facility is found to be compliant, a license therefor may be issued or the existing license may be modified.
 - 2. If the facility is found to be noncompliant, appropriate enforcement shall be taken.

9.02 CRIMINAL PENALTIES

- A. A person who violates any of these Rules is guilty of a misdemeanor and on conviction is punishable by a fine of not less than ten dollars (\$10) or more than two hundred dollars (\$200). Each day that a violation occurs constitutes a separate offense.
- B. Jurisdiction for prosecution of a suit under this section is in the justice of the peace courts.
- C. Venue for prosecution of a suit under this section is in the justice of the peace precinct in which the violation is alleged to have occurred.

9.03

CIVIL (TEXAS WATER CODE 26.124)

- A. Whenever it appears that a violation or the threat of a violation of any of the terms and conditions of these Rules has occurred or is occurring, the licensing authority may have a suit instituted in a district court through its own attorney for injunctive relief or civil penalties or both against the person who committed, is committing or is threatening to commit the violation.
- B. Such suits may not be instituted by the designated representative unless the Commissioners Court has adopted a resolution authorizing the institution of the suit.

APPENDIX V
OFF-STREET PARKING REQUIREMENTS

OFF STREET PARKING

PARKING SPACES MINIMUM OFF STREET

One-Family Dwelling	Two (2) spaces for each dwelling unit.
Two-Family Dwelling (Duplex)	Two (2) spaces for each dwelling unit.
Multiple-Family	Efficiency 1.25 parking spaces per unit. One (1) bedroom 1.3 parking spaces per unit. Two (2) bedroom 1.67 parking spaces per unit. Three (3) or more 2.0 parking spaces per unit.
Townhouses-Family Dwellings	Two (2) spaces for each dwelling unit.
Bowling Alley	Six (6) spaces for each lane.
Churches	One (1) space for each four (4) seats in auditorium or sanctuary.
Clinics or Doctors' Offices	One (1) space for each two hundred (200) square feet of floor area.
Hospitals	One (1) space for every two (2) beds.
Hotel or Motel	One (1) space for each room, unit or guest accommodation.
Manufacturing, Storage, Processing, Repairing or Warehousing	One (1) space for each two (2) employees or one (1) space for each one thousand (1,000) square feet of floor area, whichever is the larger.
Offices, General	One (1) space for each two hundred fifty (250) square feet of lease space. 3.5 spaces for each one thousand (1,000) square feet of lease space.

Mortuary	One (1) space for every two (2) persons to be normally accommodated in services.
Recreational, Private or Commercial Area or Building (Other than Listed)	One (1) space for every two (2) persons to be normally accommodated in the establishment.
Schools, Colleges or Universities: Elementary or Junior High School	One (1) space for each classroom plus one (1) space for each four (4) seats in any auditorium, gym or other place of assembly.
High School, College or University	One (1) space for each classroom, laboratory or instruction area plus one (1) space for each three (3) students accommodated in the institution.
Restaurant or Cafeteria	One (1) space for every four (4) seats under maximum seating arrangement.
Retail or Personal Service	One (1) space for each two hundred (200) square feet of floor area.
Theaters, Meeting Rooms and Places of Public Assembly	One (1) space for every three (3) seats.

Any unlisted nonresidential use shall provide off-street parking adequate to accommodate the normal parking demand generated by such use. Exception to the parking requirements may be allowed for "shared parking facilities" on a case-by-case basis.

GRIMES COUNTY
RULES AND REGULATIONS FOR SUBDIVISIONS

SCHEDULE 1
PLAT REVIEW FEES

SUBDIVISION - A base fee of two hundred dollars (\$200.00), plus fifty dollars (\$50.00) per sheet, plus two dollars (\$2.00), per lot for single-family residential development, or one dollar (\$1.00) per unit for multi-family development, plus ten dollars (\$10.00) per acre for any land within the boundaries of the plat not divided into normal single-family residential lots, but reserved or intended for apartments, commercial, industrial, open space reserve, etc.

STREET DEDICATION PLAT - Thirty dollars (\$30.00) filing fees, plus twenty dollars (\$20.00) per sheet, plus twenty dollars (\$20.00) per acre (gross acreage of street right-of-way being dedicated) or any fraction thereof. Vacation of Subdivisions - Thirty dollars (\$30.00) filing fee, plus twenty dollars (\$20.00) per sheet, plus twenty dollars (\$20.00) per acre (gross acreage of whole tract) or any fraction thereof.

GRIMES COUNTY
RULES AND REGULATIONS FOR SUBDIVISIONS

SCHEDULE 2
CONSTRUCTION AND MAINTENANCE BONDS (LOCAL STREETS)

(1) \$20.00

(2) \$2.00

Note: The construction and maintenance bond requirements for collector and arterial streets shall be based on the linear foot cost of construction. These amounts shall be established by the court on a case-by-case basis.