

A RESOLUTION AND ORDINANCE AMENDING SECTION 74-36 OF THE CODE OF ORDINANCES REGARDING DRIVEWAY INSTALLATION; ESTABLISHING PENALTIES FOR VIOLATIONS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the County is dedicated to preserving and protecting the health, safety, and welfare of all pedestrians, motor vehicle drivers, motor vehicle passengers and other individuals who utilize the public rights-of-way in the County;

WHEREAS, it is in the best interest of the County to require permits and establish specifications for owners to install their own driveways on county maintained roads;

NOW THEREFORE, BE IT RESOLVED AND ORDAINED by the Board of Commissioners of Carroll County, Georgia, and IT IS HEREBY RESOLVED AND ORDAINED under authority of the same, as follows:

1. Section 74-36, Driveway Installation, is amended as set forth in the form attached as Exhibit "A", and the provisions set forth on the attached exhibit shall be adopted and added to the County's Code of Ordinances.

2. Should any part of this Resolution and Ordinance be declared invalid by a court of competent jurisdiction, the remaining portions hereof shall not be affected and shall remain in full force and effect.

3. This Resolution and Ordinance shall be effective upon adoption.

So ORDAINED and ADOPTED this 3<sup>RD</sup> day of August, 2021.

CARROLL COUNTY, GEORGIA

By: Michelle Morgan  
Michelle Morgan, Chairman  
Board of Commissioners

Attest: [Signature]  
Clerk

(COUNTY SEAL)



## EXHIBIT "A"

### **Sec. 74-36. - Driveway installation.**

- (a) It shall be the responsibility of individuals desiring access to county-maintained roads to build and install their own driveways. Driveway culverts will be required by the county. Culverts will be a minimum of 15-inch diameters and a minimum of ~~20~~30-foot lengths. Driveway culverts will be installed to provide good drainage, and no obstructions to existing drainage will be allowed. Driveway culverts shall be installed on a slight gradient to allow drainage from the higher elevation end of the pipe to the lower elevation end of the pipe. The gradient will be determined by individual sight locations.
- (b) It shall be the responsibility of the owner of the driveway to notify the county representatives prior to the installation of each driveway pipe location. Assistance in determining a desirable driveway location pipe size and installation instructions will be available from county representatives on request. Installation of the pipe and driveway can be performed by the county upon request of the landowner at a cost not less than the total cost of materials. ¶
- (c) It shall be unlawful for any person to install a driveway or driveway culvert pipe in the right-of-way of a county road without having secured a permit from the county public works department. ¶
- (d) Driveways and culvert pipes shall be installed to the latest county specifications which may be obtained from the office of the public works department. ¶
- (e) (i) Any person installing a driveway or driveway culvert pipe without having secured a permit or obstructing a drainage easement shall be subject to a fine as provided in section 1-13. Each day of violation may be considered a separate offense. ¶  
(ii) Any person installing a driveway or driveway culvert which does not meet county specifications shall immediately remove same upon notification by the county. In the event the person refuses or fails to remove such driveway or driveway culvert, the public works department or community development department shall remove same and a lien will be filed against the property owner for the cost of equipment and labor.