

FORT BEND COUNTY

Permits for the Construction of Driveways & Culverts on County Easements and Right of Ways in Fort Bend County

SECTION 5 - ENFORCEMENT

- A. The County Engineer with Road and Bridge, shall be charged with the enforcement of these Requirements. If any person violates any provisions of these Requirements the County Engineer will attempt to obtain compliance with these Requirements. In the event the County Engineer is unable to obtain compliance within a reasonable time the County Engineer may so report to Commissioners' Court and the following remedies may be pursued:
1. If any person engages in the construction, or repair of a driveway or culvert crossing a County easement or right of way without a permit, the Commissioners' Court may direct the County Attorney to file suit to enjoin the violation of these Requirements.
 - a. Any work in Fort Bend County road right-of-ways may be removed by Fort Bend County Road & Bridge after a 30 day written notice has been given to the property owner.
 2. If any person engages in the construction or repair of a driveway or culvert in any manner except as specified in the permit issued therefore by the County Engineer, the Commissioners' Court may direct the County Attorney to file suit to enjoin the violation of these Requirements.
 3. If any person engages in the construction of a driveway or culvert crossing a County easement or right of way without a permit, or if any person engages in the construction or repair of a driveway or culvert in any manner except as specified in the permit issued therefore by the County Engineer, the Commissioners' Court may order the landowner to remove or repair the culvert at the landowner's expense.

[Texas Local Government Code 581.025, 1987 Tex. Ses. Law. Serv. 1557 (Vernon), provides that the Commissioners' Court may punish contempt by fine not to exceed twenty-five dollars (\$25.00), or by imprisonment not to exceed twenty-four (24) hours and in case of fine, the party may be held in custody until the fine is paid.]
 4. Any person securing a permit under these Requirements must file a certificate certifying to Commissioners' Court that the terms, provisions and conditions of the permit will be complied with. Violation of this certificate constitutes contempt of Commissioners' Court.
 5. If the Commissioners' Court finds a person to be guilty of contempt, it may enter such orders consistent with general law as it deems appropriate to punish the person guilty of contempt, and may enter such other and further orders enforceable by civil and criminal contempt, and consistent with its authority under general law, as Commissioners' Court deems necessary to enforce and protect its jurisdiction over the matter and to uphold the integrity of these Requirements.
 6. Procedure for contempt proceedings before Commissioners' Court will be consistent with procedures in actions before other courts in this state for enforcement of court orders, and for the protection of the jurisdiction of courts by process of contempt. Provided, however, that the person shall be given ten (10) days notice of said contempt proceeding by certified or registered mail, return receipt requested.