

§ 240.906
Redesignated

LAND USE REGULATION
Title 7

§ 240.906. Redesignated as V.T.C.A., Local Government Code § 352.081 by Acts 2001, 77th Leg., ch. 1420, § 12.004, eff. Sept. 1, 2001

Historical and Statutory Notes

Former Sections: Another § 240.906, relating to regulation of certain use or privately owned vehicles, as added by Acts 1999, 76th Leg., ch. 644, § 2, was redesignated as V.T.C.A., Local Government Code § 170.001 by Acts 2001, 77th Leg., ch. 1420, § 12.001(2).

§ 240.907. Fee for Cutting County Road

(a) In this section, a cut of a county road means the act of excavating or cutting the surface of a county road.

(b) To provide funds for the future inspection, repair, and maintenance of a cut road, a county may impose a fee on a person or other entity for each cut of a county road during or as an incident to the installation, maintenance, or repair of any facilities or properties of the person or entity.

(c) The fee authorized by this section:

(1) may not exceed \$500;

(2) may be imposed either before or after the cutting of the road; and

(3) is in addition to any other charge the county is authorized to impose to repair damage to the road because of the cut.

(d) This section does not apply in relation to a person or other entity that:

(1) has entered into an agreement with the county that provides for fees to be paid by the person or entity for the use of the county roads; or

(2) is a utility that is not required under Chapter 181, Utilities Code, to provide notice to a commissioners court of a county.

Added by Acts 2005, 79th Leg., ch. 957, § 1, eff. June 18, 2005.

Historical and Statutory Notes

Section 2 of Acts 2005, 79th Leg., ch. 957 provides: "A fee imposed under Section 240.907, Local Government Code, as added by this Act, applies only to a cutting of a county road that occurs on or after the effective date [June 18, 2005] of this Act."

Library References

Highways Ⓢ99:1.
Westlaw Topic No. 200.

C.J.S. Highways §§ 261 to 271, 457 to 458.

| DEPARTMENTS | FEE DESCRIPTIONS | MINIMUM FEE AMOUNT | MAXIMUM FEE AMOUNT | FEE UNIT | ADDITIONAL INFORMATION | AUTHORITY | COMMENTS & NOTES | FY2018 Proposed Change |
|--------------|---|--------------------|--------------------|--------------|--|-------------------------------|--|------------------------------------|
| PUBLIC WORKS | Accommodation of Utility Overhead Power or Communication Lines/Cuttings Fine | \$150.00 | | per crossing | \$150/crossing; \$0.05/linear foot, minimum \$50 | IGC 240.907 | Fine is for installing without permit | |
| PUBLIC WORKS | Accommodation of Utility Underground Power, Communication, or Pipelines/Cuttings Fee | \$50.00 | \$500.00 | | \$50-\$500 crossings; \$50-\$250 longitudinal | IGC 240.907(c)(1) | Fee for open cutting road or drainage. Separate fee for each. | Amended to conform to the statute. |
| PUBLIC WORKS | Accommodation of Utility Underground Power, Communication, or Pipelines/Damage Repair | | | per crossing | Actual cost of damage repair | IGC 240.907(c)(3) | | Amended to conform to the statute. |
| PUBLIC WORKS | All-inclusive cost for post, bracket and sign 18"x24" | \$74.75 | | each | | Comm. Ct Order 2008-661-08-26 | | |
| PUBLIC WORKS | All-inclusive cost for post, bracket and sign 9"x36" | \$77.35 | | each | | Comm. Ct Order 2008-661-08-26 | | |
| PUBLIC WORKS | All-inclusive cost for post, bracket and sign 30"x30" | \$90.35 | | each | | Comm. Ct Order 2008-661-08-26 | | |
| PUBLIC WORKS | All-inclusive cost for post, bracket and sign 36"x36" | \$105.95 | | each | | Comm. Ct Order 2008-661-08-26 | | |
| PUBLIC WORKS | Dust Control (Using diluted asphalt emulsion) | \$0.78 | | | Per linear foot | Comm. Ct Order 2008-455-06-23 | | |
| PUBLIC WORKS | Fax Transmittal Fee | \$1.50 | | | \$1.50 first page, \$1 each additional page | Comm. Ct Order 92-385-04-13 | | |
| PUBLIC WORKS | Public Works Overhead Power or Communication Lines/Cuttings Fine | \$150.00 | | per crossing | \$150/crossing; \$0.05/linear foot, minimum \$50 | IGC 240.907 | Fine is for installing without permit | |
| PUBLIC WORKS | Public Works Underground Power, Communication, or Pipelines/Cuttings Fee | \$50.00 | \$500.00 | | \$50-\$500 crossings; \$50-\$250 longitudinal | IGC 240.907 | | |
| PUBLIC WORKS | Public Works Underground Power, Communication, or Pipelines/Cuttings Fine | \$250.00 | | per crossing | \$250/crossing; \$0.10/linear foot, minimum \$50 | IGC 240.907 | Fine is for installing without permit | |
| PUBLIC WORKS | Returned Check, Credit Cards and Debt Cards | \$30.00 | | | Not less than \$15 | IGC 118.141 | For checks paid to the county and returned by the bank. | |
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| PUBLIC WORKS | Sign, fabricated 18"x24" | \$14.82 | | per sign | | Comm. Ct Order 2008-661-08-26 | Reimbursed at actual cost; For signs made by the county's Public Works | |
| PUBLIC WORKS | Sign, fabricated 9"x30" | \$25.64 | | per sign | | Comm. Ct Order 2008-661-08-26 | | |
| PUBLIC WORKS | Sign, fabricated 30"x30" | \$30.25 | | per sign | | Comm. Ct Order 2008-661-08-26 | | |
| PUBLIC WORKS | Sign, fabricated 36"x36" | \$39.25 | | per sign | | Comm. Ct Order 2008-661-08-26 | | |
| PUBLIC WORKS | Sign Bracket | \$5.00 | | per bracket | | Comm. Ct Order 2008-661-08-26 | Reimbursed at actual cost; For signs made by the county's Public Works | |
| PUBLIC WORKS | Sign Post | \$33.12 | | per post | | Comm. Ct Order 2008-661-08-26 | Reimbursed at actual cost; For signs made by the county's Public Works | |
| PUBLIC WORKS | Solid Waste Disposal Fee | | | | Set by Commissioners Court | Health & Safety 364.034 | Can charge fee if offers solid waste disposal | |
| PUBLIC WORKS | Solid Waste License Fee | \$100.00 | | | | Health & Safety 361.158 | License fee | |
| PUBLIC WORKS | Solid Waste Management Fee | | | | Set by Commissioners Court | Health & Safety 361.153 | For managing and administering a solid waste program | |
| PUBLIC WORKS | Stop Payment Order | \$20.00 | | | Not to exceed \$20 | IGC 118.141 | For placement of stop-payment order on check issued by the county | |

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| PUBLIC WORKS | Stop Payment Order | \$20.00 | | Not to exceed \$20 | IGC 118.143 | For placement of stop-payment order on check issued by the county | |
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