

BILL NO.: 24-11148, A1

ORDINANCE NO.: 24-0439

INTRODUCED BY COUNCIL MEMBER(s) Groetke

AN ORDINANCE ADOPTING TITLE V, CHAPTER 515 OF THE CODE OF ORDINANCES OF JEFFERSON COUNTY, MISSOURI: DRIVEWAY ENTRANCES ALONG COUNTY ROADS; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

WHEREAS, private property owners have a critical need for vehicular access onto county-maintained roadways by way of a private driveway entrance; and,

WHEREAS, the Jefferson County Public Works Department (hereinafter, "Department") has determined that private driveway entrances must be constructed to industry standards, engineering guidelines and county policies; and,

WHEREAS, by means of departmental policy, the Department historically has required permitting of private driveway entrances off county-maintained roadways prior to work commencing; and,

WHEREAS, compliance with departmental policy has historically been an issue, as there are no defined code requirements or enforceable regulations in place to ensure the health, safety and welfare of the traveling public; and,

WHEREAS, the Department has proposed a code addition that addresses all the aforementioned concerns, as well as follows historical practices implemented by the Department; and,

FILED

DEC 13 2024

JEANNIE GOFF
COUNTY CLERK, JEFFERSON COUNTY, MO

WHEREAS, the proposed code addition is recommended, which shall make it unlawful for a property owner along a county road to establish, repair, construct, improve, modify or reconstruct a private driveway entrance, without first adhering to the Jefferson County Code of Ordinances; and,

WHEREAS, the Jefferson County, Missouri, Council finds that it is necessary and in the best interests of the citizens of Jefferson County to adopt the addition of the Chapter 515 – Driveway Entrances Along County Roads as recommended by the Technical Administration Division of the Jefferson County, Missouri, Department of Public Works; and,

BE IT ENACTED BY THE JEFFERSON COUNTY, MISSOURI, COUNCIL, AS FOLLOWS:

Section 1. The Jefferson County, Missouri, Council hereby accepts the recommendations of the Jefferson County, Missouri, Department of Public Works.

Section 2. The Jefferson County, Missouri, Council hereby approves and adopts the proposed addition of Title V, Chapter 515 of the Code of Ordinances of Jefferson County, Missouri: Driveway Entrances Along County Roads, said addition being incorporated by this reference as set out herein and set forth in Exhibit “A”.

Section 3. This Ordinance shall be in full force and effect thirty (30) days after it is published in a legal publication in the County and posted in a public place in each Council District and on a County sponsored web page on the internet in electronic form.

Section 4. The Code of Ordinances of Jefferson County, Missouri shall be amended to reflect passage of this Ordinance.

Section 5. If any part of this Ordinance is invalid for any reason, such invalidity shall not affect the remainder of this Ordinance.

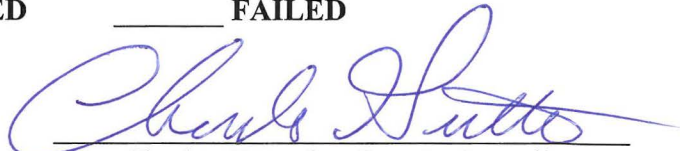
**THIS BILL BEING DULY INTRODUCED, THE MEMBERS OF THE
JEFFERSON COUNTY, MISSOURI, COUNCIL VOTED AS FOLLOWS:**

Council Member District 1, Brian Haskins
Council Member District 2, Gene F. Barbagallo
Council Member District 3, Lori Arons
Council Member District 4, Charles Groeteke
Council Member District 5, Scott Seek
Council Member District 6, Tim Brown
Council Member District 7, Bob Tullock

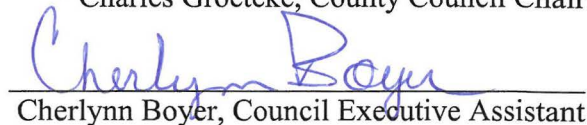
yes
yes
yes
yes
yes
yes
yes

THE ABOVE BILL ON DECEMBER 9, 2024:

✓ **PASSED** **FAILED**



Charles Groeteke, County Council Chair


Cherlynn Boyer, Council Executive Assistant

THIS BILL WAS ✓ APPROVED BY THE JEFFERSON COUNTY
EXECUTIVE AND ENACTED AS AN ORDINANCE OF JEFFERSON COUNTY,
MISSOURI, THIS 13 DAY OF December, 2024

THIS BILL WAS _____ VETOED AND RETURNED TO THE
JEFFERSON COUNTY, MISSOURI, COUNCIL WITH WRITTEN
OBJECTIONS BY THE JEFFERSON COUNTY EXECUTIVE, ON
_____.

Dennis J. Gannon
Dennis J. Gannon, Jefferson County, Missouri, Executive

ATTEST:

Jeannie Goff
Jeannie Goff, County Clerk

BY: Shelley Blankenship

First Reading: 11/26/2024
Second Reading: 12/9/24
Third Reading: 12/9/24

JEFFERSON COUNTY, MISSOURI
COUNTY COUNCIL
AMENDMENT # A-1 TO Bill 24-11148

Offered by Council Member: Grooteke

An Amendment to Bill No. 24-11148, Exhibit A

1 Page 1, under Section 515.020, Definitions, which currently reads:

2 **“COUNTY**

3 **The unincorporated areas of Jefferson County, Missouri.”**

4 Shall be amended to read as follows:

5 **“COUNTY**

6 **The political subdivision that governs** the unincorporated areas of Jefferson
7 **County, Missouri.”**

8 Beginning on Page 2, under Section 515.030, General Provisions, which currently reads:

9 **“For the County to approve of a proposed or modified driveway entrance, the**
10 **following general provisions must be met.**

11 **A. Any person, firm, corporation or business proposing the repair,**
12 **construction, improvement, modification, and reconstruction of private**
13 **driveway entrances that enter onto a County-maintained roadway within**
14 **the unincorporated limits of Jefferson County shall complete and submit a**
15 **permit application form with the Public Works Department of Jefferson**
16 **County, Missouri.”**

17 Shall be amended to read as follows:

18 **“For the Director to approve of a proposed or modified driveway entrance,**
19 **the following general provisions must be met.**

20 **A. Any person, firm, corporation or business proposing the repair,**
21 **construction, improvement, modification, or reconstruction of private**
22 **driveway entrances that enter onto a County-maintained roadway within**
23 **the unincorporated limits of Jefferson County shall complete and submit a**
24 **permit application form with the Public Works Department of Jefferson**
25 **County, Missouri.”**

26 Page 3, under Section 515.030, General Provisions, subsection F, which currently reads:

27 **“F. Upon County approval of the application form and receipt of escrow**
28 **payment, the applicant will receive a permit card and additional instructions from**
29 **the County Inspector.”**

30 Shall be amended to read as follows:

31 **“F. Upon Director approval of the application form and receipt of escrow**
32 **payment, the applicant will receive a permit card and additional instructions from**
33 **the County Inspector.”**

34 Page 3, under Section 515.040, Driveway Entrance Escrow Payment, subsection A, which
35 currently reads:

36 **“A. The County requires a payment to be held in escrow to ensure that the**
37 **methods of replacement, repair, construction, improvement, modification, and**
38 **reconstruction practices used for any driveway entrance onto a County Road are**
39 **performed properly and to the standards and requirements of the County.”**

40 Shall be amended to read as follows:

41 **“A. The County requires a payment to be held in escrow to ensure that the**
42 **methods of replacement, repair, construction, improvement, modification, or**
43 **reconstruction practices used for any driveway entrance onto a County Road are**
44 **performed properly and to the standards and requirements of the County.”**

45 Page 6, under Section 515.050, Design Standards, subsection K, which currently reads:

46 **“K. When the County road is constructed out of asphalt, if concrete pavement**
47 **is utilized for driveway entrances, the concrete is to stop at the back edge of the**
48 **County-maintained right-of-way and asphalt pavement shall be placed from the**
49 **termination of concrete pavement to the connection with the County Road. If the**
50 **County road is constructed out of concrete and the driveway is constructed out of**
51 **concrete, then the driveway concrete shall abut the County road concrete pavement.”**

52 Shall be amended to read as follows:

53 **“K. When the County Road is constructed out of asphalt, if concrete pavement**
54 **is utilized for driveway entrances, the concrete is to stop at the back edge of the**
55 **County-maintained right-of-way and asphalt pavement shall be placed from the**
56 **termination of concrete pavement to the connection with the County Road. If the**
57 **County Road is constructed out of concrete and the driveway is constructed out of**
58 **concrete, then the driveway concrete shall abut the County Road concrete pavement.”**

59 Page 8, under Section 515.070, Regulations, subsection C, which currently reads:

60 **“C. The permit holder can request an extension of the permit for an additional**
61 **six (6) month term if the project has not been completed.”**

62 Shall be amended to read as follows:

63 **“C. The permit holder can request a one-time extension of the permit for an**
64 **additional six (6) month term, at the discretion of the Director, if the project has not**
65 **been completed.”**

66 Page 9, under Section 515.070, Regulations, subsection H, which currently reads:

67 **“H. The number of driveway entrances that are approved by the County shall**
68 **further become restricted by the minimum standards of this Chapter.”**

69 Shall be amended to read as follows:

70 **“H. Notwithstanding the foregoing, the number of driveway entrances leading**
71 **to one portion of a single parcel may be limited by the Director at his or her**
72 **discretion.”**

73 Page 9, under Section 515.070, Regulations, subsection J, which currently reads:

74 **“J. The County Road in the area of the driveway entrance must be kept clear**
75 **of dirt, rock, debris, etc. at all times during construction.”**

76 Shall be amended to read as follows:

77 **“J. The County Road in the area of the driveway entrance must be kept clear**
78 **of dirt, rock, debris, etc. at all times during construction by the applicant and/or**
79 **responsible personnel.”**

80 Page 9, under Section 515.080, Inspections, subsection A.3, which currently reads:

81 **“3. Thereafter completion of the project, inspection of any constructed**
82 **stormwater culvert pipe that may be necessary within a County-maintained ditch.”**

83 Shall be amended to read as follows:

84 **“3. After completion of the project, inspection of any constructed stormwater**
85 **culvert pipe that may be necessary within a County-maintained ditch.”**

86 Page 10, under Section 515.090, Violations, subsection A, which currently reads:

87 **“A. In the event of the applicant causes damages within the county road right-**
88 **of-way, the County may use the escrow payment to remove any partially or**
89 **incorrectly constructed driveway entrance and/or repair any damage done within the**
90 **county road right-of-way.”**

91 Shall be amended to read as follows:

92 **“A. In the event the applicant and/or responsible personnel cause damage**
93 **within the County Road right-of-way, the County may use the escrow payment to**
94 **remove any partially or incorrectly constructed driveway entrance and/or repair any**
95 **damage done within the County Road right-of-way.”**

96 Page 10, under Section 515.090, Violations, subsection B, which currently reads:

97 **“B. A violation of any provision of this Chapter shall be considered a**
98 **misdemeanor, carrying a minimum fine of two hundred dollars (\$200.00), subject to**
99 **the limitations set forth in the applicable Revised Statutes of Missouri. Each day that**
100 **the violation continues to exist shall constitute a separate offense.”**

101 Shall be amended to read as follows:

102 **“B. A violation of any provision of this Chapter shall be considered a**
103 **misdemeanor, carrying a minimum fine of two hundred dollars (\$200.00), subject to**
104 **any limitations regarding municipal violations as set forth in the applicable Jefferson**
105 **County Code of Ordinances and the Revised Statutes of Missouri. Each day that the**
106 **violation continues to exist shall constitute a separate offense.”**

107 In all other respects the Bill shall remain the same.

THIS AMENDMENT BEING DULY INTRODUCED AND READ, THE MEMBERS OF THE JEFFERSON COUNTY, MISSOURI, COUNCIL VOTED AS FOLLOWS:

Council Member District 1, Brian Haskins	<u>yes</u>
Council Member District 2, Gene F. Barbagallo	<u>yes</u>
Council Member District 3, Lori Arons	<u>yes</u>
Council Member District 4, Charles Groeteke	<u>yes</u>
Council Member District 5, Scott Seek	<u>yes</u>
Council Member District 6, Tim Brown	<u>yes</u>
Council Member District 7, Bob Tullock	<u>yes</u>

Amendment Passed: ✓

Date: 11/26/24

Amendment Failed: _____

Date: _____


Charles Groeteke, County Council Chair


Cherlynn Boyer, Council Executive Assistant

Read On: 11/26/24

Chapter 515. Driveway Entrances Along County Roads

Section 515.010. Purpose, Scope Of Authority And Escrow.

- A. Purpose. The purpose is to regulate the establishment, repair, construction, improvement, modification, and reconstruction of private driveway entrances; to ensure that the methods of repair, construction, improvement, modification, and reconstruction practices used for any driveway entrance onto a County Road will properly protect the public health, safety, and general welfare of persons traveling on roadways maintained by Jefferson County, Missouri.

The provisions in this Chapter are intended to provide for the following:

1. Safety to the public traveling along local roads within the County;
2. Uniformity in the criteria required for the construction and improvement of driveway entrances; and
3. Accountability on the part of the applicant for the proper construction or repair thereof.

Application of the requirements in this Chapter are intended to mitigate the negative impacts that improperly constructed driveway entrances can have on the safety of County Roads.

- B. Scope Of Authority. Any person, firm, corporation or business proposing the repair, construction, improvement, modification, and reconstruction of private driveway entrances that enter onto a County-maintained roadway within the unincorporated limits of Jefferson County shall apply to the Department of Public Works for approval and issuance of a permit as required within this Chapter.
- C. Escrow. Prior to approval of any driveway entrance improvement, and prior to the issuance of a permit, the Public Works Department shall require the applicant provide an escrow payment as required within this Chapter.

Section 515.020. Definitions.

APPLICANT

Any person who makes application for a driveway entrance permit along a County Road as required by this Chapter.

APPLICATION

Completed forms and other documents submitted for a driveway entrance permit for a site location along a County Road. The application may be an independent submittal or may be a part of another development application or applications authorized by the Unified Development Order (UDO).

COUNTY

The unincorporated areas of Jefferson County, Missouri.

COUNTY ROAD

A public roadway that is maintained by Jefferson County, Missouri and having a prescriptive easement or owned right-of-way associated with the facility. Streets maintained by way of maintenance agreements are not considered to be a County Road under this definition.



DIRECTOR

The Director of the Department of Public Works or a duly authorized representative.

DRIVEWAY ENTRANCE

The concrete, asphalt or aggregate traveled way that connects to a County Road and provides access to facilities located on the privately-owned lot or parcel.

DRIVEWAY PIPE

A culvert that lies within a ditch line underneath the ground surface and conveys stormwater drainage from one side of the driveway to the other.

EROSION

The process by which the ground surface is worn away by the action of the wind, water, ice, gravity or artificial means and/or land disturbance activities.

PERMIT

The driveway entrance permit issued by the Director authorizing the establishment or improvements to points of ingress or egress access along a County Road in accordance with the requirements of this Chapter.

PERMITTEE

Any person to whom a driveway entrance permit is issued pursuant to this Chapter.

RESPONSIBLE PERSONNEL

Any person designated in the permit qualified as the person in charge of on-site driveway entrance improvement activities.

RIGHT-OF-WAY

The area of prescriptive easement, land dedication or purchased property that is under the ownership and jurisdiction of Jefferson County, Missouri. It includes the width of the roadway and shoulder pavement, as well as a variable width outside the edge of pavement.

SIGHT DISTANCE

The length between a point located twelve (12) feet from the edge of the outside lane of the roadway and the furthest point in the center of the approaching and/or opposing travel lane(s) along a County Road in which an object can be seen at a height of 3.5 feet from the roadway surface.

SITE

Any lot or parcel of land or a series of lots or parcels of land adjoining or contiguous or joined together under one (1) ownership on which driveway entrance construction or improvement activity is proposed in an application.

SLOPE

The inclined or declined surface of a driveway entrance.

Section 515.030. General Provisions.

For the County to approve of a proposed or modified driveway entrance, the following general provisions must be met.

- A. Any person, firm, corporation or business proposing the repair, construction, improvement, modification, and reconstruction of private driveway entrances that enter onto a County-

maintained roadway within the unincorporated limits of Jefferson County shall complete and submit a permit application form with the Public Works Department of Jefferson County, Missouri.

- B. The application provides the County with information necessary to determine the following:
 - 1. Whether required sight distance exists in the area of the proposed or existing entrance;
 - 2. Whether the proposed or existing driveway entrance is offset the proper distance from the nearest adjacent points of access along the County Road; and
 - 3. The size and length of a stormwater culvert pipe, if needed.
- C. The permit application materials may be obtained by the following methods:
 - 1. Download the forms from the Public Works Department homepage of the County website, and email completed documents to pworks@jeffcomo.org for PDF file receipt;
 - 2. Apply in person at the Public Works Department office located at 725 Maple Street, Hillsboro, MO;
 - 3. Apply online through the County website citizen portal permit submittal system.
- D. Upon submission of the application form, the applicant will receive information regarding how to mark the location of the proposed driveway entrance.
- E. After the initial inspection and approval of the driveway entrance location, the applicant will submit the escrow payment to the County.
- F. Upon County approval of the application form and receipt of escrow payment, the applicant will receive a permit card and additional instructions from the County Inspector.
- G. The permit card shall be always posted at the driveway site and in a location visible from the County Road.
- H. A final inspection is required upon completion of the project.

Section 515.040. Driveway Entrance Escrow Payment.

- A. The County requires a payment to be held in escrow to ensure that the methods of replacement, repair, construction, improvement, modification, and reconstruction practices used for any driveway entrance onto a County Road are performed properly and to the standards and requirements of the County.
- B. The following Table 1 details the escrow payment required for the driveway entrance type proposed:

Table 1

Driveway Entrance Use	Driveway Entrance Type	Driveway Entrance Width	Escrow Payment
Single Lot Residential	Gravel / Asphalt / Concrete	12 feet to 28 feet	\$500.00
Agricultural	Gravel	16 feet to 40 feet	\$500.00
Residential Subdivision	Asphalt / Concrete	18 feet to 36 feet	\$1,000.00
Commercial/Industrial	Asphalt / Concrete	24 feet to 46 feet	\$1,500.00

- C. Escrow payments are cashed by the County and held as a bond for each driveway entrance project.
- D. All or a portion of the escrow payment shall be retained by the County and may be used as collateral toward the repairs of any damage caused by the applicant within County-maintained right-of-way.
- E. Any remaining escrow payment, not needed by the County to repair damage within the County-maintained right-of-way, shall be returned to the applicant upon acceptable completion of the driveway or entrance project.

Section 515.050. Design Standards.

- A. Driveway entrances shall be offset a minimum of one hundred twenty-five (125) feet (center to center) from other existing or proposed driveway entrances or intersections on the same side of the road.
 - 1. The Director may make exceptions to this minimum standard on parcels where this cannot be met at any point along the County Road frontage and within the limits of the parcel.
 - 2. In such cases where the minimum offset cannot be met, it will be at the discretion of the Director to determine the location that is acceptable based on the highest level of achievable offset distance and best possible access location to the property.
- B. Driveways shall have a minimum sight distance in both directions along the County Road.

Sight distance represents a significant design control for driveways and each driveway should be located to provide the best visibility possible within the limitations of the property that each driveway serves. The sight distance for driveways should meet the minimum sight distance criteria for driveways. The sight distances listed in Table 2 (below) will be considered acceptable as the minimum required sight distance. The sight distance for the property access must be maximized, and a significant investment in the property features or public property may be necessary as a result. The sight distance for Table 2 (below) will be measured with the driver's eye of the vehicle turning from the intersecting driveway located twelve (12) feet from the edge of the outside lane of the roadway being accessed. All sight distance assumes grades of 3 percent or less; if greater see Table 3 (below).

Table 2 – Stopping Sight Distance on Level Roads	
Design Speed (MPH)	Jefferson County Minimum Sight Distance for Commercial/Residential Driveways
	(Feet)
20	115
25	155
30	200
35	250
40	305
45	360
50	425

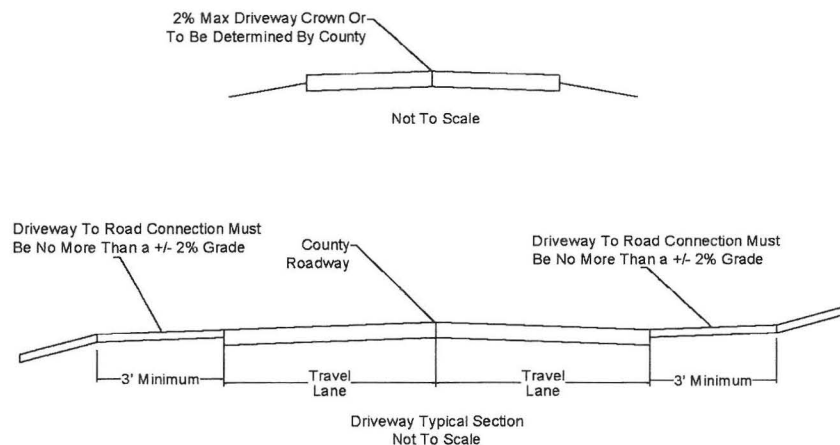
Table 3 - Stopping Sight Distance on Grades							
Approach Grade	Design Speed (MPH)						
	20	25	30	35	40	45	50
-9	126	173	227	287	354	427	507
-6	120	165	215	271	333	400	474
-3	116	158	205	257	315	378	446
-3 to +3	-	-	-	-	-	-	-
+3	109	147	200	237	289	344	405
+6	107	143	184	229	278	331	388
+9	104	140	179	222	269	320	375

1. Vegetative overgrowth and other obstacles, like earth embankments or rock outcroppings may need to be trimmed or cut back. This will be the applicant's responsibility to perform and maintain for proper sight distance.
 2. The Director may make exceptions to this minimum standard on parcels where this cannot be met at any point along the County Road frontage.
 3. In such cases where the minimum sight distance cannot be met, it will be at the discretion of the Director to determine the appropriate location of the driveway that is acceptable based on the highest level of achievable sight distance and best possible access location to the property.
- C. Corrugated metal, concrete, or HDPE pipe shall be used for proper drainage across the proposed driveway entrance, if required. The pipe must be installed with the diameter and length approved by the County inspector. The pipe shall have a minimum of one (1) foot and no more than three (3) feet exposed on each invert end of the driveway ditch line.
- D. Driveway entrances that are proposed to cross over anything other than a roadside ditch, such as creeks, tributaries, streams, etc., shall have the proper drainage structure designed by a professional engineer. The Director must approve the design before the applicant is issued a permit.

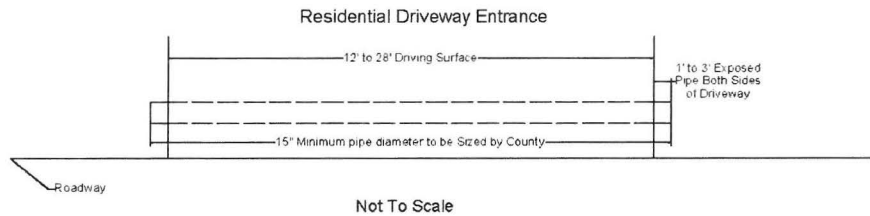
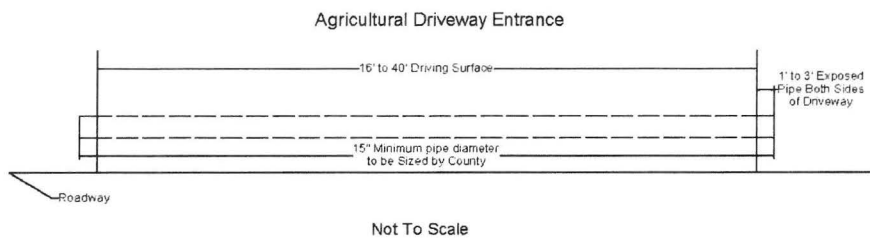
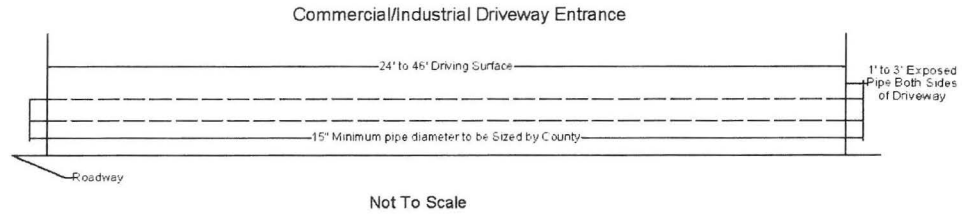
- E. The end of the pipe must match the flow line of the existing roadway ditch to properly drain on each end, unless more depth is required to obtain adequate cover over the pipe.
- F. A one (1) foot minimum cover (measured from the top of pipe to finished grade of the driveway) shall be placed over the pipe with compacted fill material being placed in six (6) inch lifts.
- G. The County may require the applicant to perform additional ditching along the County Road in order to provide positive drainage of the driveway entrance pipe installation.
- H. Driveway entrances shall be sloped or crowned to prevent water or loose material from washing out onto the County Road.
- I. Finish grade of the driveway entrance shall slope down not less than one-quarter (1/4) inch per one (1) foot (2.0%) from the edge of the road to the ditch line.
- J. The maximum grade of the driveway entrance shall not exceed twenty (20) percent incline or decline from the County Road ditch line.
- K. When the County road is constructed out of asphalt, if concrete pavement is utilized for driveway entrances, the concrete is to stop at the back edge of the County-maintained right-of-way and asphalt pavement shall be placed from the termination of concrete pavement to the connection with the County Road. If the County road is constructed out of concrete and the driveway is constructed out of concrete, then the driveway concrete shall abut the County road concrete pavement.
- L. When the flowline of the drainage ditch is located behind the County-maintained right-of-way, the concrete driveway entrance pavement must have a control joint installed at the backside of the ditch.
- M. No U-shaped driveway entrances are allowed by the County.

Section 515.060. Construction Standards.

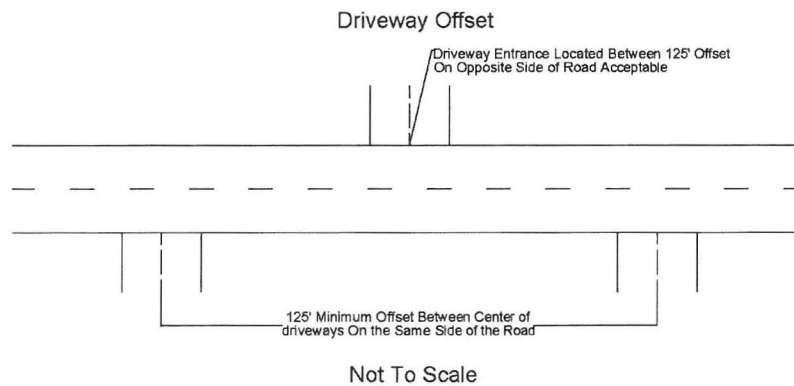
A. Driveway Entrance Typical Section.



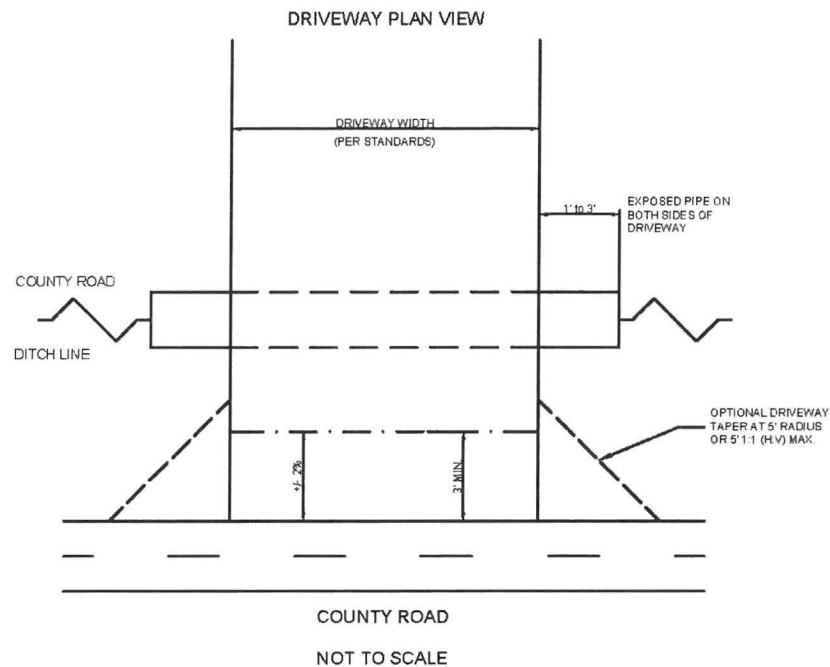
B. Driveway Entrance Pipe Section.



C. Driveway Entrance Offset Requirements.



D. Driveway Plan View



Section 515.070. Regulations.

- A. Driveway entrance permits will be issued with a six (6) month expiration period.
- B. The Public Works Department will send out a notification letter to the permit holder on or about thirty (30) days prior to the date when a permit is due to expire.
- C. The permit holder can request an extension of the permit for an additional six (6) month term if the project has not been completed.
- D. New driveway entrances must be evaluated and approved for location and safe ingress/egress onto the County Road by the Public Works Department prior to the issuance of a permit.
- E. A driveway entrance permit is required when establishing a new access onto any County Road, as well as in the cases of replacing, relocating or widening an existing driveway entrance.
- F. Existing driveway entrances that are to be upgraded or improved will require a new permit to be reevaluated for location and safety. They may be required to meet all current standards as detailed in this Chapter.
- G. The following are the maximum number of driveway entrances that shall be granted per parcel:

1. One (1) driveway entrance shall be allowed per single lot residential parcel;
 2. Up to two (2) driveway entrances shall be allowed at a minimum of one hundred twenty-five (125) feet separation for commercial or industrial parcels; and
 3. One (1) field entrance shall be allowed per five hundred (500) feet of separation for agricultural parcels.
- H. The number of driveway entrances that are approved by the County shall further become restricted by the minimum standards of this Chapter.
- I. Any damage to the County Road or County-owned right-of-way must be repaired or replaced in kind or the applicant shall be subjected to the loss of a portion or all of the escrow payment.
- J. The County Road in the area of the driveway entrance must be kept clear of dirt, rock, debris, etc. at all times during construction.
- K. All disturbed areas within the County Road right-of-way or ditch line must be graded, seeded and strawed to prevent accelerated erosion.
- L. No parking areas shall be constructed immediately adjacent to a County Road or within County-maintained right-of-way.
- M. All applicants seeking to establish a driveway entrance for a parcel that does not have a direct point of access to the County Road shall be approved for a location that meets the minimum County standards to the maximum extent practical as set forth in this Chapter.
- N. At all times while work is under construction within the County right-of-way, permittee shall display applicable warning signs, barricades, lights, and channelizing devices as described in the Manual of Uniform Traffic Control Devices (MUTCD), most current edition, and shall provide a flagman and/or other warning devices satisfactory to the County Engineer.

Section 515.080. Inspections.

- A. By applying for a driveway entrance permit, the applicant consents to the following actions being taken by the County:
1. Inspection of the proposed driveway entrance site for adherence to the requirements and standards of this Chapter;
 2. Inspection of all work in progress for the driveway entrance project along a County Road; and
 3. Thereafter completion of the project, inspection of any constructed stormwater culvert pipe that may be necessary within a County-maintained ditch.
- B. New driveway entrances along a County Road, or improvements to existing driveway entrances along the same, that are undertaken without a permit shall be considered not in compliance with this Chapter.
- C. The County Inspector shall provide the property owner written notification of any violations in

acquiring a driveway entrance permit and a Stop Work Order will be posted at the site until proper permitting is secured.

- D. Failure to apply for a driveway entrance permit within ten (10) calendar days of the date of written notification letter from the County Inspector may result in the issuance of a written violation being sent to the property owner.
- E. Driveway entrances along County Roads that are completed without a permit and not assessed by county inspection until a time after construction has been completed shall be reviewed and evaluated on a case-by-case basis.
- F. The Public Works Director has the authority to issue violations to any non-permitted driveway entrances as required within this Chapter.

Section 515.090. Violations.

- A. In the event of the applicant causes damages within the county road right-of-way, the County may use the escrow payment to remove any partially or incorrectly constructed driveway entrance and/or repair any damage done within the county road right-of-way.
- B. A violation of any provision of this Chapter shall be considered a misdemeanor, carrying a minimum fine of two hundred dollars (\$200.00), subject to the limitations set forth in the applicable Revised Statutes of Missouri. Each day that the violation continues to exist shall constitute a separate offense.
- C. The Director shall have the authority to enforce all provisions of this Chapter including the issuance of a summons for violations of any provision of this Chapter.
- D. Any person, who is authorized to issue a summons in Subsection (C) above, when a suspected violation of this Chapter occurs, may issue a summons to the suspected violator to appear before the County Municipal Court at a date and time specified therein. The form of the summons may be by uniform citation as set out in Rule 37 of the Missouri Rules of court or by summons form as indicated in the order Ordinance creating the County Municipal Court.
- E. In addition to the remedies provided above, and set forth elsewhere in this Chapter, the County may apply for the appropriate court for injunctive relief, which would require the correction or abatement of any violation of this Chapter. The initiation or exhaustion of one (1) or more of the enforcement proceedings set forth in this Chapter shall not be a prerequisite to the initiation of any other of these enforcement proceedings. Different types of enforcement proceedings may be pursued concurrently.
- F. Corrective Action. In the event of corrective action being taken by the County on behalf of the property owner, home owners association, or any other party responsible for long term maintenance of the driveway entrance, the responsible party will be charged for all materials and services required to bring the affected area back to its designed standards or for complete removal and restoration.

Section 515.100. Maintenance.

- A. It shall be the responsibility of the property owner to maintain all in-place driveway entrances to the limits of the County Road right-of-way.

- B. It shall be the responsibility of the County to maintain all in-place driveway entrances, constructed under an issued permit after adoption of Chapter 515, from the lesser distance of County-maintained right-of-way to the edge of the County Road, or five (5) feet maximum.
- C. At no cost to the property owner and at the discretion of the Director, the County shall maintain or replace any degraded or compromised driveway entrance pipe culvert that is within the limits of the County-maintained right-of-way. All existing driveway entrance pavement that is removed shall be replaced in kind by the County.
- D. At no cost to the property owner and upon their written approval, the County may maintain or replace any degraded or compromised driveway entrance pipe culvert that is outside the limits of the County-maintained right-of-way if it affects the stormwater drainage performance of a County-maintained ditch line. The County will replace all existing driveway entrance pavement that is removed as a result of repairing/replacing the drainage culvert.

Section 515.110. Policy/Administration.

- A. Policy. It is the policy of the County that all driveway entrance construction that connects to a County Road be performed in a manner consistent with the requirements and standards of this Chapter, except as otherwise specifically provided, in a manner that promotes the safety of vehicular and pedestrian travel, planned development and effective stormwater management.
- B. Regulations. The Director may prepare or cause to be prepared and may recommend the adoption of regulations necessary to implement this Chapter.
- C. County's Right To Enter. In making an application for a permit covered by this Chapter, the applicant or the landowner performing or allowing the work shall cooperate with the County in the processing and administering of the permits, including being reasonably available for site inspections, so that the County may verify compliance with the approved plan. If work is necessary to bring the site into compliance with the approved plan prior to entering the site, the County shall contact the applicant's responsible personnel or the landowner and give them the opportunity to accompany the County personnel on any site visit. Except in an emergency, the County shall give an applicant or landowner at least twelve (12) hours' prior notice of any such inspection.
- D. Waiver Of Requirements. The Director is hereby authorized to waive any requirement contained in this Chapter, upon a finding that the purposes and policy of this Chapter are either satisfied within another Chapter of the Jefferson County, Missouri Code of Ordinances, or can be unreasonably accomplished while also providing no threat to the health, safety or welfare of the traveling public.