

### **19A NCAC 02B .0604 APPROVAL OF APPLICATION**

The approval of the application shall be subject to the following conditions:

- (1) The application shall be properly and clearly completed.
- (2) The location, design, and construction of driveways shall meet the general and geometric requirements as specified by the responsible District Engineer which will include necessary provisions for drainage, pavement types and thickness, sight distance requirements, and other details.

Note: The Department publishes a brochure entitled, "Manual on Driveway Entrance Regulations" which includes the normal design and construction criteria required for various types of driveway entrances. This manual may be obtained from the Traffic Engineering Branch, Division of Highways, Raleigh, free of charge.

- (3) The permit shall require that the applicant assume the following construction responsibilities:
  - (a) Existing open ditch - The applicant shall furnish all required pipe of size, type and quantity as specified by the engineer. The pipe will be laid and backfilled by the Department, if requested. The applicant shall bear the full cost of any stabilization and pavement placed on the driveway(s) within the right of way.
  - (b) Existing curbed streets - The applicant will bear all costs of driveway construction including the cost of replacing all joints of curb damaged during construction.
  - (c) No alteration or addition shall be made to any driveway within the right of way without first securing a new permit from the District Engineer.

The Department reserves the right of inspection, by its authorized representatives, of any driveway construction within the right of way. In the event of failure to comply with the terms of the permit, faulty workmanship, or materials, the Department shall have the right to stop the work until such time as the objectionable conditions are corrected. All costs incurred in the removal and/or correction of non-compliance with design, defective workmanship, and/or materials shall be borne by the applicant.

*History Note: Authority G.S. 136-18(5); 136-89.50; 136-89.51;  
Eff. April 3, 1981;  
Amended Eff. October 1, 1993; July 1, 1981;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.*