

Sec. _____. – Purpose.

The purpose of this Article is to establish regulations governing activities taking place in County rights-of-way or easements, including, but not limited to, the location, installation, repair or modification of any facility. Such regulations are necessary in order to promote and protect the public health, safety, and welfare of the citizens of Charlotte County.

Sec. _____. Applicability.

The regulations in this Article shall apply to all private contractors, private citizens, utility companies, municipalities, and to any person or group proposing to install, construct, maintain, or repair any facility or structure within any of the existing or planned County rights-of-way or easements, whether created by dedication by plat or by recorded conveyance. This Article shall apply to and be enforced in all areas of County jurisdiction, including County rights-of-way or easements located in a municipality. Other provisions of this Code that may also be applicable to activities in the right-of-way include, but are not limited to, Sections 1-10-287(Roadside Peddling Prohibited); 1-10-288 (Conveyances Prohibited); and Section 3-6, Article II, Division 2 (Communications Facilities in Public Rights-of-Way)

Sec. _____. Definitions.

The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Clear Zone shall mean the area that is ten (10) feet in width, as measured from the edge of the pavement, or an area whose width is determined in accordance with the latest edition of the State of Florida Department of Transportation (FDOT) Standard Design Manual, whichever width area is greater.

Dedicated, but not accepted for maintenance shall mean a public roadway dedicated by plat that has not been accepted by the County for maintenance, as authorized in Section 177.081(3), Florida Statutes, as may be amended from time to time.

Developed property shall mean property upon which any structure has been constructed or placed regardless of whether such structure is used, complete, or occupied. Lots located within community redevelopment areas ("CRAs") that no longer contain a structure, but that contained a structure after the date the relevant community redevelopment plan was adopted or last amended, whichever date is later, shall be considered developed lots for purposes of this definition.

Drainage easement shall mean land in which the public or the County has an easement devoted to, planned, proposed or required for use as a public drainage system.

Emergency repairs shall mean work necessary to protect and preserve life and property of inhabitants of the County and are needed to be completed immediately.

Facility, for purposes of this Article, shall mean a structure which has been or is being placed and maintained along, across, on or under any public right-of-way or public easement within the jurisdiction of the County, including, but not limited to, any electric lines, telephone lines, cables, poles, ditches, sewers, water lines, gas lines, wells, fences, gasoline tanks and pumps, irrigation, landscaping, signage or specialty paving.

Right-of-way shall mean land in which the County owns the fee or has a platted or conveyed easement devoted to, or required for use by the public. Rights-of-way include, but are not limited to, roads, canals, and drainage conveyances.

Road shall mean streets, sidewalks, alleys, highways and other ways opened or unopened to travel by the public, including the roadbed, right-of-way, and all culverts, drains, sluices, ditches, water storage areas, waterways, embankments, slopes, retaining walls, bridges, tunnels and viaducts necessary for the maintenance of travel.

Structure shall mean any construction or any production or piece of work artificially built up or composed of parts joined together in some definite manner. "Structure" includes "building," as well as other things constructed or erected on the ground, attached to something having location on the ground or requiring construction or erection on or under the ground.

Sec. _____. Right-of-Way Permit Required.

- (a) Except as provided in Sec. _____, it shall be unlawful for any person, municipal corporation, special district, or any other legal entity to construct, install, remove, revise, alter, or modify any structure, facility, or topographic feature on any land, right-of-way or easement owned by the County, or any right-of-way or easement dedicated to the public, without first having obtained a permit from the County. Activities requiring a permit include, but are not limited to:
- (1) Installation, re-installation or resurfacing of driveways;
 - (2) Installation of culvert pipe;
 - (3) All activities requiring temporary access across the ROW, including, but not limited to house moving, swimming pool construction, septic system installation;
 - (4) All storm water drainage facilities and associated work, including, but not limited to, swale grading;
 - (5) All overhead or underground utility installation, including, but not limited to, sanitary sewer, water lines, electric conductors, conduit, cable television, and communication devices;

- (6) Sod and landscaping installation;
- (7) Temporary material or equipment storage; and
- (8) Pavement construction or repair

Sec. ____ Exemptions from Permitting Requirement.

- (a) No right-of-way permit is required for the following activities in County rights-of-way or easements:
 - (1) Trimming, cutting, or maintenance of trees, shrubs, and other existing vegetation, provided such activities comply with Section 3-9, Article IV of this Code.
 - (2) Mailboxes, provided said mailboxes comply with all federal, state and local regulations.

Sec. _____ Items and Activities Prohibited in the ROW and Clear Zone

- (a) The following items and activities are prohibited in County rights-of-way and easements:
 - (1) Structures, facilities, landscaping, or any other item for which no ROW permit has been issued;
 - (2) Irrigation pipes or sprinklers;
 - (3) Non-frangible structures, temporary or permanent, located in the clear zone adjacent to the roadway; and
 - (4) Any other activity that, in the opinion of the County Engineer, is either unnecessary or that impedes drainage.
- (b) Whenever the County becomes aware of unpermitted items in the right-of-way, the owner, if known, will be provided a notice that the item must be removed by the date stated in the notice. Upon failure of an owner to remove the item by the date specified in the notice, or where the owner of the unpermitted item is unknown, the County may remove the item and may pursue recovery of its costs by any legal means.

Sec. _____ Legal Status.

- (a) Permits issued by the County pursuant to this Article constitute a license for permissive use only. The placing of facilities upon public rights-of-way pursuant to a permit issued pursuant to this Code shall not operate to create or to vest any property

rights in the holder thereof. The issuance of a right-of-way permit does not relieve the permit holder of the need for obtaining any other permits or approvals that may be required by the appropriate authorities.

- (b) The rights and privileges in this Article are granted to the permit holder only to the extent of the County's right, title, and interest in the land to be entered upon and used by the applicant, and the applicant at all times assumes all risks of, and agrees to defend the County from and against, any and all loss, damage, costs, or expense arising in any manner on account of the exercise or attempted exercise by the applicant of the rights granted under the permit.
- (c) The permittee's activities in the right-of-way shall not interfere with or encroach upon the property or rights of a prior permitted occupant of the right-of-way and shall not unnecessarily restrict the activities of the traveling public.

Sec. ____ Permit and Other Fees.

- (a) All fees required by this Division shall be established by the Board of County Commissioners by Resolution.
- (b) If work in the ROW occurs without an approved, required permit, the violator(s) shall be required to pay quadruple the regular fee for the application appropriate for that activity, in addition to any code violation fees. The County deserves the right to deny the application and require the ROW to be restored to its previous condition.

Sec. ____ Permit Application.

- (a) All permit applications shall be accompanied by the applicable permit fee and shall be submitted to the Building Division of the Community Development Department, or submitted electronically, on the approved County permit application form and shall include the following information:
 - (1) The Applicant's and local agent's name, address, email address, telephone and facsimile numbers, and license number.
 - (2) Scaled, dated drawings showing the type, location, and all dimensions of the proposed project or installation and the location of all known existing and proposed facilities, provided, however, that the County Engineer shall have the authority to waive this requirement for minor work activities.
 - (3) A maintenance of traffic plan that is consistent with the County's Maintenance of Traffic regulations, the Uniform Manual of Uniform Traffic Control Devices, and/or a specific FDOT 600 Series for safety of the public and employees of the permittee.

- (4) For any proposed underground installation, information in sufficient detail to identify:
- a. The type of the utility facility to be installed.
 - b. The proposed method of installation (for example, open cut or directional bore)
 - c. The location, depth, size and quantity of existing or proposed ducts or conduits that will contain the facilities being installed.
 - d. A description of the construction methods or techniques that will be used for the installation.
 - e. A construction schedule and anticipated completion date.
- (5) A list of all subcontractors who will be performing work in the right-of-way, including type of license held and license number.
- (6) Where the permit activity involves connecting a private road to a County road, drainage plans shall be prepared by a registered professional engineer. A set of signed and sealed plans prepared by a professional engineer shall be submitted with the application for review by the County.
- (7) Where the proposed work includes pavement construction and/or intersection improvements (except in connection with permits for new driveways or modifications to existing driveways), detailed construction drawings must be submitted to the Public Works Engineering Department for review and approval. Plans will need to be signed and sealed by a professional engineer when appropriate.

Sec. ____ Duration of Right-of-Way Permits.

Permits for work in County Rights-of-Way or easement are valid only for the time period specified by the County in the permit. The County reserves the right to limit the duration of a Right-of-Way permit to what is reasonable and customary for the type of work being performed. If the work for which the permit was issued is not completed within the specified time period, the permittee can request one (1) permit extension, at the County's discretion and at no charge provided, however, that permit extensions will not be granted where the permit has expired. Expired permits where work has been performed but not completed shall be considered to be a violation of this Code. Permit extensions will be considered on a case by case basis. Permits that are not activated within a six (6) month period from the date of issuance will expire and a new permit application must be submitted. No refunds of permit fees will be processed for permits that expire.

Sec. ____ Permit Special Conditions.

For permits involving pavement construction and/or intersection improvements a development agreement must be executed by the permit applicant prior to construction. In addition, a surety or cash bond, in an amount that is equal to 110% of the total cost of the work within the right-of-way, must be submitted to the Public Works Department. The cash or surety bond must be in a form that is acceptable to the County Attorney.

Sec. ____ Permits Issued in Error. The County reserves the right to rescind any permit that was issued in error, including, but not limited to, permits issued based on a misrepresentation in the permit application.

Sec. ____ Qualifications of permittee.

(a) Right-of-way permits will only be issued to the following:

- (1) Utility corporations or companies (including county and municipal utilities) that will own and be servicing the installed facilities, provided, however, that communications services providers, communications facility providers, and pass-through providers must be registered as provided in Section 3-6-38 of this Code.
- (2) Licensed contractors responsible for the installation of any utility facility or structure that is subject to these regulations.
- (3) Private citizens, corporations, or organizations with a reasonable and legitimate purpose in using the right-of-way, which purpose, in the sole opinion of the County Engineer, poses no threat or danger to the public health, safety or welfare.
- (4) Authorized representatives of any of the foregoing.

(b) In instances where the services to be provided are subject to County regulations relating to underground utility pipelines, the applicant must be a holder of a current active general contractor's license, a current active underground utility contractor license, a current active plumbing contractor's license or, for fire protection systems only, a certificate issued by the state fire marshal. Any subcontractors retained by the applicant must also be properly licensed for the type of work being performed.

Sec. ____ Design and Construction Standards.

(a) *Sidewalks/Bike Facilities:* It is the expressed policy of the board of county commissioners that sidewalks and bike facilities are an integral part of the county's transportation system. Therefore, all site development projects located on arterials and collector roadways will be required to install sidewalks and bike facilities as part of any site development plan. If there are cases where connectivity of a sidewalk or bike network requires that adequate facilities be provided along the frontage of a

roadway classified as local or residential, the county engineer may require that these facilities be provided. The requirements of this section may be waived by the county engineer for developments of four (4) standard size building lots or less, or if the county engineer determines that a sidewalk or bike facility is not required because adequate facilities already exist. It is recognized that there will be situations that exist which affect the ability of a developer to comply with the requirements of this section. Therefore, the county engineer may alter or delete the requirements of this section if, in the determination of the county engineer, some physical or topographical feature prevents or seriously restricts the capability for the sidewalk or bike facility to be included with the project.

- (b) All facilities installed in the public right-of-way shall be designed and constructed in accordance with the County's "Engineering Design and Construction Standards." Such design and construction standards shall be adopted and amended by the Board of County Commissioners by Resolution.
- (c) "Open cut" installation is only permitted under special circumstances as determined by County.
- (d) Torpedoes, missiles and other similar underground tunneling devices are not permitted in the right-of-way. Directional drilling and Jack and Bore are the only acceptable methods of tunneling installation of underground facilities in the right-of-way. Bore logs must be submitted by the permittee to the appropriate department(s) upon completion of the work.

Sec. ____ Coordination of Work with County Roadway Construction.

The County may require utility installation or maintenance activities in the right-of-way to be coordinated with planned roadway construction or maintenance, or delayed in order to minimize disruption of use of the right-of-way.

Sec. ____ Hours of Work.

All work under a Right-of-Way permit shall only be performed **between the hours of 6:00 A.M. and 8:00 P.M. Monday through Friday, unless otherwise approved by the County Engineer.**

Sec. ____ Maintenance of Traffic.

All roadways, sidewalks, and bike/multi-use paths within the limits of a right-of-way permit shall be kept open to all traffic by the permittee. When approved by the County Engineer, traffic may be temporarily bypassed over an approved detour route. Permittees shall furnish, erect and maintain barricades, warning signs, delineators, flaggers, or pilot cars in accordance with County maintenance of traffic regulations and the manual of Uniform Traffic Control Devices published by the Florida Department of Transportation. The permittee shall also provide and maintain, in a safe condition, temporary approaches or crossing and intersections with trails, roads, streets, businesses, parking lots,

residences, garages and farms. The permittee shall bear all expenses for maintaining the traffic over the section of road involved in the construction and for constructing and maintaining such approaches, crossings, intersections and other features deemed necessary by the County Engineer. Materials stored at the site of the work shall be stored outside the clear zone and shall be so placed as to not obstruct vehicular or pedestrian traffic. All maintenance of traffic activities shall be in compliance with the Americans with Disabilities Act (ADA).

Sec. _____ Restoration of Right-of-Way.

- (a) Upon completion of construction, the County right-of-way shall be restored by the permittee to the same or better condition than existed before the commencement of the work. Failure of the permittee to promptly restore the right-of-way shall constitute consent for the County to perform such restoration at the permittee's expense.
- (b) Where any work performed by a permittee disturbs any area outside the roadway, the permittee shall insure that the area is completely restored in a manner acceptable to the County. Any sod that is removed shall be replaced with the same type of sod. All areas must be sodded unless the County Engineer approves an alternative. Any trees or shrubbery that were previously permitted and are damaged by permittee during construction shall be replaced by permittee at permittee's sole expense. Any existing utilities that are damaged, destroyed or temporarily removed by the permittee shall be replaced or repaired by the permittee at permittee's sole expense.
- (c) All restoration work shall be warranted by the permittee for a period of one year. Permittee shall be obligated to make all warranty repairs at no cost to the County.

Sec. _____ Insurance Requirements.

- (a) Prior to commencement of any work under a right-of-way permit, the permittee shall provide the County's Risk Management Division with proof of insurance as described below. Such proof shall be contained in a Certificate of Insurance issued by the permittee's insurer, listing coverages and limits, expiration dates, terms of the policy, and all endorsements. If requested by Risk Management, a certified copy of each policy, including all endorsements, shall be provided.
- (b) Required insurance shall remain in effect during the term of any permitted use of the right-of-way. The certificate of insurance shall verify that the insurance policy(ies) has (have) been issued to the permittee, covering claims for personal/bodily injury, including death, and property damage arising from the construction, placement, and maintenance of the facilities in the right-of-way.
- (c) Required insurance coverages are: comprehensive general liability insurance, including, but not limited to, independent contractor, contractual, premises/operations, products and personal injury covering the liability assumed by the permittee. Limits of liability for personal injury and/or bodily injury, including death,

and property damage may have combined limits of \$300,000 per occurrence; coverage shall be on an “occurrence” basis.

- (d) If a permittee is self-insured or maintains a policy deductible of \$100,000 or more, the permittee shall provide a current certified financial statement. If, in County’s sole discretion, the permittee’s financial status would make it difficult for permittee to pay any claim that may arise from permittee’s activities in the right-of-way, County may require permittee to purchase a specific policy of insurance for the proposed work.
- (e) The Charlotte County Board of County Commissioners shall be designated as an additional insured on all required insurance policies.
- (f) The County shall be designated as a Certificate Holder and shall be provided with thirty (30) days’ prior notice of any expiration, cancellation, non-renewal, or any material change in coverage or limits. Notice shall be furnished by certified mail to the County’s Risk Management Division.
- (g) Companies issuing insurance policies to permittees shall have no recourse against the County for payment of premiums, assessments, or deductibles. Payment of same shall be the sole responsibility and risk of the permittee.
- (h) The requirements of this Section may be waived, in whole or in part, by either the County Risk Manager or the County Engineer.

Sec. _____ Indemnification.

The permittee, in consideration of the benefits derived by the granting of a permit for use of the County right-of-way, shall, at all times and for itself and its employees, agents and invitees, assume all risks and shall indemnify, defend, and save Charlotte County, its officers and employees, harmless from all loss, damages, costs or expense arising in any manner out of the exercise or attempted exercise of permittees acts or omissions when locating its facilities in the county right-of-way pursuant to a right-of-way permit.

Sec. _____ Relocation.

- (a) Any permitted facility heretofore or hereafter placed upon, under, over, or along any public road right-of-way or easement that, in the opinion of the County, unreasonably interferes in any way with the convenient, safe, or continuous use, or the maintenance, improvement, extension or expansion of such public road or appurtenant structures thereto shall, upon ninety (90) days’ written notice to the owner of the facility or its agent, be removed or relocated, and the right-of-way shall be restored to its original condition by, and at the sole expense of, such facility owner or its agent. The failure of a utility owner or its agent to remove or relocate such facility shall result in the

removal or relocation of the facility and the owner or agent shall be liable for the cost of such removal or relocation.

- (b) If the permittee or owner of any utility fails to commence removal or relocation of its facilities within the time specified by the County, or if the permittee or owner fails to timely complete such removal, including all associated restoration of the right-of-way, the County shall have all rights of action specified in Section 337.403, Florida Statutes, including, but not limited to, removal of the facilities at the permittee's or owner's costs and expense, by another entity, County forces or its contractor.

Sec. _____ Abandoned Facilities.

- (a) A permittee may not abandon a facility located in the public right-of-way without the prior approval of the County Engineer. The permittee will be required to remove all or any portion of such abandoned facility, at the permittee's sole expense.
- (b) If a permittee fails, within a reasonable period of time, to remove all or any portion of an abandoned facility after notification by the County, the County may perform such removal and recover the costs of removal from the permittee.

Sec. _____ Responsibilities of Adjacent Property Owners.

- (a) Property owners shall be responsible for mowing of all grassy areas of the right-of-way adjacent to their developed property. Property owners shall keep all shrubbery and other foliage on their property trimmed and pruned so that it does not encroach on the right-of-way and cause a traffic or safety hazard as determined by the County Engineer or designee. Adjacent property owners shall not place any items in the right-of-way adjacent to their property without first obtaining a permit or a determination by the County that a permit is not required. There shall be a rebuttable presumption that any plantings or other items located in the right-of-way have been put there by the adjacent property owner. This presumption shall run with the land and be binding on subsequent owners of the adjacent property.
- (b) A property owner shall immediately notify the County of any observed unsafe condition of a sidewalk or other object in the right-of-way adjacent to their property. If an owner's actions caused the unsafe condition, the owner shall take appropriate action to ameliorate the unsafe condition. If the owner's actions caused the unsafe condition and the owner fails to take corrective action, the County shall take appropriate action and may assess the owner of the property for costs incurred by the County for the action taken. If the owner fails to reimburse the County within thirty (30) days after being notified of the costs, the County may take legal action against the owner to recover the sums expended by the County.

Sec. _____ Emergency work.

- (a) The County's ROW division shall be notified, as soon as practicable under the circumstances, of any event involving facilities in the right-of-way that necessitates immediate emergency repair work. The facility's owner may proceed to take whatever action is necessary in order to respond to the emergency. The owner will be required to obtain an "after-the-fact" permit within five (5) business days after the emergency work was begun, and the owner must submit revised "as-built" drawings, if applicable.
- (b) In the event that the County becomes aware of an emergency regarding a permittee's facilities located in the right-of-way, an attempt to contact the permittee will be made. The County may take whatever reasonable action it deems necessary in order to respond to the emergency, the cost of which shall be borne by the permittee whose facilities necessitated the emergency actions.

Sec. _____ Inspections.

- (a) Required inspections, as indicated in the right-of-way permit, shall be scheduled by notifying the Engineering Department and/or permit office. There is no right to an immediate inspection. The following inspections are required in all instances, as applicable:
 - (1) Line and grade inspection for driveway.
 - (2) Driveway pre-pour footer inspection. (Clear pictures submitted to inspector can alleviate this inspection.)
 - (3) Pipe inspection, including outfall, while being installed and before cover, catch basin (pre-pour).
 - (4) Inspection of Utility placement in their mandated corridors as shown in detail (insert detail sheet number and attach to this document.) Detail Sheet R-17.1 sheets 1,2, and 3.
 - (5) Inspection of temporary erosion control placements in the right of way. (This inspection can be done at any time and at multiple times during a project.)
 - (6) Inspection to ensure no drainage is being blocked within the right of way.
 - (7) Inspection of backfill compaction reports, base material LBR reports, concrete mix designs and break reports, asphaltic concrete mix designs, and proper signing and striping may be required.
 - (8) Final inspection.
- (b) Any inspections required and/or requested in addition to those listed above will be scheduled and performed only after payment of an additional inspection fee. No final inspections or release of bond will be approved until all re-inspection fees have been paid. Upon satisfactory final inspection, the Engineering Department shall transmit a release to the Charlotte County Building Department. No permanent power hookups or Certificate of Occupancy shall be issued by the Building Department until the appropriate release is obtained from the Engineering Department.
- (c) Layout of Work -Utilizing the control points furnished, all horizontal and vertical controls shall be established by the permittee as necessary to construct the work in conformance with the plans and specifications. The work shall include performing all

calculations required and setting all stakes needed, such as grade stakes, offset stakes, reference point stakes, slope stakes, and other reference marks or points necessary to provide lines and grades for construction of all roadway, bridge, and miscellaneous items.

- (d) At any time during construction, the County shall have the right to inspect a permittee's work in the right-of-way to insure that it conforms to applicable County standards for such construction. If, at any time during construction, the County observes that the construction does not conform to County standards and any additional requirements of the right-of-way permit, the County Engineer may issue an order to the permittee to correct any non-conforming work, and shall have the authority and power to suspend or stop work until it is corrected. After an order to suspend or stop work has been issued, it shall be unlawful for the permittee, its employees or agents, to proceed with the construction until the County Engineer authorizes same. Failure to correct any deficient work may result in revocation of the permit.
- (e) Work within the right-of-way that does not comply with the approved plans and permit, may be *immediately* stopped by the County in the following instances:
 - (1) In an emergency situation that may have a serious effect on health, safety or welfare; or
 - (2) When, in the reasonable opinion of the County Engineer or designee, irreversible or irreparable harm may result and immediate cessation of the work is necessary to protect the public and the right-of-way. In such instance, notice shall be given, in writing, to the owner, permittee, or agent by the County Engineer or designee, stating the conditions under which work may be resumed. Verbal notice shall be sufficient in emergency situations, but shall be followed up by written notice.

Sec. _____ Surety Bond.

- (a) If the Building Department approves a Certificate of Occupancy prior to completion of work in the right-of-way or easement, a CASH bond is required for any uncompleted work in the right-of-way or easement.
- (b) The posting of a bond does not relieve the permit holder from the responsibility of completing the required work.
- (c) The amount of the bond must be 110% of the estimated cost of the work to be completed in the ROW, as approved by the Engineering Department. The bond shall specify the maximum time limit, as established by the Engineering Department, for completion of the work. Upon completion of all work in the right-of-way or easement, the permit holder shall notify the Engineering Department. The Engineering Department will then perform a final inspection and, if said inspections are satisfactory, the Engineering Department will authorize release of the bond.
- (d) When the permit holder fails to complete the work in the right-of-way or easement within the prescribed time period, the Engineering Department will make inspections

to determine the amount of work remaining to be completed, and notify the permit holder that the work in the right-of-way or easement must be completed within seven (7) days or the bond will be forfeited. If the work in the right-of-way or easement is not completed in the seven (7) day period, the builder forfeits the bond and work in the right-of-way or easement will be completed by the County, or its agent. Any surplus amount remaining after the work is completed will be returned to the permit holder or individual who posted the bond.

Sec. _____ Variances and Appeals.

- (a) Variances. A variance from the requirements of this Article may be granted by the County Engineer when the granting of a variance will not be contrary to the public interest and when a literal enforcement of the provisions of this Article will result in unnecessary and undue hardship. A variance will not be granted to serve as a convenience or based solely on economic hardship. When determining whether to grant a variance, the County Engineer shall consider the following, where applicable:
- a. The extent to which a proposed alternate design meets specific adopted design standards.
 - b. The extent to which the proposed design meets the spirit and intent of the adopted design manual through the use of materials, design criteria, and engineering, that protects the health, safety, and general welfare of the public.
 - c. The positive or negative impact of the proposed design on surrounding property uses and property values, in comparison to the expected impact of the facilities if same were built in strict conformity with the standards of the design manual.
 - d. The extent to which the proposed design accomplishes the purpose of this Article.
- (b) Appeals. Any person adversely affected by a decision of the County Engineer in the permitting, enforcement, or interpretation of any of the terms or provisions of this Article may appeal such decision to the County Administrator. Such appeal shall be taken by filing a written notice with the County Engineer within twenty (20) days after the decision of the County Engineer. Such written notice shall state, with particularity, the factual and/or legal basis for the appeal.