

**BASTROP COUNTY
ORDINANCE IMPOSING THRU TRUCK RESTRICTION ON CERTAIN BASTROP COUNTY ROADS
ORDINANCE #2021-01**

**AN ORDINANCE OF BASTROP COUNTY, TEXAS
IMPOSING THRU TRUCKS RESTRICTION ON
CERTAIN COUNTY ROADS AND IMPOSING A
CRIMINAL PENALTY FOR VIOLATION OF THIS ORDINANCE**

WHEREAS, the Commissioners Court of Bastrop County, Texas, has determined that imposing a Thru Trucks restriction on certain county roads would be a valuable law enforcement tool of benefit to the public by lessening the danger to the public, increasing the efficiency of traffic flow and control, and decreasing the number of accidents to which public safety agencies must respond at the expense of the taxpayers; and

WHEREAS, Section 251.151 of the Texas Transportation Code establishes authority for the Commissioners Court of Bastrop County, Texas, to regulate traffic on a county road that is under the jurisdiction of the Commissioners Court; and

WHEREAS, Section 251.155(a) of the Texas Transportation Code establishes authority for the Commissioners Court of Bastrop County, Texas, to adopt regulations establishing a system of traffic control devices in restricted traffic zones; and

WHEREAS, Section 251.161 of the Texas Transportation Code establishes authority for the Commissioners Court of Bastrop County, Texas to impose a criminal penalty for violations of said regulations; and

WHEREAS, public hearings were held as required by Texas Transportation Code Section 251.152, prior to the Commissioners Court of Bastrop County, Texas imposing a Thru Trucks restriction on certain county roads, as listed herein, all of said roads being public roads located in the unincorporated area of Bastrop County, Texas; and

WHEREAS, the Commissioners Court of Bastrop County, Texas finds and determines that it is necessary for safety of the public, including residents on the roads listed herein, to impose a Thru Trucks restriction for traffic flow for these roads.

NOW, THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT OF BASTROP COUNTY, TEXAS:

ARTICLE I: Definitions

Section 1.1 In this ordinance, the following words and phrases shall have the meaning ascribed in this Section:

Commissioners Court: Bastrop County, Texas, acting by and through its Commissioners Court.

Person: An individual, company, partnership, firm, corporation, association or other legal entity.

Thru Truck: A truck traveling on the roads designated as No Thru Trucks on the roads named herein in to a destination accessible by travel on roads other than the roads listed herein as No Thru Truck roads. This phrase shall have the same meaning as the spelling "No Through Trucks".

Truck: means any truck having a gross vehicle rating of 60,000 pounds or more.

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Article II. Thru Trucks Restriction

Section 2.1 The Commissioners Court of Bastrop County, Texas, imposes a restriction prohibiting thru trucks on the roads named below, except for trucks with a destination accessible solely by travel on the roadways listed herein, and makes it unlawful for any person to operate any truck with a gross vehicle rating of 60,000 pounds or more upon any of the streets so signed, after public hearings and Commissioners Court votes held on the following dates:

Public Hearing and Commissioners Court vote held April 26th, 2021:

1. Fohn Road, from FM 20 to FM 535, in Bastrop County, Precinct Three;
2. High Grove Road, from FM 812 to FM535, in Bastrop County, Precinct Three;
3. Pleasant Chapel Road, from FM 20 to FM 535, in Bastrop County, Precinct Three;
4. Watts Lane, from FM 812 to SH 21, in Bastrop County, Precinct Three.

Public Hearing held May 24th, 2021 and Commissioners Court vote held June 14th, 2021:

1. Old San Antonio Road, from the Caldwell County line to FM 812, in Bastrop County, Precinct Three.

Public hearing and Commissioners Court vote held August 23rd, 2021:

1. Friendship Road, from FM 2104 to US290, in Bastrop County, Precinct Two;
2. Hofferek Road, from SH304 to Jeddo Road, in Bastrop County, Precinct Two;
3. Jeddo Road, from FM 535 to FM 713, in Bastrop County, Precinct Two;
4. Main Street (Paige), from US 290 to SH 21, in Bastrop County, Precinct Two;
5. McAllister Road, from SH71 to Crafts Prairie Road, in Bastrop County, Precinct Two;
6. Peach Creek Road, from SH 304 to FM 713, in Bastrop County, Precinct Two.

Section 2.2 The sign shop of Bastrop County, Texas, shall cause signs to be installed along each roadway that leads to a junction with the roads listed herein designating the No Thru Trucks restriction imposed by this ordinance.

Section 2.3 The signs must be at least 100 feet from the junction or located according to standards established in the manual adopted by the Texas Transportation Committee under Section 544.001 of the Texas Transportation Code. The signs must be easily readable to any operator of a motor vehicle approaching the intersection.

ARTICLE III. OFFENSE

Section 3.1 It shall be unlawful for any person to operate a truck in violation of this ordinance.

Section 3.2 A person commits a misdemeanor offense punishable by a fine not to exceed Two Hundred (\$200.00) Dollars if a person operates a truck in violation of this ordinance, as authorized by Section 251.161(b) of the Texas Transportation Code.

Section 3.3 Exception to application of ordinance: Such vehicles as described in this Ordinance may be operated thereon for the purpose of delivering or picking up materials or merchandise and then only by entering such street at the intersection nearest the destination of the vehicle and proceeding thereon no farther than the nearest intersection thereafter.

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ARTICLE IV. EXEMPTED VEHICLES

Section 4.1 School buses and emergency vehicles are exempt from the application of this Ordinance.

ARTICLE V. EFFECTIVE DATE

Section 5.1 The effective date of this ordinance shall be October 1, 2021.

ARTICLE VI. GENERAL PROVISIONS

Section 6.1 All ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided, however, that such repeal shall be only to the extent of the inconsistency of other ordinances regulating and governing the subject matter covered by this Ordinance.

Section 6.2 If any provision, section, exception, subsection, paragraph, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances, shall for any reason be held unconstitutional, void, or invalid, such provision(s) of this Ordinance or its (their) application to other sets of circumstances are declared to be severable.

APPROVED this 27th day of September 2021, by the Commissioners Court of Bastrop County, Texas.

Absent

Paul Pape, County Judge

Absent

Commissioner Mel Hamner, Pct. 1

Clara Beckett

Commissioner Clara Beckett, Pct. 2

Mark Meuth

Commissioner Mark Meuth, Pct. 3

Donna Snowden

Commissioner Donna Snowden, Pct. 4

Attest:

Respected by Kurt Bartz, deputy
County Clerk