

AN ORDER PROHIBITING THROUGH TRUCK TRAFFIC

WHEREAS, the Atascosa County Commissioners Court met on October 28, 2024, and held a public hearing regarding prohibition of through truck traffic and installation of “No Thru Truck” signs on State Highway 281 and North Crain Rd.; US IH 37 south bound access road and Crain Rd.; Slumchinski and Yow; Yow and Shilo; and Yow and Redbarn, Precinct #1, Atascosa County, Texas; and

WHEREAS, notice of Public Hearing was properly published on October 23, 2024, in the Pleasanton Express, a newspaper of general circulation.

NOW, THEREFORE BE IT ORDERED by the Commissioners Court of Atascosa County as follows:

1. Through truck traffic is prohibited on the following:

State Highway 281 and North Crain Rd.;

US IH 37 south bound access road and Crain Rd.;

Slumchinski and Yow;

Yow and Shilo; and Yow and Redbarn (the “Routes”)

2. “No Thru Truck” signs shall be installed along the each Route.

3. “Truck” shall have the meaning assigned by section 541.201(21) of the Texas Transportation Code.

4. The following, as defined in section 541.201 of the Texas Transportation Code, are exempt from this Order: authorized emergency vehicles, buses, farm tractors, light trucks, school activity buses, and school buses. Additionally, any trucks engaged in emergency utility repair or electric, water, or waste water services, trucks engaged in the delivery of mail along the Route, and trucks used for the purpose of public waste services along the Route, shall be exempt from this Order.

5. A person commits an offence if the person operates a non-exempt truck upon the Route. However, it is a defense to prosecution if the point of origin or destination for any such truck shall be real property located along the Route and the Route is the only route available to access such real property.

6. Any person, firm, or corporation violating any provision of this Order shall be deemed guilty of a class “C” misdemeanor, and upon conviction, shall be punished by a fine of not more than Two Hundred and no/100 Dollars (\$200.00). Each violation shall be deemed a separate offence.

7. This Order shall take effect immediately from and after its passage; however, no such enforcement of this Order shall occur until such time as signs required by this Order are posted.

8. In the event that any provision of this Order or the application of same to any person or circumstance is adjudged invalid or held to be unconstitutional by a court of competent jurisdiction, it shall not affect, impair or invalidate this Order as a whole or any part or provision hereof, other than the part declared to be invalid or unconstitutional.

WITNESS OUR HAND ON THIS THE ___ DAY OF _____, 2024.

WELDON CUDE, County Judge

MARK GILLESPIE, Commissioner, Precinct 1

MARK BOWEN, Commissioner, Precinct 2

ELISEO PEREZ, Commissioner, Precinct 3

KENNARD RILEY, Commissioner, Precinct 4

Attest: _____
Theresa Carrasco, County Clerk
Atascosa County, Texas