

ORDER #2023-02

WHEREAS, on the 28th day of February, 2023 at 9:00 o'clock a.m. in the Commissioners' Courtroom of the Panola County Courthouse, in Carthage, Texas, the Commissioners Court of Panola County Texas, after due notice as required by §251.152, Texas Transportation Code, convened a public hearing pursuant to Section 251.151, 251.152, 251.155 and 251.1575 of the TEXAS TRANSPORTATION CODE, to hear public comment regarding the regulation of through truck traffic on certain county maintained roads located in Panola County, Texas; and

WHEREAS, notice of the public hearing was published in the Panola Watchman on Sunday, February 19, 2023, a date at least seven days but not more than 30 days before the public hearing.

At the conclusion of the Public Hearing, the Commissioners Court of Panola County, Texas then took up for consideration and possible action the following:

A regulation creating Restricted Traffic Zone(s) on one or more county maintained public roads for the purpose of regulating THRU-TRUCK TRAFFIC ON SPECIFIC COUNTY ROADS, and in consideration of the same, makes the following findings:

1. The regulation of traffic is a matter within the discretion of the Commissioners Court pursuant to Sections 251.151, 251.155 and 251.157 of the Texas Transportation Code.
2. The Commissioners Court is authorized to adopt regulations that have the purpose and intent to promote the general welfare and safety of the citizens of Panola County or any other individuals using the roads identified herein located within Panola County, and
3. The concentration of large commercial thru-truck traffic on certain roads has raised serious and immediate safety concerns to individuals living adjacent to and accessed by said roads identified herein, and
4. The roads identified herein do not constitute the only viable route to locations within the county, and alternative routing is available to commercial trucks without using the roads identified herein.

IT IS THEREFORE, ORDERED, pursuant to §251.151, 251.155 AND 251.157 of the Texas Transportation Code, that restricted traffic zones be hereby ORDERED by the Commissioners Court of Panola County, Texas for the following roads, and that Thru-Truck Traffic, as herein defined, shall be restricted upon the following roads:

County Roads #102, #103, #106, #108, #114, #115, #1151, #151, #152, #153, #155, #158, #160, #163, #164, #170, #175, #188, #201, #202, #303, #3031, #311, #312, #322, #328, #333, #335, #336, #3351, #3203, #425, #428, #444, #445, #446, and #455-cut thru to #3359.

For purposes of this regulation, the following are defined to wit:

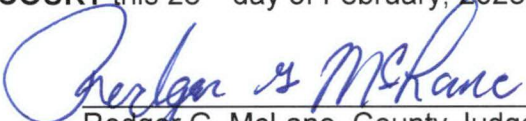
"Truck" - small mean a commercial vehicle having more than two axles.

"Thru-traffic" - small mean vehicular traffic restricted by this regulation traversing the county road without commercial reason to stop.

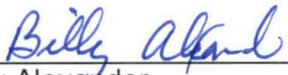
"Exemptions" - shall mean emergency vehicles, delivery vehicles making deliveries to a residence or business located on a restricted zone street, moving vans, school buses, and any truck belonging to an individual or trucking companies already established on a street located within the restricted zone or otherwise subject to no thru-truck traffic regulation.

All other commercial truck traffic shall be prohibited from use of the identified roads, and shall use alternative routing to avoid use of the identified roads. The Commissioner of each Precinct affected by this Order, shall be empowered by this ordinance to erect and maintain such signage as may be required to inform users of the county roads identified herein of the restriction of through truck traffic the roads identified in this Order, pursuant to the Texas Uniform Manual on Traffic Control Devices. The Commissioner shall place "NO THRU TRUCKS" signs on the roads at each end and visible in both directions of travel on each such road. Signage shall be in conformity with the current edition of the Manual on Uniform Traffic Control Devices. After the adoption of this regulation and the posting of proper signage, any operator of a commercial truck subject to this regulation who operates a truck in contravention of this ordinance shall be subject to a fine not to exceed \$200. This regulation shall be enforceable by any peace officer of the State of Texas who observes a violation of this regulation.

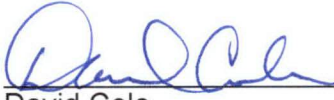
ADOPTED AND PASSED IN OPEN COURT this 28th day of February, 2023.



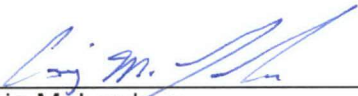
Rodger G. McLane, County Judge




Billy Alexander
Commissioner, Precinct 1



David Cole
Commissioner, Precinct 2



Craig M. Lawless
Commissioner, Precinct 3



Dale LaGrone
Commissioner, Precinct 4

ATTEST:



Bobbie Davis, County Clerk

