

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, TEXAS, REPEALING CHAPTER 54 "OFFENSES AND MISCELLANEOUS PROVISIONS," ARTICLE II "CURFEW FOR MINORS" OF THE FRIENDSWOOD CITY CODE, IN ITS ENTIRETY, TO COMPLY WITH H.B. 1819, WHICH REPEALED THE AUTHORITY OF POLITICAL SUBDIVISIONS TO ADOPT OR ENFORCE JUVENILE CURFEWS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY, PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the City of Friendswood originally enacted a juvenile curfew ordinance on March 6, 1995; and

WHEREAS, such juvenile curfew ordinance was last adopted on November 2, 2020; and

WHEREAS, the Texas Legislature in the 88th Legislative Session enacted H.B. 1819, which states, in part:

Notwithstanding any other law, a political subdivision may not adopt or enforce an order, ordinance, or other measure that imposes a curfew to regulate the movements or actions of persons younger than 18 years of age;

and

WHEREAS, H.B. 1819 will become effective on September 1, 2023; and

WHEREAS, in order to comply with such newly enacted state law, Chapter 54 "Offenses and Miscellaneous Provisions," Article II "Curfew for Minors" of the Friendswood City Code must be repealed; NOW THEREFORE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRIENDSWOOD, STATE OF TEXAS:

Section 1. That Chapter 54 "Offenses and Miscellaneous Provisions," Article II "Curfew for Minors" of the Friendswood City Code is hereby repealed in its entirety.

Section 2. All ordinances or parts of ordinances in conflict or inconsistent with this ordinance are hereby expressly repealed.

Section 3. In the event any clause, phrase, provision, sentence, or part of this ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Friendswood, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 4. This ordinance shall become effective after its adoption on September 1, 2023.

PASSED and APPROVED on first reading by the affirmative vote of the City Council this 7th day of August, 2023.

MIKE FOREMAN, Mayor

ATTEST:

LETICIA BRYSCH, City Secretary

APPROVED AS TO FORM:

KAREN L. HORNER, City Attorney

PASSED, APPROVED and ADOPTED on second and final reading by the affirmative vote of the City Council 28th day of August, 2023.

MIKE FOREMAN, Mayor

ATTEST:

LETICIA BRYSCH, City Secretary

APPROVED AS TO FORM:

KAREN L. HORNER, City Attorney

ORDINANCE NO. 2023-21

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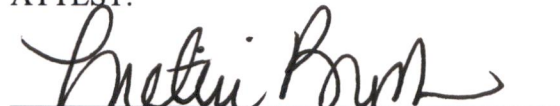
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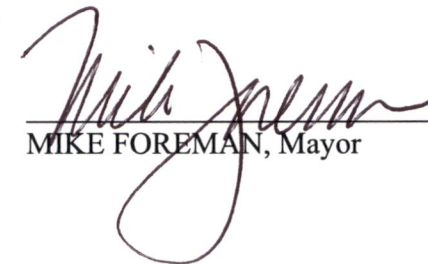
ATTEST:


LETICIA BRYSCH, City Secretary

APPROVED AS TO FORM:


KAREN L. HORNER, City Attorney

PASSED, APPROVED and ADOPTED on second and final reading by the affirmative vote of the City Council 28th day of August, 2023.



MIKE FOREMAN, Mayor

ATTEST:


LETICIA BRYSCH, City Secretary

APPROVED AS TO FORM:


KAREN L. HORNER, City Attorney