

**CITY OF EVERMAN, TEXAS
ORDINANCE NO. 799**

AN ORDINANCE OF THE CITY OF EVERMAN, TEXAS, AMENDING THE EVERMAN CODE OF ORDINANCES CHAPTER 13 “OFFENSES”, ARTICLE II “MINORS”, BY REPEALING DIVISION 2 “CURFEW FOR MINORS”; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, during its regular session, the 88th Texas Legislature approved House Bill 1819, which, among other things, amends the Texas Local Government Code effective September 1, 2023, by adding Section 370.007 which prohibits political subdivisions from adopting or enforcing 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, the City Council of the City of Everman, Texas, finds it to be in the public interest to amend the Everman Municipal Code to conform to state law by repealing the City’s juvenile curfew ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVERMAN, TEXAS, THAT:

SECTION 1. Chapter 13 “Offenses”, Article II “Minors”, Division 2 “Curfew for Minors” of the Everman Code of Ordinances is hereby repealed in its entirety.

SECTION 2. An offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the ordinances of the City of Everman, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 3. Should any article, paragraph, subdivision, clause or provision of this ordinance, or the Everman Municipal Code as hereby amended be adjudged or held invalid or unconstitutional for any reason, such judgment or holding shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part so declared to be invalid or unconstitutional.

SECTION 4. This Ordinance shall take effect on September 1, 2023, from and after its passage and the publication of the caption as the law and Charter in such cases provide.

**DULY PASSED BY THE CITY COUNCIL OF THE CITY OF EVERMAN, TEXAS, ON
THE _____ DAY OF AUGUST 2023.**

APPROVED:

Ray Richardson, Mayor

ATTEST:

Mindi Parks, City Secretary

APPROVED AS TO FORM:

John D. Oliver, Asst. City Attorney
4868-0871-4355, v. 1