

A REVIEW OF THE CITY OF LEON VALLEY’S CODE OF ORDINANCES, CHAPTER 8 “OFFENSES AND NUISANCES” ARTICLE 8.02 “MINORS”, DIVISION 2 “CURFEW” TO RE-ENACT THE JUVENILE CURFEW ORDINANCE IN EFFECT; PROVIDING FOR A PENALTY; REPEALER; SEVERABILITY; AN EFFECTIVE DATE AND PROPER NOTICE AND MEETING.

WHEREAS, the City Council of the City of Leon Valley, Texas (the “City Council”) recognizes that persons under seventeen are particularly susceptible by their lack of maturity and experience to participate in unlawful activities and to be victims of older perpetrators of crime; and

WHEREAS, the City Council has an obligation to provide for the protection of minors from each other and from other persons, to promote parental controls over and responsibility for their children, for the protection of the general public and for the reduction of the incidence of juvenile criminal activity; and

WHEREAS, it is the belief that a curfew for those under seventeen years of age will be in the interest of public health, safety and general welfare, and will help to attain the foregoing objectives and to diminish the undesirable impact of such conduct on the citizens of the City of Leon Valley; and

WHEREAS, the State Legislature mandates a three-year review of the juvenile curfew, reference in V. T. C. A. Local Government Code 370.002; and

WHEREAS, the requirement of a three-year review had not occurred it is now necessary to review the ordinance in order for it to be re-enacted and in effect;

WHEREAS, it is now the desire of the City Council to keep in place the City of Leon Valley’s Code of Ordinances, Chapter 8 “Offenses and Nuisances” Article 8.02 “Minors”, Division 2 “Curfew” in effect;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS:

SECTION 1. Chapter 8 “Offenses and Nuisances”, Article 8.02 “Minors”, Division 2 “Curfew” of the City’s Code of Ordinances is hereby re-enacted.

SECTION 2. ENFORCEMENT AND PENALTIES. Any violation of this Ordinance shall be subject to enforcement through a fine or other penalties as set out in Chapter 1, General Provisions, Section 1.01.009, General penalty for violation of code; continuing violations, Leon Valley Code of Ordinances.

SECTION 3. REPEALER. All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed, but only to the extent of any such conflict.

SECTION 4. PROVIDING FOR SEVERABILITY. If any provision, section, sentence, clauses or phrase of this Ordinance or application of same to any persons or set of circumstances is for any reason held to be unconstitutional, void, invalid, or unenforceable, the validity of the remaining portion of this Ordinance or its application to other persons or sets of circumstances shall not be affected hereby, it being the intent of the City Council of the City of Leon Valley in adopting, and the Mayor in approving this Ordinance, that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality or invalidity of any portion, provisions or regulation.

SECTION 5. EFFECTIVE DATE. This ordinance shall be in full force and effect from its date of approval and publication as required by law.

SECTION 6. PROPER NOTICE AND MEETING. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.