

AN ORDINANCE OF THE CITY OF LEON VALLEY, TX, CITY COUNCIL AMENDING THE LEON VALLEY CODE OF ORDINANCE, CHAPTER 8 OFFENSES AND NUISANCES, TO ADD ARTICLE 8.15 USE OF PUBLIC SPACES; PROVIDING FOR REPEALER, SEVERABILITY AND SAVING CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Leon Valley has seen an increase in the number of homeless people and camps in and around public streets, parks, drainage ways, and private property; and

WHEREAS, the City spends a great deal of time and money extinguishing fires created by these homeless camps and in cleaning up associated trash and debris from homeless camping activities, which causes a significant threat to the public's health, safety, and welfare; and

WHEREAS, citizens have experienced traffic hazards from persons soliciting at major intersections; and

WHEREAS, it is the intent of the City to keep areas free and clear of trash and debris, and of obstructions on rights-of-way, parks, drainage areas, and on private property; and

WHEREAS, it has been determined that amending Chapter 8 Offenses and Nuisances to add Article 8.15 defining what areas are prohibited from sleeping, camping, and soliciting will greatly assist in keeping these areas clear and free from trash and debris and to protect private property owners from added expense due to trash and debris;

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

SECTION 1. Exhibit A attached hereto amends Chapter 8 Offenses and Nuisances to provide regulations for the use of public and private spaces.

SECTION 3. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, or section of this Ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any other remaining phrase, clause, sentence, paragraph, or section of this Ordinance.

SECTION 4. The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions at the time of passage of this Ordinance.

SECTION 5. This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Leon Valley this the 16th day of May, 2023.

APPROVED

CHRIS RILEY

MAYOR

Attest:

SAUNDRA PASSAILAIGUE, TRMC

City Secretary

Approved as to Form:

NICOLE WARREN

City Attorney