

## **ORDINANCE NO. G-10-23**

### **AN ORDINANCE AMENDING THE CITY OF PORT LAVACA CODE OF ORDINANCES BY REPEALING CHAPTER 30, ARTICLE II. JUVENILE CURFEW; REPEALING ANY CONFLICTING ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, HB 1819 adopted in the 2023 legislative session prohibits municipalities from enforcing a curfew on individuals age 18 or younger.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORT LAVACA, TEXAS:**

#### **SECTION 1. Purpose**

That the Code of Ordinances of the City of Port Lavaca, Texas, be, and the same is, hereby amended by repealing Chapter 30, Article II. Juvenile Curfew.

#### **SECTION 2. Severability**

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 Port Lavaca, 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 3. Ordinances in Conflict**

All ordinances or parts of ordinances that are in conflict with this Ordinance are all hereby repealed.

#### **SECTION 4. Effective Date**

This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

FIRST READING this 11<sup>th</sup> day of September, 2023.

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Jack Whitlow, Mayor

SECOND AND FINAL READING this 9<sup>th</sup> day of October, 2023.

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Jack Whitlow, Mayor

APPROVED AND ADOPTED this 9th day of October, 2023.

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Jack Whitlow, Mayor

ATTEST:

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Mandy Grant, City Secretary

APPROVED AS TO FORM:

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Anne Marie Odefey, City Attorney

#### RECORD OF VOTE

	First Reading	Second and Final	Passed and Approved
Councilman Aguirre			
Councilman Dent			
Councilman Tippet			
Councilwoman Padron			
Councilman Ward			
Councilman Barr			

Record of approval by City Council: City Council Minute Records, Volume 3H, Page \_\_\_\_.