

ORDINANCE NO. 2023-09

AN ORDINANCE OF THE CITY OF WYLIE, TEXAS, CONTINUING THE CITY'S JUVENILE CURFEW ORDINANCE AND MAKING FINDINGS RELATED THERETO; PROVIDING A SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, on February 25, 2020, the City Council of the City of Wylie, Texas ("City Council") last reviewed and continued the curfew ordinance for minors in the City of Wylie, Texas ("Wylie"), which is codified at Article III of Chapter 74 of the Wylie Code of Ordinances, Ordinance No. 2021-17, as amended ("Code of Ordinances"); and

WHEREAS, the City Council has again reviewed the ordinance's effects on the community and on the problems the ordinance was intended to remedy; and

WHEREAS, the City Council has held two public hearings on the need to continue the ordinance; and

WHEREAS, the City Council finds that the continuance of the curfew ordinance is necessary to provide for the protection of minors from each other and from other persons, for the enforcement of parental control over and responsibility for children, for the protection of the general public and for the reduction of the incidence of juvenile violence and criminal activity; and

WHEREAS, the City Council finds that it is in the best interest of the citizens of Wylie to continue the curfew ordinance in accordance with Section 370.002 of the Texas Local Government Code.

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

SECTION 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2: Continuation of Ordinance. In accordance with Section 370.002 of the Texas Local Government Code, the City Council has reviewed the City's juvenile curfew ordinance and its effects on the community and on the problems the ordinance was intended to remedy, has conducted two public hearings and desires to continue the ordinance. Accordingly, Wylie's juvenile curfew ordinance, codified at Article III of Chapter 74 of the Wylie Code of Ordinances, is hereby continued.

SECTION 3: Savings/Repealing. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict, but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 4: Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, regardless of whether any one or more sections, subsections, sentences, clauses or phrases is declared unconstitutional and/or invalid.

SECTION 5: Effective Date. This Ordinance shall take effect immediately upon its passage.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS on this 14th day of February, 2023.

Matthew Porter, Mayor

**ATTESTED TO AND
CORRECTLY RECORDED BY:**

Stephanie Storm, City Secretary