

ORDINANCE NO. O-2023-00

AN ORDINANCE OF THE CITY OF LA MARQUE, TEXAS REPEALING SECTION 44-2 OF THE CODE OF ORDINANCES, CITY OF LA MARQUE, TEXAS; MAKING VARIOUS FINDINGS RELATED TO THE SUBJECT AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Section 44-2 of the Code of Ordinances, City of La Marque, Texas establishes a curfew for minors under 17 years of age;

WHEREAS, House Bill 1819 of the 88th Regular Legislative Session of the Texas Legislature prohibits the enforcement of curfews for individuals under 18 years of age;

WHEREAS, House Bill 1819 is effective September 1, 2023; and

WHEREAS, the City Council of the City of La Marque, Texas desires to repeal its curfew for minors under 17 years of age.

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

Section 1. The findings and recitals set out in the preamble to this Ordinance are found to be true and correct and they are hereby adopted by the City Council and made a part hereof for all purposes.

Section 2. Section 44-2 of the Code of Ordinances, City of La Marque, Texas, is repealed in its entirety.

Section 3. Repeal. This ordinance is intended to be cumulative and shall not repeal any provision of a previous ordinance or City Code provision, except to the extent that a provision is inconsistent and cannot be reconciled with this ordinance.

Section 4. Severability. In the event any clause, phrase, provision sentence, or part of this Ordinance or the application of the same to any person or circumstance for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it is the intention of the City Council that the invalidity or unconstitutionality of the one or more parts shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision other than the part declared to be invalid or unconstitutional; and the City Council of the City of La Marque, 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 5. Publication and Effective Date. This Ordinance shall be effective on August 31, 2023, after final passage by City Council, a public hearing in accordance with Section 2.19 of the City Charter, and publication of this ordinance or a caption that summarizes the purpose of this ordinance.

PASSED AND APPROVED by the City Council of the City of La Marque on First Reading this ____ day of _____, **2023**; and

PASSED, APPROVED AND ADOPTED by the City Council of the City of La Marque on Second and Final Reading this ____ day of _____, **2023**.

CITY OF LA MARQUE, TEXAS

Keith Bell, Mayor

ATTEST:

Kierra Nance, TRMC
City Clerk

APPROVED AS TO FORM:

Gus Knebel
Consulting City Attorney