

ORDINANCE NO. 23-10

AN ORDINANCE OF THE CITY OF LYTLE REPEALING THE CURFEW FOR MINORS UNDER CITY OF LYTLE CODE OF ORDINANCES, CHAPTER 26 – MISCELLANEOUS OFFENSES, ARTICLE V. – “CURFEW FOR MINORS”, SECTIONS 26-104 THROUGH 26-108 IN ACCORDANCE WITH H.B. 1819 THAT TAKES EFFECT SEPTEMBER 1, 2023; AND SETTING AN EFFECTIVE DATE

WHEREAS, the City of Lytle had adopted a juvenile curfew to provide for the protection of minors from each other and from other persons, for the enforcement of parental control of and responsibility for their children, for the protection of the general public, and for the reduction of the incidence of juvenile criminal activities; and

WHEREAS, the City of Lytle adopted its Juvenile Curfew through Ordinance 229 for the purpose to deter criminal conduct involving juveniles; reduce the number of juvenile crime victims and reduce accidents involving juveniles; and

WHEREAS, the Texas Legislature found that juvenile curfew ordinances are an ineffective way to reduce crime and often lead to negative outcomes for youth in school and future interactions with the justice system. H.B. 1819 was adopted by the Texas Legislature and signed by the Governor to ensure that all young Texans have opportunities to succeed without the burden of a criminal record early in life by eliminating the authority of the City to adopt or enforce juvenile curfews; and

WHEREAS, H.B. 1819 amends current law relating to the repeal of the authority of political subdivisions to enforce juvenile curfews by adopting Section 370.007 of the Texas Government Code;

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

Section 1: Recitals. That the foregoing recitals are hereby found to be true and correct findings of the City of Lytle, Texas, and are fully incorporated into the body of this ordinance.

Section 2. Repeal. City of Lytle Code of Ordinances, Chapter 26 – Miscellaneous Offenses, Article V “Curfew for Minors”, Sections 26-104 through 26-108 **are hereby repealed** effective August 31, 2023.

Section 2. Effective Date. This ordinance shall take effect immediately upon its adoption by the City Council.

Section 3. Severability. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this ordinance.

PASSED, APPROVED and ADOPTED this 11th day of September 2023.



RUBEN GONZALEZ,
MAYOR

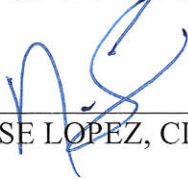
ATTEST:



PAOLA L. RIOS, City Secretary



APPROVED AS TO FORM:



JESSE LOPEZ, CITY ATTORNEY