

Ordinance No. 0823-01

AN ORDINANCE AMENDING THE CODE OR ORDINANCES OF THE CITY OF LINDSAY, TEXAS PROVIDING FOR THE REPEAL OF JUVENILE CURFEW, PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Texas Governor Greg Abbott signed Texas House Bill 1819 on June 9, 2023, which prohibits a political subdivision from adopting or enforcing an order, ordinance, or other measure that imposes a curfew to regulate the movements or actions of persons younger than 18 years of age.; and,

WHEREAS, this new law, Texas Local Government Code 370.007, will take effect on September 1, 2023; and,

WHEREAS, the City of Lindsay, Texas intends to comply with state law and legislative intent.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LINDSAY, MEETING IN REGULAR SESSION, THAT:

SECTION 1. FINDINGS

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2. AMENDMENT OF ORDINANCE 07-88, JUVENILE CURFEWS

Ordinance 07-88 of the Code of Ordinance of the City of Lindsay is hereby amended to repeal the Juvenile Curfew, in its entirety.

SECTION 3. SEVERABILITY

If any provision, section, sentence, clause, or phrase of the Ordinance or the application of same to any person or set of circumstances, if for any reason held to be unconstitutional, void, or invalid or for any reason unenforceable, the validity of the remaining portion of this Ordinance or its application to other persons or sets of the circumstances shall not be affected thereby, it being the intention of the City Council of the City of Lindsay in adopting and of the Mayor in approving this Ordinance, that no portion hereof or provision or regulation contained herein shall become inoperative or fail by an reason or any unconstitutionality or invalidity of any other portion, provision, or regulation.

SECTION 4. REPEAL OF CONFLICTING ORDINANCES

All ordinance or parts of ordinance in conflict with the provisions of this article are hereby repealed.

SECTION 5. EFFECTIVE DATE

This Ordinance shall take effect immediately from and after its passage and publication as required by law.

SECTION 6. EFFECTIVE DATE

This Ordinance shall be in full force and effect after its passage and publication, and it is so ordained.

PASSED AND APPROVED ON THIS 8 DAY OF August, 2023.



Scott Neu, Mayor

ATTEST:



Monica Laux, City Secretary

