

CITY OF FLATONIA ORDINANCE NO. 2023.10.1

**AMENDMENT TO CITY OF FLATONIA CODE OF ORDINANCES,
DELETING DIVISION TWO, CURFEW, OF ARTICLE 8.02, MINORS, AN
ORDINANCE TO ESTABLISH CURFEW HOURS FOR MINORS OF THE
CITY OF FLATONIA, TEXAS,**

WHEREAS, the Texas State Legislature passed House Bill No. 1819 in the 2023 Legislative session that, in part, amended Chapter 370 of the Texas Local Government Code by adding a new Section 370.007 entitled “Juvenile Curfews Prohibited,” which prohibits a political subdivision from adopting or enforcing any order, ordinance, or other measure that imposes a curfew to regulate the movement of actions of person younger than 18 years of age; and

WHEREAS, the City Council recognizes and understands that the City can no longer regulate curfew hours for minors and therefore must delete Section 8.02, Minors, Division Two, Curfew.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FLATONIAS, TEXAS, AS FOLLOWS:

SECTION 1. FINDING OF FACT. The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

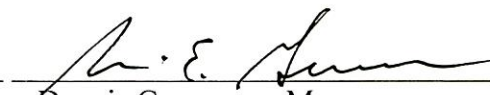
SECTION 2. AMENDMENT TO THE CODE. That Division Two, Curfew, of Article 8.02, Minors, is hereby deleted in its entirety.

SECTION 3. REPEAL OF CONFLICTING ORDINANCES. All ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed. Ordinance 410.

SECTION 4. SEVERABILITY. In the event any clause, phrase, provision, sentence, or any 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 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 Flatonia, 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. OPEN MEETINGS COMPLIANCE. That it is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required by law and that public notice of the time, place and purpose of said meeting was given as required by the Texas Open Meetings Act, Texas Government Code, Chapter 551.

PASSED AND APPROVED by the City of Flatonia City Council on this 4th day of October 2023.

By: 
Dennis Geesaman, Mayor


Barbara Boulware- Wells, City Attorney

ATTEST:


City Secretary Jackie Ott

