ORDINANCE NO. 5312

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DENISON, TEXAS, REPEALING CHAPTER 11 "MISCELLANEOUS OFFENSES," ARTICLE II "CURFEW FOR MINORS" OF THE CODE OF ORDINANCES OF THE CITY OF DENISON, TEXAS TO REPEAL REGULATIONS IMPOSING A CURFEW ON PERSONS UNDER THE AGE OF SEVENTEEN AND THE ASSOCIATED CRIMINAL PENALTY; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE OF SEPTEMBER 1, 2023.

WHEREAS, in 1994, the City Council adopted Ordinance No. 3471 establishing a juvenile curfew ("curfew for minors ordinance") in the City of Denison, Texas which is codified in Chapter 11 "Miscellaneous Offenses," Article II "Curfew for Minors"; and

WHEREAS, the curfew for minors ordinance was amended by the City Council in 2001, 2003, 2013, and 2018 pursuant to state law; and

WHEREAS, in 2023, the 88th Texas Legislature approved House Bill No. 1819 which repealed the authority of political subdivisions to adopt or enforce juvenile curfews; and

WHEREAS, House Bill No. 1819 took effect on September 1, 2023; and

WHEREAS, it is the desire of the City Council to repeal the curfew for minors ordinance in accordance with the new legislation.

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

SECTION 1. INCORPORATION OF PREMISES. The premises set forth above are the stated Denison of the City Council of the City of Denison, serve as the basis for and are incorporated into this Ordinance as if written word for word.

SECTION 2. REPEAL. Chapter 11 "Miscellaneous Offenses," Article II "Curfew for Minors" of the Denison Code of Ordinances is hereby repealed in its entirety effective September 1, 2023.

SECTION 3. SEVERABILITY. If any subsection, sentence, clause, phrase, or word of this Ordinance or application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions of applications of this Ordinance.

SECTION 4. EFFECTIVE DATE. This Ordinance shall be effective on September 18, 2023.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DENISON THIS 18th DAY OF September 2023.

APPROVED:

Janet Gott

JANET GOTT, Mayor

ATTEST:

Christine Wallentine

Christine Wallentine, City Clerk

CITY OF DENISON
Denison
TEXAS
TEXAS 1872