

**ORDINANCE NO. 2024-11-01
REPEAL OF CURFEW ORDINANCES**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BARDWELL, TEXAS THAT REPEALS, TERMINATES AND ABOLISHES ORDINANCE NO. 10-4 THAT CREATES A CURFEW ON THOSE PERSONS UNDER 17 YEARS OF AGE, WITH ALL TERMS, CONDITIONS AND PENALTIES PROVIDED FOR THEREIN MAKING DETAILED FINDING RELATED THERETO, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY FOR THE EFFECTIVE DATE.

WHEREAS, the City Council of the City of BARDWELL on October 27, 1994 passed ORDINANCE NO. 10-4, and

WHEREAS, Ordinance No. 10-4 created and placed a curfew on all persons under 17 years of age, with terms, conditions and penalties provided for therein; and

WHEREAS, The Texas legislature has passed HB 1819, referenced as Section 370.007 (JUVENILE CURFEWS PROHIBITED), Texas Local Government Code, whereby a political subdivision may not impose or adopt an ordinance that imposes a curfew to regulate the movements or actions of persons younger than 18 years of age; and

WHEREAS, the City Council of the City of Bardwell, in compliance with said State Law, does in all things repeal, terminate and abolish Bardwell Ordinance No. 10-4 and

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

Section One. The matters and facts recited in the preamble hereof are hereby found and determined to be true and correct and incorporated herein by reference as if fully set forth herein.

Section Two. That Bardwell Ordinance No. 10-4 be and are in all things **REPEALED, TERMINATED AND ABOLISHED** in its entirety.

Section Three. Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section Four. Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional.

Section Five. This ordinance shall be and remain in full force and effect from and after its final passage and publication as herein provided.

Section Six. It being necessary that this repeal of Ordinance 10-4 be adopted immediately, an emergency due conflict with State Law and for the preservation of public business thereby demanding that the rule which requires an Ordinance be read at more than one (1) meeting of the City Council be and the same is hereby suspended and this Ordinance shall take effect Immediately upon and after its passage.

PASSED AND APPROVED THIS THE 4TH DAY OF NOVEMBER 2024. (Effective Date)

MOTION WAS MADE BY COUNCILMEMBER *Diana Sawyer*, MOTION
SECONDED BY COUNCILMEMBER *Shauna Weaver*,
VOTE HAVING BEEN MADE: AYES: 2 NAYES: MOTION CARRIED ✓

Jodie Odlozil
Jodie Odlozil
MAYOR

Deborah Strunc
DEBORAH STRUNC
CITY SECRETARY

