

# CITY OF WILLOW PARK

ORDINANCE NO. 576-08

## AN ORDINANCE PROVIDING FOR THE REAUTHORIZATION OR ADOPTION OF CHAPTER 7 "OFFENSES AND NUISANCES", ARTICLE 7.700, "TEENAGE CURFEW" PURSUANT TO A PUBLIC HEARING AND CERTAIN FINDINGS; AND PROVIDING FOR PUBLICATION, PENALTY AND AN EFFECTIVE DATE.

WHEREAS, the City of Willow Park, TX ("City") is a municipal corporation organized under the laws of the State of Texas; and

WHEREAS, it is the intent of the City of Willow Park to protect the health, safety, welfare and well being of its citizens; and

WHEREAS, the City adopted Ordinance 367-94 providing for a juvenile curfew that was duly and legally adopted by the governing body of the City ("Ordinance"); and

WHEREAS, the City, pursuant to §370.022, TEX. LOCAL GOV'T CODE, conducted a public hearing on June 16, 2008 for the purpose of reviewing the Ordinance and the need to continue said Ordinance; and

WHEREAS, the City found that the Ordinance promoted the interests of the health, safety and welfare by finding that individuals under the age of 17 are susceptible, due to their lack of maturity and experience, to participation in peer induced criminal activity and to be victims of adult perpetrators of crime; and,

WHEREAS, the City has an obligation to provide for the protection of minors from each other and from adult persons, for the enforcement of parental control over minors, for the protection of the general public, and for the reduction of the instance of juvenile criminal activity; and

WHEREAS, a curfew for those under seventeen (17) years of age will be in the general interest of public safety for the citizens of the City and will diminish juvenile criminal activity; and

WHEREAS, the City is authorized to enact a juvenile curfew ordinance pursuant to §341.905, TEX. LOCAL GOV'T CODE.

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

### SECTION 1. AUTHORIZATION

The Mayor, or Mayor's designee, is hereby authorized and directed to implement the applicable provisions of this Ordinance.

### SECTION 2. REAUTHORIZATION AND ADOPTION

The governing body of the City does hereby find that a juvenile curfew ordinance, based on public review and hearing, is needed and necessary to address public safety issues within the City and therefore:

1. Does hereby reauthorize and continue Article 7.700 "TEENAGE CURFEW", IN Chapter 7, of the Willow Park Municipal Code of Ordinances; and
2. Does hereby separately and independently of the reauthorization, herein adopt and approve for all purposes, the verbiage of Article 7.700 "TEENAGE CURFEW" as an ordinance of the said City for all conduct prescribed thereby, after the effective date thereof.

### SECTION 3. PUBLICATION

The City Secretary is hereby directed to publish said ordinance in a newspaper of general circulation.

### SECTION 4. RECITALS

The City Council hereby finds and declares all precatory language herein to be true and correct and approves and adopts the same herein as part of this Ordinance.

SECTION 5. SEVERABILITY

If for any reason any section, paragraph, subdivision, clause, phrase or provision of this Ordinance shall be held invalid, it shall not affect any valid provisions of this or any other Ordinance of the City of Willow Park to which these rules and regulations relate.

/s/ Marvin Glasgow  
Mayor

ATTEST:

/s/ \_\_\_\_\_  
City Secretary/Clerk

SECTION 6. EFFECTIVE DATE

This Ordinance shall take effect from and after the date of its publication.

APPROVED AS TO FORM:

/s/ [Signature]  
City Attorney

PASSED AND ADOPTED this 16<sup>th</sup> day of June, 2008.

The Willow Park City Council in acting on Ordinance No. 576-08 did on the 16<sup>th</sup> day of June, 2008, vote as follows:

|                          | <u>FOR</u> | <u>AGAINST</u> |
|--------------------------|------------|----------------|
| Marvin Glasgow, Mayor    | _____      | _____          |
| Barry K. Tatum, Place 1  | ✓<br>_____ | _____          |
| J. Teresa Welch, Place 2 | ✓<br>_____ | _____          |
| Barry Brown, Place 3     | ✓<br>_____ | _____          |
| Kenneth Hawkins, Place 4 | ✓<br>_____ | _____          |
| Hale Alderman, Place 5   | ✓<br>_____ | _____          |