

CITY OF THE COLONY, TEXAS

ORDINANCE NO. 2022 - 2460

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF THE COLONY, TEXAS, READOPTING, RATIFYING, REPUBLISHING AND EXTENDING CHAPTER 13, ARTICLE III, SECTIONS 13-31 THROUGH 13-37 OF THE CODE OF ORDINANCES FOR CURFEW HOURS FOR MINORS IN THE CITY OF THE COLONY, TEXAS, FOR A PERIOD OF THREE (3) YEARS; PROVIDING A REPEALING CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of The Colony, Texas, has previously passed and adopted an Ordinance which provides for “Curfew Hours for Minors” establishing such curfew hours and penalties for violations thereof; and

WHEREAS, such Ordinance has been codified in Chapter 13, Article III, Sections 13-31 through 13-37; and

WHEREAS, Section 370.002(a) of the Texas Local Government Code provides that “[b]efore the third anniversary of the date of adoption of a juvenile curfew ordinance by a general-law municipality or a home-rule municipality or an order of a county commissioners court, and every third year thereafter, the governing body of the general-law municipality or home-rule municipality or the commissioners court of the county shall: (1) review the ordinance or order's effects on the community and on problems the ordinance or order was intended to remedy; (2) conduct public hearings on the need to continue the ordinance or order; and (3) abolish, continue, or modify the ordinance or order;” and

WHEREAS, prior to the expiration of such three-year period, the Police Department has furnished records and reports indicating the need for such to remain in effect; and

WHEREAS, the City desires to continue the provisions of the Juvenile Curfew Ordinance without any modifications, and schedule the same for review in February 2025.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF THE COLONY, TEXAS;

SECTION 1. That Chapter 13, Article III, Sections 13-31 through 13-37 is hereby readopted, ratified, republished and extended from the date of its execution and shall remain in effect through February 2025, unless otherwise terminated under the provisions of the State law.

SECTION 2. That all provisions of the Code of Ordinances of the City of The Colony, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3. That should any word, phrase, paragraph, section or phrase of this ordinance or of the Code of Ordinances, as amended hereby, be 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 unconstitutional, illegal or invalid, and shall not affect the validity of the Code of Ordinances as a whole.

SECTION 4. That this Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF THE COLONY, TEXAS, THIS THE 1ST DAY OF FEBRUARY 2022.

APPROVED:

/s/Richard Boyer, Mayor
City of The Colony, Texas

ATTEST:

/s/Tina Stewart, TRMC, CMC, City Secretary

APPROVED AS TO FORM:

/s/Jeff Moore, City Attorney