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ORDINANCE NUMBER: 019082

AN ORDINANCE OF THE CITY OF EL PASO CONTINUING AND RATIFYING TITLE 10 (PUBLIC PEACE, MORALS, & WELFARE), SECTIONS 10.20.010 (CURFEW-DEFINITIONS); 10.20.020 (CURFEW-OFFENSES); 10.20.030 (CURFEW-DEFENSES); 10.20.040 (CURFEW-ENFORCEMENT); 10.20.050 (CURFEW-VIOLATION-PENALTY); 10.20.052 (CURFEW-CONSTRUCTION) AND 10.20.054 (CURFEW-REVIEW-OF - ORDINANCE). THE PENALTY BEING AS PROVIDED IN SECTION 10.20.050 OF THE EL PASO CITY CODE.

WHEREAS, the City Council originally adopted a juvenile curfew ordinance on or about August 31, 1991 ("Curfew Ordinance"); and

WHEREAS, the Curfew Ordinance presently enforced is found in Title 10, Sections 10.20.010 through 10.20.054 of the El Paso City Code; and

WHEREAS, Texas Local Government Code Section 370.002 requires home-rule municipalities to review their juvenile curfew ordinances and act on whether to continue such ordinance every three years; and

WHEREAS, the City Council conducted its last review of the Curfew Ordinance on the 22nd day of August, 2017 and in conjunction voted to continue said Curfew Ordinance; and

WHEREAS, the most recent amendments to the Curfew Ordinance were adopted on September 19, 2017; and

WHEREAS, the City Council must now review the Curfew Ordinance before August 31, 2020 in accordance with the Texas Local Government Code; and

WHEREAS, the City Council has received public comment at a public hearings held on August 4, 2020 and August 18, 2020; and

WHEREAS, the City Council desires to ratify and continue the Curfew Ordinance in its present form.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

- (1) That the City Council has reviewed the effects of the Curfew Ordinance on the community and the effects of the ordinance on problems it was intended to remedy.
- (2) That the City Council approves the report presented by the El Paso Police Department regarding the effects of the curfew and its impact on juveniles, crime and crime victims.
- (3) That the City Council finds it in the best interests of the City to reduce juvenile crime and victimization, while promoting juvenile safety and well-being.
- (4) That the City Council hereby ratifies the Curfew Ordinance.

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- (5) That the City Council finds that the Curfew Ordinance shall continue and be readopted in its present form.

Adopted this 18th day of August, 2020.



CITY OF EL PASO

Handwritten signature of Dee Margo in blue ink.

Dee Margo
Mayor

ATTEST:

Handwritten signature of Laura D. Prine in blue ink.

Laura D. Prine
City Clerk

APPROVED AS TO CONTENT:

Handwritten signature of Gregory K. Allen in blue ink.

Gregory K. Allen
Chief of Police

APPROVED AS TO FORM:

Handwritten signature of Russell T. Abeln in blue ink.

Russell T. Abeln
Assistant City Attorney