

ORDINANCE NO. 2022-05-09 (4A)

AN ORDINANCE OF THE CITY OF ROCKDALE, TEXAS AMENDING AND READOPTING THE JUVENILE CURFEW ESTABLISHED BY ORDINANCE 2007-06-11 (6A) AND AMENDED BY ORDINANCE 2017-07-10 (9C); PROVIDING A REPEALING CLAUSE, SEVERABILITY CLAUSE, EFFECTIVE DATE, OPEN MEETINGS, AND RELATED MATTERS.

WHEREAS, on June 11, 2007, the City Council of the City of Rockdale, Texas (“Council”) adopted Ordinance 2007-06-11 (6A) establishing a juvenile curfew for those under the age of 17 years old within the corporate limits of the City of Rockdale, Texas;

WHEREAS, on July 10, 2017, the Council, through Ordinance 2017-07-10 (9C), amended Section 8.02.032 of Ordinance 2007-06-11 (6A);

WHEREAS, on June 10, 2019, the Council, through Ordinance 2019-06-10 (9A), voted to readopt and continue Ordinance 2007-06-11 (6A) with amendment;

WHEREAS, the ordinance will be expire June 10, 2022;

WHEREAS, Section 370.002 of the Texas Local Government Code requires that before the third anniversary of the date of adoption of a juvenile curfew ordinance and every third year thereafter, the governing body of a home-rule municipality shall review the ordinance’s effect on the community and on problems the ordinance was intended to remedy; conduct public hearings on the need to continue the ordinance, and shall consider whether to abolish, continue or modify the ordinance;

WHEREAS, City staff recommends readopting the curfew for minors with amendment;

WHEREAS, on May 9, 2022, at 5:30 p.m., a public hearing was held at Rockdale City Hall, Council Chambers, 505 W. Cameron Avenue, Rockdale, Texas, to determine the need to continue the ordinance;

WHEREAS, persons under the age of seventeen are particularly susceptible by their lack of maturity and experience to participate in unlawful and gang-related activities or are likely to be victims of crime perpetrated by older persons or other youth;

WHEREAS, the City of Rockdale has an obligation and desires to continue to provide for the protection of minors from each other and from other persons, to promote parental control over and responsibility for children, in order to protect the general public, and to reduce of the incidence of juvenile criminal activities; and

WHEREAS, the Council finds that the continuation of a curfew for those under seventeen years of age will be in the interest of the public health, safety, and general welfare, and will help to attain the foregoing objectives and to diminish the undesirable impact of such conduct on the citizens of the City of Rockdale.

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

Section 1. Findings Incorporated. The findings and recitals set forth above are determined to be true and correct and are incorporated into the body of this Ordinance as if fully set forth herein.

Section 2. Amendment. Section 8.02.032 (a)(2) of Ordinance 2007-06-11 (6A) with amendment as provided in Ordinance 2017-07-10 (9C) is hereby amended to read: “2:01 a.m. until 6:00 a.m. on any **Friday or Saturday**; and”.

Section 3. Ordinance 2007-06-11 (6A) readopted. Ordinance 2007-06-11 (6A) with amendment as provided in Ordinance 2017-07-10 (9C) and amendment above is hereby readopted and shall continue in full force and effect.

Section 4. Conflicting Ordinances. All prior ordinances of the City are hereby amended only to the extent of any conflict with the exemptions set forth herein, and all ordinances or parts thereof conflicting or inconsistent with the provisions of this Ordinance as adopted and amended herein are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this Ordinance and any other code or ordinance of the City, the terms and provisions of this Ordinance shall govern.

Section 5. Severability. Should any section or part of this Ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this Ordinance are declared to be severable.

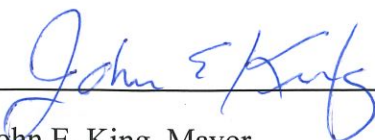
Section 6. Effective Date. This ordinance shall take effect immediately upon its adoption by the City Council and publication as required by the City Charter and the Texas Local Government Code.

Section 7. Open Meetings. It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, *Chapt. 551, Tex. Gov't. Code.*

PASSED AND APPROVED on first reading this 9th day of May, 2022.


PASSED AND APPROVED on second reading on this 9th day of May, 2022.

THE CITY OF ROCKDALE, TEXAS



John E. King, Mayor

ATTEST:



Terry Blanchard, TRMC
City Secretary