

ORDINANCE NO. 08-23-01

**AN ORDINANCE OF THE VILLAGE OF TIKI ISLAND, TEXAS,
REPEALING IN ITS ENTIRETY ARTICLE II “CURFEW FOR MINORS”
OF CHAPTER 26 “OFFENSES” OF THE CODE OF ORDINANCES.**

WHEREAS, the 88th Texas Legislature passed and approved House Bill 1819 repealing the authority of a political subdivision to adopt or enforce juvenile curfews; and

WHEREAS, the Village of Tiki Island (the “Village”) has adopted and enforces a juvenile curfew found in Article II “Curfew for Minors” of Chapter 26 “Offenses” of the Village Code of Ordinances known as the “Curfew Ordinance”; and

WHEREAS, the new law will go into effect September 1, 2023, making the Village’s Curfew Ordinance unenforceable.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE VILLAGE OF TIKI ISLAND, TEXAS:

Section 1. Article II “Curfew for Minors” of Chapter 26 “Offenses” of the Village of Tiki Island, Texas, is hereby repealed in its entirety.

Section 2. **Effective date.** This Ordinance shall become effective on September 1, 2023.

Section 3. **Repeal.** This Ordinance is intended to be cumulative and shall not repeal any provision of a previous ordinance or Village Code except to the extent that a provision is inconsistent and cannot be reconciled with this ordinance.

Section 4. **Severability.** In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it is the intention of the Board of Aldermen that the invalidity or unconstitutionality of the one or more parts shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision other than the part declared to be invalid or unconstitutional; and the Board of Aldermen of the Village of Tiki Island, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

PASSED, APPROVED and ADOPTED this, the ____ day of _____, 2023.

Vernon Teltschick
Mayor

ATTEST:

Brandee Lawther
Village Secretary