

**TOWN OF LITTLE ELM, TEXAS
ORDINANCE NO. 1727**

**AN ORDINANCE OF THE TOWN OF LITTLE ELM, TEXAS,
REPEALING ARTICLE IV, “JUVENILE CURFEW,” OF CHAPTER 70,
“OFFENSES AND MISCELLANEOUS PROVISIONS,” OF THE CODE OF
ORDINANCES OF THE TOWN OF LITTLE ELM; PROVIDING FOR A
REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING
A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Chapter 70, Article IV, of the Town’s Code of Ordinances (“**Code**”) contains the Town’s juvenile curfew ordinance; and

WHEREAS, H.B. 1819, which became effective on September 1, 2023, prohibits cities from adopting or enforcing an ordinance or other measure that imposes a curfew on juveniles (persons younger than 18 years of age); and

WHEREAS, as a result of this law, juvenile curfew ordinances are no longer enforceable; and

WHEREAS, this ordinance amends the Code by repealing the Town’s juvenile curfew ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF LITTLE ELM, TEXAS:

SECTION 1

INCORPORATION OF PREMISES

The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

SECTION 2

AMENDMENT AND REPEAL

That the Town of Little Elm Code of Ordinances, Chapter 70, “Offenses and Miscellaneous Provisions, Article IV, “Juvenile Curfew,” is hereby amended by repealing in its entirety Article IV, “Juvenile Curfew.”

SECTION 3

CUMULATIVE REPEALER

That this ordinance shall be cumulative of all other ordinances and shall not repeal any of the provisions of such ordinances except for those instances where there are direct conflicts with the provisions of this ordinance. Ordinances or parts thereof in force at the time this ordinance

shall take effect and that are inconsistent with this ordinance are hereby repealed to the extent that they are inconsistent with this ordinance. Provided however, that any complaint, action, claim or lawsuit which has been initiated or has arisen under or pursuant to such ordinance on the date of adoption of this ordinance shall continue to be governed by the provisions of that ordinance and for that purpose the ordinance shall remain in full force and effect.

SECTION 4

SEVERABILITY CLAUSE

That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or 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 invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole. Town Council hereby declares it would have passed such remaining portions of this ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 5

EFFECTIVE DATE

This ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF LITTLE ELM, TEXAS, on this the 19th day of September, 2023.

Curtis J. Cornelious, Mayor

ATTEST:

Caitlan Biggs, Town Secretary