



City of Killeen

Legislation Details (With Text)

File #: PH-20-009 **Version:** 1 **Name:** 2020 Curfew Ordinance
Type: Ordinance/Public Hearing **Status:** Passed
File created: 3/31/2020 **In control:** City Council
On agenda: 5/12/2020 **Final action:** 5/12/2020
Title: HOLD a public hearing and consider an ordinance readopting the youth curfew. (2nd of 2 hearings)
Sponsors: Police Department
Indexes: Curfew Ordinance
Code sections:
Attachments: 1. Staff Report, 2. Ordinance, 3. Presentation

Date	Ver.	Action By	Action	Result
5/12/2020	1	City Council	Approved	Pass
4/28/2020	1	City Council	Approved on First Reading	

HOLD a public hearing and consider an ordinance readopting the youth curfew. (2nd of 2 hearings)

DATE: **April 28, 2020**
TO: **Kent Cagle, City Manager**
FROM: **Charles Kimble, Chief of Police**
SUBJECT: **Juvenile Curfew**

BACKGROUND AND FINDINGS:

The City of Killeen adopted the current version of the youth curfew ordinance in 1996 and re-adopted every three years in 1999, 2002, 2005, 2008, 2011, 2014 and 2017. The Texas Local Government Code requires that the ordinances be reviewed every third year after passage. The governing body is to review the ordinance’s effects on the community and problems it was intended to remedy and conduct public hearings on the need to continue the ordinance. The Council then has the option to abolish, continue or modify the ordinance.

The Killeen Police Department has gathered statistics that show while juveniles continue to commit offenses during the curfew hours, the number of juvenile arrests during the curfew has remained fairly constant in each of the preceding three years. This indicates that the enforcement of the curfew ordinance has kept juveniles off the streets during the curfew hours, thus making them less able to commit offenses or be victimized during those hours.

The ordinance, as presented, is the ordinance currently in effect, except that in section 16-113(b) language was added to clarify that an offense is a Class C misdemeanor.

The Local Government Code requires two public hearings. This item is scheduled for public hearings at the Council meeting on April 28, 2020 and May 12, 2020, to allow for input and voting prior to the expiration of the current ordinance.

THE ALTERNATIVES CONSIDERED:

Allow the curfew ordinance to lapse; or
Pass the curfew ordinance with changes; or
Pass the curfew ordinance as presented.

Which alternative is recommended? Why?

Staff recommends passing the curfew ordinance as presented to reduce juvenile crime during the curfew hours; to protect minors from each other and other persons; to promote parental control and responsibility for children; to protect the general public; and to reduce juvenile criminal and delinquent activities.

CONFORMITY TO CITY POLICY:

The ordinance conforms to city policy and state law.

FINANCIAL IMPACT:

What is the amount of the expenditure in the current fiscal year? For future years?

No fiscal impact. There will be no additional expenditures of City funds to enforce the curfew ordinance.

Is this a one-time or recurring expenditure?

Not applicable.

Is this expenditure budgeted?

Not applicable.

If not, where will the money come from?

Not applicable.

Is there a sufficient amount in the budgeted line-item for this expenditure?

Not applicable.

RECOMMENDATION:

Staff recommends council re-adopt the Youth Curfew ordinance as presented.

DEPARTMENTAL CLEARANCES:

City Attorney's Office

ATTACHED SUPPORTING DOCUMENTS:

Ordinance