

ORDINANCE NO. 14-030

AMENDING THE CITY OF LEON VALLEY'S CODE OF ORDINANCES, , CHAPTER 1 "GENERAL PROVISIONS", ARTICLE 1.10 "PUBLIC GATHERINGS", TO ALLOW FOR AN APPEALS PROCESS TO SECTION 1.10.032 "POLICE SECURITY PERSONNEL", REPEALER, SEVERABILITY AND SAVINGS CLAUSES, AND AN EFFECTIVE DATE.

WHEREAS, the City of Leon Valley is authorized to adopt ordinances for the purpose of good government, peace, or order of the municipality pursuant to Chapter 51 of the Local Government Code;

WHEREAS, the City Council of the City of Leon Valley, Texas (the "City Council") recognizes in order to have good government, an appeals process should be in place when possible; and

WHEREAS, the City Council has reviewed the Public Gatherings Ordinance and believes that an applicant should have a mechanism to appeal the number of Officers required at a Parade; and

WHEREAS, it is the belief that this appeals process will be in the interest of 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 Leon Valley;

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

SECTION I. That the statements above are found to be true and correct and are hereby incorporated.

SECTION II. Chapter 1 "General Provisions", Article 1.10.032 "Police security personnel", of the City's Code of Ordinances is hereby amended to read as follows:

Sec. 1.10.032 Police security personnel

Due to the inherent risks involved regarding traffic and other safety issues associated with a Parade, both as to participants and others, all Parade permit holders shall be required to hire city police officers, at a number to be determined by the chief of police, dependent upon the specific route, number of participants, whether such parade be pedestrian and/or vehicular, and other safety concerns determined appropriate by the chief of police.

If an applicant believes the number of officers required is an undue amount, the applicant may appeal the decision of the chief of police to the City Council by filing, within 10 days of being informed of the number of officers required under Section 1.10.032, a written appeal with the City Secretary. Said written appeal shall contain the specific facts and appropriate documentation as to why the number of officers required is an undue amount. The City Council shall act upon this appeal within 30 days after its receipt.

SECTION III. All provisions of the Code of Ordinances of the City of Leon Valley codified or uncodified, in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Code of Ordinances of the City of Leon Valley codified or uncodified, not in conflict with the provisions of this Ordinance shall remain in full force and effect.

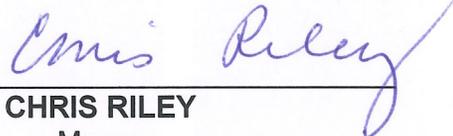
SECTION IV. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, or section of this Ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any other remaining phrase, clause, sentence, paragraph or section of this Ordinance. .

SECTION V. The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions at the time of passage of this Ordinance.

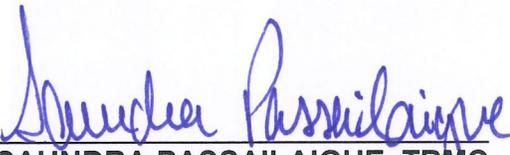
SECTION VI. This Ordinance shall become effective immediately upon its passage and publication as required by law.

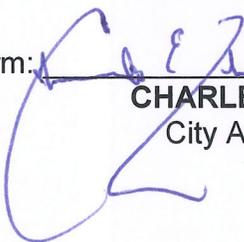
ADOPTED AND APPROVED on this 8th day of December, 2014 by a vote of the City Council of the City of Leon Valley, Texas.

Approved:



CHRIS RILEY
Mayor

Attest: 
SAUNDRA PASSAILAIGUE, TRMC
City Secretary

Approved as to Form: 
CHARLES E. ZECH
City Attorney

