

ORDINANCE NO. 2024-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REPEALING CODE OF ORDINANCES CHAPTER 2-127, RELATING TO A \$50.00 REWARD FOR TIPS LEADING TO ARREST AND CONVICTION OF PERSONS DEFACING CITY PROPERTY; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City of New Braunfels adopted a \$50.00 reward for tips leading to the arrest and conviction of those who deface city property; and

WHEREAS, the City of New Braunfels is no longer in need of this ordinance due to the establishment in 1986 of the Comal County Crime Stoppers Program that has the capacity to provide awards for certain crimes including graffiti; and

WHEREAS, the New Braunfels Police Department supports the repeal of this obsolete provision.

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

SECTION 1. Amendment.

That City of New Braunfels Code of Ordinances, Chapter 2, Section 2-127 is hereby repealed as indicated below:

2-127. ~~Reward for prosecution of destruction of city property.~~ RESERVED.

- (a) ~~A reward of \$50.00 shall be paid by the city to any person furnishing information enabling and resulting in the arrest and conviction of any person mutilating, defacing or destroying any real property belonging to the city.~~
- (b) ~~Upon the arrest and conviction of any person as set out in subsection (a) of this section, and upon the filing and establishing of the claim for the reward provided, the mayor shall certify the fact to the treasurer, who shall thereupon issue proper voucher against the general fund of the city.~~

~~(Code 1961, §§ 2-20, 2-21)~~

~~Cross reference(s) — Interference with official traffic control devices or railroad signs or signals, § 126-69.~~

SECTION 2: Repealer.

All provisions of the New Braunfels Code of Ordinances, or other ordinances, whether codified or uncoded, in conflict with the provisions of this ordinance are hereby repealed, and all other provisions of the Code of Ordinances or other ordinances, codified or uncoded, not in conflict with the provisions of the ordinance shall remain in full force and effect.

SECTION 3: Severability

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 4: Savings Clause.

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 5: Effective Date.

This ordinance will take effect upon the second and final reading in accordance with the provisions of the Charter of the City of New Braunfels.

PASSED AND APPROVED: First reading this _____ day of _____, 2024.

PASSED AND APPROVED: Second reading this _____ day of _____, 2024.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor

ATTEST:

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney