

ORDINANCE NO.

AN ORDINANCE REPEALING CHAPTER 10-9 OF THE CITY CODE (ORDINANCE NO. 20100408-027) RELATING TO NOTICES AT LIMITED SERVICE PREGNANCY CENTERS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1: FINDINGS:

(A) On April 8, 2010, the City Council adopted Chapter 10-9 the Austin City Code, which requires that notices be posted in facilities defined in Chapter 10-9 as "limited service pregnancy centers".

(B) At the time City Council adopted Chapter 10-9, there were no court rulings addressing the constitutionality of this type of ordinance.

(C) Since adoption of the ordinance in April of 2010, the city learned that one of the required disclosures in the ordinance is not a correct statement of what services are provided by limited service pregnancy centers in Austin.

(D) It is likely that the parties to other cases pending in the appellate courts will seek review by the U.S. Supreme Court which can provide the city additional guidance on how to regulate limited services pregnancy centers.

(E) There are other measures the City of Austin can take while the constitutionality of similar "limited service pregnancy centers" ordinances is reviewed.

(F) The Law Department recommends that the City Council repeal Chapter 10-9.

PART 2. Chapter 10-9 of the City Code, relating to the posting of notices at limited service pregnancy centers, is repealed.

PART 3. This ordinance takes effect on _____, 2012.

PASSED AND APPROVED

_____, 2012

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Lee Leffingwell
Mayor

APPROVED: _____
Karen M. Kennard
City Attorney

ATTEST: _____
Shirley A. Gentry
City Clerk

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