

**CITY OF LUMBERTON, TEXAS**  
**ORDINANCE NO. 21-1253**

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**AN ORDINANCE OF THE CITY OF LUMBERTON, TEXAS AMENDING VARIOUS SECTIONS OF THE CITY OF LUMBERTON'S ZONING ORDINANCE FOR THE PURPOSE OF REGULATING ACCESSORY BUILDINGS LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY; PROVIDING CUMULATIVE AND SEVERABILITY CLAUSES; ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Lumberton, Texas is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

**WHEREAS**, Chapter 211 of the Texas Local Government Code empowers a city to enact zoning regulations for the orderly development of property within the City by governing the use of land in order to promote the public health, safety, morals and general welfare of the city and provide for the administration, enforcement and amendment of the zoning regulations; and

**WHEREAS**, the City Council of the City of Lumberton, Texas desires to amend its Zoning Ordinance under Chapter 50 to amend and clarify the current regulations and uses of accessory buildings, adopt new regulations pertaining to accessory buildings and provide for a new section 50-537 to enforce such regulations upon all zoning districts.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LUMBERTON, TEXAS, THAT:**

**Section 1. Findings of Fact.** The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact. The City Council hereby further finds and determines that the rules, regulations, terms, conditions, provisions and requirements of this ordinance are reasonable and necessary.

**Section 2.** That Chapter 50 titled Zoning is hereby amended as follows:

**(a) CHAPTER 50 – ZONING**  
**ARTICLE I. – IN GENERAL**

**Sec. 50-2. – Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Accessory building, ~~nonresidential~~*, means a subordinate building to the main building, the use of which is incidental and related to the main use and which is located on the same lot~~–~~

~~*Accessory building, residential*, means a subordinate building detached from the main building and used for purposes customarily incidental to the residential occupancy of the main building~~ and not involving the conduct of a business or the sale of a service. The term "accessory buildings" include, but is not limited to, an automobile storage garage, laundry room, garden shelter, hobby room, work shed or workshop, tool storage, storage shed, greenhouse, playhouse, and mechanical room.

*Farm accessory building* means an accessory structure on a tract qualifying as a farm as herein defined for storage or housing the usual products and animals raised or maintained on a farm such as a barn, poultry house, stable, machinery shed or granary. No structure housing animals or poultry shall be located nearer than 100 feet to the bounding property lines of the farm tract.

~~*Servant or caretaker's quarters* means living quarters for persons employed on the premises only and not for rent or use as a separate domicile for other than person employed on the premises and with no separate utility meters. Such facilities may be located in the main structure or in an accessory building located on the lot with a main residential structure.~~

*Stable, private*, means an accessory building for quartering not to exceed four horses on a farm or lot when set back from adjacent property lines a minimum distance of 100 feet.

*Temporary field or construction office* means temporary office, building material storage areas to be used solely for construction purposes in connection with the property on which structures are being erected may be permitted for a specified period of time in accordance with a permit issued with the approval of the city manager.

*Yard, required rear*, means a yard, except for accessory building as herein permitted, extending across the rear of the lot between side lot lines and having a minimum depth measured from the rear lot line as specified for the district in which the lot is located.

**(b) CHAPTER 50 – ZONING**  
**ARTICLE III. – DISTRICT REGULATIONS**  
**DIVISION 2. – R-1 SINGLE-FAMILY DWELLING DISTRICT**

**Sec. 50-201. – Use regulations.**

- (6) Accessory buildings shall be built to comply with all building and electrical codes adopted by the city. Accessory buildings shall be located in the rear yard area located behind the main residential dwelling. Accessory buildings shall not occupy in excess of 25 percent of the minimum required rear yard area. Accessory buildings shall be used for customarily incidental purposes. (Storage of automobiles, lawn and garden equipment, laundry room, hobby equipment, etc.) No accessory building in this district shall be used for commercial purposes. The term "commercial purpose" shall include any fulltime or parttime business. No servant quarters shall be leased, rented or used for any commercial purpose. Accessory buildings shall comply with all regulations as provided in Section 50-537.

**(c) CHAPTER 50 – ZONING**  
**ARTICLE III. – DISTRICT REGULATIONS**  
**DIVISION 2. – R-1 SINGLE-FAMILY DWELLING DISTRICT**

**Sec. 50-202. –Area requirements.**

- (a) *Front yard*. There shall be a front yard for every structure in the R-1 dwelling district having a depth of not less than 30 feet from the front of the property line to the face of the building. No covered porch, covered terrace or ~~attached~~ accessory building shall project into any required front yard space. A lot located within the radius of a cul-de-sac shall have a minimum setback line of 15 feet from the front property line.
- (b) *Rear yard*. There shall be a rear yard for every structure in the R-1 dwelling district which shall have a depth of not less than 25 feet measured from the back of the structure to the rear property line.
- (c) *Side yard*. There shall be two side yards for each structure in the R-1 dwelling district, one on each side of such structure. No side yard shall be less than ten feet measured from the side property line to the side of the structure and no covered porch, covered terrace, or ~~attached~~ accessory building shall project into any required side yard space. All required side yards shall be open and unobstructed except for fences and for ordinary projections of sills, belt courses, cornices, etc., but in no case shall

any such projections exceed 24 inches. The distance between the side of the structure and the property line adjoining a public street shall be 25 feet minimum.

- (d) *Lot area.* The minimum area of any lot used in the R-1 dwelling district shall be 9,000 square feet.
- (e) *Lot width.* The minimum lot width shall be 75 feet.
- (f) *Lot coverage.* The combined area of the main building and accessory building shall not cover more than 40 percent of the total area of any lot in the R-1 dwelling district.
- (g) *Floor area.* Every single-family dwelling unit hereafter constructed, erected, reconstructed, or altered in any R-1 dwelling district shall have a floor area, excluding basements, open and screened porches, and garages of not less than 1,200 square feet.
- (h) *Garages.* Every single-family dwelling unit hereafter constructed, erected, or reconstructed shall have at least a one car garage of not less than 12 feet by 18 feet (216 square feet).
- (i) No concrete, asphalt or other road materials for the purpose of vehicle traffic and/or parking may be constructed within the required rear and side setback areas.

(d) **CHAPTER 50 – ZONING**  
**ARTICLE III. – DISTRICT REGULATIONS**  
**DIVISION 3. – R-2 MULTIPLE-FAMILY DWELLING DISTRICT**

**Sec. 50-236. –Area requirements.**

- a) *Front yard.* There shall be a front yard for every structure in the R-2 dwelling district having a depth of not less than 30 feet from the property line to the face of the building. No covered porch, covered terrace, or ~~attached~~ accessory building shall project into any required front yard space.
- (b) *Rear yard.* There shall be a rear yard for every structure in the R-2 dwelling district which shall have a depth of not less than 25 feet measured from the back of the structure to the rear property line; provided, however, that where such rear yard abuts an alley, the required rear yard may be measured from the centerline of such alley.
- (c) *Side yards.* There shall be two side yards for each structure in the R-2 dwelling district, one on each side of such structure. No side yard shall be less than ten feet measured from the side property line to the side of the structure and no covered porch, covered terrace or ~~attached~~ accessory building shall project into any required side yard space. The minimum distance between the side of any structure and a property line adjoining a public street shall be 25 feet. All required side yards shall be open and unobstructed except for fences and for ordinary projections of sills, belt courses, cornices, etc., but in no case shall any such projection exceed 24 inches. For the purpose of side yard regulations, two or more detached one- or two-family dwellings shall be considered as one building when occupying one lot; provided, however, there shall be a minimum of ten feet between the sides of the building on the same lot. In the case of group houses or court apartments, when buildings rear upon the side yard, the width of the side yard shall be increased by one foot for each building or apartment abutting thereon. If any stairway opens onto or is served by such side yard, minimum width of such side yard shall be ten feet. Where a building is erected or structurally altered for dwelling purposes for buildings more than three stories in height, each of the two side yards shall be increased one foot in width for each additional story above the third. For dwellings more than eight stories or 100 feet in height, the front, side and rear yards shall be increased an additional foot for each foot such buildings exceed 100 feet in height.
- (d) *Lot area.* The minimum area of any lot used for dwelling purposes in a R-2 dwelling district shall be 9,000 square feet; provided, however, that in the case of apartment houses or buildings arranged or designed for more than two families, the minimum area shall be 9,000 square feet plus 700 square feet for each family in excess of two.
- (e) *Lot width.* The minimum width of any lot used for dwelling purposes shall be 75 feet.

- (f) *Floor area.* Every multiple-family dwelling hereafter erected, constructed, reconstructed, or altered in a R-2 dwelling district shall have a minimum floor area, excluding common corridors, basements, open and screened porches, and garages, of not less than 600 square feet for each efficiency or one-bedroom unit, 850 square feet for each two-bedroom unit; and 1,000 square feet for each three-bedroom unit.

**(e) CHAPTER 50 – ZONING**

**ARTICLE III. – DISTRICT REGULATIONS**

**DIVISION 4. – R-3 MANUFACTURED HOUSING DWELLING DISTRICT**

**Sec. 50-262. –Use regulations.**

The following regulations shall apply to all R-3 manufactured housing dwelling districts:

- (1) Manufactured housing or modular home as a single-family residence.
- (2) Single-family site-built dwellings only.
- (3) No manufactured home or modular home, over ten years old from the date the permit is issued, will be allowed in this district.
- (4) Motor homes, recreational vehicles, travel trailers, portable buildings, etc., shall not be used as living quarters.
- (5) Accessory buildings shall be placed in the rear yard area only. Accessory buildings shall not occupy in excess of 25 percent of the minimum required rear yard area. Accessory buildings shall be built to comply with all building and electrical codes adopted by the city. No accessory building in this district shall be used for commercial purposes. The term "commercial purpose" shall include any full-time or part-time business. Accessory buildings shall comply with all regulations as provided in Section 50-537.

**(f) CHAPTER 50 – ZONING**

**ARTICLE III. – DISTRICT REGULATIONS**

**DIVISION 4. – R-3 MANUFACTURED HOUSING DWELLING DISTRICT**

**Sec. 50-263. –Area requirements.**

- (a) *Front yard.* There shall be a front yard for every structure in the R-3 dwelling district having a depth of not less than 30 feet from the property line. The face of the manufactured home or structure shall be placed with the front door facing the front property line. No covered or uncovered porch, terrace, attached or detached carport, garage or fences shall project into any required front yard space.
- (b) *Rear yard.* There shall be a rear yard for every structure in the R-3 dwelling district which shall have a depth of not less than 25 feet measured from the back of the manufactured home or living structure to the rear property line; provided, however, that where such rear yard abuts a drainage easement or utility easement, the rear yard shall be open and unobstructed. Accessory buildings shall be placed ten feet from the rear property line, comply with all regulations as provided in Section 50-537.
- (c) *Side yards.* There shall be two side yards for each structure in the R-3 dwelling district; one on each side of such structure. No side yard shall be less than ten feet measured from the side property line to the side of the structure. No covered or uncovered porch, terrace, attached or detached garage, carport or accessory building shall project into any side yard space. All side yards shall remain open and unobstructed except for fences. The minimum distance between the side of any structure and the property line adjoining a public street (corner lot) shall be 15 feet.
- (d) *Lot area.* The minimum area of any lot used for dwelling purposes in a R-3 dwelling district shall be 9,000 square feet (75' x 120').

(g) **CHAPTER 50 – ZONING**  
**ARTICLE III. – DISTRICT REGULATIONS**  
**DIVISION 7. – I-1 LIGHT INDUSTRIAL DISTRICT**

**Sec. 50-371. –Area requirements.**

- (a) *Front yard.* No front yard is required in the I-1 light industrial district, but any building on any property, except where building line ordinances provide otherwise, shall be set back 55 feet from the front property line as measured to the front line of the building, covered porch, covered terrace, loading dock or ~~attached~~ accessory building.
- (b) *Side yards.* If property in the I-1 light industrial district abuts upon the side of a lot being used for dwelling purposes, there shall be allowed a minimum space of ten feet in width between buildings; provided, however, that the side yard of the property zoned for light industrial use shall not be required to exceed five feet.
- (c) No concrete, asphalt or other road materials for the purpose of vehicle traffic and/or parking may be constructed within the required rear and side setback areas.

(h) **CHAPTER 50 – ZONING**  
**ARTICLE III. – DISTRICT REGULATIONS**  
**DIVISION 8. – I-2 HEAVY INDUSTRIAL DISTRICT**

**Sec. 50-396. –Area requirements.**

- (a) *Front yard.* No front yard is required in the I-2 heavy industrial district, but any building on any property, except where building line ordinances require otherwise, shall be set back 55 feet from the front property line as measured to the front line of the building, covered porch, covered terrace, loading dock or ~~attached~~ accessory building.
- (b) *Side yards.* If property in the I-2 heavy industrial district abuts upon the side of a lot is used for dwelling purposes, there shall be allowed a minimum space of ten feet in width between buildings; provided, however, that the side yard of the property zoned for heavy industrial use shall not be required to exceed five feet.
- (c) No concrete, asphalt or other road materials for the purpose of vehicle traffic and/or parking may be constructed within the required rear and side setback areas.

(i) **CHAPTER 50 – ZONING**  
**ARTICLE III. – DISTRICT REGULATIONS**  
**DIVISION 9. – MH MANUFACTURED HOUSING COMMUNITY PARK DISTRICT**

**Sec. 50-430. –Use regulations.**

The following uses will be permitted in the MH manufactured housing community park district:

- ~~(1) — Accessory building, residential.~~
- ~~(21)~~ Church or rectory.
- ~~(32)~~ Community center.
- ~~(43)~~ Home occupation.
- ~~(54)~~ Landlord office for manufactured housing community park.

(65) Local utility lines; sewage lift station; fire station; water storage and pumping station.

(76) Manufactured housing as a residence.

(87) Manufactured housing park.

(98) Off-street parking incidental to main use.

(409) Park or playground.

(4410) Public swimming pool.

(4211) School, public or denominational.

(4312) Temporary construction office.

(j) **CHAPTER 50 – ZONING**  
**ARTICLE III. – DISTRICT REGULATIONS**  
**DIVISION 9. – MH MANUFACTURED HOUSING COMMUNITY PARK DISTRICT**

**Sec. 50-444. –Location of accessory buildings.**

No carport, garage, storage building, office or caretakers dwelling, laundry house, or permitted structure may be located nearer than 15 feet to any boundary line of a manufactured housing community park, nor shall any such structure be located nearer than ten feet to any boundary line of a plot, lot, or tract. Accessory buildings shall comply with all regulations as provided in Section 50-537.

(k) **CHAPTER 50 – ZONING**  
**ARTICLE III. – DISTRICT REGULATIONS**  
**DIVISION 11. – PLANNED DEVELOPMENT DISTRICT**

**Sec. 50-510. –Use regulations.**

A planned development district may be approved for any uses or combination of uses listed hereunder. The uses permitted in any specific planned development district shall be enumerated in the ordinance establishing such district.

~~(1) Accessory building, residential community center, private.~~

(21) Airport or landing field, bus station and terminal; hauling and storage company; heliport, motor freight terminal.

(32) Commercial outdoor amusements, commercial indoor amusement; country club, private membership, club, private business fairgrounds, golf course, commercial, golf course, public, park or playground, public, recreation club or area, private, rodeo, enclosed building theatre, billiard parlor.

(43) Animal clinic or household pets hospital.

(54) Antique shop, enclosed, food store, bakery or retail confectionery shop, book and stationery store, camera shop, cigar, new tobacco store, hardware and sporting goods, hobby shop and art supply store, paint and wall paper store, retail stores and shops other than listed, tool rental.

(55) Apartment accessory uses.

- (~~76~~) Art needlework, barbershop and beauty shop, cleaning shop, small customs shop, cleaning shop, commercial, custom sewing and millinery, handicraft, ceramic sculpture or similar art work, hand weaving, health studio.
- (~~87~~) Auto laundry, auto glass, muffler and seat cover shop, auto parts and indoor only accessory sales, indoor display auto sales , auto sales or outdoor display storage auto repair garage, auto painting or body rebuilding shop, parking, commercial lot or garage, motor vehicle fuel service station.
- (~~98~~) Bank or savings and loan office, clinic, medical or dental, laboratory, medical or dental, laboratory, scientific testing, medical appliance fittings and sales, office, professional or general business, optical shop, studio, artist, studio, drama, speech or dance, or music, studio, display of arts and decorator's objects, studio, recording and broadcasting.
- (~~109~~) Boardinghouse or roominghouse.
- (~~110~~) Cemetery or mausoleum.
- (~~121~~) Church or rectory.
- (~~1312~~) College, university or private school.
- (~~1413~~) Community center.
- (~~1514~~) Community unit development (conforming housing), community unit development (variable housing).
- (~~1615~~) Convent or monastery.
- (~~1716~~) Day nursery or kindergarten, day camp.
- (~~1817~~) Eating place without drive-in or curb service, eating place with dancing or entertainment, private club with dining and bar service.
- (~~1918~~) Electrical substation, electrical energy generating plant, electrical transmission line, fire station, gas line and regulating station, local utilities line, local transit station or turn around, radio or television or microwave tower, commercial radio or television transmitting station, sewage treatment plant, telephone exchange, switching and transmitting equipment only, telephone business office, utilities installation, public or private, not listed, water stand pipe or elevated storage, water reservoir well or pumping station, water treatment plant.
- (~~2019~~) Fix-it shop and appliance repair, furniture repair and upholstery, job printing, laboratory, manufacturing, lumberyard, lithographer or printing plant, monument sales yard, visual screen open storage, petroleum projects, storage and wholesale, plumbing shop, maintenance and no outside storage home repair shop, contractor's or maintenance yard.
- (~~2420~~) Garden shop and plant sales, display or greenhouse, small animals and birds pet shop, no hospital veterinarian's office.
- (~~2421~~) Home occupation.
- (~~2322~~) Hotel or motel.
- (~~2423~~) Institution for care of alcoholic, narcotic or psychiatric patient, general acute care hospital, chronic care hospital, institution of religious, charitable, or philanthropic nature, library, art gallery, or public museum, nursing home or residence home for the aged.
- (~~2524~~) Key shop, laundry or self-service dry cleaning, laundry, commercial, laundry cleaning pickup and receiving station, photography studio, shoe repair, tailor, travel bureau, upholstery.



- (2625) Light manufacturing and industrial uses, heavy manufacturing and industrial uses.
- (2726) Off-street parking, incidental to main use.
- (2827) One-family dwelling, detached, one-family dwelling, attached, two-family dwelling, multiple-family dwelling.
- (2928) Sand, gravel or sale and storage earth, warehouse or covered storage.
- (3029) Servant or caretaker's quarters.
- (3130) Swimming pool, private.
- (3231) School, public or denominational.

**(I) CHAPTER 50 – ZONING**

**ARTICLE III. – DISTRICT REGULATIONS**

**DIVISION 12. – HEIGHT, AREA, AND SPACE REGULATIONS APPLICABLE TO ALL DISTRICTS**

**Sec. 50-535. –Side yards.**

- (a) For the purpose of side yard regulations, two or more detached one- or two-family dwellings shall be considered as one building when occupying one lot; provided, however, there shall be a minimum of ten feet between the sides of the building on the same lot.
- (b) In the case of group houses or court apartments, when buildings rear upon the side yard, the width of the side yard shall be increased by one foot per each building or apartment abutting thereon. If any stairway open onto or is served by such side yard, the minimum width of such side yard shall be ten feet.
- (c) The width of a place or court shall be not less than 40 feet measured between the buildings or from buildings to the opposite property line, provided that open or unenclosed porches may project into the required place or court not more than 20 percent of the width of such place or court.
- (d) All other requirements including front, side or rear yards shall be complied with in accordance with the district in which group houses or court apartments are located, except as provided for in sections 50-533, 50-534 and this section.
- (e) Where a building line has been established by ordinance and such line requires a greater or lesser front yard set back than is prescribed by this article for the district in which the building line is located, the minimum required front yard shall comply with the building line so established by such ordinance.
- (f) Every part of a required yard or court shall be open from its lowest point to the sky unobstructed except for the ordinary projections of sills, belt courses, cornices, etc.; provided, however, the above projections shall not extend into a court more than 24 inches nor into a minimum side yard more than 24 inches.
- (g) The side and front yard requirements for dwelling shall be waived where dwellings are erected above stores and shops.
- (h) On corner lots the side yard regulations shall be the same as for interior lots except on the street side in which case there shall be a side yard of 15 feet minimum and in the case of side street or reversed frontage (where corner lot faces an intersecting street) in which case there shall also be a side yard on the street side equal to the front yard line on the lots in the rear. This regulation shall not be so interpreted as to reduce the buildable width of a corner lot facing an intersecting street, and of record at the time of passage of the ordinance to less than 28 feet; ~~or to prohibit the erection of an accessory building where the regulation cannot be reasonably complied with.~~



(m) **CHAPTER 50 – ZONING**  
**ARTICLE III. – DISTRICT REGULATIONS**  
**DIVISION 12. – HEIGHT, AREA, AND SPACE REGULATIONS APPLICABLE TO ALL DISTRICTS**

**Sec. 50-537. –Accessory building regulations applicable to all districts.**

The following regulations shall apply to all Accessory Buildings:

- (a) An accessory building is not permitted as a standalone without a building structure located on the property.
- (b) Size and number of accessory buildings allowed:
  - 1. Lots 7,500 square feet or smaller – one (1) accessory building not to exceed 250 square feet.
  - 2. Lots 7,501 square feet to less than 18,000 square feet– two (2) accessory buildings with an aggregate total not to exceed 500 square feet.
  - 3. Lots 18,000 square feet or larger– two (2) accessory buildings with an aggregate total not to exceed 800 square feet.
  - 4. Farms may seek a special permit for a Farm Accessory Building or Stable which may not exceed 2% of the lot size or located nearer than 100 feet from property line.
- (c) It shall be unlawful to locate, install, erect, or construct an accessory building without first obtaining a permit from the city. Violation for failure to obtain a permit will result in a penalty which is two times the permit fee that shall be paid in addition to the required permit fee.
- (d) The area of the accessory building and building structure shall not exceed 40% of the property area.
- (e) An accessory building must be located in the rear of the property, behind the building structure and no closer than 10 feet from the main structure on the property.
- (f) An accessory building is limited to one single story and may not have a height which exceeds the height of the main structure with a maximum height at the tallest point of the installed accessory building of fourteen feet (14') measured from ground level.
- (g) An accessory building may not be used for operation of a business or home occupation.
- (h) An accessory building may not be used for dwelling purposes.
- (i) An accessory building may not be used for rental purposes or barter exchange.
- (j) An accessory building may be furnished with utilities and a bathroom but may not be separately metered from the main building on the property;
- (k) No trailers, containers, commercial boxes or other similar structures shall be used as storage or accessory buildings;
- (l) The city manager may authorize a temporary field or construction office permit for an accessory building or portable building on a property provided such use is solely for construction purposes and such building is removed from the property after completion of construction of the project not later than the date designated by the city manager;
- (m) No part of the accessory building, including any roof overhang, shall be permitted within any setback areas of the property nor within three foot (3') of an easement line.
- (n) No accessory building may be placed so as to negatively impact drainage on any adjacent lot by diversion or impoundment of storm water flows.

**Section 3. Cumulative.** This ordinance shall be cumulative of all provisions of ordinances and of the Code of the City of Lumberton, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event conflicting provisions of such ordinances and such Code are hereby repealed.

**Section 4. Savings Clause.** All rights and remedies of the City of Lumberton are expressly saved as to any and all violations of the provisions of any ordinances affecting the adopted ordinances within the City which have accrued at the time of the effective date of these ordinance amendments; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by these ordinance amendments but may be prosecuted until final disposition by the courts.

**Section 5. Severability.** Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance thereof ineffective or inapplicable, such

unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof, but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

**Section 6.** Conflicting Ordinances. All ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance as adopted and amended herein, are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the City, the terms and provisions of this ordinance shall govern.

**Section 7.** Effective Date. This ordinance shall take effect upon adoption.

**Section 8.** Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, Texas Government Code.

#### CERTIFICATE

I hereby certify that the foregoing was presented to the City Council for the City of Lumberton, Texas during a meeting on the 14th day of June, 2021 for a first reading and again on the 28th day of June, 2021 for a second reading. A quorum of the City Council being then present at both readings, it was then duly moved and seconded that the foregoing be adopted, and such was then adopted.

PASSED, APPROVED AND ADOPTED BY THE CITY COUNCIL FOR THE CITY OF LUMBERTON, TEXAS, on the 28th day of June, 2021.

By: \_\_\_\_\_  
Don Surratt, Mayor  
City of Lumberton, Texas

ATTEST:

\_\_\_\_\_  
Susan Collins, City Secretary