

**CITY OF LINDSAY, TEXAS**

**ORDINANCE NO. 0219-1**

**AN ORDINANCE OF THE CITY OF LINDSAY, TEXAS, AMENDING SUBSECTION 35.1.4, QUORUM AND COMPENSATION, OF SECTION 35, PLANNING AND ZONING COMMISSION, OF THE CITY OF LINDSAY ZONING ORDINANCE TO ALLOW THE CHAIRMAN TO VOTE; PROVIDING A CUMULATIVE CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Lindsay, Texas, is a Type A general-law municipality located in Cooke County, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, the City Council previously adopted Ordinance No. 0510-2 as the City of Lindsay Zoning Ordinance; and

**WHEREAS**, the City Council has determined that there is a need to amend the City of Lindsay Zoning Ordinance with regard to the Planning and Zoning Commission; and

**WHEREAS**, the City Council of the City of Lindsay has determined that the amendments made in this ordinance are in the best interest of the health, safety and general welfare of the citizens of the City of Lindsay; and

**WHEREAS**, the Planning and Zoning Commission of the City of Lindsay, Texas held a public hearing on February 21, 2019 and the City Council of the City of Lindsay, Texas held a public hearing on March 11, 2019 with respect to the Zoning Change described herein; and

**WHEREAS**, the City has complied with all requirements of Chapter 211 of the Local Government Code, and all other laws dealing with notice, publication and procedural requirements for the amendment to the Zoning Ordinance.

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

**SECTION 1.**

Section 35.1.4, "Quorum and Compensation" of the City of Lindsay Zoning Ordinance is amended to read as follows:

**"35.1.4 Quorum and Compensation: A quorum for the conduct of business shall consist of three members and/or alternate members of the commission. The Chairperson counts toward the establishment of a quorum and is a voting member of the commission. The members shall serve without compensation, except for reimbursement of authorized expenses attendant to the performance of their duties."**

**SECTION 3.  
CUMULATIVE**

This Ordinance shall be cumulative of all provisions of ordinances of the City of Lindsay, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

**SECTION 4.  
SEVERABILITY**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 5.  
EFFECTIVE DATE**

This Ordinance shall be in full force and effect after its passage and publication as required by law.

**PASSED AND APPROVED ON THIS 11 day of March, 2019.**

By:   
Scott Neu, Mayor

ATTEST:

  
Monica Laux, City Secretary