



2655 Ranch Road 1869
Box 121
Liberty Hill, Texas 78642-9998

September 8, 2026

Rex Phelps
City Manager, Haltom City
4801 Haltom Road
Haltom City, Texas 76117

Dear Mr. Phelps,

Homemade Texas is a nonprofit organization that works with cottage food producers across the state. We were deeply involved in the passage of the legislation enacted in 2011, 2013, 2019, and 2025 that established and expanded the Texas Cottage Food Law. We are writing because we have become aware of an action by the Haltom City Zoning Department that raises concerns regarding the City's enforcement of its zoning ordinances as they relate to cottage food production operations.

On September 1, 2026, Damaris Whitcombe, a cottage food operator in Haltom City, received a Notice of Violation for "Zoning: Home Occupation." The notice stated:

"Complaint to the City about a bakery being ran [sic] out of the house. Please discontinue if doing so. Please call if you have questions. Thanks!"

Since we do not know the substance of the complaint received by the City, we recognize that the City may have understood Ms. Whitcombe to be operating a commercial bakery from her residence, rather than a cottage food production operation authorized under Texas law.

Texas law expressly prohibits a municipality from using its zoning authority to prohibit a cottage food production operation from operating from a residence. Section 211.032 of the Texas Local Government Code provides:

"CERTAIN ZONING REGULATIONS PROHIBITED. A municipal zoning ordinance may not prohibit the use of a home for cottage food production operations."

Whatever may have prompted the complaint, the Notice of Violation directs Ms. Whitcombe to discontinue operating a bakery from her home. That is precisely what Section 211.032 prohibits a municipal zoning ordinance from requiring.

The Legislature could not have been clearer. The operation of a cottage food production operation from a home is expressly protected from municipal zoning prohibitions. A notice

directing a resident to discontinue a home bakery because it is being operated from her residence is therefore inconsistent with state law.

Accordingly, Homemade Texas respectfully requests that Haltom City withdraw the September 1 Notice of Violation and confirm that Ms. Whitcombe will not be cited or further harassed for operating a lawful cottage food production operation from her home. We further request that appropriate City staff be advised of the limitation imposed by Section 211.032 so that other Haltom City cottage food operators do not receive similar notices.

We appreciate the City's attention to this matter and look forward to its prompt resolution.

Sincerely,

Kelley Masters
President
Homemade Texas

Cc: Senator Lois Kolkhorst
Senator Taylor Rehmet
Representative David Lowe
Representative Tony Tinderholt
An Truong, Mayor
Lin Thompson, City Council Place 1
Kyle Hantz, City Council Place 2
Ollie Anderson, City Council Place 3
Scott Lindgren, City Council Place 4
Troy Dunn, City Council Place 5
Dana Coffman, City Council Place 6
Don Cooper, City Council Place 7
Sidonna Foust, Assistant City Manager
Alicia Kreh, City Attorney
Erik Smith, Haltom City Zoning Department

Attachment A: Notice of Violation

Attachment A

 **HALTOM CITY**

Date: 9/1/20
Time: 4:05 AM/PM

NOTICE OF VIOLATION

Address [REDACTED]

☐ Accumulation of Junk, Trash, and Debris
Chapter 42, Haltom City Code of Ordinances
Comply within _____ days to avoid legal action.

☐ Fence Maintenance
Haltom City Code of Ordinances #2015-007-15
Comply within _____ days to avoid legal action.

☐ High Grass and Weeds Over 10"
Chapter 42-57, Haltom City Code of Ordinances
Comply within _____ days to avoid legal action.

☐ Overgrown Trees Obstructing Street/Visibility/Sidewalk
Chapter 86, Article IV, Haltom City Code of Ordinances
Comply within _____ days to avoid legal action.

☐ Brush and Limbs Not Cut or Bundled
Chapter 42-17, Haltom City Code of Ordinances
Comply within _____ days to avoid legal action.

☒ Zoning: Home Occupation

Haltom City Zoning Ordinance #2002-032-15
Comply within _____ days to avoid legal action.

Further Description of Violation(s)
Complaint to the city about
a bakery being ran out of
the house. please discontinue
if doing so. please call if you
have questions. Thank!

Should you have any questions, please call our offices
Monday through Friday, 8:00 AM to 5:00 PM.
[REDACTED] (817) [REDACTED]