

AN ORDINANCE 08-39

PROHIBITING THE COLLECTION OF STANDING, OR FLOWING, WATER IN WHICH MOSQUITOES BREED, OR ARE LIKELY TO BREED, AND PRESCRIBING A METHOD OF TREATMENT OF SUCH WATER, AND PROVIDING PENALTY FOR VIOLATION.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO:

SECTION 1: That it shall hereafter be unlawful for the occupant, or owner, of any premises in the City of San Antonio, or the agent of the owner, if the owner be a non-resident or absent from the City, to cause, suffer or permit any collection of standing, or flowing, water in which mosquitoes breed, or are likely to breed, unless such collection of water is treated in the manner prescribed hereinafter, so as to prevent the breeding of mosquitoes, and any such collection of water, so unlawfully maintained, is hereby declared to be a nuisance.

SECTION 2: That it shall hereafter be unlawful for the occupant, or owner, of any premises adjoining the corporate limits of the City of San Antonio, or the agent of the owner if such owner be a non-resident, to cause, suffer or permit any water to be discharged, or flow, upon property within the corporate limits of the City of San Antonio in a manner that is likely to cause said water to collect, stand upon or stagnate upon property within the corporate limits of the City of San Antonio, in which water mosquitoes breed, or are likely to breed, unless such collection of water is treated in the manner hereinafter prescribed, so as to prevent the breeding of mosquitoes, and any such discharges, or flowing, of water across the corporate limits of the City of San Antonio which water subsequently collects, stands upon or stagnates upon property within the (corporate limits of the City of San Antonio, is hereby declared to be a nuisance.

SECTION 3: DEFINING COLLECTION OF WATER.

That the collection of water to be ^{considered as} coming within the terms of this Ordinance are those waters which are contained in ditches, ponds, pools, excavations, holes, depressions, cess-pools, privy, vaults, fountains, basements, cisterns, tanks, shallow wells, barrels, troughs, urns, receptacles in which potted plants, or flowers, are placed, cans, boxes, bottles, tubs, buckets, defective house roof, gutters, tanks of flush closets, automobile casings, or any other water containers.

SECTION 4: METHOD OF TREATMENT. That the methods of treatment of any such collection of water for the purpose of preventing the breeding of mosquitoes may be one or more of the following:

- (a) Complete abolition of water containers described in Section 3, hereof, when in the opinion of the Health Officer of the City of San Antonio, or his duly authorized representative, such containers are unnecessary, or constitute a menace to the health of the City.
- (b) Complete emptying of unscreened, or untreated, containers, together with their thorough drying, or cleaning, every four days.
- (c) Screening with wire netting of at least sixteen (16) meshes to the inch, one way, or any other material which will effectively prevent the ingress, or egress, of mosquitoes.
- (d) Using an approved larvicide.
- (e) Covering completely the surface of the water with Kerosene, Patroleum or

Paraffine Oil, once every seven (7) days.

(f) Cleaning and keeping sufficiently free of vegetable growth and other obstructions, and stocking with mosquito-destroying fish; absence of half-grown mosquito larvaeto be evidence of compliance with the measure.

(g) Filling, or draining, the depressions or containers.

SECTION 5: If any person responsible under the terms of this Ordinance for the existence of any conditions which gives rise to mosquito breeding, refuses to take all necessary measures to prevent the same, in accordance with the terms hereof, within three days after notice from the Health Officer, or his duly authorized representative, so to do, he shall be guilty of a misdemeanor and subject to the penalty prescribed by Section 7, hereof, and each and every day's failure, or refusal, to remedy such condition after the expiration of said time, shall constitute a separate and distinct offense.

SECTION 6: The Health Officer of the City of San Antonio, and those working directly under his supervision, shall enforce the provisions of this Ordinance, and for this purpose may at all reasonable times enter in and upon any premises within the City of San Antonio.

SECTION 7: That any person who shall violate any of the provisions of this Ordinance, shall be guilty of a misdemeanor, and upon conviction shall be subject to a fine of not less than Five (\$5.00) Dollars, nor more than Two Hundred (\$200.00) Dollars, and each and every day's violation shall constitute a separate and distinct offense.

SECTION 8: For reasons of public health, apparent herefrom, this Ordinance is declared of urgent to be importance, and shall take immediate effect upon its passage.

PASSED AND APPROVED this 16th day of July, A. D. 1923.

John W. Tobin,
Mayor, City of San Antonio.

ATTEST:

Fred Fries.
City Clerk.

THE STATE OF TEXAS,
COUNTY OF BEXAR,
CITY OF SAN ANTONIO;

Before, me, the undersigned authority, on this day personally appeared W.A.Druce, Office Mrg. who being by me duly sworn, says on oath that he is one of the publishers of the San Antonio Express a newspaper of general circulation in the City of San Antonio, in the State and County aforesaid, and that the ordinance hereto attached has been published in every issue of said newspaper on the following days, to wit: July. 18-19-20-21-22-23- 24- 25- 26- 27th., 1923.

Express Publishing Company.

By W. A. Druce.

Sworn to and subscribed before me, this, 28th, day of July, 1923

C. J. Thomas.
Notary Public Bexar County Texas.