

AN ORDINANCE *08-155*

REGULATING THE USE OF AIRCRAFT WITHIN AND ABOVE THE CITY OF SAN ANTONIO, AND TERRITORY UNDER ITS JURISDICTION.

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

1. The word "Aircraft" as used herein shall mean any contrivance now known or hereafter invented, used or designed for navigation of the air, or flight in the air; except a parachute, or other contrivance designed for flights in the air, but used primarily as safety equipment.

2. It shall be unlawful to navigate any aircraft carrying any passenger, above the City of San Antonio or above any territory under the jurisdiction of the City of San Antonio, unless such aircraft is registered as an aircraft of the United States of America, by the Department of Commerce, Aeronautics Branch.

3. It shall be unlawful to navigate ~~any~~ aircraft carrying any passenger, above the City of San Antonio or above any territory under the jurisdiction of the City of San Antonio, registered as an aircraft of the United States, without an aircraft license; or in violation of any of the terms of such license.

4. No person shall operate an aircraft carrying any passenger, above the City of San Antonio, or above any territory under the jurisdiction of the City of San Antonio, unless such person holds a license under the Department of Commerce of the United States of America, Aeronautics Branch, as a "Transport Pilot", or as a "Limited Commercial Pilot".

5. No pilot shall fly any aircraft carrying any passenger, above the City of San Antonio or above any territory under the jurisdiction of the City of San Antonio, in violation of any of the terms of the pilot's license.

6. Under the terms of this ordinance, airplanes shall be classified according to the gross weight in pounds, as follows:-

Class 1.	Up to 2500;
Class 2.	Over 2500 to 4500;
Class 3.	Over 4500 to 7500;
Class 4.	Over 7500 to 13,500;
Class 5.	Over 13,500.

7. No. Pilot shall carry any passenger in an airplane of any one of the classes specified in Section 6, unless he has piloted an airplane of that class, with identical engine equipment, for at least two (2) hours within the last preceding thirty (30) days; except where he has made practice flights in the same airplane and engine equipment, for at least one-half hour immediately preceding the flight, and takes it off the ground and lands it at least ten (10) times during that period, and at least three (3) of the landings shall be to a full stop.

8. It shall be unlawful to navigate any aircraft not in conformity with the stipulations of this ordinance, above the City of San Antonio, or any territory subject to its jurisdiction; or to take off or to land within the City of San Antonio, or any territory subject to its jurisdiction, in violation of the stipulations of this ordinance.

9. No take-off shall be commenced until there is no risk of collision with landing aircraft, nor until preceding aircraft taking off, are clear of the field.

10. When two engine-driven aircraft approach each other head on, when if each aircraft keeps on its respective course, it shall pass within three hundred (300) feet of the other; each shall alter its course to the right, so that each may pass on the left side of the other, at a distance greater than three hundred (300) feet.

11. Aircraft shall give way to each other in the following order; Airplanes; Airships; Balloons. An airship not under control is classed as free balloon.

12. Aircraft required to give way, shall keep a distance of not less than three hundred (300) feet from the aircraft having the right-of-way.

13. The aircraft which is required to give way, shall avoid crossing ahead of the other. The aircraft having the right of way, may maintain its course and speed; but no engine-driven aircraft, may pursue its course if it would come within three hundred (300) feet of another aircraft; but this stipulation shall not apply to military aircraft of the United States of America engaged in military maneuvers, nor to commercial aircraft engaged jointly in industrial operations which require action in concert at lesser distances.

14. When two engine-driven aircraft are on crossing courses, the aircraft which has the other on its right, shall keep out of the way.

15. An overtaking aircraft is one approaching another, directly from behind it, or within 70° of that position; but no subsequent alteration of the bearing between the two shall make the overtaking aircraft a crossing aircraft within the meaning of this ordinance, nor relieve it of the duty of keeping clear of the overtaken aircraft. In case of doubt as to whether the overtaking aircraft is forward or aft such position, the pilot should assume that it is an overtaking aircraft and keep out of the way. The overtaking aircraft shall keep out of the way. The overtaking aircraft shall keep out of the way of the overtaken aircraft by altering its course to the right, but not in the vertical plane.

16. Aircraft shall not be flown at an altitude of less than one thousand (1000) feet; except (a) when taking off; (b) when landing; (c) when engaged in industrial flying operations impossible to perform at an altitude of more than one thousand (1000) feet, with the consent of the Secretary of Commerce.

17. Acrobatic flying means intentional maneuvers not necessary to the navigation of the air.

18. No person shall do acrobatic flying above the City of San Antonio; nor in any aircraft carrying passenger which takes off or lands on territory of the City of San Antonio, or subject to the jurisdiction of the City of San Antonio. This provision shall not apply to aircraft engaged in acrobatic flying with the consent of the Secretary of Commerce, or to aircraft of the military forces of the United States doing acrobatic flying with the consent of the Air Officer of the department to which such aircraft is assigned.

19. When an aircraft is in flight, no person shall drop or release anything from said aircraft.

20. In still air, landings may be made in any direction.

21. Landings shall be made up-wind when the air is not still.

22. Aircraft shall make a direct course toward the landing zone when within one thousand (1000) feet horizontally of the leeward side of the landing field.

23. Landing aircraft have the right-of-way over aircraft on the ground, or taking off.

24. When maneuvering in preparation to land, and when landing, the aircraft at the greater height shall avoid the landing aircraft and the lesser heights.

25. An aircraft in distress shall have right-of-way over all aircraft, and shall be given precedence in landing.

26. The angular limits prescribed in this ordinance for the visibility of lights on aircraft, shall be determined when the aircraft is in its normal flying position.

27. Between one-half hour after sunset and one-half hour before sunrise, airplanes in

flight shall carry and display the following lights:- (a) A green light on the right side and a red light on the left side, showing unbroken light between two vertical planes whose dihedral angle is 110° measured to the right and left from straight ahead, and such lights shall be visible for at least two (2) miles; (b) A white light located as far as possible aft, showing to the rear and visible in a dihedral angle of 140° , bisected by a vertical plane through the line of flight, and visible at least three (3) miles.

28. Between one-half after sunset and one-half hour before sunrise, airships shall carry and display the same lights prescribed for airplanes, but the side lights shall be doubled horizontally in a fore and aft position, and the rear light shall be doubled in a vertical position; the lights in each pair shall be at least seven (7) feet apart.

29. Any police officer of the City of San Antonio is hereby authorized to arrest without warrant, any person violating any of the provisions of this ordinance in the presence and while under the observation, of the officer; subject to all other provisions of the laws of the State of Texas, and ordinances of the City of San Antonio.

30. Any police officer of the City of San Antonio is hereby authorized to summarily seize and impound any aircraft operated in violation of this ordinance, or in case of the imminent threatened violation thereof in the presence and while under the observation, of the officer; and hold or dispose of, said aircraft in accordance with the laws of the State of Texas, and ordinances of the City of San Antonio.

31. Any person violating any of the provisions of this ordinance shall be fined in any sum not to exceed Two Hundred Dollars (\$200.00); and each and every day that such person violates this ordinance, shall constitute a separate and distinct offense.

32. The holding or adjudication of any section, or subdivision of any section, or any part of any subdivision of a section of this ordinance, to be invalid, shall not affect the validity of any other section or part of a subdivision of a section thereof; but all of the other sections, subdivisions of sections and parts of subdivisions or sections shall be and remain in full force and effect.

33. This ordinance is declared cumulative of all the provisions of ordinances of similar nature, and shall ^{not} be held to repeal any of the provisions of any such ordinances; except where such ordinances are in direct conflict with the express provisions of this ordinance.

34. WHEREAS, the fact that there are no laws of the State of Texas regulating the intrastate flights of aircraft, and no ordinances of the City regulating the flight of aircraft over the City and the territory subject to the jurisdiction thereof; and, whereas, the hazard of flying is increased by the unrestricted acts of irresponsible persons; and to promote the safe and sane development of commercial aviation within the city limits of the City of San Antonio, as well as in the adjacent and contiguous territory subject to the jurisdiction of said City; an urgency and an emergency for the immediate preservation of the safety, order, good government and general welfare of the City, is created, that requires this ordinance to take effect at once; it is accordingly ORDAINED that this ordinance shall take effect from and after the date of its passage, as in the Charter in such cases made and provided.

PASSED AND APPROVED, this 24th day of October, A. D. 1927.

Phil Wright.
ACTING MAYOR.

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 Manager, who being by me duly sworn, says on oath that he is one of the publishers of the S. A. Evening News 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 October 25th, 26th, 27th, 28th, 29th, 31st, and Nov. 1st, 2nd, 3rd, and 4th. 1927.

By W. A. Druce. Express Pub. Co.

Sworn to and subscribed before me this November 8, 1927.

Edna Brown.
Notary Public in and for Bexar
County.

AN ORDINANCE **08-156**

AMENDING THE TRAFFIC ORDINANCE, BY ADDING RULE 76 THERETO.

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

1. That an Ordinance entitled "An Ordinance Regulating the Government of Traffic on the Streets, Plazas and Public Places of the City of San Antonio", passed and approved on the 8th day of December, 1921, as amended on the 9th day of October, 1922, and as amended on the 22nd day of October, 1923, and as amended on the 16th day of June, 1924, and as amended on the 17th day of August, 1925, and as amended on the 9th day of May, 1927, and as amended on the 6th day of June, 1927, and as amended on the 19th day of September, 1927; be and the same is hereby amended by adding Rule 76 thereto, as follows:-

2. "Rule 76. No person shall drive any vehicle, motor vehicle, street car, or animal on to any of the following named streets, without first bringing said vehicle, motor vehicle, street car or animal to a full stop, not further than ten (10) feet from the near curb line of said street; and when driving a motor vehicle or street car, the operator shall start it in low gear; but this provision of the traffic ordinance shall never be construed to give the vehicle, motor vehicle, street car or animal proceeding on a street where no stop is required, any right-of-way over the vehicle, motor vehicle, street car or animal proceeding on a street where the stop is required; nor shall it ever be construed to limit, or to conflict with any of the provisions of the statutes of the State of Texas regulating traffic, viz:-

a. Broadway, from the south line of East Pecan Street to the City Limits; except at Third Street, Fourth Street and East Josephine Street from 8.00 A. M. to 11.00 P. M., while the traffic lights operate.

b. West Commerce Street, from west line of North Flores Street to the City Limits, except at Laredo Street and Frio Street from 8.00 A. M. to 11.00 P. M. while the traffic lights operate.

c. East Commerce Street, from the east line of Alamo Street to the east line of South Rio Grande Street; except at Hackberry Street from 8.00 A. M. to 11.00 P. M. while the traffic lights operate.

d. Main Avenue, from the north line of West Travis Street to the north line of Summit Avenue; except at Dewey Place from 8.00 A. M. to 11.00 P. M., while the traffic lights operate.

e. South St. Mary's Street, from the north line of East Villita Street to the north line of East Nueva Street.

f. Garden Street, from the north line of East Nueva Street to the south line of Peredia Street; except as East Nueva Street and at South Alamo Street, from 8.00 A. M. to 11.00 P. M.,