

AN ORDINANCE

01-1

AMENDING RULE 39 OF 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.

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

1 That Rule 39 of 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, be and the same is amended hereby by deleting from paragraph 39-i, the following:

"Galan, south side from Main Plaza to Military Plaza;"

and by adding to said paragraph 39-i, the following:

"Galan, north side from Main Plaza to Military Plaza; Main Avenue between Travis and Martin Streets; Third Street between Broadway and Avenue E; Avenue E between Travis and 4th Streets; Travis Street, north side between Alamo and Avenue E".

2. It is ordered by two-thirds vote of the full Board of Commissioners of the City of San Antonio that this ordinance shall receive final action without having been read at three several meetings of the Commission.

3. Whereas, it is necessary for the public safety of the City in the exercise of its police power for the proper regulation of traffic, the control of public streets and the preservation of the blocking and encumbering of the streets in the congested business district, an urgency is created that this ordinance take immediate effect upon its passage; therefore, upon the passage of this ordinance by four-fifths vote of the Commissioners it shall be effective, as made and provided by the Charter of the City of San Antonio.

4. PASSED AND APPROVED this 5 day of November, A. D. 1936.

C. K. Quin.  
Mayor.

ATTEST: Jas. Simpson.  
City Clerk.

AN ORDINANCE

01-2

REGULATING THE SALE OF WORN OR USED AND RETURNED MERCHANDISE AND SECOND HAND MERCHANDISE, PROHIBITING THE SALE OF SECOND HAND MERCHANDISE, UNLESS THOROUGHLY DISINFECTED, AND PROHIBITING THE RE-SALE OF MERCHANDISE WORN OR USED AND RETURNED BY THE PURCHASER TO THE SELLER WITHOUT SAME BEING THOROUGHLY DISINFECTED, AND PROVIDING PENALTIES.

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

SECTION 1. DEFINITIONS.

1. The words "worn or used and returned merchandise" shall mean and include all articles of wearing apparel and other merchandise which has been worn or used and returned by purchaser to the seller.

2. The words "second hand merchandise" shall mean and include all articles of wearing apparel and other merchandise which has been worn or used.

3. The word "person" shall include both singular and plural, and shall mean and embrace any person, firm, corporation or association.

4. The word "merchandise" shall mean and include:

(a) Mattresses, blankets, sheets, pillows, pillow cases, comforters, and other forms of bedding.

(b) Heating pads, metal hot water bottles, rubber stockings,

reducing rollers, water bags, fountain syringes, and all other rubber goods.

- (c) Corsets, brassiers, gowns, underwear, union suits, bloomers, stockings and bathing suits.
- (d) All articles made of hair and veils.
- (e) All articles of wearing apparel that come in contact with the skin, hair, nose or mouth.

SECTION 11. That no worn or used and returned merchandise and no second hand merchandise, as herein defined, shall be hereafter sold or offered for sale within the corporate limits of the City of San Antonio, Texas, unless same has been thoroughly disinfected after having been worn or used. That such merchandise shall be disinfected in the following manner: By being laundered, providing same can be laundered; all merchandise that cannot be laundered shall be steam cleaned, providing same can be steam cleaned; and all merchandise that cannot be laundered or steam cleaned shall be thoroughly disinfected with a formaldehyde solution (one per cent) for a period of at least twenty minutes. That the person doing the work of laundering, steam cleaning or otherwise disinfecting with formaldehyde solution shall attach to such merchandise so disinfected a certificate stating exactly what work done and date performed, and such certificate shall bear the name, address and signature of the person doing such work.

SECTION 111. That all worn or used and returned merchandise and all second hand merchandise as herein defined and listed, that is shipped from other points into the City of San Antonio, must be disinfected as provided in SECTION 11 hereof, before same can be sold in the City of San Antonio, or same must bear a certificate from the Health Department of the City or County from which it has been shipped certifying that same has been disinfected since having been worn or used, the manner of disinfection, the time same was done, and the manner of disinfection must comply with SECTION 11 hereof.

SECTION 1V. No person engaged in the sale at retail of merchandise as defined and listed in SECTION 1 paragraph 4 hereof, shall resell such merchandise sold as new which has been used and returned by the purchaser unless such return merchandise has been disinfected as provided in SECTION 11 hereof before resale.

SECTION V. Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not less than Five Dollars (\$5.00) nor more than Two Hundred Dollars (\$200.00).

SECTION VI. Every Section of this Ordinance and every provision of each section is hereby declared to be an individual section or provision, and the holding of any Section or provision of any Section to be void, ineffective or unconstitutional for any cause whatsoever shall not be deemed to affect any other Section or provisions thereof.

SECTION VII. All Ordinances or parts of Ordinances in conflict herewith shall be and are hereby repealed.

SECTION VIII. The fact that there is now no Ordinance regulating the manner of disinfecting worn or used and returned merchandise and second hand merchandise to be offered for sale in the City of San Antonio, creates an urgent necessity for the immediate preservation of public health, that requires this Ordinance to become effective at once; therefore upon the passage of this Ordinance by a vote of four-fifths (4/5) of the Commissioners, it shall be effective from and after the date of its passage as made and provided by the Charter of the City of San Antonio.

PASSED AND APPROVED this 12th day of November, A. D. 1936.

ATTEST: Jas. Simpson.  
City Clerk.

C. K. Quin.  
Mayor.

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

San Antonio, Texas  
Ordinance Book I 1936-39

Before me, the undersigned authority, on this day personally appeared C. L. Buchanan, who being by me duly sworn, says on oath that he is chief accountant San Antonio Light 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: Nov. 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 1936.

Sworn to and subscribed before me this 28th day of November, 1936.

J. D. Massey  
Notary Public in and for Bexar  
County, Texas.

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AN ORDINANCE

01-3

Repealed by  
Ord. Jan-8-42  
c.b. J. Tol

CREATING A ZONING COMMISSION AND DEFINING ITS POWER.

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

1. That the Board of Commissioners of the City of San Antonio shall appoint a Zoning Commission of not more than 15 members, to recommend the boundaries of the various original districts and appropriate regulations to be enforced therein, to accomplish the purpose of this ordinance.
2. Such Commission shall make a preliminary report and hold public hearings thereon, before submitting its final report, and the Board of Commissioners shall not take action until it has received the final report of the Zoning Commission.
3. The City of San Antonio shall be divided into districts of such number, shape and area as may be deemed best suited to carry out the purposes of this ordinance; and within such districts it may regulate and restrict erection, construction, reconstruction, alteration, repair or use of buildings, structures or land. Such regulations shall be uniform for each class or kind of building throughout each district, but the regulations in one district may be different from the regulations in other districts.
4. Such regulations shall be made in accord with a comprehensive plan to lessen congestion in the streets, secure safety from fire, panic and other dangers, to promote the health and general welfare of the people, to provide adequate light and air, to prevent the overcrowding of land, to avoid undue concentration of population, to facilitate the adequate operation of transportation, water, sewerage, schools, parks and other public requirements. Such regulations shall be made with reasonable/consideration, among other things, of the character of the district and its suitability for particular purposes, and with a view to conserving the value of buildings and to encourage the most appropriate use of land through such municipality; but shall not require the removal or destruction of property existing at the time that it takes effect.
5. No regulation; restriction or boundary shall become effective until after a public hearing in relation thereto, at which time parties in interest and citizens shall have an opportunity to be heard.
6. At least fifteen days notice of the time and place of such hearing shall be published in the official advertising medium of the City of San Antonio.
7. Such regulations, restrictions and boundaries may from time to time be amended, supplemented, changed, modified or repealed. In case of a protest against such change, signed by the owners of 20 per cent or more either of the area of the lots included in such proposed change, or of those immediately adjacent in the rear thereof extending 200 feet therefrom, or of those directly opposite thereto extending 200 feet from the street frontage of such opposite lots, such amendment shall not become effective except by the favorable vote of three-fourths of all the members of

the Board of Commissioners of the City of San Antonio. The provisions of the previous section relative to public hearing and official notice shall apply equally to all changes or amendments.

8. It is ordered by two-thirds vote of the full Board of Commissioners of the City of San Antonio that this ordinance shall receive final action without having been read at three several meetings of the Commission.

9. PASSED AND APPROVED this 12 day of November, A. D. 1936.

ATTEST: Jas. Simpson.  
City Clerk.

C. K. Quin.  
Mayor.

AN ORDINANCE *01-4*

REGULATING THE CONSTRUCTION AND MAINTENANCE OF PRIVATE TOILETS AND PRIVIES;  
PROVIDING FOR THE SANITARY DISPOSAL OF HUMAN EXCRETA; PROVIDING A PENALTY;  
REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND CONTAINING A SAVING CLAUSE.

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

SECTION I. That it shall be unlawful to permit, maintain or use any ground, lot, yard, residence, place of business, or other place or building within the corporate limits of the City of San Antonio where persons reside, congregate, or employed which is not provided with means for the disposal of human excreta, either by a flush toilet connected with a sewerage system, approved by the State Department of Health, or a privy which meets the requirements of construction and maintenance hereinafter described.

✓ SECTION II. Every residence, place of business, or other building or place where persons reside, congregate, or are employed which abuts a street or alley in which there is a public sanitary sewer, or which is within 200 feet of a public sanitary sewer, shall be connected to the sewer, by the owner or agent of the premises, in the most direct manner possible, and with a separate connection for each home, building or place. Each connection and each fixture emptying through the connection shall be installed in the manner prescribed by the plumbing code of the City of San Antonio, Texas.

✓ SECTION III. Every residence, place of business, or other building or place where persons reside, congregate or are employed, and which does not abut a street or alley in which there is a public sanitary sewer, or which is not within 200 feet of a public sanitary sewer, shall be provided with a private water-flush toilet, or a privy, to be built or rebuilt, constructed and maintained in such a manner as to meet the following requirements of construction and maintenance:

A. PRIVATE SEWER SYSTEM:

*Amended 6/23/53 Ord # 2146 Page 237 old Ord # 88*  
At any residence, place of business, or other place or building where there is installed a water-flush system of excreta disposal which is not connected to a public sewer system approved by the State Department of Health, and where the customary users do not exceed 25 in number, there shall also be established or installed a private sewage disposal plant, said disposal plant to consist of a septic tank and a system of underground drains for the disposal of the tank effluent. Said tank and drains shall be so constructed as to meet the requirements of construction and maintenance hereinafter described.

(a) Septic tanks. The sizes of septic tanks shall be as follows:

The minimum size shall be 300 gallons sewage capacity, and where more than six people are to be served, the tank shall be increased in sewage capacity at a ratio of 50 gallons increase in sewage capacity per capita. Septic tanks shall have removable lids, or covered manholes of sufficient size to allow cleaning of the tanks.

(b) Sufficient open-jointed tile drain shall be provided and the construction shall be such that sewage shall at no time flow over the top of the ground. Thirty feet of drain per person shall be recognized as a minimum. Drain tile shall be laid to a grade not exceeding 3 inches per hundred feet, and shall be preferably laid to a grade of 1 inch per hundred feet.

(c) Drain line trenches shall be not less than one foot in width, and not greater than two feet in depth. The drain lines shall be laid on a 4 inch bed of crushed stone or clean gravel covering the full width of the trench and mounded up over the top of the tile. Tile joints shall be covered with tar paper or equal to prevent dirt from settling into the joints. The backfilling of the trench shall provide an earth covering of 10 inches for the tile at all points.

2. At any residence, place of business, or other building or place where there is installed a water-flush system of excreta disposal which is not connected to a public sewer system approved by the State Department of Health, and where the customary users exceed 25 in number, there shall also be established or installed a private sewage disposal plant, the plans and construction of which, in each separate case, shall be approved by the State Department of Health. Each fixture connected to any private sewage disposal plant, and all piping and appurtenances thereto, shall be installed as prescribed by the plumbing code of the City of San Antonio, Texas.

B. PIT PRIVY:

1. Where at any time there shall be established or installed a pit privy, said pit privy shall be so constructed, built or rebuilt that:

(a) The excreta deposited therein shall not fall upon the surface of the ground but shall enter into a vault or pit in the ground.

(b) The contents of said vault shall be at all times inaccessible to flies, mosquitoes, fowls, or small animals.

(c) The pit, vault, or compartment, together with the floor, riser, seat and other portions of the building, shall, as a unit, prevent the entrance of either rain or surface water into the pit below.

2. There shall be deemed to be in compliance with the requirements of the above portion of part B SECTION III, when the following conditions exist:

(a) Pit - Minimum dimensions:

Length, breadth: 3 feet 6 inches.

( Depth, from original ground surface, 5 feet.

A box cribbing shall extend from the bottom of the pit to a distance of two inches above the original ground surface.

(b) Collar or Sill: Around the pit, and clearing the cribbing by a distance of one inch shall be placed a reinforced concrete collar or sill not less than four inches thick and five inches wide; said sill to be cast monolithic, or in one piece.

(c) Floor and riser. Upon the sill or collar shall be placed the floor and riser, which shall be a substantial reinforced concrete slab 4 feet by 4 feet with bolts set in the concrete for bolting the house and the seat to said slab.

(d) Mound: From the top edge of the slab a well tamped mound shall be constructed tapering from the edge of the slab to the original ground surface at a distance not less than 18 inches from the slab.

(e) Seat and lid: The seat shall be constructed of a good grade of wood, 2 inches thick. There shall be an opening at the back of the seat for a four inch galvanized iron vent

pipe, which shall be screened at both ends with 16 mesh copper wire screen. The vent pipe shall extend to a height of not less than eight inches above the roof, and shall be provided with a metal cap to prevent the entrance of rain, or the light of day. The seat shall be grouted to the riser so that no cracks exist which will permit the entrance or exit of flies or mosquitoes. The seat shall be provided with a self-closing lid. A device shall be used which will maintain the lid in an open position when the toilet is being used, but which will automatically close the lid when the door is opened for exit from the toilet.

(f) The house shall be four feet square, 5 feet 5 inches high in the back, and 6 feet 6 inches high in the front, and shall be provided with a shed roof. The building shall be ventilated on each side just under the roof. The roof shall extend five inches in front and 15 inches behind and 9 inches on each side.

SECTION IV. Should any defect occur in the privy which would cause it in any way to fail to meet the requirements as provided above, the defect shall be immediately corrected by the owner or agent of the premises on which the defect has occurred, unless the defect shall be caused by neglect, destructiveness or carelessness on the part of the occupants of the premises on which the defect has occurred, or through his agents, in which case the defect shall be immediately repaired or corrected by the occupant, or the agent of the occupant of the premises on which the defect has occurred.

SECTION V. All privy buildings shall be kept in a clean condition at all times.

SECTION VI. Any privy or private sewer existing or being maintained which does not conform to the requirements of this Ordinance, shall be, and is declared a nuisance, dangerous, and a menace to the public health, and the City of San Antonio, Texas, shall have the power to abate any such nuisance in accordance with law.

SECTION VII. It shall be the duty of the Health Officer to enforce the provisions of this Ordinance, and in the performance of this duty the Health Officer or his duly authorized agent is hereby authorized to enter, at any reasonable hour, any premises as may be necessary in the enforcement of this Ordinance.

SECTION VIII. Any person, firm, or corporation who violates or refuses or fails to comply with any of the provisions of this ordinance shall be guilty of a misdemeanor, and shall be punished by a fine of not less than \$5.00 nor more than \$100.00.

SECTION IX. Every section of this Ordinance and every provision of each section is hereby declared to be an individual section or provision, and the holding of any section or provision of any section to be void, ineffective or unconstitutional for any cause whatsoever shall not be deemed to affect any other section or provision thereof.

SECTION X. All ordinances or parts of ordinances in conflict herewith shall be and are hereby repealed.

SECTION XI. This ordinance shall cumulative of all laws of the State of Texas.

SECTION XII. WHEREAS, an emergency is apparent for the immediate preservation of order, good government and public safety, that requires this ordinance to become effective at once; therefore upon the passage of this ordinance by a vote of four-fifths (4/5) of the Commissioners, it shall be effective from and after the date of its passage as made and provided by the Charter of the City of San Antonio.

PASSED AND APPROVED, this the 27 day of November, A. D. 1936.

ATTEST:

Jas. Simpson  
City Clerk.

C. K. Quin  
Mayor.

AFFIDAVIT OF PUBLISHER

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

Before me, the undersigned authority, on this day personally appeared C. L. Buchanan, who being by me duly sworn, says on oath that he is Chief Accountant of the San Antonio Light, 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: Nov. 29, 30, Dec. 1, 2, 3, 4, 5, 6, 7, 8, 1936.

Sworn to and subscribed before me this 30th day of December, 1936.

C. L. Buchanan  
J. D. Massey  
Notary Public in and for Bexar County, Texas.

AN ORDINANCE *01-5*

LEVYING A TAX UPON COIN-OPERATED MACHINES, EXEMPTING CERTAIN CLASSES OF MACHINES, AND PROVIDING FOR THE COLLECTION OF SUCH TAX AUTHORIZED BY HOUSE BILL 8 OF THE ACTS OF THE 44TH LEGISLATURE, THIRD CALLED SESSION.

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

1. That the City of San Antonio, acting under the authority of the Constitution of the State of Texas and the Charter of the City of San Antonio, does hereby levy a tax under the terms and provisions of Section 4 of House Bill No. 8 passed and approved on 31 October 1936 by the Third Called Session of the 44th Legislature of the State of Texas, against every owner, as that term is in said Act defined, who owns, controls, possesses, exhibits, displays, or who permits to be exhibited or displayed in this city, any coin-operated machines as that term is defined in said Act, except such as are exempted in said Act, and shall collect an annual occupation tax determined by the following schedule:-
2. For each merchandise or music coin-operated machine as that term is defined in said Act, a fee of \$10.00, when the coin, fee or token used, or which may be used, in the operation thereof, is one of the value in excess of five cents, or represents a value in excess of five cents; and, a fee of \$1.25 where the coin, fee or token used, or which may be used, in the operation thereof, is one of the value in excess of one cent and not exceed five cents, or represents a value in excess of one cent and not exceeding five cents.
3. For each skill or pleasure coin-operated machine as that term is defined in said Act, a fee of \$30.00 where the coin, fee or token used, or which may be used, in the operation thereof, is one of the value in excess of five cents, or represents a value in excess of five cents; and, a fee of \$15.00 where the coin, fee or token used, or which may be used, in the operation thereof, is one of the value in excess of one cent and not exceeding five cents, or represents a value in excess of one cent and not exceeding five cents.
4. It shall be unlawful for any person to possess or exhibit within this city any coin-operated machine without having attached thereto a valid occupation tax receipt issued by the Tax Collector of the City of San Antonio showing the payment of the tax thereon for the current fiscal year.
5. The tax herein specified shall be payable annually in advance at the office of the License and Dues Collector of the City of San Antonio. And the receipt shall expire at midnight on the 31 day of May of each year and no receipt shall be issued for longer that one year as

stipulated in the Charter of the City of San Antonio.

6. If the receipt is issued for a part of the year, then the tax required to be paid shall cover the period of time from the date of such receipt to midnight of the 31 day of May following, and only such proportionate part of the annual tax stipulated in this ordinance, as the period of time between the date of the receipt when issued and the 31 of May following bears to the year, shall be required to be paid, using as the unit of measure and including the month in which the receipt is issued.

7. If any person violates any of the provisions of this ordinance, he shall be guilty of a misdemeanor and punished by a fine not to exceed \$100.00; and, each and every day of violation of any of its provisions shall be deemed to be a separate offense.

8. If any section, paragraph, sentence or phrase of this ordinance be invalid, then such invalid portion shall not in any way affect the remainder of this ordinance, and it is hereby declared as the legislative intent that the remainder of this ordinance would have been passed by the Board of Commissioners, notwithstanding the invalidity of such section, paragraph, sentence or phrase.

9. WHEREAS, an emergency is apparent for the immediate preservation of order, good government and public safety that requires this ordinance to become effective at once; therefore, upon the passage of this ordinance by a vote of four-fifths of the Commissioners, it shall be effective from and after the date of its passage as made and provided by the Charter of the City of San Antonio,

10. PASSED AND APPROVED this 3 day of December, A. D. 1936.

ATTEST:

Jas. Simpson  
City Clerk.

C. K. Quin  
Mayor.

AFFIDAVIT OF PUBLISHER

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

Before me, the undersigned authority, on this day personally appeared C. L.  
Buchanan, who being by me duly sworn, says on oath that he is Chief Accountant  
of the San Antonio Light, 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: December 6, 7, 8, 9  
10, 11, 12, 13, 14, 15, 1936.

Sworn to and subscribed before me this 30th day of December, 1936.

J. D. Massey  
Notary Public in and for Bexar County, Texas.

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