

Ordinance Book
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OK-1

AN ORDINANCE (1325)

TO PROTECT THE CITY'S UNDERGROUND WATER SUPPLY AGAINST POLLUTION AND CONTAMINATION BY REGULATING THE CONSTRUCTION, REPAIR, CORRECTION, ABANDONMENT, PLUGGING AND OPERATION OF PRIVATELY OWNED WELLS; REQUIRING A PERMIT TO CONSTRUCT, REPAIR OR CORRECT, ABANDON OR PLUG A WELL WITHIN THE LIMITS OF THE CITY OF SAN ANTONIO; FIXING FEES TO BE CHARGED FOR SUCH PERMITS, AND IMPOSING A PENALTY FOR THE VIOLATION OF ANY PROVISION OF THE ORDINANCE

WHEREAS, the unregulated drilling, construction, operation and abandonment of privately owned wells would result in the pollution and contamination of the underground water of the City of San Antonio used as a source of supply by its inhabitants or by the City in furnishing its inhabitants with water; and,

WHEREAS, such pollution and contamination constitute a health menace to the inhabitants of the City and would eventually result in rendering the underground water of the City unsuitable for domestic use by its inhabitants;

NOW, THEREFORE, in order to protect the underground water supply of the City from such pollution and contamination;

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SAN ANTONIO, TEXAS

Section 1. (a) It shall hereafter be unlawful for any person, association of persons, firm or corporation to drill or otherwise construct, repair, correct, abandon and/or plug a well, or to engage upon such work; within the limits of the City of San Antonio, Texas, or to employ anyone else to engage in such work, without first applying for and securing a permit from the Water Works Board of Trustees or a duly authorized agent thereof who shall hereinafter be referred to as the Board. Such permit may be granted with the approval of said Board, to any person, association of persons, firm or corporation, who or which files with the Board the application hereinafter provided for, and pays the fee hereinafter required, and complies with all other provisions of this Ordinance applicable to him, them, or it.

Section 1. (b) It shall be the duty of the Board to inspect the property where any well is to be drilled, sunk, dug, or bored and to refuse the issuance of a permit to drill, sink, dig or bore a well in a place which does not meet with its approval as to drainage and other sanitary conditions.

Section 2. Every application for a permit for the drilling, construction, repair and correction, abandonment and/or plugging of a well, shall state the name and address of the owner thereof, the purpose for which the permit is desired, which shall be one or more of the acts just mentioned; the definite location of the well or proposed well; its approximate depth; and if for a permit for the drilling or construction or repair and correction of a water well, the estimated amount of water to be, or which is, pumped daily, monthly or annually, and the use or uses for which the water will be or is required; if for a permit for the drilling or construction or for the repair and correction of a well, the proposed method of drilling or construction, or the proposed method of repair and correction, and the kind of equipment to be used, and in all cases the name of the contractor, if done through a contractor, whom the owner desires to drill or construct, repair and correct, or do the work pursuant to an abandonment of a well in compliance with this Ordinance.

Section 3. The fees to be paid to the Board for the permits required by this Ordinance shall be as follows:

- (a) Permit for the drilling or construction of a new well up to 50 feet deep, \$10.00.
- (b) Permit for the drilling or construction of a new well 50 feet deep to 150 feet deep, \$20.00.
- (c) Permit for the drilling or construction of a new well 150 feet deep to 400 feet deep, \$30.00.
- (d) For the drilling or construction of a new well over 400 feet deep the fee last named and in addition thereto, for each 100 feet or

fraction thereof in excess of 400 feet, \$10.00.

(e) Permit to repair or correct a defective well, \$20.00/

(f) Permit to abandon and/or plug a well, \$5.00.

Section 3-A. It shall be unlawful for any applicant who obtains a permit to construct a well of a certain depth, to extend such well to a depth exceeding the depth provided for in such permit without first obtaining an additional permit therefor.

Section 4. The Board shall have the power (a) to make or have made examinations of all wells within the limits of the City of San Antonio whether privately owned or otherwise; (b) to make or have made at any time the necessary analyses and/or tests of water therefrom; (c) to go upon the land and property of the owner or owners of wells for that purpose; (d) to require the owner or owners to furnish all information requested concerning the wells, including, in the case of new wells, complete logs of the well showing depth to and depth through all geologic formations encountered; (e) to supervise the construction, repair, abandonment and plugging of wells and the operations of the same. The Board shall keep a register of all wells within the limits of the City of San Antonio, which shall show the name of the owner, the location and the date of construction of each well, its depth and diameter, the purpose for which the well was constructed, and if abandoned, the date of such abandonment.

All acts authorized to be done by said Board may be performed by such persons as may be authorized by said Board to act for it.

Section 5. Every well hereafter constructed, whether drilled, dug or excavated, which encounters salt water or water containing mineral or other substance injurious to health or vegetation, shall be securely plugged and sealed or cased in such manner that the waters be confined to the stratum or strata in which found, and all wells shall be so constructed and cased so that no water from one stratum can by reason of the construction of the well come in contact with waters from another stratum. The casing shall be set in the top of the stratum from which water is to be taken and shall be cemented in place by suitable method to be approved by the Board, to the end that cement be forced up around the outside of the casing from the bottom of the casing to the surface of the ground so that all waters found in the strata, except that from which water is to be used, shall be sealed off one from the other by the cement, or, if a better method than cementing shall be scientifically developed to accomplish the purpose mentioned, such better method may be prescribed by the Board in lieu of cementing. The casing used shall be of weight per foot not less than the follows:

Size of Casing	Minimum Weight Per Foot
4 inch	10 pounds
5 "	14 "
6 "	18 "
8 "	28 "
10 "	40 "
12 "	49 "
15 " O.D.	60 "
18 " O.D.	80 "
20 " O.D.	89 "

The casing shall be mechanically continuous from the point of setting in the bottom of the well to a point not less than 12 inches above ground level and shall be so installed as to make impossible any leakage as against any pressures which may be encountered.

If casing is of two or more diameter sizes, the different sizes shall be connected with threaded nipples or be sealed with rubber, cement or lead or by some other manner satisfactory to the Board.

Section 6. Every well whether dug or drilled, now constructed or which may hereafter be constructed, which for any reason does not completely prevent the mixing of water or other liquid from above and below the source of the City's water supply with the water in the source of the City's water supply, or which for any reason would tend to pollute or contaminate any other well

or the water in the source of the City's water supply, shall be considered a defective well and the Board on its own initiative or upon information or complaint from any source may make an examination of any well suspected of being defective and if said examination indicates in the opinion of the Board that the well is a probably source of contamination of the City water supply or any other well or that the water from said well is unsafe for human consumption, shall issue written instructions to the owner or his agent in charge of such well or the property upon which it is situated, for correcting the defects to comply with the provisions of this Ordinance, and prescribe a time which, in its judgment, under all the circumstances, is reasonable and within which such instructions shall be complied with. It shall be unlawful for the owner or owners or operators of such defective well to fail to comply with such instructions within the time limit prescribed by said Board.

Section 7. For the purpose of this Ordinance, an abandoned well is (a) a defective well which, in the judgment of the Board, cannot be corrected to comply with the requirements of this Ordinance, or (b) any well which has been continuously out of use for a period of two years, or longer. Whenever any well has not been in active use for more than two years, the owner or operator of the same shall report said fact to the Board. Every abandoned well shall be filled and plugged with such materials and in such manner, as, in the judgment of the said Board, will prevent the pollution and contamination of the City's water supply or the contamination of any other well within the limits of the City of San Antonio. And such filling and plugging shall be done under the supervision of said Board, and at the expense of the owner of such well. Whenever the said Board shall receive notice from any source of the existence of an abandoned well which has not been plugged and filled in accordance with the provisions of this Ordinance, it shall notify the owner or agent in charge of said well or of the property upon which it is situated that such well is abandoned and shall instruct him to fill and plug such well in accordance with this Ordinance, and the owner or operator of such well shall comply with such other within sixty days after the date of same. Should he fail to so comply within such period or if after using reasonably diligence, should the Board fail to locate the owner or the agent in charge of such well or of the property upon which the well is situated, the Board may go on the land or property upon which the well is situated and fill and plug the same in the manner required by this Ordinance. Whenever it becomes necessary for the Board to fill and plug any abandoned well, the owner thereof shall be liable to the Board for the cost of doing such work and shall pay the same upon demand.

Section 8. Any well or other opening now constructed or which may hereafter be constructed penetrating the underground water supply and which pollutes or contaminates any other well or the City's water supply, is hereby declared a nuisance and on notice to the owner of such well, or to the operator thereof, or to his agent in charge of the well or of the property on which it is situated, issued by the Board, said nuisance shall be abated by the owner within ten (10) days from date of such notice by filling and plugging the well or opening in the manner provided for in this Ordinance for abandoned wells; and if he shall fail to abate such nuisance within said time, or if after exercising reasonable diligence the said Board is unable to locate the owner or his agent, the said Board shall have the right to go on the land or property upon which the well is situated and abate said nuisance in the manner provided and the owner thereof shall be liable to the Board for the cost of such work and shall pay same upon demand.

Section 9. The provisions of this Ordinance shall not apply to wells or other openings less than 50 feet in depth, provided, however, that the owner of any proposed well less than 50 feet in depth shall be required to apply for and receive from the Board a permit to construct said well, the application for which shall supply all the information required under Section 2 of this Ordinance, and for such permit the Board will charge and receive the fee heretofore pro-

vided for.

Section 10. All permits shall be executed in triplicate, one copy to be delivered to the applicant and two copies to be retained in the office of the Board.

Section 11. All fees and other money collected by the Board by virtue of this Ordinance shall be expended by said Board to cover the expense of making examinations of wells within the limits of the City of San Antonio, to make or have made the necessary analyses and tests of water therefrom, to supervise the construction, repair, abandonment and plugging of wells and the operation of same, and such other expenses as may be necessary to the enforcement of this Ordinance.

Section 12. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 13. This Ordinance shall take effect immediately upon its passage, approval and publication.

Section 14. It shall be deemed a violation of this Ordinance for any person, association of persons, firm or corporation to fail or refuse to comply with any order of the Board made in conformity with and under the authority of this Ordinance.

Section 15. Any person, association of persons, firm or corporation violating any provision of this Ordinance shall be guilty of a misdemeanor and shall be punished by a fine of not less than ten (\$10.00) dollars nor more than two hundred (\$200.00) dollars, and each day of failure to comply with this Ordinance shall be deemed a separate offense.

Section 16. In case any section, sub-section, sentence or clause of this Ordinance shall be hereafter declared unconstitutional, null, void or inoperative, the other portions of said Ordinance shall nevertheless remain in full force and effect.

PASSED AND APPROVED ON THE 28th day of May, A.D. 1942.

C. K. QUIN
M A Y O R

ATTEST:

Jas. Simpson
City Clerk

AFFIDAVIT OF PUBLISHER

THE STATE OF TEXAS
COUNTY OF BEXAR
CITY OF SAN ANTONIO

Before me, the undersigned authority, on this day personally appeared _____

Pauline Smith _____, who being by me duly sworn, says on oath that he is _____

Bookkeeper _____ 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:

June 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, A.D. 1942.

/s/ Pauline Smith

Sworn to and subscribed before me this 16th day of June, 1942.

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

AN ORDINANCE (1326)

PROHIBITING THE EXHIBITION, SALE, GIVING AWAY, PUBLICATION, OR POSSESSION OF OBSCENE OR INDECENT BOOKS, PRINTED MATTER, PRINTS, MAGAZINES AND OTHER OBSCENE PUBLICATIONS AND LITERATURE, WITHIN THE CORPORATE LIMITS OF THE CITY OF SAN ANTONIO, TEXAS, FIXING PENALTIES THEREFOR, AND DECLARING AN EMERGENCY

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

*Repealed
11/20/50
Ord 1326 of Page 223*

OK-2

SECTION 1. It shall hereafter be unlawful for any person, firm, corporation or association of persons, or their agents, within the corporate limits of the City of San Antonio, Texas, to exhibit, lend, give away or sell, or to circulate or distribute, or to sell, or in any manner publish or offer to publish, or have in his, their or its possession for any such purpose or purposes, any obscene, lewd, indecent, lascivious book, pamphlet, paper, drawing, print, picture, writing, advertisement, circular, hand-bill, or other representation, figure or image on paper or other material of an immoral or indecent nature, or of any newspaper or magazine containing pictures of nude or partly nude men and women, or pictures or drawings of men or women in indecent or suggestive attitudes or positions, or which publishes by pictures, drawings, or description, indecent or immoral details of crime or immorality; but nothing herein shall be construed to affect the publication, sale and use of standard medical books used for teaching in regularly chartered medical colleges, or consulted by regularly licensed practitioners of medicine.

SECTION 2. Any person, firm, corporation or association of persons violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine in any sum not exceeding One Hundred Dollars (\$100.00) for the first offense, and upon a conviction hereunder for a second or any subsequent offense, punishment shall be by a fine not less than Twenty-five Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00).

SECTION 3. All ordinances or parts of ordinances in conflict herewith shall be and are hereby repealed.

SECTION 4. If any section or provision of any section of this ordinance shall be held to be void, ineffective or unconstitutional, the holding of any such section or provision of any such section to be void, ineffective or unconstitutional for any cause whatsoever shall not affect the validity of the remaining sections and provisions of this ordinance.

SECTION 5. This ordinance shall be cumulative of all ordinances of the City of San Antonio and of the laws of the State of Texas.

SECTION 6. WHEREAS, an emergency is apparent for the immediate preservation of public morals and for other reasons of public welfare 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 Board of 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 28th day of May, A.D. 1942.

C. K. QUIN
M A Y O R

ATTEST:

Jas. Simpson
City Clerk

AFFIDAVIT OF PUBLISHER

THE STATE OF TEXAS
COUNTY OF BEXAR
CITY OF SAN ANTONIO

Before me, the undersigned authority, on this day personally appeared _____
Pauline Smith _____, who being by me duly sworn, says on oath that he is _____
Bookkeeper _____ 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: June 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, A.D. 1942.

_____/s/ Pauline Smith

Sworn to and subscribed before me this 16th day of June, 1942.

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

OK-3
AN ORDINANCE (1327)

GRANTING WOODLAWN HOMESITES COMPANY A PERMIT TO CONNECT WITH THE
CITY SANITARY SEWERAGE SYSTEM

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

1. That Clara Seeling Lowrey of San Antonio, Texas, Ella Jamieson of Chicago, Illinois, and Paula Pardo of St. Paul, Minnesota, doing business under the name and styled of Woodlawn Homesites Company, are granted a permit to connect sanitary sewers built outside of the corporate limits of the City of San Antonio, Texas, with the sewerage system of the City of San Antonio, subject to the following conditions and stipulations:

2. The sewer lines shall be constructed in Parkview Estates, a subdivision of a portion of Block "H" in Woodlawn Hills, all of which is located in County Block 5794, and a plat of said Parkview Estates being duly recorded in the Plat Records of Bexar County, Texas, in Volume 1625 on page 41, to which said plat and record thereof reference is hereby made. That the point or location in sewer main of the City of San Antonio to which such connection is to be made is on West Woodlawn Avenue at Twentyfourth Street.

3. The permittees shall file a complete set of plans and specifications with the City Sewer Engineer showing the place of connection with the City sewer system, the depth, size, location, gradient, capacity, manholes, Ts, Ys, slants and appurtenances of the entire lines to be built by them, and said lines shall not be connected with the City sewer system until the construction has been fully paid for and said construction has been approved and the line has been tested, all to the satisfaction of the City Sewer Engineer.

4. The permit hereby granted is temporary and the City reserves the right to revoke same at any time, with or without notice, for any reason that may in the judgment of the City be sufficient, and to stop taking the sewage, or any part thereof.

5. This permit hereby granted shall be for sanitary sewage, and no use shall be made thereof which, in the opinion of the City Sewer Engineer, is detrimental to the sewerage system of the City of San Antonio, or which might impair the function of its sewage treatment plant.

6. In consideration of the permission granted hereby and the service to be rendered by the City, the users of said sewers agree severally to pay to the City of San Antonio the schedule of fees fixed or to be fixed hereafter from time to time by the ordinances of the City of San Antonio, and said rentals commencing on the date connection is made with the sewers, payable to the City yearly in advance.

7. The rental charge of the City of San Antonio is made a lien upon the real estate and all improvements situate thereon served by a connection to the sanitary sewerage system of the City of San Antonio, and after maturity, the rent shall bear interest at the rate of ten (10) per cent per annum, and if suit is brought to enforce the collection, or if collected through judicial proceedings, the user agrees to pay the City of San Antonio a reasonable attorney's fee.

8. It is further understood that when permittees herein, or their heirs, administrators, executors or assigns, or when any property owner and user of said sewers in Parkview Estates sells and conveys any property located therein, that each deed or conveyance shall contain a provision and definitely state that the land together with all improvements thereon conveyed is subject to all of the terms and conditions of this permit, and that in addition thereto that the land and improvements thereon are subject to the liens retained by the City of San Antonio to cover charges for sewage disposal as stipulated and provided for in this ordinance.

9. The inspectors of the City shall have free access to premises of users and all buildings

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situate thereon while said premises are connected with the City sanitary sewers, for the purpose of inspecting the condition of the plumbing and the use of the sewers.

10. Said sewer lines shall when completed and connected with the City sewer system, become the property of the City of San Antonio and a part of its public sewer system.

11. Individual service connections and house piping shall be made in conformity with the ordinances of the City of San Antonio, but same shall not be made until said sewer lines have been completed and properly connected to the City's main sewer line, duly approved by the City Sewer Inspector, and duly accepted by the City of San Antonio.

12. It is understood that the sewer lines to be built by permittees at their own cost and expense will cost permittees approximately \$15,000.00, and under no circumstances shall any part or portion of such expense be chargeable or a claim against the City of San Antonio.

13. Each individual users shall make application for the service connection and the house piping to the City Plumbing Inspector, and shall pay the City all fees stipulated in the City ordinances.

14. It is further understood that permittees shall have the right and privilege to charge and collect from each and every person desiring a connection with said sewers constructed by them, a fee of \$35.00 for each and every connection with same, or house service going into said sewers until permittees shall have been reimbursed for the entire expenditures made by them for the construction of said lines, but it being distinctly understood that the City of San Antonio shall not be responsible for the collection or for the payment thereof.

15. The City of San Antonio shall never be liable to any user for pecuniary damages for failure to take sewage, and the right of such action is waived as a part of the consideration for this permit.

16. This contract shall become effective upon adoption by the contracting parties; and all agreements, if any, existing heretofore between the contracting parties relating to the subject matter of this instrument, are superseded expressly by this contract and shall be null and void.

17. This writing constitutes the entire contract between the parties hereto, there being no other written nor any parole agreement with any officer or employee of the City of San Antonio, it being understood that the Charter of the City of San Antonio requires all contracts of the City to be in writing and adopted by ordinance.

PASSED AND APPROVED on the 28th day of May, A.D. 1942.

CITY OF SAN ANTONIO

By /s/ C. K. QUIN

M A Y O R

ATTEST:

Jas. Simpson

City Clerk

18. This permit is accepted under the conditions, terms and stipulations therein contained. By /s/: Ella Jamieson & husband Wm. D. Jamieson. Paula Pardo & husband Clay E. Pardo. By J. E. Lowrey, Clara Seeling Lowrey, Attorneys in fact. J. E. Lowrey, Clara Seeling Lowrey, Individually.

OK-4 AN ORDINANCE (1328)

REPEALING AN ORDINANCE HERETOFORE PASSED AND APPROVED ON THE 13TH DAY OF DECEMBER, A.D. 1941, COMMONLY KNOWN AS THE "BLACK-OUT" ORDINANCE, AND FURTHER PROVIDING RULES, REGULATIONS AND DEFINITIONS FOR "BLACK-OUTS", PROVIDING CERTAIN EXCEPTIONS, PROVIDING A PENALTY FOR VIOLATION THEREOF, AND CREATING AN EMERGENCY

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

1. That an ordinance heretofore passed and approved on the 13th day of December, A.D. 1941, commonly known as the "Black-Out" ordinance, providing rules and regulations for

"Black-Outs", providing certain exceptions, providing a penalty for violation thereof, be and is hereby repealed.

2. That as herein used the term "Black-Out Order" shall mean any order emanating from the Mayor of the City of San Antonio, Texas, directing that all lights or illumination of any kind, character or description shall be extinguished or totally concealed from outside view, within the corporate limits of the City of San Antonio, until such order has been revoked.

3. The term "Black-out Warning" as used herein shall mean any warning authorized or directed by the Mayor of the City of San Antonio, Texas, to be given as a signal requiring all lights or illuminations of any kind, character or description to be extinguished or totally concealed from outside view and shall remain so extinguished or totally concealed from outside, within the corporate limits of the City of San Antonio, until a "Lights-on Signal" has been authorized or directed by the Mayor of the City of San Antonio, Texas.

4. The term "Lights-on Signal" as used herein shall mean a warning or signal authorized or directed by the Mayor of the City of San Antonio, Texas allowing and permitting all lights or illumination turned on after they have been extinguished or totally concealed from outside view in compliance with a previous "Black-Out Order" or "Black-Out Signal".

5. The term "Air-Raid" as used herein shall mean the presence of one or more enemy or hostile planes on the ground or in the air above the City of San Antonio or in close proximity thereto whether engaged in active military operation of any character, or not.

6. That the term "any person" as used herein shall mean and include any individual, firm, corporation or association of persons or their servants, agents or employees.

7. As used herein, the term "property owner" shall mean and include any person as the term "any person" has been hereinabove defined who is either the owner, tenant, or occupant of a premises or property of any kind, character or description or "any person" who owns or has under his jurisdiction, dominion or control any premise or property of any kind, character or description.

8. That as used herein the term "adequate available switch" shall mean a close safety type switch which is covered, "not an open switch", and preferably a lock type switch which locks in the "off" position, and one which is capable of handling the electrical load passing through such switch, and which switch is located on the premises or location on the outside, at a place designated by the City Electrical Inspector, where it is accessible without the necessity of unlocking or breaking any enclosure or door or window to reach it in order to operate it, and which switch is located at a height, or has a chain attached to it which extends down to a height, not more than seven feet from the ground or flooring and which switch must at all times be free to operate and cut off the circuit controls, and which switch or switch box is painted red and has the words "BLK-OUT" or "BLACK-OUT", painted thereon in white letters at least 2½ inches in height or is not practical to paint the words "BLK-OUT" or "BLACK-OUT" in white letters not less than 2½ inches in height on the switch or switch box, it shall have a red back-ground sign not less than six inches square with the words "BLK-OUT" or "BLACK-OUT", painted thereon in white letters not less than 2½ inches in height, said sign to be attached or affixed immediately next to the switch.

9. The term "Display window" as used herein shall mean any window in which and through which "any person" or "property owner" displays advertising, or services, or property, goods, wares or merchandise of any type or character and includes the display windows of all mercantile establishments, stores or business establishments of any type or character who use said windows to exhibit advertising, services, property, goods, wares, or merchandise sold, exhibited or handled by that establishment for any purpose whatsoever.

10. From and after the passage of this ordinance, it shall be unlawful for "any person" or "property owner" within the corporate limits of the City of San Antonio to operate, create or exhibit any lighted or illuminated sign, light or illumination of any kind, character or descrip-

tion in a "display window" or on the outside, between sunset and sunrise without having an "adequate available switch" which will exterminate and completely black-out said sign, lights or illumination.

11. From and after the passage hereof it shall be unlawful for "any person" or "property owner" within the corporate limits of the City of San Antonio to operate, create or exhibit any light or illumination on the inside of any premises between sunset and sunrise, which is visible from the outside without having an "adequate available switch" to exterminate and put out such lights or illumination, except that the provisions of this Section shall not apply to "any person" or "property owner" who has or keeps in his employ or under his supervision any person over the age of eighteen years for the purpose of keeping watch over such property and which person can extinguish the lights or illumination within one minute and is further required to remain awake during the time that said lights or illumination is operated, created or exhibited and provided further that "any person" or "property owner" where the premises or building is kept locked has a push button on the outside in a conspicuous location not over seven feet from the ground or floor which push button has, attached to the premises, next to it a sign with a red background at least six inches square with white printed lettering not less than 2½ inches in height with the words "BLK-OUT BELL", or "BLACK-OUT BELL", and which shall operate a bell on the inside of the premises sufficient in intensity and strength to be heard over the entire premises, or where said employee may be required to stay. Such bell being for the purpose of warning said person to extinguish all light. This Section and its provisions and the exceptions herein contained do not apply to "Display window" outside signs, lights or illuminations whatsoever, which are covered by Section 10 of this ordinance.

12. Permits for the installation of such switch can be and shall be obtained in the same manner as is now provided by ordinance for the installation of any new wiring or electrical connections of similar type and character.

13. From and after the passage hereof, it shall be unlawful for any person within the corporate limits of the city of San Antonio, whether a property owner or not, to fail or refuse to immediately obey any "Black-out Order" or "Black-out Warning" or "Black-out Signal".

14. From and after the passage hereof, it shall be unlawful for any person within the corporate limits of the City of San Antonio, while a "Black-out Order" is in effect and before such order has been revoked to create or exhibit any light or illumination of any kind, character or description that is not totally concealed from outside view.

15. From and after the passage hereof, it shall be unlawful for any person within the corporate limits of the City of San Antonio after a "Black-out Order" or "Black-out Signal" is given and before a "Lights-on Signal" is given to create or exhibit any light or illumination of any kind, character or description that is not totally concealed from outside view.

16. From and after the passage hereof, it shall be unlawful for any person within the corporate limits of the city of San Antonio during an "Air-Raid" to knowingly create or exhibit any light or illumination of any kind, character, or description that is not totally concealed from outside view.

17. From and after the passage hereof, it shall be unlawful for any person to operate any vehicle of any kind, character or description upon the streets, plazas, alleys or public ways within the corporate limits of the City of San Antonio, or upon any private property within the corporate limits of the City of San Antonio, during an "Air Raid", or after a "Black-out Order" or "Black-out Signal" has been issued or given and before said order has been revoked, or "Lights-on Signal" given, without immediately extinguishing all lights upon such vehicle and drawing to the nearest righthand curb and coming to a full and complete stop and remaining stopped until such air raid is over or such "Black-out Order" or "Black-out Signal" has been

revoked or "Lights-on Signal" given; except, that the provisions of this ordinance shall not apply to the Fire and Police Departments and vehicles of such Departments, nor to the duly Commissioned Civilian Defense Workers or Air Rail Wardens engaged in Civilian Defense or Air Raid Warden duties, during such black-out, nor to the Sheriff's or Constable's Departments of Bexar County and the vehicles of such Departments, nor to the vehicles of any department of the State of Texas, or of the Government of the United States of America, when operating upon official business concerned or connected with the operation of any of the departments herein mentioned, nor shall this section apply to any ambulance required by necessity to operate within the limits of the City of San Antonio during such black-out, nor to the vehicle of any duly licensed physician and surgeon required by necessity to operate within the limits of the City of San Antonio during such black-out, nor to the vehicles of any public utility company required by necessity to operate within the limits of the City of San Antonio during such "Black-out", but all of such vehicles covered and included in this exception shall be required to immediately extinguish all lights on such vehicles.

18. From and after the passage hereof, it shall be unlawful for "any person" to tamper with or manipulate any "Black-out Switch" or "Black-out Bell" of any "property owner" or "any person" within the corporate limits of the City of San Antonio, which switch or bell is installed or present for the purpose of blacking out lighted or illuminated signs, lights or illuminations of any character whether or not said switch or bell is in compliance with this ordinance, requiring such a switch or bell, provided however, that said switch may be manipulated and cut off by "any person" when a "black-out order" is in effect and has not been revoked, or a "black-out signal" has been given and a "lights-on signal" has not been given or an "Air Raid" is in progress and has not terminated as provided in Section 2, 3, 4 and 5 of this ordinance.

19. From and after the passage hereof, persons away from their own premises shall stay out of the streets during air raid alarms, in order to facilitate the safe and easy passage of emergency vehicles, while outside no person shall strike any match or smoke or expose any light whatsoever, except authorized persons engaged in emergency work may use such lights, as may be approved by the defense authorities.

20. During a "Black-out Warning" or "Air Raid", persons in charge of radio transmitting apparatus shall not use such apparatus for radio transmission of any kind or nature, unless such transmission is required in the military, naval or police service.

21. During a "Black-out order", "Black-out Warning" or "Air Raid", the operators of hotels and apartment houses may burn blue light bulbs not stronger than thirty (30) watt and not to exceed one (1) bulb for each three hundred square feet of floor space, located in halls, stairways and lobbies if all openings through which light may pass to the exterior of the buildings are completely covered at all times with material which prevents the passage of light to the exterior.

22. During a "Black-out Order", "Black-out Warning" or "Air Raid", the operators of restaurants, stores, theatres and other like establishments may, burn one blue bulb not stronger than thirty (30) watt to each three hundred square feet of floor space in the buildings, provided all light openings are sufficiently covered to prevent the escaping of light to the exterior, and provided the doorways used are properly screened to prevent the escape of light when they are opened. It is permissible for moving picture shows to continue in operation during air raid alarms provided all openings are sufficiently covered to prevent escaping of light to exterior/^{of} building so used for moving picture shows.

23. During a "Black-out Warning", "Black-out Order" or "Air Raid", hospitals may burn low wattage blue bulbs not stronger than ten (10) watt in all hall ways and rooms of hospitals provided all exterior openings are completely covered with a material which prevents the passage of light. In sick rooms of hospitals blue bulbs not stronger than thirty (30) watt may be burned in

the place of other low wattage bulbs if the window openings in such rooms are equipped with window shades made of good material, and such shades are pulled down in such a manner as to cover the entire window openings. In operating rooms, the usual amount of strong lights may be burned, provided the windows, skylights or other light openings are completely covered by heavy black cloth drapes or other material which will completely exclude the passage of light to the exterior.

24. Any person found guilty of the violation of any part or provision of this ordinance shall, upon conviction thereof, be fined not more than \$200.00 and each and every violation hereof shall be a separate offense.

25. If any clause or section, sentence or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the courts, such decision or decisions shall not affect the validity or constitutionality of the remaining portions of this ordinance; and the Commissioners of the City of San Antonio hereby declare that they would have passed this ordinance and each section, sentence, clause or phrase hereof irrespective of the fact that any one or more of the other sections, sentences, clauses or phrases be declared invalid or unconstitutional.

26. 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.

27. PASSED AND APPROVED this 28th day of May, A.D. 1942.

C. K. QUIN
M A Y O R

ATTEST:

Jas. Simpson
City Clerk

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AFFIDAVIT OF PUBLISHER

THE STATE OF TEXAS
COUNTY OF BEXAR
CITY OF SAN ANTONIO

Before me, the undersigned authority, on this day personally appeared _____
Pauline Smith _____, who being by me duly sworn, says on oath that he is one of the
Bookkeeper _____ of the San Antonio Light, a newspaper of general cir-
culation 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:

Sworn to and subscribed before me this 16th day of _____ June _____, 1942.
_____/s/ Pauline Smith_____
_____/s/ J. D. Massey_____
Notary Public in and for Bexar County,
Texas

OK-5
AN ORDINANCE (1331)

AUTHORIZING THE MAYOR OF THE CITY OF SAN ANTONIO TO EXECUTE SURVEY AND EXPLORATION PERMIT IN FAVOR OF THE UNITED STATES OF AMERICA COVERING A TRACT OF LAND, SITUATE IN BEXAR COUNTY, TEXAS AND BEING A PART OF THE NEW MUNICIPAL AIRPORT

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

1. That the Mayor of the City of San Antonio be and he is hereby authorized and directed to execute a Survey and Exploration Permit in favor of the United States of America covering a tract of land, situate in Bexar County, Texas and being a part of the New Municipal Airport, copy of form of said Survey and Exploration Permit being attached hereto and made a part hereof.

2. PASSED AND APPROVED this 3rd day of June, A.D. 1942.

C. K. QUIN

ATTEST:

M A Y O R

Jas. Simpson

STATE OF TEXAS,

SURVEY & EXPLORATION PERMIT

COUNTY OF BEXAR.

IN CONSIDERATION of the sum of One Dollar(\$1.00) and other valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the undersigned, hereinafter called the "Owner", grants to the United States of America, hereinafter called the "Government", a survey and exploration permit upon the following terms and conditions:

1. The owner hereby grants to the Government an irrevocable right to enter upon the lands hereinafter described at any time within a period of three (3) months from the date of this instrument, in order to survey and carry out such other exploratory work as may be necessary in connection with the property, and for the further purpose of engaging in construction work, pending execution and delivery of formal lease covering land hereinafter described.

2. This license includes the right of ingress and egress on other lands of the licensor not described below, provided such ingress and egress is necessary and not otherwise conveniently available to the Government.

3. All tools, equipment, and other properties placed upon the land by the Government shall remain the property of the Government and may be removed by the Government at any time within a reasonable period after the expiration of this license.

4. The Government shall have the right to patrol and police the lands hereinafter described during the period of this license.

5. The licensor hereby waives and releases any and all claims for damages arising from the activity or inactivity of the Government, its officers, agents, employees, representatives or assigns on said land, in the reasonable exercise of this license.

6. The land affected by this permit is located in the State of Texas, County of Bexar, and is described as follows:

BEGINNING at a point, the intersection of an offset line 475 feet northwardly from and parallel to the center line of Runway 5-14 and an offset line 475 feet eastwardly from and parallel to the center line of Runway 1-8 as shown on the original plans of the Airport;

THENCE south $4^{\circ} 36' 24''$ E., a distance of 2,297.33 feet to a point in the northeast edge of the concrete pavement on Runway 4-11;

THENCE S. $48^{\circ} 18'$ E., a distance of 144.79 feet with the said northeast edge of the concrete pavement on Runway 4-11 to a point in same;

THENCE N. $4^{\circ} 36' 24''$ W., a distance of 2,402.04 feet to a point in the said offset line 475 feet northwardly from and parallel to Runway 5-14;

THENCE N. $86^{\circ} 43' 06''$ E., a distance of 1,866.82 feet with the said offset line 475 feet northwardly from and parallel to the center line of Runway 5-14 to a point in said line;

THENCE S $71^{\circ} 38' 54''$ E., a distance of 417.81 feet to a point in the northwest edge of the