

to employees. No person engaged in the handling or serving of food or drink shall return to his work, after using the toilet, without first thoroughly washing his hands.

(4) Upon failure of any person maintaining or operating an itinerant restaurant, after warning, to comply with any of these requirements, it shall be the duty of the Health Officer summarily to forbid the further sale or serving of food or drink therein. Any person continuing to sell or serve food or drink in such a restaurant after being so forbidden, shall be subject to the penalties provided for violation of this Ordinance.

SECTION 7: GRADES OF RESTAURANTS WHICH MAY OPERATE: From and after 12 months from the date on which this Ordinance takes effect no restaurant shall be operated within the City of San Antonio, or its police jurisdiction, unless it conforms with the GRADE "A", or GRADE "B", or approved ITINERANT RESTAURANT requirements of this Ordinance; and when any restaurant fails to quality for any of these grades the Health Officer is authorized to revoke the permit, or in lieu thereof to re-grade the restaurant, and permit its operation during a temporary period not exceeding 30 days.

SECTION 8: REINSTATEMENT OF PERMIT; SUPPLEMENTARY REGRADING:

(a) Any restaurant the grade of which has been lowered and all grade displays have been changed accordingly, or the permit of which has been suspended by said Health Officer may at any time make application for regrading or the reinstatement of the permit.

(b) Within one week after the receipt of a satisfactory application, accompanied by a statement signed by the applicant to the effect that the violated item or items of the specifications have been conformed with, the Health Officer shall make a reinspection, and thereafter as many additional reinspections as he may deem necessary to assure himself that the applicant is again complying with the higher grade requirements, and, in case the findings indicate compliance, shall award the higher grade or reinstate the permit, as the case may be.

(c) No application for regrading upward should be considered by the Health Officer unless the restaurant in question has complied with the requirements and interpretation of SECTION 4 of this Ordinance relative to the display of grade signs after having been regraded.

SECTION 9: POISONOUS SUBSTANCES: (a) No article, polish, or other poisonous material shall be used for the cleaning or polishing of utensils.

(b) All poisonous or chemical substances used in the cleaning of fixtures and plumbing should be kept in the janitor's closet or other like place. The use of poisons in the control of rats and cockroaches is restricted to bonded exterminators working under the supervision of the City Health Department.

SECTION 10: NOTIFICATION OF DISEASE: Notice shall be sent to the Health Officer immediately by the restaurant manager or by the employee concerned if he or any employee contracts any infectious, contagious, or communicable disease, or has a fever, a skin eruption, a cough lasting more than 3 weeks, or any other suspicious symptom. It shall be the duty of any such employee to notify the restaurant manager immediately when any of said conditions obtain, and if neither the manager nor the employee concerned notifies the Health Officer immediately when any of said conditions obtain they shall be held jointly and severally to have violated this Section. A placard containing this Section shall be posted in all toilet rooms.

SECTION 11: PROCEDURE WHEN INFECTION SUSPECTED: When suspicion arises as to the possibility of transmission of infection from any restaurant employee the Health Officer is authorized to require any or all of the following measures: (1) the immediate exclusion of the employee from all restaurants; (2) the immediate closing of the restaurant concerned until no further danger of disease outbreak exists, in the opinion of the Health Officer; (3) ade-

quate medical examinations of the employee and of his associates, with such laboratory examinations as may be indicated.

SECTION 12: ENFORCEMENT INTERPRETATION: This Ordinance shall be interpreted in accordance and conformity with the regulations which the Health Officer of the City of San Antonio may adopt, under authority hereby conferred. Said Health Officer is hereby empowered to make reasonable rules and regulations for such establishments as are covered hereunder, which reasonable rules and regulations shall not be in conflict with the laws of the State of Texas and the Ordinances of the City of San Antonio.

SECTION 13: PENALTIES: Any person violating any provision of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$5.00 nor more than \$100.00, and every day such violation continues shall constitute a separate offense.

SECTION 14: REPEAL OF CERTAIN ORDINANCES: All Ordinances and parts of Ordinances in conflict with this Ordinance are hereby expressly repealed.

SECTION 15: UNCONSTITUTIONALITY CLAUSE: 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 effect the validity of the remaining Sections and provisions of this Ordinance.

SECTION 16: EMERGENCY CLAUSE: The fact that the present Ordinances of the City of San Antonio governing food handlers' and eating and drinking establishments are inadequate to properly protect the public health and welfare creates an urgency and an emergency so that this Ordinance shall take effect immediately upon its passage by a four-fifths majority of the Board of Commissioners of the City of San Antonio.

PASSED AND APPROVED this 29th day of January, A.D. 1942.

O. K. QUIN

ATTEST:

M A Y O R

Jas. Simpson

City Clerk

* * *

AN ORDINANCE (933)

05-369
ACCEPTING AND RATIFYING ASSIGNMENT OF CONTRACT, DATED SEPTEMBER 11, 1941, BY AND BETWEEN THE CITY OF SAN ANTONIO AND RUSSELL OIL COMPANY, TO PRICHARD REFINING COMPANY, LTD., AND SUBSTITUTING PRICHARD REFINING COMPANY, LTD, FOR RUSSELL OIL COMPANY IN SAID CONTRACT.

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

1. That the City of San Antonio does hereby accept and ratify assignment of contract, dated September 11, 1941, by and between the City of San Antonio and Russell Oil Company, to Prichard Refining Company, Ltd., and agrees that said Prichard Refining Company, Ltd. may be substituted for said Russell Oil Company in said contract and for the performance thereof, and that said Prichard Refining Company, Ltd., of San Antonio, Texas, may perform the obligations in said contract contained and receive all payments thereon due from and after January 1, 1942.

2. Said Prichard Refining Company, Ltd. hereby agrees and obligates itself to perform all of the provisions, conditions and obligations in said contract of September 11, 1941, between City of San Antonio and Russell Oil Company.

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

C. K. QUIN

ATTEST:

M-A-Y O R

Jas. Simpson

City Clerk

4. Assignment of above described contract of September 11, 1941, be and between the City of San Antonio and Russell Oil Company, is hereby accepted, and Prichard Refining Company, Otd. hereby agrees and obligates itself to perform all conditions and provisions of said contract.

PRICHARD REFINING COMPANY, LTD.,

BY W. A. Mayhall, General Manager

* * *

05-370

AN ORDINANCE (934)

PROVIDING FOR THE RECONSTRUCTION OF THE PORTION OF MILITARY ACCESS ROAD IN THE CITY OF SAN ANTONIO HEREINAFTER REFERRED TO AS THE "STREET PROJECT" AND AUTHORIZING THE MAYOR OF THE CITY TO EXECUTE AND THE CITY SECRETARY TO AFFIX THE CORPORATE SEAL AND ATTEST THE SAME, A CERTAIN CONTRACT BETWEEN THE CITY AND THE STATE OF TEXAS PROVIDING FOR THE INSTALLATION, CONSTRUCTION, EXISTENCE AND USE OF SAID STREET PROJECT; FOR THE PAYMENT, BY THE STATE OF TEXAS, OF THE CONSTRUCTION COSTS OF SAID STREET PROJECT; FOR THE ASSUMPTION, BY THE CITY, OF ALL DAMAGES TO ADJOINING, ABUTTING AND OTHER PROPERTY AND BUSINESS AND TO TENANT OR OCCUPANT THEREOF; FOR THE PROTECTION OF THE STATE OF TEXAS AGAINST ALL SUCH DAMAGES AND EXPENSES IN CONNECTION WITH ANY CLAIM OR SUIT THEREOF; AND DECLARING AN EMERGENCY AND PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE FROM AND AFTER ITS PASSAGE.

WHEREAS, the Public convenience, safety and necessity of the City, and the people of the City require that the portion of THE ROUTE OF THE MILITARY ACCESS ROAD (as covered by attached plans) be reconstructed. Since the existing street constitutes a danger and serious inconvenience to the public which is urgently required to be remedied; and

WHEREAS, the City has requested the State of Texas to contribute financial aid in the street project; and

WHEREAS, the State of Texas has made it known to the City that it will assist the City in the street project by furnishing the necessary funds for the actual construction or reconstruction; and by supervising construction, providing the City approves the plans, grades and alignment for said project; and

WHEREAS, the City, in consideration of the providing of said project, agrees to protect the State of Texas from any and all liability and all damages to adjoining and abutting property or other property or business or to any tenants occupying such property, caused by the installation, the construction, the existence, the use and the maintenance of the street project or the passage and enforcement of this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL:

Section 1. That since the public convenience, safety and necessity of the City and the people of the City require it, said street shall be reconstructed.

Section 2. That the State of Texas be and is hereby authorized to construct the street project at the location and in the manner shown on the plans, attached hereto and marked "Exhibit A" and made a part hereof in all respects.

Section 3. That nothing in this ordinance shall be construed to require the State of Texas to assume or pay any direct, incidental or consequential damages to adjoining, abutting or other property or business or to any tenants occupying adjoining, abutting or other property caused by, incidental to, or in any way connected with the passage and enforcement of this ordinance and/or by the installation, the construction, the use and/or the maintenance of the street project authorized herein, or to defend any suit or suits which may be brought against the State of Texas by any party or parties for the recovery of any such damages.

Section 4. For and in consideration of the mutual covenants herein contained, the City does hereby agree that all damages and claims for damages to adjoining, abutting or other property, if any there be, arising out of, incident to, or in any way connected with the installation, the construction, the use, the existence, and/or the maintenance of said street project, shall

be adjusted and paid solely by the City and the City shall and does hereby agree to hold harmless the State of Texas against any and all claims, demands and causes of action for recovery of any and all such damages arising out of the installation, the construction, the use, the existence, and/or the maintenance of said street project, and agrees to assume the defense of any and all suits brought for the recovery of all alleged damages, and shall intervene and make itself a party therein in its own name, if it is not already made a party thereto, for the purpose, and shall if requested in writing by the State of Texas so to do, wholly relieve the State of Texas from defending the same, and hereby agrees to hold the State of Texas harmless as to all judgments, court costs, attorneys' fees and all expenses in connection with such suits.

Section 5. Nothing contained herein shall ever be construed to place upon the State of Texas any manner of liability for injury to or death of persons or for damage to, or loss of property arising out of or in any manner connected with the maintenance or use of the street project and the City will save the State of Texas harmless from any damages arising out of said maintenance and/or use of said street project.

Section 6. That the Mayor of the City be and is hereby authorized to execute for and on behalf of the City an agreement and contract with the State of Texas in accordance with and for the purpose of carrying out the terms and provisions of this ordinance, in the form attached hereto and marked "Exhibit B". The City Secretary is hereby directed to attest the agreement and contract and to affix the proper seal of the City hereto.

Section 7. That the State be and is hereby authorized, as agent of the City, to construct said project at the location, to the grade and in the manner as shown on Exhibit "A".

Section 8. That the Mayor of the City, having requested in writing that this ordinance take effect forthwith and there being in fact an emergency and imperative public necessity that the work herein provided for be begun and carried out promptly and with expedition, and that the contract aforesaid shall be immediately made, executed and delivered to the end that such work herein provided for may be begun and carried out promptly and with expedition. The reading of the ordinance on three several days is hereby dispensed with and the same shall be in full force and effect from and after its passage.

STATE OF TEXAS

COUNTY OF TRAVIS

THIS AGREEMENT, made this day of , 19 , by and between the State of Texas, hereinafter referred to as the "State," Party of the First Part; and the City of County, Texas, acting by and through its duly authorized officers under an ordinance passed the 4th day of February, 1942, hereinafter called the "City," Party of the Second Part:

W I T N E S S E T H:

WHEREAS, the City has authorized the construction of a street project by ordinance passed on the 4th day of February, 1942, on in the City; and

WHEREAS, the City has requested the State to contribute financial aid in the construction of said street projects; and

WHEREAS, the State has made it known to the City that it will assist the City in the construction of said street project by furnishing the necessary funds for the actual construction of said street project and by preparing plans, awarding construction contract, and supervising construction, providing the City approves the plans, specifications, grades and alignment of same, and providing further that the City assumes responsibility for all damages to adjoining, abutting and other property occasioned by or resulting from the installation, construction, existence, use and maintenance of said street project and the passage and enforcement of the ordinance hereinabove referred to.

Member, State Highway Commission

APPROVED AS TO FORM:

RECOMMENDED FOR APPROVAL

Attorneys for the City

Chief Engineer, Construction and
Designs

Assistant Attorney General

05-371
- - -
AN ORDINANCE (943)

TO ENTER INTO AN AGREEMENT WITH THE HOUSING AUTHORITY OF THE CITY OF SAN ANTONIO, TEXAS, TO PAVE PORTIONS OF CHIHUAHUA, SOUTH SAN JACINTO, VERA CRUZ, COLIMA AND MONTEZUMA STREETS ABUTTING THE PROPERTY OF THE AUTHORITY IN THE CITY OF SAN ANTONIO, TEXAS.

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

WHEREAS, the Housing Authority of the City of San Antonio, Texas, hereinafter called the "Authority", is developing low-rent housing projects in said City, and included in said development is Apache Courts Project Tex-6-1A; and

WHEREAS, it has been determined by the City and the Authority it is essential to the development of said project that portions of the streets bordering said project should be improved; and

WHEREAS, the improvement of said border streets is not provided for in the Contract between the Authority and the Contractor for the construction of said project; and

WHEREAS, the City is not financially able to improve said streets, except by assistance from the Authority; and

WHEREAS, the City has determined that the cost to the City for improving said streets will be the sum of Four Thousand Seven Hundred Sixty-Two Dollars and Eighty Cents (\$4762.80);

NOW, THEREFORE, BE IT ORDAINED:

That the City of San Antonio enter into an agreement with the Housing Authority of the City of San Antonio, Texas, in substance as follows:

That the City agrees to furnish all the labor and material and do all the work necessary to pave one-half of the widths of the portions of Chihuahua, South San Jacinto, Vera Cruz, Colima and Montezuma Streets abutting the property of the Authority, to-wit:

CHIHUAHUA STREET from the center line of South Brazos Street, as extended to the center line of Chihuahua Street, to the center line of South San Jacinto Street;

SOUTH SAN JACINTO STREET from Chihuahua Street, as extended to the center line of South San Jacinto Street, to the center line of Vera Cruz Street and from the center line of Colima Street to the center line of Montezuma Street, as extended to the center line of South San Jacinto Street;

VERA CRUZ STREET from the center line of South San Jacinto Street to the West Line of Block 0, property of the Authority, as extended to the center line of Vera Cruz Street;

COLIMA STREET from the west line of Block 0, property of the Authority, as extended to the center line of Colima Street to the center line of South San Jacinto Street; and

MONTEZUMA STREET from the center line of South San Jacinto Street to the west line of South Brazos Street. The City will construct, in said areas, an eight inch standard compacted gravel base with standard Double Asphalt Surface Treatment, all for the sum of Four Thousand Seven Hundred Sixty-Two Dollars and Eighty Cents (\$4762.80) as the assessment against said Authority for work performed within one-half of the width of said streets. The Authority is to agree, upon completion of said work, to pay to the City the said sum of Four Thousand Seven Hundred

Sixty-Two Dollars and Eighty Cents (4762.80).

FURTHERMORE, if and when the remaining portion of each street above provided to be improved shall be paved, the City agrees that a like assessment to the assessment herein made against the Authority will be made against the other abutting property owners and that, in such event, no further or additional assessment will be made against the Authority; and that the Mayor is hereby authorized and directed to execute, in the name and as the act of the City of San Antonio, and under its official seal, an agreement with the Housing Authority of the City of San Antonio, Texas, according to the provisions of this Ordinance.

PASSED AND APPROVED this the 5th day of February, A.D. 1942.

C. K. QUIN

M A Y O R

ATTEST:

Jas. Simpson
City Clerk

* * *

05-372

AN ORDINANCE (979)

AUTHORIZING THE MAYOR OF THE CITY OF SAN ANTONIO TO EXECUTE DEED TO NORMAN DUMBLE TO NORTHEAST PART OF LOT 20, NEW CITY BLOCK 3127 AND THE NORTHEAST PART OF LOT 42, NEW CITY BLOCK 3127.

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 deed to Norman Dumble, of Bexar County, Texas, to the Northeast part of Lot 20, New City Block 3127 and the northeast part of Lot 42, New City Block 3127, within the corporate limits of the City of San Antonio, Bexar County, Texas, more particularly described in said deed, consideration therefor being the sum of \$200.00.

2. PASSED AND APPROVED This 19th day of February, A.D. 1942.

C. K. QUIN

M A Y O R

ATTEST:

Jas. Simpson
City Clerk

* * *

05-373

AN ORDINANCE (980)

AUTHORIZING THE MAYOR OF THE CITY OF SAN ANTONIO TO EXECUTE LEASE CONTRACT WITH NORMAN DUMBLE COVERING CERTAIN PROPERTY WITHIN THE BOUNDS OF SAN PEDRO CREEK AND ALSO A PORTION OF FURNISH AVENUE WHICH ADJOINS SAN PEDRO CREEK.

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 lease contract with Norman Dumble of Bexar County, Texas, on certain property within the bounds of San Pedro Creek and also a portion of Furnish Avenue which adjoins San Pedro Creek, said lease to expire on May 31st, 1943, consideration in said lease being \$35.00 covering the period from this day to and including May 31st, 1943.

2. PASSED AND APPROVED this 19th day of February, A.D. 1942.

C. K. QUIN

M A Y O R

ATTEST:

Jas. Simpson
City Clerk

* * *

05-374

AN ORDINANCE (981)

AMENDING SECTION 139 OF THE RULES AND REGULATIONS OF THE FIRE DEPARTMENT IN THE CIVIL SERVICE CODE OF THE CITY OF SAN ANTONIO.

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

1. That Section 139 of the Rules and Regulations of the Fire Department, in the Civil Service Code, adopted by the City of San Antonio on January 27th, 1931, be and the same is amended so that the said Section 139 of the Rules and Regulations of the Fire Department, in the Civil Service Code, shall hereafter read as follows:

"139. Any member who is found asleep on night or day watch shall be suspended not more than 30 days for the first offense, not more than 60 days for the second offense, and for the third offense the penalty shall be dismissal from the service."

2. PASSED AND APPROVED this 19th day of February, A.D. 1942.

C. K. QUIN

M A Y O R

ATTEST:

Jas. Simpson
City Clerk

* * *

05-375

AN ORDINANCE (982)

AMENDING SUBDIVISION (a) OF SECTION 1 OF AN ORDINANCE ENTITLED "AN ORDINANCE REGULATING THE BUSINESS OF JUNK DEALERS IN THE CITY OF SAN ANTONIO, AND DECLARING CERTAIN PENALTIES", PASSED AND APPROVED AUGUST 2ND, A.D. 1917.

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

1. That Subdivision (a) of Section 1, of an Ordinance entitled "AN ORDINANCE REGULATING THE BUSINESS OF JUNK DEALERS IN THE CITY OF SAN ANTONIO, AND DECLARING CERTAIN PENALTIES", passed and approved on the 2nd day of August, A.D. 1917, be, and the same is hereby amended so that Subdivision (a) of Section 1 shall hereafter read as follows:

"(a) The work 'junk' as used in this Ordinance shall be deemed to mean and include old rope, old iron, brass, copper, tin, lead, aluminum, bones, rags, paper, bagging, parts of machinery, scrap metals of all kinds, glass, old parts of motor vehicles, and such other worn out or discarded materials, or articles which are no longer used for the purpose for which they were manufactured, but as odds and ends can be turned to some use, but shall not be deemed to include and to mean furniture, homefurnishing goods, clothing, machines, or parts of machines, tools, or any articles or commodities which can be used again for the purpose for which they were originally intended."

2. WHEREAS, an emergency is apparent for the immediate preservation of order, good government, health and public safety that requires this Ordinance to become effective at once; therefore, upon the passage of this Ordinance by a four-fifths (4/5) vote 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.

3. PASSED AND APPROVED this the 19th day of February, 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 Thorton Hall, who being by me duly sworn, says on oath that he is Secretary of the San Antonio 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: February 21, 23, 24, 25, 26, 27, 28, and March 2, 3, 4, ---, 1942.

Sworn to and subscribed before me this 6th day of March, 1942

THORTON HALL

Walter Curaner

Notary Public in and for Bexar Co., Tex.

05-376

AN ORDINANCE (1000)

REGULATING AND CONTROLLING THE OPERATION OF AUTO-WRECKER CARS OR WRECKER VEHICLES WITHIN THE CITY OF SAN ANTONIO, AND THE SOLICITATION OF TOWING AND REPAIR OF MOTOR VEHICLES, VEHICLES, TRAILERS OR SEMI-TRAILERS, OR BOTH; PROVIDING A PENALTY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

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

SECTION 1: DEFINITIONS:

- (a) The term "City" as used in this ordinance shall mean the City of San Antonio.
- (b) The term "street" or "streets" as used in this ordinance shall mean and include any street, alley, lane, land, avenue, boulevard, drive, public place or highway commonly used for the purpose of public travel within the incorporated limits of the City of San Antonio.
- (c) The term "person" shall mean and include both singular and plural, and shall mean and embrace any individual person, firm, corporation, association, lessee, partnership or society, their representatives, servants, employees or agents.
- (d) The term "auto-wrecker" shall mean any motor vehicle equipped with a crane and hoist, and used to pull, push or carry a motor vehicle.
- (e) The term "vehicle" means every device in or by which any person or property is, or may be, transported or drawn upon a public highway, except devices moved only by human power or used exclusively upon stationary rails or tracks.
- (f) The term "motor vehicle" means every vehicle that is self-propelled.
- (g) The term "trailer" means every vehicle designed or used to carry its load wholly on its own structure and to be drawn by a motor vehicle.
- (h) The term "semi-trailer" means vehicles of the trailer type so designed or used in conjunction with a motor vehicle that some part of its own weight and that of its load rests upon, or is carried by another vehicle.
- (i) The term "owner" means any person who holds the legal title of the motor vehicle, or who has the legal right of possession thereof or the legal right of control of said vehicle.

SECTION 2: It shall hereafter be unlawful for any person, to follow in a motor vehicle any ambulance, police car or police wrecker which is travelling in response to a report of an automobile collision or accident.

SECTION 3: It shall hereafter be unlawful for any person to drive any motor vehicle, which motor vehicle is used for the purpose of towing or removing disabled or wrecked motor vehicles, vehicles, trailers or semi-trailers, or both, to or near the scene or situs of an accident or collision on the streets of the City.

SECTION 4. It shall be hereafter unlawful for any person to in any manner solicit on the streets of the City the business of towing any wrecked or disabled motor vehicle, vehicle, trailer or semi-trailer, or both, which solicitation is for the purpose of soliciting the business of towing, removing, repairing, wrecking, storing, or trading said wrecked or disabled motor vehicle, vehicle, trailer, semi-trailer, or both, or for the purpose of purchasing said wrecked or disabled motor vehicle, vehicle, trailer or semi-trailer, or both. Proof of the presence of any auto-wrecker or motor vehicle owned or operated by any person engaged in the business of towing, removing, repairing, wrecking, storing, trading or purchasing, either as owner, operator, lessee, employee, solicitor or agent, on any public street, in the City, at or near the scene of situs of a wreck, accident or collision within one (1) hour after the happening of such wreck, accident, or collision, shall be prima facie evidence of a violation of this section.

SECTION 5: It shall be unlawful for any person to solicit any business which deals

directly or indirectly with the removal, storage, wrecking, repairing, trading, or purchase of any wrecked or disabled motor vehicle, vehicle, trailer or semi-trailer, or both, on the streets or sidewalks of the City; and it shall be unlawful for any person to solicit the business of towing, removing, repairing, storing, wrecking, buying, or offering to buy, such wrecked or disabled motor vehicle, vehicle, trailer, semi-trailer, or both, on the streets, sidewalks, or any public place in the City, by handing out any advertisements, advertising any repair shop, garage, or place of business where such wrecked, or disabled motor vehicle, vehicle, trailer, or semi-trailer, or both, may be repaired, stored, wrecked, traded or purchased. Proof of the presence of any person engaged in the business of towing, repairing, wrecking, storing or offering to purchase or trade for such wrecked or disabled motor vehicle, vehicle, trailer, or semi-trailer, or both, at or near the scene or situs of the accident or collision shall be prima facie evidence of solicitation in violation of this Section.

*Amended 5/1/57 Ord # 17568
Ord BK X Pg 539*

SECTION 6: That no person shall intercept any message emanating through the medium of the San Antonio Radio Station KGZE and divulge or publish the existence, contents, substance, purpose, effect or meaning of such intercepted communication, and no person not being entitled thereto shall receive or assist in receiving any such message and use the same, or any information therein contained, for his own benefit or for the benefit of another person.

SECTION 7. That it shall be the duty of the Police Department to impound for the purpose of inspection, evidence and public safety, any motor vehicle demolished or disabled and involved in a wreck or collision on the streets of the City which is unable to proceed safely under its own power, or when the occupants or owners are unable or fail to have said motor vehicle removed, and it shall then be towed by the Police to the City Pound, or other space, under the control of the City, where it shall be kept until released by the written order of the owner, and for which service the Police Department shall demand and be paid, before releasing the car, the sum of Three Dollars (\$3.00), for which a receipt shall be given, and which money shall be deposited by the said officer making the Collection with the License and Dues Collector of the City within twelve (12) hours after such collection. The City shall have a lien for the towage fee upon the automobile or vehicle so towed, which lien shall be prior and superior to all other liens of every kind and description, save and except liens for ad valorem taxes.

SECTION 8: The License and Dues Collector of the City shall have the power to issue permits to auto-wrecker operators as herein provided.

SECTION 9: It shall be unlawful for any person to operate an auto-wrecker on the streets of the City without first obtaining a permit as follows:

(a) Applicant shall file a signed written application with the License and Dues Collector of the City on a form to be provided for by said Collector, which shall state, the name, residence, and place of business of the owner of such auto-wrecker; if applicant be a corporation, the address and place of business, and the names of the President, Vice-President and Secretary of said corporation; if applicant be a partnership, the names, addresses and places of business of each partner; the make, model and current State of Texas license number of said motor vehicle. Said application shall list each auto-wrecker for which a permit is applied, giving such information as to each such vehicle, together with a certificate of inspection from the Chief of the Police Department, that such wrecker vehicle and all equipment thereon has been inspected and found to be safe in all respects, and conforming to all laws of the State of Texas and ordinances of the City. A supplemental application shall be filed containing similar information at any time permit holder shall wish to operate an additional auto-wrecker.

(b) All applications for permits shall be accompanied by a permit fee of \$10.00 for each auto-wrecker to be operated.

(c) When a permit is applied for, applicant shall pay ratably the amount of the permit fee, based on the remaining part of the year to expire on the next succeeding May 31st. A copy of said permit shall be supplied for each auto-wrecker operated thereunder, and shall be carried at all times in such vehicle.

(d) The said License and Dues Collector shall, on receipt of such application, inspection certificate and permit fee, issue such applicant a permit to expire on the next succeeding May 31st. The permit shall be renewed annually.

(e) The annual permit fee for each auto-wrecker vehicle shall be charged in order to defray a part of the expense of inspection, issuance of permits and expense of regulation under this ordinance.

SECTION 10: A permit shall be revoked by the Judge of the Corporation Court of the City, at any time after a hearing thereon, and without remitting the unused portion of said permit fee, when proven to him by satisfactory evidence that an auto-wrecker has been operated in a negligent, careless and wreckless manner so as to endanger public safety or property; or upon proof of three convictions for violation of traffic laws of the State of Texas or ordinances of the City by said permit holder, or his employee, in which such auto-wreckers, or any of them, were involved; or upon satisfactory proof to said Court that any permit holder hereunder, his agent or employee, has paid any sum of money or given anything of value to any member of the Police Department, in exchange for any reports of automobile collisions.

SECTION 11: After a wrecker permit has been cancelled, the holder of such cancelled permit shall not be allowed to make application for another permit until the expiration of three (3) months from the date of cancellation.

SECTION 12: Any permit holder under this ordinance may appeal from any action, ruling or decision of said License and Dues Collector, or said Chief of the Police Department, to the Commissioners of the City, by filing an appeal in writing, stating the nature of his grievance, and said Commissioners, in council, shall hear and act upon said appeal as they may deem fit and proper.

SECTION 13: It shall be a violation of this ordinance for any licensed auto-wrecker operator to have in his place of business, or for any auto-wrecker to be equipped with, any radio set capable of receiving any broadcasts on the frequency of 2482 kilocycles.

SECTION 14: No permit or license, or renewal thereof, authorizing the operation of any auto-wrecker on the streets of the City, shall ever be issued if any delinquent taxes are due the City upon any auto-wrecker for which such permit or license, or renewal thereof, is sought, or if the owner thereof has failed to render same for ad valorem taxation.

SECTION 15: Every auto-wrecker shall have painted on the door of said auto-wrecker the name of the owner or the trade name under which the owner operates, together with the owner's telephone number, and the auto-wrecker number, and further, PROVIDED, that the number of the auto-wrecker and the telephone number of the owner shall be painted upon the rear of all such vehicles. All lettering mentioned in this paragraph shall be not less than two and one-half (2½) inches in height, and not less than five-sixteenths (5/16) inch stroke.

SECTION 16: If any section or provisions 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 section to be void, ineffective or unconstitutional for any cause whatsoever shall not effect the validity of the remaining sections and provisions of this ordinance.

SECTION 17: All ordinances or parts of ordinances of the City, in conflict herewith shall be and are hereby repealed.

SECTION 18: Any person violating any of the provisions of this ordinance shall be deemed

guilty of a misdemeanor, and upon conviction thereof, shall be fined not to exceed \$200.00, and each day such violation continues, shall constitute a separate offense.

SECTION 19: 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 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 26th day of February, 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 THORTON HALL, who being by me duly sworn, says on oath that he is SECRETARY of the San Antonio 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 issued of said newspaper on the following days, to-wit:

February 27, 28, and March 2, 3, 4, 5, 6, 7, 9 and 10, 1942.

THORTON HALL

Sworn to and subscribed before me this 25th day of March, 1942.

W. A. DRUCE
Notary Public in and for Bexar County, Texas.

* * *
AN ORDINANCE (1016)

05-377

LEVYING AN ADVALOREM AND OCCUPATION TAX FOR THE SUPPORT OF THE CITY GOVERNMENT IN THE CITY OF SAN ANTONIO, AND LEVYING A TAX TO PAY INTEREST ON THE BONDED DEBT OF SAID CITY AND TO CREATE A SINKING FUND THEREFOR, AND A SPECIAL TAX FOR THE SUPPORT OF THE CARNEGIE LIBRARY IN SAID CITY, ALL SAID TAXES BEING LEVIED FOR THE FISCAL YEAR BEGINNING JUNE 1, 1941 AND ENDING MAY 31, 1942.

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

Section 1: That there is hereby levied for the fiscal year beginning June 1, 1941 and ending May 31, 1942, for general purposes on all property, real, personal and mixed, within the corporate limits of the City of San Antonio, not otherwise exempt by the Constitution and Laws of the State of Texas an ad valorem tax of \$1.25 on every One Hundred Dollars (\$100.00) valuation.

Section 2: That there is hereby levied for the fiscal year beginning June 1, 1941 and ending May 31, 1942, on all property, real, personal and mixed, within the corporate limits of the City of San Antonio, not exempt by the Constitution and Laws of the State of Texas, on every One Hundred Dollars (\$100.00) valuation, for the payment of interest on bonds and for creating a sinking fund for payment of bonds as they mature, of the several bond issues hereinafter set out in tabular form and described by date of issuance, name of issuance and original amount thereof, the following special taxes, aggregating \$0.57 for said interest and sinking fund purposes, to-wit: