

07-169

AN ORDINANCE **OF-169**

Regulating the passage of automobiles and other motor vehicles emerging from enclosures, across sidewalks, and providing a penalty.

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

SECTION ONE: That it shall be unlawful for any person to drive any automobile, truck or other motor ~~xxxxxx~~ propelled vehicle out of any building, garage, shed or other enclosure upon or across any public sidewalk within the City of San Antonio without first bringing such automobile or other vehicle to a full stop immediately prior to going upon such sidewalk, and giving a warning signal upon the horn of such car or other vehicle.

SECTION TWO: Any person violating the terms of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined any sum not in excess of Twenty Dollars.

PASSED AND APPROVED this 15 day of January, A.D.1920

Sam C. Bell,
Mayor.

Attest:

Fred Fries,
City Clerk.

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

Before me, the undersigned authority, on this day personally appeared Charles S. Duke, who being by me duly sworn, says on oath that he is one of the publishers 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: January 18, 19, 20, 21, 22, 23, 24, 25, 26, 27 1920.

Charles S. Duke

Sworn to and subscribed ~~to~~ before me this 26 February 1920

Julius H. Fortaine
City Clerk.
Notary Public - Bexar County, Texas

AN ORDINANCE *OF-170*

Regulating barber shops and the trade or occupation of barbering.

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

SECTION ONE: That it shall hereafter be unlawful for any person, firm or corporation to establish, conduct, operate or maintain any barber shop or barber school within the limits of San Antonio except as hereinafter provided.

SECTION TWO: That every person, firm or corporation desiring to establish, conduct, operate or maintain any barber shop or barber school within the limits of the City of San Antonio shall make application for a license and permit therefor, stating and the name and residence of the applicant, if an individual, or the name ~~xx~~ and residence of each member of the firm or association, if a partnership, or the name of the applicant, and the name and residence of the officers and directors thereof, if a corporation; the location and description of the premises where such shop is located and the number of chairs and maximum number of journeymen barbers to be employed therein, or the number of barber instructors to be employed therein, if a barber school, which said application shall be addressed to and filed with the Commissioner of Parks, Sanitation and Public Property of the City of San Antonio.

SECTION THREE: That upon the filing of the application provided for in Section Two hereof, it shall be the duty of the Commissioner of Parks, Sanitation and Public Property to make (or cause to be made by an inspector under his supervision and direction) a thorough examination of said premises and the appliances and equipment used in connection therewith for the purpose of determining the sanitary condition and the fitness and suitability of said premises as a place for conducting said business.

SECTION FOUR: In the event said Commissioner of Parks, Sanitation and Public Property shall find and determine that said premises is or may be maintained in a sanitary condition and that all rules and regulations governing the conduct and operation of barber shops as provided in Section Eight hereof, have been or are being observed and complied with, said Commissioner may authorize the License and Dues Collector to issue a license and permit on said application in accordance with Section Five of this ordinance provided, that in the event said Commissioner shall determine that no license shall be issued on said application, said applicant shall have the right to an appeal therefrom to the Commissioners of the City of San Antonio by giving notice of such appeal in writing ~~xx~~ within five days after the action of said Commissioner of Parks, Sanitation and Public Property, and in the event of an appeal the said Commissioner shall transmit said application, his report thereon, and all other papers in connection with said application, to the City Clerk who shall present same to the Commissioners' meeting next following and at such other time to which said hearing may be continued or postponed by said Commissioners.

SECTION FIVE: That upon receipt of notice from said Commissioner of Parks, Sanitation and Public Property authorizing the issuance of a license and permit as herein provided, the City License and Dues Collector shall notify said applicant and shall issue license and permit in accordance with the order of said Commissioner of Parks, Sanitation and Public Property, authorizing the applicant to establish, conduct, operate and maintain a barber shop at the place designated in such license until the 31st day of May thereafter and upon payment by said applicant of the annual license and inspection fee, specified in Section Six of this ordinance or the pro rata part thereof if for the unexpired portion of any current fiscal year; provided, that in no event shall the license fee for an unexpired

portion of the current fiscal year be less than one-half of such annual fee.

SECTION SIX: That the annual license fee to cover the cost of inspection and the issuance of the license shall be graded in accordance with the size of the shop to be determined by the number of barber chairs set or installed therein as follows, to-wit: For each shop having not to exceed two chairs, Two Dollars (\$2.00) per annum; for each shop having more than two chairs and not exceeding four chairs, Five Dollars (\$5.00) per annum, and for each shop having more than four chairs, Ten Dollars (\$10.00) per annum; provided, that every shop devoted exclusively to teaching or giving instruction in barbering, shall pay an annual license fee of Five Dollars (\$5.00) in lieu of the above scale of fees.

SECTION SEVEN: That every person, firm or corporation licensed in accordance with the provisions of this ordinance, shall immediately post said license and keep same continuously posted in a conspicuous place in the shop for which it was issued, and in the event the same becomes mutilated, lost or destroyed, the License and Dues Collector shall be authorized to issue a duplicate therefor upon the payment of a fee of fifty cents (.50)

SECTION EIGHT: That every person, firm or corporation to whom a license and permit shall be issued under the provisions of this ordinance by the acceptance of such license and permit agree to and shall be required to conduct, operate and maintain such shop or place of business in accordance with the following rules and regulations, which for convenience are enumerated as follows, to-wit:

(a) No person shall be employed or shall be permitted to follow the trade or occupation of a barber, or instructor or student, in such shop unless he holds a certificate from the City Health Officer, countersigned by the Commissioner of Parks, Sanitation and Public Property, as provided in Section Nine hereof.

(b) Every barber shop shall be supplied with adequate plumbing and drainage facilities including running hot and cold water suitable wash basins and toilets, and all toilets shall be properly ventilated and kept in a clean and sanitary condition.

(c) The floors, walls, ceilings, furniture and fixtures of all shops shall be kept and maintained in a clean and sanitary condition at all times.

(d) No sleeping or living rooms shall be kept or maintained in connection with any shop or place where the trade or barbering is conducted.

(e) All mugs, razors, scissors, clipping machines, barber needles and other instruments and all combs and brushes shall be thoroughly cleaned and sterilized after being used on each individual.

(f) A separate clean towel, washed or steamed, shall be used for each person, and the owner or manager of such shop shall be required to provide and keep on hand a sufficient quantity of good, serviceable towels and linens for such purpose so as to enable those employed or working therein to comply with the provisions of this ordinance.

(g) Alum or other mineral used to stop the flow of blood shall be in liquid or powdered form and shall only be applied on a clean towel or other clean cloth.

(h) All head rests on chairs shall be covered with a towel that has been washed since having been used or apply clean, new paper after each use.

(i) Every barber shall thoroughly cleanse his hands immediately before serving each customer.

SECTION NINE: That after the taking effect of this ordinance, every person desiring to follow the trade or occupation of a barber within the City of San Antonio,

shall apply to the City Health Officer and obtain a certificate as provided in Section Ten hereof, showing said applicant to be free from any infectious, contagious or communicable disease and any venereal disease in a communicable form, and the provisions of this section shall apply to every barber, instructor or student in any barber shop, college or school where barbering is done for the public, whether or not compensation is charged therefor.

SECTION TEN: That it shall be the duty of the City Health Officer to examine all persons following or engaged in the trade of barbering and all instructors and students of barbering in barber schools or colleges, and to issue to each such person so examined who is free from all infectious, contagious or communicable diseases, and all venereal diseases in a communicable form, a health certificate to that effect upon the payment of a fee of fifty cents (.50) for such examination, which said certificate, when countersigned by the Commissioner of Parks, Sanitation and Public Property, shall authorize the person named therein to engage in such work or trade in the City of San Antonio for a period of six months from the date thereof and shall be posted in a conspicuous place in front of the chair where the person named in such certificate works or plies his trade; provided, said City Health Officer may require all such persons to be re-examined as often and at such times as in his opinion may be necessary and imperative for the preservation and protection of public health and safety, and to cancel any certificate previously issued, should the holder thereof upon reexamination be found to be affected or afflicted with any infectious, contagious or communicable disease or venereal disease in a communicable form; and provided further that no fee shall be charged for such re-examination made within six months from the date of the previous examination.

SECTION ELEVEN: That in addition to all other penalties affixed for violation of any provision of this ordinance, the Commissioner of Parks, Sanitation and Public Property may revoke or cancel any license issued under the provisions of this ordinance when it shall appear to his satisfaction that the licensee has failed, neglected or refused to comply with the provisions of Section Nine hereof or allows or permits any person to engage or pursue the trade or work of a barber in his shop or place of business who does not hold a valid, unexpired and uncanceled Health Certificate as herein required.

SECTION TWELVE: That every person violating any provision of this ordinance shall be deemed guilty of an offense, and upon conviction thereof shall be fined in any sum of not less than Five Dollars (\$5.00) and not more than Fifty Dollars (\$50.00) for each offense and each day during which violation shall continue shall constitute a separate and distinct offense. Provided that fifteen days shall be allowed from the taking effect of this ordinance in which to make said application for permit and license and other-

SECTION EIGHTEEN: That in the event any section, Paragraph or provision of this ordinance, for any reason shall be held or declared void or unenforceable, such defects shall be restricted to the identical part or provision so held or declared invalid, and such defects shall not in any manner affect or render invalid any other part, portion or provision of this ordinance.

PASSED AND APPROVED this 16th day of February, A.D.1920.

Attest: Fred Fries,
City Clerk.

Sam C. Bell, Mayor.

THE STATE OF TEXAS.
COUNTY OF BEXAR.

Before me, the undersigned authority, on this day personally appeared Charles S. Decker, who being by me duly sworn, says on oath that he is one of the publishers 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: February 19, 20, 21, 22, 23, 24, 25, 26, 27, 28 1920.

Sworn to and subscribed to before me this 26th day of February 1920.

Charles S. Decker
James H. Fortbauer
Notary Public Bexar County, Texas

wise comply with the provisions hereof.

AN ORDINANCE **OF-171**

Granting permit to Paul P. Leyva to construct a sanitary sewer in Cilima Street from San Jacinto, west.

BE IT ORDAINED by the Commissioners of the City of San Antonio.

Section 1. That permission is hereby granted to Paul P. Leyva to construct an 8" sanitary sewer on Colima Street beginning at San Jacinto Street and extending to a point 100 feet (more or less) west according to plat, line and grade, made by the City Engineer hereto attached, the cost of said sewer being estimated about One Hundred and fifty dollars (\$150.00) to be paid by the said _____. The final actual cost to be filed with the City Engineer within ten days after the completion of the sewer.

Section 2. The said sewer to be constructed to the City's line and grade in accordance with the City's standard specifications for the construction of sewers in all particulars, and to maintain the sewer in the street, for a period of one year after the date of the acceptance of the sewer by the City Engineer.

Section 3. "Conditioned" that no sewer service connection to this sewer shall be made until it has been completed and properly connected to the City's main, and duly accepted by the City.

Section 4. Said sewer, when completed to become the property of the City of San Antonio and part of its public sewer system.

Section 5. The City Engineer is hereby directed to collect the sum of Thirty Five (\$35.00) for each and every connection made with said sewer main or sewer service going into said main and pay the same over to said Paul P. Leyva not later than the 10th of each month, following the month in which said connection is made, until the actual cost of said sewer shall have been collected and paid over to aforesaid, when no further connection fee shall be collected.

This ordinance is hereby declared to be of urgent importance for reasons of public welfare apparent herefrom and the same shall be effective at once on the above mentioned condition.

Passed and Approved this 19th day of February, A.D. 1920.

Attest: Fred Fries, City Clerk. Sam C. Bell, Mayor.

AN ORDINANCE **OF-172**

Defining the duties of the City Sexton.

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

Section 1: The City Sexton shall superintend the digging and filling of all graves hereafter opened in the City Cemeteries, and shall collect therefor, for the use of the City, a fee of \$6.00 for each adult grave, and a fee of \$5.00 for each child's grave, and it shall be the duty of the City Sexton, immediately after filling each grave to remove without further charge all surplus dirt therefrom and cart the same out of the City Cemeteries.

The bodies of all persons over twelve years of age shall be considered as adult bodies, and all bodies of persons less than twelve years of age shall be considered children bodies.

Section 2 It shall be unlawful for any person to dig any such grave without permission of the City Sexton, and any person or persons so doing shall be deemed guilty of a misdemeanor, and upon conviction thereof in the Corporation Court, shall be fined in any sum not less than \$5.00 nor more than \$50.00.

Section 3. All ordinances and parts of ordinances in conflict herewith, are hereby repealed.

Passed and Approved this 19th day of February, A.D. 1920.

Attest: Fred Fries, City Clerk. Sam C. Bell, Mayor.

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

Before me, the undersigned authority, on this day personally appeared Charles D. Duke, who being by me duly sworn says on oath that he is one of the publishers 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:

February 22, 23, 24, 25, 26, 27, 28, 29 March 1, 2 1920

Sworn to and subscribed before me this 26th day of February 1920

Charles D. Duke
Jules W. Fontaine

Amended p. 530

AN ORDINANCE *OF-173*

Amending Section Two of an ordinance entitled "An ordinance providing for the licensing of automobiles for hire, excepting such automobiles as may be used in local street transportation, as defined by an ordinance of this City approved March 8th, 1915; providing for the regulation of such automobiles for hire, the bonding of same, and providing penalty" passed and approved August 27, 1917.

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

SECTION ONE: That section two of an ordinance entitled "An ordinance providing for the licensing of automobiles for hire, excepting such automobiles as may be used in local street transportation, as defined by an ordinance of this City approved March 8, 1915; providing for the regulation of such automobiles for hire, the bonding of same and providing penalty," passed and approved on the 27th day of August, 1917 be and the same is hereby amended by repealing Section Two thereof and by the substitution in lieu thereof of the following section, which shall be numbered Two:

"Section 2. Before any such license shall issue, the applicant shall pay the license fee required by the law, and furnish to the City for each such automobile to be licensed a good and sufficient assurance in writing that such automobile shall be operated with due care for public safety. Such assurance shall consist of a good and sufficient bond or policy of insurance to be approved by the Mayor conditioned that the holder of such license shall well and truly pay to the Mayor of said City or his successors in office, for the benefit of every person injured, or owner of property damaged, other than the licensee or his employes, operating such automobile, through the negligent operation of such automobile, by the licensee or his employes, or will well and truly pay directly to any such person or persons injured in person or property any amount or amounts of money that may be awarded by final judgement of any court of competent jurisdiction against such licensee on account of any such injury, not exceeding for bodily injury to any one person the sum of Two Thousand Five Hundred Dollars (\$2,500.00), or the sum of Ten Thousand Dollars (\$10,000.00) for all persons injured in any one accident or occasion, and not exceeding the sum of One Thousand Dollars (\$1000.00) for direct and material damages to property resulting from any one accident or occasion, The said bond or policy shall provide that each such cause of action shall survive in case of death of the injured person for the benefit of the beneficiaries of such person, and that such bond or policy shall be subject to successive recoveries during the time that such bond or policy shall continue in effect. The said bond or policy may be executed by sureties or insurers consisting of any solvent surety or insurance company, authorized to transact business in the State of Texas, or such bond may be executed by two or more personal sureties, but in such event the obligors on such bond shall attach to their bond their statement in writing, acknowledged for registration, to the effect that that they own in fee simple real estate, describing it, situated in a specified county or counties in the State of Texas, which is free from incumbrance and subject to no claim of exemption, and of an actual market value, to be stated therein, of more than double the amount of such bond, and such bond for the full amount thereof shall in said statement recite to be and shall be a lien for the benefit of the beneficiaries in said bond on such real estate, and shall be recorded in the office of the County Clerk of each county in which such real estate is situated.

PROVIDED HOWEVER, that in the event the Mayor shall at any time and for any reason deem that any assurance given by any licensee is insufficient for the protection of the public, he may require a new or additional assurance and the licensee or the person owning or operating any such automobile shall within three days after receiving written notice of

such requirement provide the required new or additional assurance; and PROVIDED, FURTHER, that, in the absence of special agreement, any surety or insurer may by written demand require of the Mayor that a new assurance for any such automobile be furnished by the licensee within five days, and the Mayor shall thereupon give written notice by personal delivery or by mail to any such licensee and the approval of such new assurance, or the expiration of the five day period above provided for, shall discharge such first sureties or insurers from any liability ~~from~~ which shall accrue after the time of approval of such new assurance or the expiration of the said period; and PROVIDED, FURTHER, that in the event any bond or policy be so cancelled upon the request of the sureties or insurers because of the default of the licensee in the payment of the premium, if any, specified and provided for in such bond or policy, such cancellation shall, at the option of the Mayor, be sufficient cause for the revocation and termination of such licensee as provided in Section Seven of an ordinance of the City of San Antonio, Texas approved September 23, 1915, entitled "An ordinance for the licensing and regulation of "Automobiles for Hire" and providing penalties for the violation thereof; and PROVIDED, FURTHER, that neither said City nor any officer thereof shall be held liable for the pecuniary responsibility or solvency of any such surety or insurer or in any manner become liable for any sum on account of any such claim or any act or omissions relating to any such automobile, nor shall the liability of any person owning or operating such automobile be in any manner limited or enlarged by anything in connection with this ordinance or such license or assurance, but persons having cause of action secured thereby shall be authorized to sue directly on such assurance without impleading the City; and all persons known to any surety or insurer to have been injured or damaged in the same accident and claiming damage therefor shall be made parties without priority of claim on payment in any suit had or instituted on account of such matter." PROVIDED, HOWEVER, that no cause of action claim or demand which may have accrued or arisen under any bond given under the terms of the ordinance hereby amended shall be affected by this amendment, but such bond shall be and remain in full force and effect as to any such claim, cause of action, or demand arising prior to the taking effect of this amendment.

PASSED AND APPROVED this 26th day of February, A.D.1920.

ATTEST:

Sam C. Bell
Mayor

Fred Fries,

City Clerk.

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

Before me, the undersigned authority, on this day personally appeared Charles S. Diehl, who being by me duly sworn, says on oath that he is one of the publishers 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: March 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 1920

Charles S. Diehl

Sworn to and subscribed before me this 31st day of March, 1920

Jules W. Fontaine,
Notary Public in and for Bexar County, Texas.

AN ORDINANCE *OF-174*

Amending an ordinance entitled "An ordinance for the purpose of regulating local street transportation of persons by street cars, jitneys, motor busses and other vehicles", passed and approved March 8, 1915, as amended by ordinance passed and approved October 15, 1917. *Amending Section 6 -*

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

SECTION ONE: That Section Six of an ordinance entitled "An ordinance for the purpose of regulating local street transportation of persons by street cars, jitneys, motor busses and other vehicles, passed and approved on the 8th day of March, A.D.1915, as amended by an ordinance entitled "An ordinance amending the ordinance of March 8, 1915, entitled 'An ordinance for the purpose of regulating local street transportation of persons by street cars, jitneys, motor busses and other vehicles,' by substituting other and different Sections for Section Four and Section Seven of said Ordinance," passed and approved on the 15th day of October, A.D.1917, be and the same is hereby amended by repealing Section Six thereof, entitled "ASSURANCE, BOND OR INSURANCE" and by the substitution in lieu thereof of the following section which shall be numbered Section Six:

"Section Six; ASSURANCE, BOND OR INSURANCE. Before any such license shall issue the applicant shall make, execute, procure and deposit with the City for such vehicle or vehicles to be licensed a good and sufficient assurance in writing undertaking and guaranteeing that such vehicle or vehicles shall be operated with due care for public safety; and this requirement shall be deemed to be satisfied by a compliance with the following provisions of this section, viz; "Upon such application being granted, the applicant may execute, procure and tender to said Mayor of said City for each such vehicle to be licensed a good and sufficient bond or policy of insurance, such as may be approved by the Mayor as to form and sufficiency, in the amount hereinafter required; each such bond or policy of insurance shall be conditioned that the holder of such license shall and will well and truly pay to the Mayor of said City, and to his successors, in office, for the benefit of each such person injured by reason of the negligent operation of such vehicle, or on account of any injury which any person may, while employed on such vehicle by the licensee, do or negligently allow to be done to any passenger, or pay directly to any passenger so injured, any amount or amounts which may be awarded by final judgment of any court of competent jurisdiction on account of any such injury against any person owning or operating any such vehicle, not exceeding however, for injury to any one person the sum of Two Thousand Five Hundred Dollars (\$2,500.00), or the sum of Ten Thousand Dollars (\$10,000.00), for all persons injured in any one accident or occasion; such bond or policy to provide that each such claim or cause of action shall survive, in case of the death of the person injured, for the benefit of the beneficiaries of such person, and that such bond or policy shall not be exhausted by the first recovery but shall be subject to successive recoveries and be subject of modifications of the license or route for vehicle as herein provided, during the time while such bond or policy shall continue in effect. Subject to approval as aforesaid such bond or policy of insurance may be executed by sureties or insurers consisting of any solvent surety or insurance company qualified to transact business in the State of Texas, or such bond may be executed by two or more personal sureties attaching to such bond their affidavit to the effect that they own in fee simple real estate situated in any specified county or counties of the State of Texas which is free from incumbrances and subject to no claim of exemption, and of an actual market value, to be stated in such

affidavit, of more than double the amount of such bond. PROVIDED, HOWEVER, that any person may give one bond or policy limiting the liability of the sureties or insurers to Fifty Thousand Dollars (\$50,000.00) in lieu of the bond or policy above described but otherwise subject to the same requirements, covering and applying to all such liability on account of any number of vehicles not exceeding five; or one bond or policy limiting the liability of the sureties or insurers to One Hundred Thousand (\$100,000.00) Dollars in lieu of the bond or policy above described but otherwise subject to the same requirements, covering and applying to all such liability on account of any number of vehicles; and PROVIDED, FURTHER, that in event of the Mayor or City Commissioners shall at any time and for any reason deem that any assurance given by any license is insufficient for the protection of the public, he or they may require a new or additional assurance, and the licensee or person owning or operating any such vehicle or vehicles shall within three days after receiving written notice of such requirement, provide the required new or additional assurance, with terms, amounts and conditions such as herein required or such as may be approved by the City Commissioners; and PROVIDED FURTHER, that in the absence of special agreement any surety or insurer may by written demand require of said City that a new bond or policy of insurance for any such vehicle or vehicles be required of and given by the licensee within five (5) days, and the City shall thereupon give written notice by personal delivery or by mail to such licensee, and upon the filing of such new bond or policy of insurance shall discharge such first sureties or insurers from further liability to accrue after the time of the approval of such new bond; and PROVIDED FURTHER that neither said City nor any officer thereof shall be held liable for any pecuniary responsibility on account of any such assurance or for the solvency of any such surety or insurer, or in any manner to have become liable for any such sum on account of any such claim or any act or omission relating to such vehicle or vehicles; nor shall the lawful liability of any such person owning or operating any such vehicle be in any manner either limited or enlarged by anything in connection with this ordinance or such license or assurance; but persons having any cause of action secured thereby shall be authorized to sue directly on any such assurance without impleading the City; and all persons known to any surety or insurer to have been injured in the same accident and claiming damages therefor shall be made parties without priority of claim or payment in any settlement or suit had or instituted on account of such matter." Provided, however, that no cause of action, cause or demand which may have accrued or arisen under any bond given under the terms of the ordinance hereby amended shall be affected by this amendment but such bond shall be and remain in full force and effect as to any such claim, cause of action or demand arising prior to the taking effect of this amendment.

Passed and Approved this 26th day of February, A.D.1920.

Sam C. Bell, Mayor.

Attest:

Fred Fries, City Clerk.

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

Before me, the undersigned authority, on this day personally appeared Charles S. Diehl, who being by me duly sworn, says on oath that he is one of the publishers 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: March 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 1920.

Sworn to and subscribed before me this 31st day of March, 1920.

Charles S. Diehl,
Jules W. Fontaine

Notary Public in and for Bexar County, Texas.

AN ORDINANCE
Entitled.

OF-175

"An ordinance to carry into effect Chapter 14 General Laws of Texas, enacted at second called session of the 31ST Legislature, approved May 10th, 1909, authorizing construction of permanent street improvements by incorporated towns, cities and villages and adopted by the City of San Antonio, Texas, at an election held therein on the 30th day of June, 1913, and to provide for notice and hearing to property owners before assessment of such improvements, and to repeal all prior ordinances and parts of ordinances referring thereto."

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

THAT, WHEREAS, the City of San Antonio has adopted at an election held for that purpose on the 30th day of June, 1913, the benefits of a certain Act, being Chapter 14 of the General Laws of Texas, enacted by the 31st Legislature at the second called session, and approved May 10th, 1909, and now incorporated in Chapter 11, Title 22 of the Revised Civil Statutes of Texas; and

WHEREAS, said Act so adopted in accordance with the terms thereof at such election is now in full force and effect in said City, and it is necessary to provide rules and regulations to carry the same into effect:

SECTION ONE

That this ordinance shall be generally known and referred to as the "IMPROVEMENT ORDINANCE" in all proceedings and contracts having reference to the subject matter thereof without further designation.

SECTION TWO.

That this ordinance shall be controlled by the terms of the law in such cases made and provided and by the Charter of the City of San Antonio, and wherever any conflict shall appear between the terms hereof and said charter, the latter shall control, and if any part hereof shall, under the Constitution of the State or of said law or charter be invalid, this ordinance shall not thereby, as a whole, become invalid, but all remaining parts thereof not subject to said invalidity shall nevertheless have full force and effect.

SECTION THREE

The word "Highway" whenever used herein shall be understood to have the meaning and to be defined as is provided in the said Act of the Legislature.

SECTION THREE-A.

Should the City at any time determine to execute or effect any improvements contemplated by said street improvement law and this ordinance, otherwise than by contract, whether the improvement be such as is not readily susceptible of contract, as widening or straightening of streets, or whether the City Commission merely deems it better to effect any paving or other improvement, or any part of such improvement, independent of bidders and contractors, in such event all procedure with reference to bids, contracts and bonds may be omitted, but all other procedure shall be had and observed in accordance with said law and as nearly as practicable in conformity with this ordinance; and upon the determination of the cost of such improvement, and before or after the completion thereof, the City Commission shall proceed to assess the cost thereof as herein and in said street improvement law provided.

SECTION 4.

That this ordinance shall be complied with in all proceedings with reference to subject matter thereof, but shall be regarded as directory only, and no inadvertence, failure, mistake or error in procedure thereunder, or failure to comply with any provision thereof, shall invalidate any contract or assessment made hereunder, or any procedure taken hereunder which would otherwise be legal. It shall be the duty of the City Commission on its own motion or upon request of any interested party to correct any error or mistake in said procedure.

SECTION FIVE.

Whenever the City Commission shall determine to improve any highway, it shall pass a