

and interest of said bonds, or any of them; and if at any time the amount of said tax shall not be sufficient for the purposes aforesaid, it shall be the obligation and duty of the City Commissioners or other governing body of said City so to increase said tax rate that the amount of taxes to be collected and realized therefrom shall be sufficient to provide for the payment of the principal and interest of said bonds and each and all of them as the said principal and interest may respectively mature and become payable, and it is hereby promised and agreed, and the City of San Antonio is hereby bound and obligated, that its tax rate shall be increased, if required for the purpose named, as often as may be necessary.

DULY PASSED AND APPROVED this 16th day of November, A. D. 1926.

Jno. W. Tobin.
Mayor.

ATTEST: Fred Fries.
City Clerk.

AN ORDINANCE *08-142*

DEFINING "MILK" AND CERTAIN MILK PRODUCTS, "MILK PRODUCER"; "PASTEURIZATION", PROHIBITING THE SALE OF ADULTERATED AND MISBRANDED MILK AND MILK PRODUCTS, REQUIRING PERMITS FOR THE SALE OF MILK AND MILK PRODUCTS, REGULATING THE INSPECTION OF DAIRY FARMS AND MILK PLANTS, THE TESTING, GRADING, LABELING, PLACARDING, PASTEURIZATION, REGARDING, DISTRIBUTION, SALE, AND DENATURING OF MILK AND MILK PRODUCTS, PROVIDING FOR THE PUBLISHING OF MILK GRADES, THE CONSTRUCTION OF FUTURE DAIRIES AND MILK PLANTS, THE ENFORCEMENT OF THIS ORDINANCE, AND THE FIXING OF PENALTIES.

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

SECTION 1. DEFINITIONS. The following definitions shall apply in the interpretation of the enforcement of this Ordinance:

MILK. (A) Milk is hereby defined to be the whole, fresh, clean, lacteral secretion obtained by the complete milking of one or more healthy cows, properly fed and kept, excluding that obtained within fifteen days before and ten days after calving, or such longer period as may be necessary to render the milk practically colostrum free; which contains not less than eight and one-half per cent ($8\frac{1}{2}\%$) of solids, not fat, and not less than three and one-fourth per cent ($3\frac{1}{4}\%$) of milk fat.

MILK FAT OR BUTTER FAT. (B) Milk fat or butter fat is the fat of milk, and has a Reichert-Meissel number of not less than twenty-four (24) and a specific gravity of not less than 0.905, (40°C).

CREAM (C) Cream, sweet cream, is that portion of milk, rich in milk fat, which rises to the surface of milk on standing or is separated from it by centrifugal force, is fresh and clean, and which contains not less than eighteen per cent (18%) of milk fat; provided that cream having less than 18 per cent milk fat shall be known as SUB-STANDARD CREAM. Cream having less than thirty per cent (30%) milk fat shall be known as LIGHT CREAM. Cream having more than thirty per cent (30%) and less than forty per cent (40%) milk fat shall be known as HEAVY CREAM, and cream having more than forty per cent (40%) milk fat shall be known as EXTRA HEAVY CREAM. WHIPPING CREAM AND MANUFACTURING CREAM are cream intended for whipping or manufacturing purposes, and all creams used for whipping or manufacturing purposes must be cooked if not obtained from grades A and B milk.

SKIMMED MILK (D) Skimmed milk is milk from which substantially all the milk fat has been removed.

ADJUSTED MILK (E) Adjusted milk is milk in which the percentage of milk fat has been adjusted by the additional or removal of cream or skimmed milk.

BUTTER MILK. (F) Butter milk is the product which remains when milk fat is removed from milk or cream, sweet or sour, in the process of churning. It contains not less than eight and five five-tenths per cent (8.5%) of milk solids not fat. Only buttermilk made from grades A and B milk can be sold.

CULTURED BUTTER MILK (G) Cultured butter milk is the product resulting from souring or treatment by a lactic acid culture of milk or milk products. Only cultured buttermilk made from grades A and B milk can be sold.

EVAPORATED MILK (UNSWEETENED) (H) Evaporated milk (unsweetened) is milk from which a considerable portion of water has been evaporated and which contains not less than twenty-five and five-tenths per cent (25.5%) of milk solids and not less than seven and eight-tenths per cent (7.8%) milk fat.

CONDENSED MILK (SWEETENED). (I) Condensed milk (sweetened) is milk from which a considerable portion of water has been evaporated, to which sugar has been added, and which contains not less than twenty-eight per cent (28%) of milk solids and not less than eight per cent (8%) milk fat.

CONDENSED SKIMMED MILK. (J) Condensed skimmed milk is skimmed milk from which a considerable portion of water has been evaporated, and which contains not less than twenty per cent (20%) of milk solids.

POWDERED (DRIED) WHOLE MILK. (K) Powdered whole milk is milk from which substantially all of the water has been removed, and which contains not less than twenty-six per cent (26%) of milk fat, and not more than five per cent (5%) of moisture.

POWDERED (DRIED) SKIMMED MILK. (L) Powdered skimmed milk is skimmed milk from which substantially all of the water has been removed, and which contains not more than five per cent (5%) of moisture.

RE-COMBINED MILK. (M) Re-combined milk is a substance produced by re-combining powdered whole milk, powdered skimmed milk, condensed or evaporated whole milk, or skimmed milk, and milk fat, with water, and shall conform in milk fat percentage and bacterial counts to the provisions of this ordinance relating to milk.

MILK PRODUCTS. (N) Milk products shall be taken to mean and include cream, skimmed milk, adjusted milk, buttermilk, cultured buttermilk, evaporated milk (unsweetened), condensed milk (sweetened), condensed skimmed milk, powdered whole milk, powdered skimmed milk and re-combined milk.

PASTEURIZATION. (O) The terms "pasteurization", "pasteurized", "pasteurize", and similar terms shall be taken to refer to the process of heating milk and milk products to a temperature of not less than one hundred and forty-two degrees (142°) Fahrenheit and holding at such temperature for not less than thirty (30) minutes, in pasteurization apparatus approved by the Health Officer, the temperature and time being automatically recorded by a temperature and time recording device approved by the Health Officer.

ADULTERATED MILK AND MILK PRODUCTS. (P) Adulterated milk and milk products are milk and milk products defined in this Ordinance which do not conform with the definitions contained in this Ordinance.

MILK PRODUCER. (Q) A milk producer is any person, firm, or corporation who owns or controls one or more cows, a part or all of the milk from which is for sale, or sold or delivered to another person, firm or corporation.

MILK DISTRIBUTOR (R). A milk distributor is any person, firm, or corporation which has in Possession, offers for sale, sells, or delivers to another, any milk or milk products for consumption or manufacturing purposes.

DAIRY OR DAIRY FARM. (S) A dairy or dairy farm is any place or premises where one or more cows are kept, a part or all of the (milk or milk products for which is sold or delivered to any person, firm, or corporation.

MILK PLANT (T) A milk plant is any place, or premises, or establishment where milk or milk products are collected, handled, processed, stored, bottled, pasteurized, or prepared for distribution.

HEALTH OFFICER. (U) The Health Officer shall be taken to mean the Health Officer of the City of San Antonio, in person, or his authorized representative.

AVERAGE BACTERIAL COUNT. (V) Average bacterial count shall be taken to mean the average bacterial count of all samples taken during the grading period, including at least four samples taken upon separate days.

GRADING PERIOD. (W) The grading period shall be such period of time as the Health Officer may designate, within which grades shall be determined for all milk and cream supplies, provided that the grading period shall in no case exceed six (6) months.

SECTION 2. THE SALE OF ADULTERATED OR MISBRANDED MILK OR MILK PRODUCTS PROHIBITED.

No person, firm, association or corporation, shall within the City of San Antonio produce, sell, offer or expose for sale, or have in possession with intent to sell, any milk or milk products which is adulterated or misbranded.

SECTION 3. PERMITS. It shall be unlawful for any person, firm, association, or corporation, to bring into or receive into the City of San Antonio, for sale, or to sell or offer for sale, therein, or to have on hand any milk or milk product, excepting evaporated milk, condensed milk, condensed skimmed milk, powdered whole milk and powdered skimmed milk, who does not possess an unrevoked permit (from the Health Officer of the City of San Antonio and on whose vehicles or in whose place of business there does not appear in a conspicuous place a painted sign showing the permit number and the name of the dairy or milk plant in figures and letters at least three inches high and one-half inch wide.

Such permit may be revoked by the Health Officer upon the violation by the holder of any of the terms of this or any other Health Ordinance of the City of San Antonio.

SECTION 4. LABELING AND PLACARDING. All bottles, cans, packages, and other containers enclosing milk or any milk products defined in this Ordinance shall be plainly labeled or marked with: (1) the name of the contents as given in the definitions in this Ordinance; (2) the grade of the contents if said contents are graded under the provisions of this Ordinance; (3) the word "pasteurized" if the contents have been pasteurized; (4) the word "raw" if the contents are raw; (5) the percentage of milk fat if the package or other container enclosed adjusted milk; (6) the name and permit number of the dairy or milk plant. Every grocery store, restaurant, cafe, soda fountain or similar establishment selling or serving milk shall display in a place designated by the Health Officer, a card furnished by the Health Officer, stating the grade of the milk at the time when delivered and whether same is raw or pasteurized.

SECTION 5. INSPECTION OF DAIRY FARMS AND MILK PLANTS FOR THE PURPOSE OF GRADING OR REGRADING. At least once during each grading period the Health Officer shall inspect every dairy farm producing milk or cream for consumption within the City of San Antonio, and all milk plants whose milk or cream is intended for consumption within the City of San Antonio. In case the Health Officer discovers the violation of any item of sanitation, he shall make

Amended

a second inspection after a lapse of such time as he deems necessary for the defect to be remedied but not before the laps of three days, and the second inspection shall be used in determining the grade of milk or cream.

One copy of the inspection report shall be posted by the Health Officer in a conspicuous place upon an inside wall of one of the dairy farm or milk plant buildings, and said inspection report shall not be removed by any person except the Health Officer. Another copy of the inspection report shall be filed with the records of the Health Department. In addition, a written notice shall be mailed to or left with the owner or manager in the case of violations.

SECTION 6. THE TESTING OF MILK AND MILK PRODUCTS. During each grading period at least four samples of milk or cream from each dairy farm and each milk plant shall be tested by the Health Officer. Samples of milk and cream from stores, cafes, soda fountains, restaurants, and other places where milk or milk products are sold shall be tested as often as the Health Officer may require. Said test shall include the determination of the bacterial count made in conformity with the standard methods recommended by the American Public Health Association, and may include such other chemical and physical determinations as the Health Officer may deem necessary for the detection of adulteration. Notices of bacterial counts shall be given to the producer or distributor concerned as soon as made, or to any interested person on request. Samples may be taken by the Health Officer at any time prior to the final delivery of the milk or milk products. All stores, cafes, restaurants, soda fountains and other similar places shall furnish the Health Officer, upon his request, the name of the milk distributor ^{whom} from/their milk is obtained. Should the market value of any single sample exceed twenty-five cents the City of San Antonio shall pay the distributor therefor.

SECTION 7. THE GRADING OF MILK AND CREAM. At least once every six (6) months the Health Officer shall announce through the daily press the grades of all milk and cream supplies delivered by all producers or distributors and ultimately consumed within the City of San Antonio. Said grades shall be based upon the following standards; the grading of cream being identical with the grading of milk, except that the permissible bacterial limits shall be multiplied five-fold in each case.

CERTIFIED MILK Certified milk is milk which conforms with the requirements of the American Association of Medical Milk Commissions, and is produced under the supervision of the Medical Milk Commission of the Medical Society of Bexar County.

GRADE "A" RAW MILK. Grade "a" Raw Milk is milk whose average bacterial count as determined under Section 6 of this Ordinance does not exceed 50,000 per cubic centimeter, and which is produced upon dairy farms conforming with all of the following items of sanitation:

COWS. (1) A physical examination and tuberculin test of all cows shall be made before any milk therefrom is sold and at least once every twelve months thereafter by a veterinarian, approved by the Health Officer, who is a licensed graduate veterinarian accredited by the United States Bureau of Animal Industry and the Live Stock Sanitary Commission of Texas for the administration of the tuberculin test. A certificate signed by the veterinarian, and filed with the Health Officer, shall be the only valid evidence of the above test. Every diseased animal shall be removed from the herd at once and no milk from diseased cows shall be offered for sale. All reacting animals shall be isolated at once and immediately excluded from the premises. All animals failing to pass the tuberculin test shall be branded with the letters "T" or "T.B!" on the shoulder, hip, or jaw and removed at once and slaughtered under the direction of the Health Officer. Each letter in the brand shall be not less than two inches high and one and one-half inches wide.

DAIRY BARN. LIGHTING (2) All dairy barns shall have at least three square feet of window space for each animal.

AIR SPACE (3) All dairy barns shall have at least five hundred (500) cubic feet of air space per cow.

FLOORS (4) Floors and gutters of all dairy barns shall be constructed of concrete or other impervious and easily cleaned material approved by the Health Officer and shall be graded to drain properly, and shall be kept clean and in good repair.

WALLS AND CEILINGS (5) The walls and ceilings of all dairy barns shall be white-washed once each year or painted once every two years, or finished in a manner approved by the Health Officer, and shall be kept clean and in good repair. In case hay or other feed stuffs are stored above the barn the ceiling shall be tight.

COW YARD. (6) All cow yards shall be graded and drained as well as practicable, and kept clean.

MANURE DISPOSAL. (7) All manure shall be removed daily at least 500 feet from dairy premises and treated or scattered as best to prevent the breeding of flies therein.

MILK HOUSE OR ROOM CONSTRUCTION (8) There shall be provided a separate milk house or milk room for the handling and storage of milk, provided with a tight floor constructed of cement or other impervious material and graded to provide proper drainage. The walls and ceilings of the milk house or room shall be of such construction as to permit easy cleaning and shall be painted at least once each year or finished in a manner approved by the Health Officer. The milk house or room shall be well lighted and all openings effectively screened to prevent the entrance of flies, and shall be used for no other purpose than the handling and storage of milk or milk products and other operations incident thereto. The cleaning and other operations shall be so located and conducted as to prevent any contamination one to the other. The milk room shall not open directly into the barn or into any room used for sleeping or domestic purposes.

CLEANLINESS (9) The floor, walls, ceilings and equipment of the milk house or room shall be kept clean at all times.

TOILET (10) Every dairy farm shall be provided with a sanitary toilet constructed and operated in accordance with the Ordinances of the City of San Antonio. No outside sanitary privy shall be located or sewerage effluent be discharged within two hundred (200) feet of any dairy barn, milk house or source of water supply.

WATER SUPPLY. (11) The water supply shall be easily accessible, adequate and of a safe sanitary quality.

UTENSILS CONSTRUCTION. (12) All containers or utensils used in the handling or storage of milk or milk products must be of such construction as to be easily cleaned and must be in good repair. Joints and seams shall be soldered flush. All milk pails shall be of a narrow mouth design approved by the Health Officer.

CLEANING (13) All containers and other utensils used in the handling and storing or transportation of milk and milk products must be thoroughly cleaned by rinsing with clear water after each usage, scrubbing in an alkaline solution, and rinsing with clean water.

STERILIZATION (14) All container and other utensils used in the handling, storing, or transportation of milk or milk products shall between each usage be sterilized with steam.

STORAGE (15) All containers and other utensils used in the handling, storing or transportation of milk or milk products shall be stored in an inverted position so as not to become contaminated, until again used.

HANDLING (16) After sterilization, no container or other milk or milk product utensil shall be handled in such manner as to permit any part of the person or clothing/with any surface with which milk or milk products come in contact.

MILKING UDDERS AND TEATS. (17) The udders and teats of all milking cows shall be clean and sponged with water containing chloride of lime or any other approved disinfectant, and dried with a disinfected cloth immediately before milking.

FLANKS (18) The flanks and tails of all milking cows shall be kept free of visible dirt at the time of milking.

MILKER'S HANDS (19) Milker's hands shall be clean and rinsed with water containing chloride of lime or any other approved disinfectant and dried with a clean towel immediately before milking. Should the milking operation be interrupted, the milkers' hands must be re-disinfected.

CLEAN CLOTHING (20) Milkers shall wear clean outer garments during milking .

MILK STOOLS. (21) Milk stools shall be kept clean.

REMOVAL OF MILK. (22) Each pail of milk shall be removed immediately to the milk house. No milk shall be strained in the dairy barn.

COOLING (23) Milk must be cooled within one hour after milking to 50 degrees Fahrenheit or less and maintained at or below that temperature until delivery, unless it is delivered to a milk plant for pasteurization or separation, in which case, it must be cooled or pasteurized within two hours of the time of production.

BOTTLING AND CAPPING. (24) Capping shall be done by machinery.

PERSONNEL. HEALTH CERTIFICATES. (25) Every person whose work brings him or her in regular contact with the production, handling, storage, or transportation of milk or milk products shall hold a certificate from the Health Officer certifying to the fact that within six months laboratory and other examinations have been made indicating that said person is free of tuberculosis, that said person is not a carrier of typhoid fever, and that said person is free of any disease capable of being spread through milk supplies.

NOTIFICATION OF DISEASE. (26) Notice shall be sent to the Health Officer within twenty-four hours by any milk producer or distributor upon whose dairy farm any case of sickness or any infectious, contagious, or communicable disease occurs.

GRADE "B" RAW MILK. Grade "B" Raw Milk is milk of which the average bacterial count at no time prior to delivery exceeds 200,000 per cubic centimeter, and which is produced upon dairy farm farms conforming with all of the items of sanitation required for Grade "A" Raw Milk except (2), (3), (4), (5), and (6), provided that cleanliness shall in no case be omitted. Item (23) shall apply except that the cooling temperature shall be changed to sixty (60) degrees Fahrenheit. Item (14) shall apply except that boiling water may be substituted for steam.

GRADE "C" RAW MILK. Grade "C" Raw Milk is milk of which the average bacterial count at no time prior to delivery exceeds 1,000,000 per cubic centimeter, and which is produced upon dairy farms conforming with all of the items of sanitation required for Grade "A" Raw Milk except (1), (2), (3), (4), (5), (6), (7), (12), (14), (23), (24), and (25), provided that cleanliness shall in no case be omitted. It shall be used for cooking purposes only.

GRADE "A" PASTEURIZED MILK. Grade "A" Pasteurized Milk is Grade "A" or Grade "B" Raw Milk which has been pasteurized, cooled and bottled in a milk plant conforming with all of the following items of sanitation and the average bacterial count of which at no time after pasteurization and until delivery exceeds 50,000.

BUILDING AND EQUIPMENT. FLOORS (1) The floor of all rooms in which milk is handled shall be smooth, impervious, properly drained, and provided with trapped drains, and kept clean.

WALLS AND CEILINGS. (2) Walls and ceilings of rooms in which milk is handled or stored

shall be frequently painted with a light colored paint, or finished in a manner approved by the Health Officer, and kept clean.

DOORS AND WINDOWS (3) All openings into the outer air shall be effectively screened to prevent the access of flies. Doors shall be self-closing.

LIGHTING AND VENTILATION. (4) All rooms shall be well lighted and ventilated.

PROTECTION FROM CONTAMINATION (5) The various milk plant operations shall be so located and conducted as to prevent any contamination one to the other.

TOILET FACILITIES. (6) Every milk plant shall be provided with toilet facilities conforming with the ordinances of the City of San Antonio. There shall be at least one room or vestibule not used for milk purposes between the toilet room and any room in which milk or milk products are handled. The doors of all toilet rooms shall be self-closing. Toilet rooms shall be kept in a clean condition, in good repair, and well ventilated. In case privies or earth closets are permitted and used, they shall be located at least 100 feet from the building, and shall be of a sanitary type construction and operated in conformity with the ordinances of the City of San Antonio.

WATER SUPPLY. (7) The water supply shall be easily accessible, adequate, and of a safe sanitary quality.

WASH ROOM. (8) A wash room shall be provided, equipped with hot running water, soap, and sanitary towels of a type approved by the Health Officer. The use of a common towel is prohibited.

MILK PIPING. (9) Only "sanitary milk piping" of a type which can be easily cleaned with a brush shall be used.

CONSTRUCTION OF EQUIPMENT. (10) All equipment with which milk comes in contact shall be constructed in such manner as to be easily cleaned and shall be kept clean.

DISPOSAL OF WASTES. (11) All wastes shall be disposed of in conformity with the requirements of the Health Officer.

METHODS. CLEANING AND STERILIZING OF CONTAINERS AND APPARATUS. (12) All milk containers and milk apparatus shall be thoroughly cleaned after each usage by rinsing with clean water, then scrubbing in an alkaline solution, then rinsing in clear water, and finally sterilized in a manner approved by the Health Officer between each usage.

STORAGE OF CONTAINERS. (13) After sterilization, all bottles, cans, and other containers shall be stored in an inverted position in a clean place protected from contamination.

HANDLING OF CONTAINERS AND APPARATUS. (14) Between sterilization and usage all containers and apparatus shall be handled in such manner as to prevent any part of the persons or clothing from coming in contact with any surface with which milk or milk products come in contact.

STORAGE OF CAPS (15) Milk Bottle caps shall be purchased and stored only in sanitary tubes and shall be kept therein until used.

PASTEURIZATION (16) Pasteurization shall be performed as described in the definition section of this Ordinance. The time and temperature record charts shall be preserved for a period of three months for the information of the Health Officer.

COOLING (17) All milk not pasteurized upon receipt shall be immediately cooled to a temperature of 50 degrees Fahrenheit or less and maintained thereat until pasteurized; and all pasteurized milk shall be immediately cooled to a temperature of 50 degrees Fahrenheit or less and maintained thereat until delivery.

BOTTLING. (18) Bottling shall be done in such manner as to prevent any part of the person or clothing from coming in contact with any surface with which milk or milk products come in contact.

OVERFLOW MILK. (19) Overflow milk which has become machine contaminated shall not be sold for human consumption.

CAPPING (20) Capping shall be done by machinery approved by the Health Officer. Hand capping is prohibited.

TIME OF DELIVERY (21) Milk to be consumed in the form of whole milk shall be delivered to the final consumer within thirty-six hours of the time of pasteurization.

PERSONNEL. HEALTH CERTIFICATES. (22) Every person whose work brings him or her in contact with the production, handling, storage or transportation of milk or milk products shall hold a certificate from the Health Officer certifying to the fact that within six months laboratory and other examinations have been made indicating that said person is free of tuberculosis, that said person is not a carrier of typhoid fever, and that said person is free of any disease^{capable} of being spread through milk supplies.

NOTIFICATION OF DISEASE. (23) Notice shall be sent to the Health Officer within twenty-four hours by any milk producer or distributor upon whose dairy farm or in whose milk plant any infectious, contagious, or communicable disease occurs.

CLEANLINESS. (24) All persons coming in contact with milk or milk products containers or equipment shall wear clean outer garments and shall keep their hands clean at all times while thus engaged.

GRADE "B" PASTEURIZED MILK. Grade "B" Pasteurized Milk is Grade "A", "B" or "C" Raw Milk which has been pasteurized, cooled, and bottled in a milk plant conforming with all of the items of sanitation required for Grade "A" Pasteurized Milk excepting (2), (4), (24), and the average bacterial count of which at no time after pasteurization and prior to delivery exceeds 100,000.

SECTION 8. SUPPLEMENTARY REGRADING. At any time between regular announcements of milk grades any producer or distributor may make application for regrading his product.

In case the applicant's existing low grade is owing to excessive bacterial count, said application must be supported by at least two bacteriological examinations made subsequent to the end of the previous grading period and indicating that the quality of the applicant's output has improved since the last grading announcement and conforms with the requirements of a higher grade. The samples upon which the said two analyses are made may be brought to the Health Department Laboratory by the applicant. Upon the receipt of a satisfactory application, the Health Officer shall make at least four bacteriological analyses upon samples collected by the Health Officer of the applicant's output within a period of not less than two weeks and not more than three weeks of the date of the application. The Health Officer shall award a higher grade immediately in case the said four analyses indicate the necessary quality.

In case the applicant's existing low grade is owing to a violation of an item of sanitation other than bacterial count, said application must be accompanied by a statement signed by the applicant to the effect that the violated item of sanitation has been conformed with. Within one week of the receipt of such an application, the Health Officer shall make a reinspection of the applicant's establishment and, in case the findings justify, shall award a regrade.

At any time between regular announcements of milk grades the Health Officer may lower the grade of any milk producer or distributor if as a result of inspections or milk analyses a lower grade shall be justified in accordance with the terms of this Ordinance.

SECTION 9. No milk producer or distributor shall transfer milk or cream from one container to another upon the street or in any vehicle or store or in any place except a bottling or

milk room especially used for that purpose except as may be specially permitted by the Health Officer in the case of milk being delivered in bulk. The sale of dip milk is hereby expressly prohibited. No milk can be sold or served in hotel, cafe, restaurant or food shop except in the original container. The sale of dip milk is hereby expressly prohibited, provided that nothing contained in this section shall prohibit the sale of bulk milk for cooking and manufacturing purposes. Cream may be served for use in coffee, cereal, fruits and like purpose.

SECTION 10. MILK NOT TO BE PASTEURIZED OUTSIDE OF BEXAR COUNTY. No milk or cream shall be sold in the City of San Antonio that has been pasteurized outside of Bexar County, Texas, except as may be authorized by the City Health Officer.

SECTION 11. SPITTING. No person shall spit, except into a receptacle provided for the purpose, in any part of any room, vehicle or other place used for the sale, storage, handling or transportation of milk.

SECTION 12. VEHICLES. All vehicles used for delivery of milk in the City of San Antonio shall be so constructed as to protect the milk (from the sun and from contamination. Such vehicles shall be kept clean while used in transporting milk or milk products. No substance capable of contaminating milk or milk products shall be transported with milk or milk products.

SECTION 13. DENATURING MISBRANDED PRODUCTS. The Health Officer shall immediately denature with rennet or some harmless coloring matter any milk or milk product found misbranded with respect to grading or sold without a permit.

SECTION 14. RE-PASTEURIZATION PROHIBITED. No milk or milk products shall be pasteurized more than once.

SECTION 15. FUTURE DAIRIES AND MILK PLANTS. All dairies and milk plants from which milk is supplied to the inhabitants of the City of San Antonio which are hereafter constructed shall conform in their construction and location to the requirements of the Health Officer, which shall not be less than the Grade "A" requirements of this ordinance.

SECTION 16. PROSCRIBED MILK. Milk which does not conform with any one of the grades described in this Ordinance shall not be sold in the City of San Antonio.

SECTION 17. Every milk distributor or operator of a milk plant as defined in this ordinance, whether operated by an individual or as a firm, association, partnership, or corporation, shall immediately, upon the passing of this ordinance, make application in writing to the City Health Officer of the City of San Antonio, upon form prescribed and furnished by said City Health Officer, for permit to distribute milk and operate and do business in the City of San Antonio, as has been hereinbefore defined in this ordinance, and shall pay therefor in advance a fee as follows: Such fee shall be based upon the average daily amount of milk distributed computed over the year's output, and as established in advance, and shall be in the sum of \$5.00 for the first 25 gallons or less for such average daily output and an additional fee of \$1.00 for each 25 gallons or fraction thereof in excess of said first 25 gallons computed on the basis of the average daily output as hereinbefore stated. Such fee shall be due and payable on the next day after the passing of this ordinance to the City License and Dues Collector, of the City of San Antonio, at the office of said City License and Dues Collector of the City of San Antonio, and upon the payment therefor, such milk distributor shall receive a permit in writing to distribute milk and do business in said City under the terms of this Ordinance, as hereinbefore set out, and as defined herein. Such permit shall entitle said milk distributor to distribute milk and do business in accordance with the provisions of this ordinance and unless revoked shall continue in force for a period of one fiscal year or fractional part thereof beginning June 1st of each year, and shall be non-transferrable and shall be renewed annually upon application and payment of a like sum in accordance with and subject to the terms and

conditions of this Ordinance.

SECTION 18. In the event that any person, firm or corporation shall operate both as milk producer and as milk distributor as hereinbefore defined, under the terms of this Ordinance, then such person, firm or corporation shall be required to secure separate permits for such production and distribution and shall comply with and pay the fees hereinbefore described, before it shall be permitted to engage in such milk production and milk distribution.

SECTION 19. No live stock such as cattle or horses shall be permitted to be kept in or around the premises of any milk station, milk depot, milk bottling plant or creamery.

SECTION 20. All milk stations, milk depots, milk bottling plants and creameries shall be connected to the sanitary sewer system of the City of San Antonio.

SECTION 21. all smokestacks used by the owners or operators of bottling plants, milk depots, or creameries, which are now erected, or may hereafter be built, shall extend fifteen feet higher than any building within two hundred feet of such smokestacks.

SECTION 22. PENALTY. Any person, firm, association or corporation who shall violate any provision of this Ordinance shall be fined not less than \$25.00 nor more than \$200.00 upon being found guilty in the corporation court of this City and each day's violation of this Ordinance shall constitute a separate offense and punishable as such.

SECTION 23. All ordinances/in conflict with this Ordinance are hereby repealed; and this Ordinance shall be in full force and effect immediately upon its adoption and its publication, as provided by law.

SECTION 24. UNCONSTITUTIONALITY CLAUSE. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of said Ordinance shall not be affected thereby.

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

Phil Wright.
Acting Mayor.

ATTEST: Fred Fries.
City Clerk.

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

Before me, the undersigned authority, on this day personally appeared W. A. Druce, Office Manager, who being by me duly sworn, says on oath that he is one of the publishers of the 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: January 27 - 28 - 29 -31 and February 1-2-3-4-and5-7,1927.

Express Publishing Co.
By W. A. Druce.
Office Mgr.

Sworn to and subscribed before me this February 7 1927.

Edna Brown
Notary Public in and for Bexar County
Texas.

BOND OF CITY DEPOSITORY

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

KNOW ALL MEN BY THESE PRESENT:

That we, THE ALAMO NATIONAL BANK, of San Antonio, Texas, a banking institution duly organized and conducted under the laws of the United States, as Principal, and ERNEST STEVES, Wm. GREEN, GEO. C. VAUGHN, JOSEPH COURAND, ERNEST L. BROWN, G. A.C. HALFF, OTTO MEERSCHIEDT, WALTER P. NAPIER. as sureties, are held and firmly bound and obligated unto the CITY OF SAN ANTONIO, a municipal corporation of the State of Texas, and County of Bexar, in the sum of ONE MILLION DOLLARS (\$1,000,000.00) for the payment of which in and unto said CITY well and truly to be made we do hereby bind ourselves, our heirs, executors, administrators and successors, jointly and severally, by these presents.

THE CONDITIONS OF THIS OBLIGATION, HOWEVER, ARE SUCH that, whereas the above bounden principal has been duly selected by the commissioners of said City as a GENERAL DEPOSITORY OF AND FOR ONE-HALF, more or less, of the funds belonging to or controlled by said City, except as otherwise specified in the ordinance prepared for the designation of such depository, the form of which ordinance is hereto attached; and said depository has obligated itself to pay to the City interest on daily balances of all such funds at the rate of three and one tenth per cent (3.10%) per annum, to be computed and paid monthly; and has further obligated itself to lend to the City one-half of such amounts as the Board of Commissioners of said City may desire to borrow to meet the expenditures of said City for each current fiscal year during the continuance of said agreement as based on the tentative budget of said City for such year, the City to pay interest on all such loans from the date thereof at the rate of four and one half per cent (4½%) per annum; interest payable monthly as it accrues; the City to secure such loans and issue notes therefor; all as provided by the Finance Ordinance of the City, with the right reserved by the Bank to cancel such depository contract on thirty (30) days' written notice; and

WHEREAS, the further considerations of this obligation are such that the said banking institution shall and will faithfully perform all the duties and obligations devolving upon it as such depository by law, or by the charter and ordinances of said City, and especially what is known as the "Finance Ordinances" of the City; and shall and will well and truly pay upon presentation all warrants and checks properly drawn upon it on behalf of said City against any and all funds so deposited or credited, whenever any such fund or funds shall be in said depository or chargeable thereto and applicable to the payment of any such warrant and check; and that all funds and moneys of the City of San Antonio so deposited, together with all special trust funds so deposited by said City, shall and will be faithfully kept and, with the interest thereon, properly and correctly disbursed, paid over and accounted for according to law, and the charter and ordinances of said City.

And it is further agreed by all parties hereto, including sureties, that this bond shall be held to be an independent common law obligation in accordance with its face and tenor, as well as a bond required by statute, charter and ordinance; and all proceedings and prerequisites herein recited or required by law as preliminaries to the selection of such depository shall be conclusively presumed to have been duly and regularly had and performed before the execution of this bond; wholly regardless of defects or omissions, if any, in such preliminaries; and that at the time when this bond is presented to the City for the approval the names of all

sureties expected to join in this bond appear as signatories hereto;

NOW THEREFORE, if the said depository or principal hereinbefore named shall well and truly comply with all the terms and conditions of this obligation, then and in such case this obligation shall be come null and void; otherwise to remain in full force and effect.

This Bond is independent of, but does not impair or release and is in addition to a bond similar in amount, terms and conditions except this bond carries as a surety Walter P. Napier where the former bond carries as a surety the name of C. C. Gibbs, dated 18th day of June, 1926.

IN TESTIMONY WHEREOF, witness our hands, and the corporate seal of said bank, and of each incorporated surety, if any, this 17th day of February, A. D. 1927.

ALAMO NATIONAL BANK OF SAN ANTONIO, TEXAS.
PRINCIPAL

BY Ernest Steves.
PRESIDENT.

(BANK SEAL)

ATTEST: Thos. R. Lentz.
CASHIER.

ERNEST Steves.

Wm. Green.

Geo. G. Vaughan.

Joseph Courand.

Ernest L. Brown.

G.A.C. Halff.

Otto Merscheidt.

Walter P. Napier.

J. B. Martindale.

SEALS OF
SURETIES

Approved by the Mayor and Commissioners
by Ordinance passed and approved this
28th day of February A. D. 1927.

Fred Fries,
City Clerk.

AN ORDINANCE

Approving bond of Alamo National Bank.

BE IT ORDAINED by the Commissioners of the City of San Antonio, that,

A certain bond, in the sum of One Million Dollars (\$1,000,000.00) bearing date on February 17th, 1927, executed by Alamo National Bank, principal, in favor of the City of San Antonio, the Sureties on said bond being Ernest Steves, W. Green. Geo. C. Vaughan, Joseph Courand, Ernest L. Brown, G. A. C. Halff, Otto Meerscheidt, and Walter P. Napier, be and the same is in all things hereby approved, and ordered filed in the archives of the office of the City Clerk.

PASSED AND APPROVED on the 28th day of February, 1927.

Phil Wright.
Acting Mayor.

ATTEST: Fred Fries,
City Clerk.