



TO: Development Services Customers

SUBJECT: **INFORMATION BULLETIN 126a**
Locational Requirements for Certain Uses

DATE: February 21, 2012/*Revised August 1, 2014*

CREATED BY: Plan Review Division

Purpose:

As a customer service initiative, the Development Services Department (DSD) created this **revised** bulletin to update Information Bulletin (IB) 126a on the locational requirements for certain uses. This bulletin has been updated to incorporate the department's new format for Information Bulletins.

The purpose of this information bulletin is to provide information that will assist you with the process of obtaining a permit and ultimately a certificate of occupancy (CofO) for projects that contain certain uses listed below.

Scope:

Metro Health Department's Requirements for Changes in Use - the Health Code in Chapter 13 of the City Code requires that any of the establishments listed below require an inspection and new license if there are name changes, owner changes or other situations where the existing food license is no longer valid. Even though a new Certificate of Occupancy may not be required (See IB 126), a new Health license and inspection would still be required. Those establishments that require this inspection and licensing are:

Restaurants, Fast Food Establishments, Grocery Stores, Bingo Parlors, Bars, Bowling Alleys, Convenience Stores, Child Care facilities, School (public or private), Nursing Homes, Swimming Pools, Paint and Body Shop, Hotels and Motels that have food and drink and/or a swimming pool, Mobile Living Parks if they have any type of food and drink or swimming pool. Any other type of establishment that serves food or drink, whether open or pre-packaged or pre-bottled; including video stores, thrift stores, auto supply, drug stores, flea markets, liquor stores

Submittal Documents for Business Uses with Locational Requirements - certain businesses have distance requirements pursuant to the Unified Development Code, the Texas' Alcoholic Beverage Code or Human Resources Code. In order to ensure the distance requirements are met, the department requires customers to submit an [Affidavit](#) stating the proposed business meets the locational requirements and a certified site map prepared by a state licensed engineer or state licensed surveyor. In addition, if the applicant is not the owner of the property, the department requires authorization by the property owner. Appendix 2 contains the Affidavit and excerpts from the various codes regarding locational requirements. The uses with locational requirements include:

- **Alcohol Sales** – Section 109.33 of the Texas' Alcoholic Beverage Code provides that no alcoholic beverages shall be sold for consumption on or off the premises where sold, when such premises are located within 300 feet of any church, school or hospital. Note: If the applicant submitted these documents in connection with their TABC pre-qualification package within the last six months, those

documents may be submitted to verify the locational requirements have been met. For additional information regarding TABC Applications, please review [Information Bulletin 168](#).

- **Bed and Breakfasts** – Section 35-374 of the Unified Development Code provides that no bed and breakfast establishment may be permitted within 300 ft. laterally and 150 feet perpendicular to any other property authorized for a bed and breakfast use.
- **Head Shops** – Section 35-377 of the Unified Development Code provides that no head shop shall be established or maintained within 1000 feet of property which is temporarily or permanently zoned residential, churches, hospitals, community centers, museums, parks or schools.
- **Transitional Homes** – Section 35-390 of the Unified Development Code provides that a transitional home shall not be located within 1000 ft of any public/private elementary, middle or high school, public/private children’s day care faculty regarding a certificate of occupancy and/or public park.
- **Sexually Oriented Businesses** - Section 35-424(c) of the Unified Development Code requires verification of the distance separation requirement of 1000 feet from a residential zoned property, churches, schools, or parks. In addition to the locational requirements, customers must submit a sworn [affidavit](#) stating the name and mailing address of all owners of the planned or existing SOB, and, if a corporate owner, the current name and street address of the corporate president and registered agent for service on file with the Texas Secretary of State.
- **Certificate of Occupancy for Business with Gaming Devices** – the department requires owners of businesses with a proposed use of gaming to submit an [Affidavit](#) acknowledging the proposed business will only be used for “gaming” and not “gambling.”

Existing Businesses with Locational Requirements– For existing businesses, applicant may verify [continuous operations](#) in lieu of submitting an Affidavit with the survey.

Live Entertainment – **Live Entertainment requires correct zoning that may be different than the zoning required for the same business without Live Entertainment.** The following matrix is an excerpt from the Unified Development Code to provide information on what zoning allows live entertainment:

- **Proposal for Live Entertainment - the definition of Live Entertainment is as follows:** See Table

Chapter 35, Appendix A., Definition and Rules of Interpretation	
Bar	See “Tavern”
Cover Charge	A fee levied by a food service establishment, nightclub or tavern in addition to the charge for food and/or drink.
Live Entertainment	A use which includes any and all of the following activities, either principal or accessory: performance by musicians, dancers, stand-up comedians or other performance artists, karaoke, live bands or musical actions; or the amplification of recorded music/entertainment by live disk jockeys.
Nightclub	A tavern with more than two thousand (2,000) square feet of the building area excluding kitchen, restrooms and storage areas. A nightclub use may include, in addition to the provisions of alcohol, a dance hall and/or live entertainment as an accessory use.
Tavern	Any use in which seventy-five (75) percent or more of its gross revenue is derived from the on-premises sale and consumption of alcoholic beverages. A tavern use may include, in addition to the provision of alcohol, food services, and/or live entertainment as an accessory use.

Type of Live Entertainment	O-1 & O-1.5	O-2	NC	C-1	C-2	C-3	D	L	I-1	I-2	ERZD
Alcohol – bar and/or tavern without cover charge 3 or more days per week	*	*	S	S	S	P	P	P	*	*	P
Alcohol – bar and/or tavern with cover charge 3 or more days per week	*	*	*	*	*	S	P	*	*	*	P
Alcohol – nightclub without cover charge 3 or more days per week	*	*	*	*	*	P	P	P	*	*	*
Alcohol – nightclub with cover charge 3 or more days per week	*	*	*	*	*	S	P	*	*	*	*
Live entertainment without cover charge 3 or more days per week (not including food service establishments)	*	*	*	*	*	S	P	*	*	*	P
Live entertainment with cover charge 3 or more days per week (not including food service establishments)	*	*	*	*	*	S	P	*	*	*	P
Food service establishments without cover charge 3 or more days per week	*	P	P	P	P	P	P	P	P	*	P
Food service establishments with cover charge 3 or more days per week	*	*	*	*	*	S	P	*	*	*	P
* - Zoning does not allow the business use S- Specific use authorization is required P – business use is permitted											

For additional information, please contact Development Services Department at 207-1111 option 0.

Summary:

This Information Bulletin is for informational purposes only.

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Appendix 1

	<p>City of San Antonio Development Services 1901 S. Alamo San Antonio, Texas 78204</p>	<p>(210) 207-1111 www.sanantonio.gov/dsd</p>
<p>AFFIDAVIT IN SUPPORT OF CERTIFICATE OF OCCUPANCY (Alcohol Sales, Bed & Breakfast, Community Home, Assisted Living Facility, Head Shop, and Transitional Home)</p>		
Name of Business		
Address of Business		
Proposed Use of Property		
<p>By my signature below, I acknowledge that I am aware of the locational requirements related to the proposed use of the property. I further affirm that violations may result in suspension and/or revocation of this certificate of occupancy.</p> <p>I hereby submit a certified survey map prepared by state licensed engineer or a state licensed surveyor that shows the required minimum distances from properties with protected uses or protected zoning. Said survey map shows the proposed use of the property meets the City's locational requirements.</p>		
<p>_____</p> <p>(Date)</p>	<p>_____</p> <p>(Applicant's Signature)</p>	
STATE OF TEXAS	§	
	§	
COUNTY OF BEXAR	§	
<p>Before me, the undersign authority, on this day personally appeared _____, the affiant who, after being duly sworn on oath, deposed and states the facts herein set forth are true and correct.</p> <p>Sworn to and subscribed before me on this the _____ day of _____, 201__.</p>		
<p>_____ NOTARY PUBLIC, STATE OF TEXAS</p>		
Type of Business	Code References for Locational Requirements	
Alcohol Sales	Section 109.33 of the Texas' Alcoholic Beverage Code	
Bed & Breakfast	Section 35-374 of the Unified Development Code	
Community Home Assistant Living Facility	Section 123.008 of the Human Resources Code and Section 35-376 of the Unified Development Code	
Head Shop	Section 35-377 of the Unified Development Code	
Transitional Home	Section 35-390 of the Unified Development Code	



City of San Antonio
 Development Services
 1901 S. Alamo
 San Antonio, Texas 78204

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www.sanantonio.gov/dsd

**Authorization by Property Owner
 (Required if Applicant is not the owner of the subject property)**

Property Owner	
Address of Business	
Proposed Use of Property	

By my signature below, I swear and affirm that I am the owner of the property. As the owner of the property, I give _____ permission to submit all necessary documentation in support of a Certificate of Occupancy Application for the above-listed proposed use of the property and to serve as my representative for this request. I further affirm that any violation may result in suspension and or revocation of the Certificate of Occupancy.

 (Date)

 Property Owner Signature (and title, if
 Signing for a Partnership, Corporation or Trust)

STATE OF TEXAS §
 §
 COUNTY OF BEXAR §

Before me, the undersign authority, on this day personally appeared _____, the affiant who, after being duly sworn on oath, deposed and states the facts herein set forth are true and correct.

Sworn to and subscribed before me on this the _____ day of _____, 201____.

 NOTARY PUBLIC, STATE OF TEXAS

Locational Requirements
EXCERPT FROM ALCOHOLIC BEVERAGE CODE
TITLE 4. REGULATORY AND PENAL PROVISIONS
CHAPTER 109. MISCELLANEOUS REGULATORY PROVISIONS

Sec. 109.33. SALES NEAR SCHOOL, CHURCH, OR HOSPITAL.

(a) The commissioner's court of a county may enact regulations applicable in areas in the county outside an incorporated city or town, and the governing board of an incorporated city or town may enact regulations applicable in the city or town, prohibiting the sale of alcoholic beverages by a dealer whose place of business is within:

(1) 300 feet of a church, public or private school, or public hospital;

(2) 1,000 feet of a public school, if the commissioner's court or the governing body receives a request from the board of trustees of a school district under Section 38.007, Education Code; or

(3) 1,000 feet of a private school if the commissioner's court or the governing body receives a request from the governing body of the private school.

(b) The measurement of the distance between the place of business where alcoholic beverages are sold and the church or public hospital shall be along the property lines of the street fronts and from front door to front door, and in direct line across intersections. The measurement of the distance between the place of business where alcoholic beverages are sold and the public or private school shall be:

(1) in a direct line from the property line of the public or private school to the property line of the place of business, and in a direct line across intersections; or

(2) if the permit or license holder is located on or above the fifth story of a multistory building, in a direct line from the property line of the public or private school to the property line of the place of business, in a direct line across intersections, and vertically up the building at the property line to the base of the floor on which the permit or license holder is located.

Excepts from the Unified Development Code Regarding Uses with Locational Requirements

Sec. 35-374. Bed and Breakfast.

STATEMENT OF PURPOSE

The purpose of this section is to regulate bed and breakfast establishments within the city. Such establishments as specified by zoning district are subject to the conditions of this section.

(a) Applicability. The provisions of this section shall apply to the establishment of any bed and breakfast in the city.

(b) Definitions. Definitions which appear below apply only to this section and shall prevail if in conflict with definitions found elsewhere within this chapter.

(1) Distressed structure means a structure which has been certified by the historic preservation officer as being more than fifty-one (51) percent uninhabitable or vacant, and/or in disrepair for more than two (2) years.

(2) Owner of the property means a natural person directly owning at least fifty (50) percent fee simple interest in the property and who shall also occupy the premises as his place of residence.

(c) Number of Guest Rooms per Structure. The maximum number of permitted guest rooms per bed and breakfast establishment within each zoning district shall be as indicated in the following table. Any bed and breakfast establishment with more than twelve (12) guest's rooms shall be considered a hotel and shall be required to comply with the zoning provisions for such uses.

TABLE INSET:

Zoning District	Number of Guest Rooms
RE, R-20, NP-15, NP-10, NP-8, R-6, RM-6	2
R-4, R-5, RM-5	1
RM-4, MH	3
MF-18, MF-25	5
MF-33, MF-40, MF-50, O-1, O-1.5, O-2	10
NC, C-1, C-2, D	12

(d) Certificate of Occupancy. A certificate of occupancy shall be required for all bed and breakfast establishments.

(e) Guest Register Required. The owner/operator shall maintain a current guest register to include names, addresses, fees collected and dates of occupancy of all guests.

(f) Signage Requirements. No signs shall be permitted within residential districts except for a nameplate not exceeding one (1) square foot in size and consisting of the name of the establishment only. This nameplate may be attached to the building, gatepost, gate, or other permanent fixture to allow visibility from the street.

(g) Parking Space Requirements. One (1) off-street parking space per guest room shall be provided in addition to the required off-street parking for the owner/operator. Tandem parking is allowed; however, except for the driveway, the front yard shall not be used for parking.

(h) Cleaning Requirements. The owner/operator shall provide clean linens and towels as necessary, as well as adequate heating, ventilation, water, and sewage disposal. The owner/operator shall maintain the outside area in a clean and sanitary manner and shall properly clean the premises and facilities during the guest's stay and after each guest has departed.

(i) Regulations Pertaining to Bed and Breakfast Establishments Within Any Zoning District. Except as provided for by subsection (3) of this section, no bed and breakfast establishments within these zoning districts may be permitted within three hundred (300) feet laterally and one hundred fifty (150) feet perpendicularly (as below) of any other property authorized for a bed and breakfast use within any zoning district. Such measurements shall be made from the property line of the proposed bed and breakfast to the nearest property line of the existing bed and breakfast. (See Figure 374-1)

Measurement for the location of a proposed bed and breakfast establishment shall be in a straight line (without regard to intervening structures or objects) in three (3) directions. The first measurement shall be

from the nearest front property line of the proposed bed and breakfast establishment one hundred fifty (150) feet outward towards the street. The second and third measurements shall be from the two (2) side property lines of the proposed bed and breakfast three hundred (300) feet laterally to the side lot line(s) of adjacent properties.

Specific use permit approval to operate a bed and breakfast establishment within the above measurement formula of one hundred fifty (150) feet and three hundred (300) feet of another bed and breakfast establishment as defined in subsection (b) above may be granted for the following structures:

(1) Distressed Structure. The applicant must demonstrate, and the city council must find:

- The restoration of a historic landmark or structure is a valuable addition to the quality and the character of the city; or
- There is proof that a bed and breakfast use is the only economically feasible way to finance the preservation of the structure; and
- The granting of a special city council approval will not adversely impact the residential quality of the neighborhood in which the structure is located.

(2) Non-Distressed Structure. The applicant must demonstrate, and the city council must find:

- The public welfare and convenience will be served, as demonstrated by subsections (1) and (2), below.

(3) That nearby streets will not be substantially impacted by the proposed bed and breakfast. To make this determination, the city council shall consider input from the city traffic engineer.

(4) The residential character of the neighborhood will not be disrupted in a manner to prevent the adjacent owners from the quiet enjoyment of their property.

- The neighboring property will not be substantially injured by such proposed use.

(j) Regulations Pertaining to Bed and Breakfast Establishments Within the Residential Zoning districts.

Bed and breakfast establishments within residential zoning districts shall be managed and occupied by the owner of the property. Permission shall be granted by the director of development services for an on-site manager to be employed by the owner for a time not to exceed one hundred twenty days (120) of a calendar year. If circumstances require the absence of the owner for a period exceeding one hundred twenty (120) days, the director of development services may grant an extension for good cause.

(k) Nonconforming Rights. Properties which are used as bed and breakfast establishments as of May 6, 1999, as well as properties properly zoned for use as bed and breakfast establishments, may be registered as nonconforming uses at the department of development services and upon such registration shall continue as long as the establishment remains in operation as per article VII of this chapter. Any property currently zoned for use as a bed and breakfast, but not used as such, shall within one (1) year from the May 6, 1999 begin to be used as a bed and breakfast for this subsection to apply.

(Ord. No. 95573 § 6, Amendment "F") (Ord. No. 98697 § 4 and 5) (Ord. No. 2009-01-15-0001, § 2, 1-15-09)

Community Homes

HUMAN RESOURCES CODE

TITLE 8. RIGHTS AND RESPONSIBILITIES OF PERSONS WITH DISABILITIES CHAPTER 123. COMMUNITY HOMES FOR DISABLED PERSONS LOCATION ACT

Sec. 123.001. SHORT TITLE. This chapter may be cited as the Community Homes for Disabled Persons Location Act.

Added by Acts 1991, 72nd Leg., ch. 16, Sec. 12.01(a), eff. Aug. 26, 1991.

Sec. 123.002. DEFINITION. In this chapter, "person with a disability" means a person whose ability to care for himself, perform manual tasks, learn, work, walk, see, hear, speak, or breathe is substantially limited because the person has:

- (1) an orthopedic, visual, speech, or hearing impairment;
- (2) Alzheimer's disease;
- (3) pre-senile dementia;
- (4) cerebral palsy;
- (5) epilepsy;
- (6) muscular dystrophy;
- (7) multiple sclerosis;
- (8) cancer;
- (9) heart disease;
- (10) diabetes;
- (11) mental retardation;

- (12) autism; or
- (13) emotional illness.

Added by Acts 1991, 72nd Leg., ch. 16, Sec. 12.01(a), eff. Aug. 26, 1991.

Sec. 123.003. ZONING AND RESTRICTION DISCRIMINATION AGAINST COMMUNITY HOMES PROHIBITED. (a) The use and operation of a community home that meets the qualifications imposed under this chapter is a use by right that is authorized in any district zoned as residential.

(b) A restriction, reservation, exception, or other provision in an instrument created or amended on or after September 1, 1985, that relates to the transfer, sale, lease, or use of property may not prohibit the use of the property as a community home.

Added by Acts 1991, 72nd Leg., ch. 16, Sec. 12.01(a), eff. Aug. 26, 1991.

Sec. 123.004. QUALIFICATION AS COMMUNITY HOME. To qualify as a community home, an entity must comply with Sections 123.005 through 123.008 and be:

(1) a community-based residential home operated by:

(A) the Texas Department of Mental Health and Mental Retardation;

(B) a community center organized under Subchapter A, Chapter 534, Health and Safety Code, that provides services to persons with disabilities;

(C) an entity subject to the Texas Non-Profit Corporation Act (Article 1396-1.01 et seq., Vernon's Texas Civil Statutes); or

(D) an entity certified by the Texas Department of Human Services as a provider under the medical assistance program serving persons in intermediate care facilities for persons with mental retardation; or

(2) an assisted living facility licensed under Chapter 247, Health and Safety Code, provided that the exterior structure retains compatibility with the surrounding residential dwellings.

Added by Acts 1991, 72nd Leg., ch. 16, Sec. 12.01(a), eff. Aug. 26, 1991. Amended by Acts 1997, 75th Leg., ch. 491, Sec. 1, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 233, Sec. 6, eff. Sept. 1, 1999.

Sec. 123.005. REQUIRED SERVICES. A community home shall provide the following services to persons with disabilities who reside in the home:

(1) food and shelter;

(2) personal guidance;

(3) care;

(4) habilitation services; and

(5) supervision.

Added by Acts 1991, 72nd Leg., ch. 16, Sec. 12.01(a), eff. Aug. 26, 1991.

Sec. 123.006. LIMITATION ON NUMBER OF RESIDENTS. (a) Not more than six persons with disabilities and two supervisors may reside in a community home at the same time.

(b) The limitation on the number of persons with disabilities applies regardless of the legal relationship of those persons to one another.

Added by Acts 1991, 72nd Leg., ch. 16, Sec. 12.01(a), eff. Aug. 26, 1991.

Sec. 123.007. LICENSING REQUIREMENTS. A community home must meet all applicable licensing requirements.

Added by Acts 1991, 72nd Leg., ch. 16, Sec. 12.01(a), eff. Aug. 26, 1991.

Sec. 123.008. LOCATION REQUIREMENT. A community home may not be established within one-half mile of an existing community home.

Added by Acts 1991, 72nd Leg., ch. 16, Sec. 12.01(a), eff. Aug. 26, 1991.

Sec. 123.009. LIMITATION ON NUMBER OF MOTOR VEHICLES. Except as otherwise provided by municipal ordinance, the residents of a community home may not keep for the use of the residents of the

home, either on the premises of the home or on a public right-of-way adjacent to the home, motor vehicles in numbers that exceed the number of bedrooms in the home.

Added by Acts 1991, 72nd Leg., ch. 16, Sec. 12.01(a), eff. Aug. 26, 1991.

Sec. 123.010. ENSURING THE SAFETY OF RESIDENTS. The Texas Department of Mental Health and Mental Retardation shall make every reasonable effort to ensure the safety of community home residents and the residents of a neighborhood that is affected by the location of a community home.

Added by Acts 1993, 73rd Leg., ch. 646, Sec. 14, eff. Aug. 30, 1993.

Sec. 35-377. Head shops.

(a) Spacing. Notwithstanding any other provisions of this chapter, no head shop shall be established or maintained within one thousand (1,000) feet of any of the following uses:

- (1) Property which is temporarily or permanently zoned residential.
- (2) Churches.
- (3) Hospitals.
- (4) Community centers.
- (5) Museums.
- (6) Parks.
- (7) Schools.

(b) Measurement of Spacing. Measurement shall be made in a straight line from the nearest boundary of property so zoned to the nearest part of the building in which such use is made, if the same commercial activity occupies an entire building; provided, that the case of a building which is divided into separate rental or ownership spaces devoted to different uses or enterprises, measurement shall be made to such space or unit of the building in which such use is made.

(c) Registration and Amortization of Nonconforming Uses. Any properties devoted to such use which are so located due to zoning, rezoning, or annexation may be registered as nonconforming uses at the development services department within sixty (60) days from the date of becoming nonconforming with this chapter, by the owners or any other interested party and upon such registration, such use may thereafter be continued for a period not to exceed three (3) years. After termination of the three-year period, such operation and use must cease.

(Ord. No. 98697 § 5) (Ord. No. 101816, § 2, 12-15-05)

Sec. 35-390. Transitional Homes.

A transitional home established after November 17, 1997, shall not be located within one thousand (1,000) feet of any public/private elementary, middle or high school, public/private children's day care facility requiring a certificate of occupancy and/or public park.

(a) Method of Measurement and Survey Requirements.

(1) Measurements shall be in a straight line, without regard to intervening structures or objects, from the nearest point of the platted property line of the lot on which the transitional home is situated to the nearest point on the property line of a public/private elementary, middle or high school, a public/private children's day care facility requiring a certificate of occupancy, and/or public park.

(2) A certified survey prepared by a licensed surveyor or licensed engineer showing distance measurements in accordance with this subsection shall be submitted to the director of development services for all transitional homes as part of the application for the certificate of occupancy. Any certificate of occupancy issued for a building or facility used to conduct a transitional home without submission of the required survey shall be null and void.

(b) Signage. (See sign regulations under chapter 28 of the Municipal Code.)

(c) Building Standards.

(1) Separate beds must be available twenty-four (24) hours a day for each resident housed within the facility.

(2) Bedrooms shall have a minimum of fifty (50) square feet of usable floor space exclusive of closets or other personal storage areas per resident.

(3) Bathroom facilities consisting of a tub and/or shower and one (1) toilet, and one (1) lavatory shall be provided for each eight (8) residents housed.

(4) Areas for leisure activities shall be provided at the rate of twenty (20) square feet for each resident.

- (5) If food is prepared on-site a full kitchen must be maintained and will be subject to compliance with applicable codes and inspection by the San Antonio Metropolitan Health District.
- (d) Lot Standards. A yard area of fifty (50) square feet per resident housed shall be provided for the occupants.
- (e) Staffing. The transitional home shall have an overall client to program staff ratio of not less than eight (8) to one (1) and not less than one (1) attendant to thirty (30) residents on any given shift.
- (f) Parking.
- (1) All required parking shall be provided off-street.
- (2) One (1) space per attendant and one (1) space per six (6) residents shall be provided.
- (g) Outdoor Activities. Outdoor leisure activities shall be limited to the hours of 6:00 a.m. until 9:30 p.m. seven (7) days a week.
- (h) Nuisance. The transitional home may be considered a public nuisance if any of the following occurs:
- (1) More than two (2) police disturbance calls are recorded within a thirty-day period involving residents housed at any single transitional facility.
- (2) A code violation that is not brought into compliance within thirty (30) days of receiving notice; or
- (3) More than five (5) nuisance complaints from adjoining property owners are received and validated by the police department within a six-month period. If the director of code compliance determines that any of the three (3) provisions occur, he shall request that the city attorney take court action to abate the nuisance where appropriate under law.
- (i) Permissible Tenants.
- (1) No tenant or resident may occupy a transitional home in any capacity if previously convicted of a sex oriented crime, child molestation, and/or murder in any degree.
- (2) No tenant or resident may occupy a transitional home without first being screened for tuberculosis. The operator of the transitional home must demonstrate that any tenant or resident testing positive for tuberculosis is of no danger to other tenants or residents relative to possible transference or infection of said residents.
- (j) Violations. Violation of any provision of this chapter is a Class C misdemeanor and upon conviction violators are subject to the provisions of the City Code of the City of San Antonio, Texas, entitled "Unified Development Code Section 55-1024." If the provisions herein are in conflict with preemptive state or federal law then the transitional home shall be required to comply with the applicable state or federal law rather than those provisions of this section to the extent of such conflict.
- (Ord. No. 98697 § 4 and 6) (Ord. No. 101816, § 2, 12-15-05) (Ord. No. 2009-01-15-0001, § 2, 1-15-09)