

Ordinances of THE VILLAGE OF LAMBERTON

ORDINANCE NO 1—NEW SERIES

An Ordinance to Provide a Complete Ordinance Code for the Village of Lambertton.

The Village Council of the Village of Lambertton does ordain:

ARTICLE I

Board of Health

Sec. 1.—Board of Health Created. A village board of health of three members, to be appointed by the council at its first meeting following any regular municipal election is hereby created. The chairman of said board shall be a physician and village health officer.

Sec. 2.—Duty of Board of Health. The board of health shall make such investigations and reports and obey such directions concerning communicable diseases as the state department of health may require or give, and shall enforce all statutes, ordinances, and lawful rules and regulations concerning public health.

Sec. 3.—Duty of Health Officer. The health officer shall execute the lawful orders of the state and village boards of health and perform such other duties as are or may be prescribed by statute, or by regulation of the State Board of Health.

Sec. 4.—Control of Communicable Diseases. The health officer shall employ necessary medical and other help to control communicable diseases. All statements of expense incurred in establishing, enforcing, and releasing quarantine shall, after payment, be certified to the county auditor for allowance of one-half the amount by the county board to the village as provided by law.

ARTICLE II

Sanitary Inspection

Sec. 1.—On or before April 15, in each year, the health officer shall post a notice in three public places ordering persons thoroughly to clean all yards and adjoining alleys, vaults, cesspools, sheds, and barns on, and to remove all tin cans, manure and refuse from premises owned and occupied by them or alleys adjoining their premises by May 1.

Sec. 2.—During the month of May the street commissioner, or marshal, under the direction of the health officer, shall inspect all public and private property to determine whether or not such notice has been complied with. If necessary, the street commissioner, marshal, or health officer shall issue orders to individual occupants and property owners to clean up their premises, and shall reinspect the premises before June 1, to insure compliance therewith.

Sec. 3.—The street commissioner or marshal shall report in writing to the

health officer, and the latter shall report to the council, concerning the sanitary inspection, and any recommendations in connection therewith. On or before July 1, a copy of the health officer's report shall be sent to the State Department of Health.

ARTICLE III

Soil Absorption Systems

Sec. 1.—No person shall construct maintain any soil absorption system for the disposal of human excreta nor cause or permit the same to be done on any premises owned, occupied or controlled by him except in conformity with this article.

Sec. 2.—The term "soil absorption system" shall be construed to include all methods of disposing of human excreta except through a general sewer system, flushed by water and installed under the approval of the state department of health, and shall include all privies, septic tanks, and cesspools.

Sec. 3.—All soil absorption systems shall be constructed hereafter in accordance with the plans and specifications therefor adopted by the council and on file in the office of the village clerk or in such manner as may be approved by the health officer and by motion of the council.

Sec. 4.—Privies heretofore or hereafter constructed shall be located and maintained in accordance with the following rules:

(a)—They shall not be located closer than twenty feet to any place of human habitation, nor closer than fifty feet to any well or spring from which water is obtained for drinking or culinary purposes, nor so that seepage from the privy vault will drain into any such well or spring.

(b)—They shall be located and constructed so that no surface water will drain into the privy vault.

(c)—The roof shall be tight. The door shall be tight and self-closing. The privy and privy vault shall be fly-tight. Adequate ventilation shall be provided.

(d)—The privy seat shall be kept clean. The building shall be painted on the outside and in good repair.

(e)—When the vault has become filled with excreta within one foot of the surface of the ground, the privy shall be moved if possible, over a new vault. The excreta in the old vault shall be covered with earth to the level of the surrounding ground and the fill shall be protected from disturbance for a period of three months. If it is not practicable to move the privy, when the vault is filled within one foot of the surface of the ground, the excreta shall be treated with a strong disinfectant and may be removed only by the permission and under the direction of the health officer.

Sec. 5.—Septic tanks, cesspools and other means of sewage disposal, depending upon absorption of the li-

quids into the soil for their operation heretofore or hereafter constructed in this village, shall be located and maintained in accordance with the following rules:

(a)—The tanks, cesspools, or overflow soil absorption pipes extending therefrom shall not be located within 50 feet of any well or spring from which water is obtained for drinking and culinary purposes.

(b)—When sludge accumulates in the tank in sufficient quantity to interfere with its efficient operation, it shall be removed under the direction of the health officer and buried so as to be inaccessible to human beings or animals and so as not to endanger any domestic or public water supply.

(c)—When the soil around any cesspool or drain tile absorption system becomes so clogged that it will no longer absorb the liquids placed therein, additional soil absorption facilities shall be provided, and any abandoned cesspool shall be condemned by the health officers and filled with earth to the level of the surrounding ground.

(d)—Every septic tank shall be so constructed as to be easily accessible for cleaning and inspection from the top through suitable openings. Covers for such manhole openings shall be rigid, durable and securely fastened. Ventilation shall be provided through the main house drain and house stack. The main drain to the tank shall be laid without a trap.

(e)—It shall be the duty of every person constructing a septic tank or cesspool to file a record of the exact location of the tank and all appurtenances thereto, in the office of the village clerk. The clerk shall keep the record of all such installations in a securely bound book.

Sec. 6.—No person shall dispose of any human excreta except in a soil absorption system constructed and maintained in accordance with the provisions of this article, or in a general sewer.

Sec. 7.—No person shall place any human excreta or sludge in any body of water or any abandoned or deep well, or on the surface of the ground without burying it.

Sec. 8.—The street commissioner, under the direction of the health officer, shall see that this article is obeyed. He shall make an annual inspection of all soil absorption systems, and report to the health officer as to their condition.

ARTICLE IV

Offensive Trades

Sec. 1.—No person may engage in any trade or employment within the village which is hurtful to the inhabitants, or dangerous to the public health or injurious to neighboring property, or from which noxious odors arise, without first securing a

permit therefor from the local board of health.

Sec. 2.—The local board of health shall when reasonably necessary designate by order filed with the village clerk places within the village where such offensive trades and employments may be carried on, and may revoke the same by like orders.

Sec. 3.—Within twenty-four hours after written notice of any revocation, every person exercising such trade or employment in the locality to which it relates, shall cease to do so.

Sec. 4.—Within five days after receipt of notice as provided in Section 3 hereof, any party aggrieved by such order may appeal therefrom to the district court as provided by law. During the pendency of the appeal the business must not be carried on on penalty of a dismissal of appeal.

ARTICLE V Stockyards

Sec. 1.—No person shall construct or maintain a stockyard in this village otherwise than as provided herein or permit the same to be done on any premises owned, occupied or controlled by him.

Sec. 2.—The term "stockyards" as used in this article shall be construed to mean any place where live stock is confined temporarily awaiting transportation and shall not include places where live stock is kept permanently.

Sec. 3.—Every stockyard in this village shall be constructed, operated and maintained in accordance with the following rules and regulations:

(a)—The yard shall be kept reasonably clean and free from manure and other refuse. When in use, the yard shall be cleaned daily and the refuse disposed of as provided by ordinance.

(b)—No stockyard may hereafter be constructed within 300 feet of any human habitation except upon written permission of the affected property owners and of the local board of health.

(c)—Animals may be kept in the yard before shipment not longer than forty-eight hours between April 1 and November 1, and not longer than seventy-two hours between November 1 and April 1.

Sec. 4.—Whenever in the judgment of the local board of health a stockyard or the conduct thereof is a menace to public health or is a public nuisance for any reason, they shall notify the person owning or operating such stockyard, requiring him to remove such condition or remedy such defect within a time, not exceeding thirty days to be specified in the order. If at the expiration of such time such order has not been complied with, the Board may prohibit further use of the yard.

Sec. 5.—Whenever any railroad stockyard has been condemned by the local board of health as provided in Section 4 hereof, the council shall so notify the State Railroad and Ware-

house Commission requesting that adequate and suitable facilities be provided for the loading of stock, unless facilities are otherwise provided.

ARTICLE VI Eating Places

Sec. 1.—Unsanitary Conditions Prohibited. An eating place, for the purpose of this article is defined to be any place where food is served for pay. No person shall operate any eating place in a filthy, unclean or unsanitary condition.

Sec. 2.—Power of the Board of Health. If, in the opinion of the board of health, after an investigation, any eating place is operated in violation of Section 1, the board of health shall notify in writing the owner or manager of such eating place to place the same in a sanitary condition within reasonable time to be stated in said notice, in no case less than two days, and failure to comply with said notice within the time stated shall be deemed a violation of this article.

Sec. 3.—Diseased Employers Prohibited. No person shall work in or about any eating place, nor allow any person to work in any such place, whose condition is such that disease may be spread to his associates, direct or through the medium of food or food products, whether such condition be due to a contagious, infectious or venereal disease, in its active or convalescent stages, or to the presence of disease germs, whether accompanied by, or without any symptoms of the disease itself.

Sec. 4.—Certificates of Good Health. No person shall handle or sell food products in any eating place without having secured from the village health officer a certificate of good health annually on or before the first day of January, or at the time of beginning work. The health officer may charge the person examined a fee of two dollars (\$2.00) for the examination and the issuance of the certificate. Whenever a complaint is made, or whenever in the opinion of the board of health the same is necessary, special physical examinations of persons suspected of violating Section 3 hereof shall be held.

Sec. 5.—License Required. Every person who owns or operates any eating place shall procure annually on the first day of January, or at the time of commencing such business, a license from the village clerk, for which he shall pay \$1.00 each year.

ARTICLE VII Care of Trees and Destruction of Weeds

Sec. 1.—Supervision by Street Commissioner—Permits. The street commissioner under the council shall have control over the care and trimming of all trees on public grounds, and may prevent all injurious cutting thereof. No person shall trim or cut any such trees in the process of erecting or maintaining poles, or wires, or any

other structure or evacuating without a permit so to do. The permit shall define as explicitly as possible the work to be done. It may be granted by the street commissioner if he deem the work reasonably necessary; if he refuses, an appeal may be taken to the council.

Sec. 2.—Duty of Property Owners and Occupants. Every property owner and occupant of property shall keep the trees and shrubs in or adjacent to the street and sidewalk abutting on property owned or occupied by him, whether such trees or shrubs be on such property or on public property, trimmed and in a healthy condition, and in a condition which does not endanger any person using the street or sidewalk; and every property owner and occupant of property shall keep the grass and weeds cut on property owned or occupied by him and out to the center of every street or alley abutting thereon.

Sec. 3.—Penalty. If any person fails to perform any duty prescribed in Section 2, he shall be guilty of a misdemeanor; and if the council shall have passed a resolution specifying the work to be done and a reasonable time within which it shall be done, and such resolution shall have been served upon the person liable, personally, or by registered mail, or if no address for such person or any agent of such person be known by posting on the property, then the necessary work shall be done by the street commissioner under the direction of the council, and at the expense of the person served.

Sec. 4.—Recovery of Expenditure. Such expenditures may be recovered at the discretion of the council either by a civil action or by assessment against the property.

ARTICLE VIII Traffic Code

Sec. 1.—The provisions of titles I, II and III of the Uniform Highway Traffic Act, as set forth in Chapter 412 of the Session Laws of Minnesota for 1927, are hereby adopted as a traffic code for this village; and it shall be unlawful for any person to operate any vehicle in this village, or to use the streets of this village in any manner contrary to that prescribed in those titles of the said act.

Sec. 2.—Penalties. Every person violating any provision of the traffic code of this village shall be guilty of a misdemeanor and punished as provided elsewhere in the village ordinances; provided, any person who drives a vehicle within the village while under the influence of intoxicating liquor or narcotics shall be punished by imprisonment for not less than ten days nor more than three months and costs, or, in the discretion of the court, by a fine of not more than \$100.00.

Sec. 3.—Parking of Trucks on Certain Streets. All trucks, unattended,