

(12)—All dangerous, unguarded machinery, in any public place, or so situated or operated on private property as to attract the public.

(13)—Allowing any horses, mules, asses, cattle, hogs, sheep, goats, kids or domestic fowls to run at large or herding or picketing such animals on the public streets, alleys, or grounds of this village.

Sec. 5—Penalty. Any person, who shall knowingly cause or create any nuisance or permit any nuisance to be created or to be placed upon or to remain upon any premises owned or occupied by him shall upon conviction thereof be deemed guilty of a misdemeanor. Each day's continuance thereof may in the discretion of the court constitute a separate offense.

ARTICLE XXIII

Abatement of Nuisances

Sec. 1—Whenever there exists on any private property in this village a condition which is harmful or dangerous to the health, morals or safety of any considerable number of people, the said condition shall be a nuisance.

Sec. 2—If such a nuisance exists and the council has passed a resolution describing the said nuisance and requiring the owner or occupant of said property, or either or both of them, to take reasonable steps which shall be set out in the resolution, to abate said nuisance within a reasonable time which shall be specified in the resolution; and if such resolution has been served upon the person or persons therein required to abate the nuisance, it shall be a misdemeanor for such person or persons to fail to abate the nuisance in the manner and time specified. The resolution may be served either personally or by registered mail; and if no address either of the owner or his agent be known, service on the owner may be made by posting the said resolution on the property. When such resolution is so posted, any person defacing or removing same shall be guilty of a misdemeanor. Service may be proved by filing in the office of the village clerk an affidavit by the person making the service, setting forth the manner and the time thereof.

Sec. 3—If after such service of the resolution the party or parties served fail to abate the nuisance in accordance with the terms of the resolution, the council may cause such nuisance to be abated at the expense of the village and recover such expenditure plus an additional 25% of such expenditure, either by civil action against the person or persons served, or if service has been made upon the owner, by ordering the clerk to extend such sum plus 25% thereof as a special tax against the property on which the nuisance existed, and to certify the same to the county auditor for collection in the same way as other special taxes. Provided that in no event shall the village be able to recover for such abatement on any

single piece of property more than \$25.00.

Sec. 4—In addition to other penalties and liabilities herein specified, any person guilty of any misdemeanor described in Section 2 shall be fined not more than \$100 or imprisoned not more than ninety days, and in either case shall pay the costs of prosecution.

Sec. 5—This article shall take effect at once after passage and publication according to law. All conflicting ordinances or sections of ordinances are hereby repealed.

ARTICLE XXIV

Sewers and Street Excavations

Sec. 1—Street Commission to Control. The street commission duly appointed by the village council at the first meeting following the annual election under the direction of the council shall have control of the drainage and sewer system and of all drains or sewers now hereafter built or authorized by the village and the building, repair and maintenance there of and connections therewith.

Sec. 2—Plans to Be Approved. No drain shall be built, repaired, extended or connected with any public sewer or drain unless and until the plan and construction of such drain to be built, extended or connected with a public sewer, or for the repairs thereto, has been approved by the street commission, and all the provisions of this article are complied with, and a permit for such building, repair, or extension, and connection has been issued as herein provided.

Sec. 3—Materials and Specifications. All materials and specifications shall be in accordance with the Minnesota Plumbing Code, with these exceptions: Standard soil and pipe and fittings may be used; no fixture in buildings not two stories or less must be back-vented unless more than ten feet distant from main soil stack; no frost-proof jacket shall be required on soil or vent pipe.

Sec. 4—Prerequisites to Issue of Permit. No drain shall be built, repaired, extended, or connected with the public sewer, except by a person duly licensed, in accordance with the ordinances of the village, to perform such work; nor shall a permit be issued nor approved except when granted to such person. No drain shall be built, repaired, extended or connected with the public sewer nor shall a permit for any such work be issued nor approved, unless and until all assessments for sewer construction, or such installments thereof as shall be due at the time such connection is made, against the property to be drained, shall be paid.

Sec. 5—Sewer Permits. All application for sewer permits shall be made to the village clerk by the person employed to do the work. The applicant shall, before beginning work upon the sewer to be constructed, re-

paired, or extended, deposit with the village clerk a plan thereof, which shall show the whole course of the drain, from its connection with the sewer to its terminus within the house, with the location of all branches, traps, and fixtures, connected therewith. The applicant shall submit drawings of the sewer proposed to be constructed. If the proposed sewer, as shown in the drawings, complies with the provisions of the village plumbing code and other village ordinances, and is satisfactory to the street commission, they shall authorize the granting of the permit. The drawings shall be filed as a permanent record in office of the clerk.

The form of application for a sewer permit shall be substantially as follows: but the street commission, before approving the granting of the permit, may add such other restrictions and conditions as are in their opinion necessary to secure the construction of a satisfactory sewer in compliance with the requirements of law:

Application for Sewer Construction and Connection

Permit.

I,, hereby apply for a permit to (repair) (construct) (extend) (connect) a sewer under the property at owned by and occupied by the following building or buildings to be connected with the public sewer at the following point (describe precisely the point of connection) in accordance with the plans deposited this day with the village clerk.

If the above application is granted, I agree to construct the said sewer of materials and in a manner satisfactory to the street commission and in accordance with the ordinances of the village, and to notify the street commission when the excavation and sewer pipe is laid, is open to inspection, and at such other times during the progress of construction as may be required by the street commission.

.....
Applicant

Sewer Construction Permit

The plans for the above described sewer having been submitted to and approved by the street commission on the day of, 19...., and the fee of \$..... having been paid by the above applicant to the undersigned this day of, 19...., the permit applied for is hereby granted, subject to the specified conditions.

.....
Clerk

After such application has been approved by the street commission, and the applicant has paid to the village clerk a fee of \$2.00, the village clerk

shall grant the permit by affixing his signature on the blank provided for that purpose.

Sec. 6—Completion and Connection With Public Sewer. Thereupon the person to whom the permit was granted may proceed with the construction of the sewer in accordance therewith. He shall notify the street commission of the progress of the work at such stages in the course of the construction as the street commission may direct; the street commission shall inspect the work after it is completed and before the excavations are filled in, and shall require that the work be done satisfactorily and in compliance with the law before the excavations are filled in.

Sec. 7—Construction Requirements. All connections with the public sewers shall be according to the specifications and provisions of the Minnesota Plumbing Code. All pipe shall be inspected by the street commission before the same is laid and be subject to their approval. After any connection has been laid from a public sewer to the street line, said pipe shall in no instance be covered until the same has been duly inspected by the village engineer and approved. The requirements of the village ordinance regulating excavations in public streets are to be strictly complied with in excavating for sewers.

Sec. 8—Obstruction Prohibited. No refuse or solids of any sort obstructive to the flow of waste water shall be placed, thrown, or allowed to enter any public sewer, or allowed to remain on or in any trap or catch basin so as to obstruct the sewer; and no person shall injure or break or remove any portion of any catch basin, gully grating, flush tank or manhole, or any part of any sewer, or do any act obstructing or in any way interfering with the use of any sewer or the flow of waste water through any sewer.

Sec. 9—Rain Spouts. No rain spout or any other form of surface drainage hereafter installed shall connect with or enter any public sewer in said village.

Sec. 10—Inflammable Liquids. No waste from dyeing clothes or cleaning or other establishments using naphtha, gasoline or other inflammable liquids shall enter into any public sewer.

Sec. 11—Grease. A grease trap and grated slop basin shall be constructed under the sink as part of any drainage system hereafter installed in every laundry, hotel, eating house, restaurant or other public cooking establishment.

Sec. 12—Slops. All refuse from butcher shops, rendering establishments, and packing houses must be intercepted by some form of catch basin or grated slop basin and not allowed to enter the sewer.

Sec. 13—Inspection and Repairs. The Village engineer or any member of the Board of Health or any representative of either of them shall have

the right to enter upon any premises, or into any building in the village, at all reasonable hours, to inspect the sewers and drains and traps and fixtures connected therewith. If it shall be found from such inspection or otherwise that the provisions of law are not being complied with in any respect, or that any part of the drainage system is in need of clearing out or repairs, the representative of the street commission, or of the Board of Health, shall serve a notice at once, or as soon as may be, upon the owner and upon the occupant, and upon the person in charge of the premises, specifying the work necessary to be done to make the sewer system comply with the law, or to put it in good workable condition. The notice shall also specify such time as is reasonable considering the amount of work to be done, and the nature of the emergency, within which the defects must be remedied. It shall thereupon become the duty of every person served with such notice to comply therewith; and if it is not complied with, the village may cause the work to be done at the expense of the person so served.

Sec. 14—The village council of the Village of Lambertton shall have authority to order any person, corporation, firm or partnership using the sewerage system of said village to construct septic tanks and prescribe methods for the pre-treatment of sewerage when, in the opinion of said village council, such treatment is necessary to preserve the public health, and it is hereby required that all connections with the "Storm Sewer" have septic tanks. Such septic tanks or sewerage plants shall be constructed under the rules and regulations herein provided and prescribed by said village council.

Sec. 15—Street Excavations. No person shall make any excavation in any street, sidewalk, or public ground without first having secured a permit therefor from the village clerk. The fee for such permit shall be \$1.00, but when a fee is paid for a sewer construction permit to connect with the village water supply, the excavation permit for the necessary digging incidental to the installation of such sewer or water pipes shall be issued without any additional fee. Every applicant must sign an agreement in substantially the following terms:

In consideration of the granting of the excavation permit this day applied for, the undersigned agrees:

- (1)—To do the work as directed by the village engineer so as to occasion the least possible inconvenience to the public, and to provide for the passage of water along the gutters.
- (2)—To leave at least one-half of the street clear for the passage of vehicles, and to provide safe bridge-ways on sidewalks for foot passengers.
- (3)—To guard any open excavation

with substantial railings constructed and placed so as to bar all entrance to the excavation, and at night by red lights which shall show the limits of the railings and excavations and also to mark the limits of piles of material by such red lights.

- (4)—To refill the excavations as soon as is reasonably possible, and replace paving, sidewalks and all appurtenances in good condition; in refilling, to lay the earth in layers not over six inches deep, and to puddle each layer thoroughly.
- (5)—To remove all rubbish and surplus earth at once.
- (6)—To indemnify and hold the village harmless from all damages or claims arising out of the excavation work or accidents caused or claimed by the injured party to have been caused by the excavation or by the failure to do the work or guard it properly.

ARTICLE XXV

Curb Gasoline Pumps

Sec. 1—The term curb pump shall include every container, pump, or other device within the boundaries of any street, sidewalk, or public way, for supplying any motor fuel to vehicles, and every hose or pipe or other device for transmitting motor fuel passing over or under, or so erected or kept that it can be swung over any street, sidewalk or public way. No curb pump shall be hereafter installed or maintained except after securing a permit from the village council.

Sec. 2—Applications for such permit shall be made to the village clerk. Such application shall be accompanied by plans and specifications for the tank and piping, shall state the precise location proposed for the pump and for the supply tank, capacity of the tank, and a description of the whole apparatus to be installed and shall also include an agreement by the applicant:

- (1)—To maintain such barriers and lights during the installation as will protect persons using the highway, from injury.
- (2)—To leave at least $\frac{3}{4}$ of the width of the street and at least $\frac{1}{2}$ of the width of the sidewalk, and as much more as possible, open for passage during the course of construction.
- (3)—To remove the pump at once on revocation of the permit, or on its expiration without renewal.
- (4)—To restore the street and sidewalk after the installation of the pump and or after its removal for any cause, to at least as good condition as immediately before such installation or removal, and
- (5)—To save the village harmless from all damages or claims of damages caused or claimed to be caused by the installation or maintenance of such pump or by any act or omission incidental to or connected with such installation or maintenance.

Sec. 3.—The council shall approve such application, if, in its opinion, the installation and maintenance of the pump will not unreasonably or unnecessarily obstruct any public way, if fire hazards will not be unreasonably or unnecessarily increased thereby, and if the welfare of the community will not be in any other way prejudiced.

Sec. 4.—When the council shall have approved the application, and the applicant have paid a fee of \$1.00 for each pump, and filed a bond in the sum of \$500 executed by a surety company authorized to do business in the state guaranteeing performance of every agreement contained in the application, the clerk shall issue the permit.

Sec. 5.—Such permit shall expire on the 31st day of March next following its issuance; and it shall be revokable by the council at any time for cause after hearing held on ten days' written notice to the holder of the permit, which notice shall specify the cause or causes for which the revocation is sought.

ARTICLE XXVI Plumbers License

Sec. 1.—Plumbers License Required. No person shall carry on the business of plumbing within the Village of Lamberton making any connection whatever with the water pipes, water mains, branch sewers, main sewers, drains or other service pipes of said Village or make any repairs, additions or alterations of any pipe, tap, stop cock, water closet, or any other fixture connected with or designed to be connected with the water works or sewer system of said Village, nor build or repair any cesspool, without first having obtained a license so to do in the manner prescribed herein; and no permit for doing any such work shall be issued except to a master plumber who has obtained such a license.

Sec. 2.—Application. Any person desiring to secure a City license for doing any of the work described in the preceding section shall make application therefor to the Council. Upon being satisfied that the applicant is qualified the Council may direct that such Village license be issued to him by the clerk upon his complying with the requirements of the following sections.

Sec. 3.—Plumbers Bond, Fee. Before a Village master plumbers license shall be granted to any person he shall execute and deposit with the Clerk a bond in the sum of \$1,000 executed by a surety company authorized to do business in this State. Such bond shall be drawn on a form furnished by the Village and shall be conditioned that the applicant shall in all respects well and faithfully perform all things by him undertaken in the making of connections, repairs or taps of any kind with the water mains or pipes connected with the

water works system of this Village, and shall save the said Village harmless of and from all accidents and damages consequent thereto or by reason of any opening in any street, lane or avenue made by him or by any person in his employ, for the purpose of putting down service pipes connecting with the water works of said Village, and that he will restore all streets excavated by him to good condition, and will keep and maintain the street and sidewalk in good condition to the satisfaction of the street commission. That he will pay all fines and penalties that may be imposed upon him by law.

The applicant shall also, before such license be issued, pay to the clerk a license fee of \$2.00.

Sec. 4.—Duration of License. Every Village license so issued shall expire on the last day of January of the year following the date thereof or it may be suspended or revoked at any time by the council on proof of any failure or neglect of the licensee to observe the rules and regulations prescribed by any ordinance or resolution passed by the Council to streets, sewers and drains, or to obey any reasonable direction given by the street commission respecting the performance of any service undertaken by such licensee in connection with said sewers and drains.

ARTICLE XXVII Shows and Entertainments

Sec. 1.—License Required. No person shall give or maintain any show or public entertainment, circus, carnival, game, or concert, to which an admission is charged, without securing a license therefor. Provided, no license shall be necessary for entertainment given by amateurs, or in which the performers do not receive any pay, or which is given for the benefit of any school, church, or benevolent institution or for any charitable purpose.

Sec. 2.—Application. Application for such license shall be made to the clerk and shall state the nature of the entertainment, the time and place thereof.

Sec. 3.—Issuance. On authorization by the Council, the clerk shall issue such license. At the time of the issuance of such a license a fee of not more than twenty-five dollars (\$25.00) or less than Twelve and One-half Dollars (\$12.50) shall be paid for motion picture shows per year and for all other shows herein shall be paid not more than Twenty-five Dollars (\$25.00) or less than Five Dollars (\$5.00) for each day, and said fees to be fixed by the Village Council.

ARTICLE XXVIII Construction and Manner of Enforcement of Ordinances

Sec. 1.—General. The definitions and provisions in this article shall apply to the construction, application,

and enforcement of every ordinance of this village, whether adopted now, heretofore, or hereafter, unless the context clearly indicates otherwise.

Sec. 2.—Definitions. The word "persons" includes firms, partnerships, associations, and corporations. The term "public grounds" includes streets; and the word "streets" includes alleys, sidewalks, all public ways. The male gender shall be deemed to include female and neuter, the singular number shall include the plural and vice versa.

Sec. 3.—Clerical Errors. Typographical and clerical errors shall be ignored where the meaning is otherwise plain.

Sec. 4.—Liberal Construction. Ordinances shall be construed reasonably and liberally to make effective the policy which was apparently intended to be established by the council, and to further the good government of the village and the well-being of its inhabitants.

Sec. 5.—Violations. The doing of any act forbidden by any ordinance, or by any order lawfully made under any ordinance, or the failing to do any act required by any ordinance, or by any order lawfully made under any ordinance shall be a violation of the ordinance, and a misdemeanor. It shall be equally a violation and a misdemeanor for any person to cause another to violate an ordinance, or for any person to attempt to violate an ordinance, or to aid, assist counsel or advise another to do so.

Sec. 6.—Punishment For Misdemeanor. Any misdemeanor for which a penalty is not specifically provided shall be punished by a fine of not less than one dollar nor more than one hundred dollars, or by imprisonment for not less than one day nor more than three months, plus, in either case, the costs provided by law. In case of non-payment of any fine or costs at the time the same are assessed the offender shall be confined in the village or county jail until such fine and costs are satisfied as provided by law, not to exceed ninety days. The justice may, at the time of pronouncing sentence, require that any unpaid fine or costs shall be worked out at hard labor upon the streets, alleys and public grounds of the village. Said labor shall be credited on such fine and costs at the rate of \$1.50 per day of ten hours actually devoted to such labor as provided by statute.

Sec. 7.—Licenses and Permits. All licenses and permits shall be issued by the clerk, after payment of the specified fee and approval by the council if required by ordinance. All applications shall be made out on forms furnished by the clerk and verified under oath. All licenses and permits may be revoked by the council, and shall expire on March 31st following their issuance, unless otherwise specifically provided. No deduction in the fee shall be made when the license or permit is terminated,

either by revocation or by expiration, within less than a year after its issuance. All licenses and permits shall be exhibited on demand of any citizen, and, if to carry on any business, shall be publicly displayed in the place of business.

Sec. 8.—Separability of Provisions. Every section, provision, or part of every ordinance of the village is declared separable from every other section, provision, or part; and if any section, provision, or part of any ordinance shall be held invalid, it shall not affect any other section, provision, or part thereof.

Sec. 9.—Effective. This ordinance and all other ordinances of this village shall take effect and be in force from and after their passage and publication according to law, unless otherwise specified.

ARTICLE XXIX Municipal Water System

Sec. 1.—Application for Service. All applications for permission to connect with the municipal water system of this village, shall be made in writing by a licensed plumber to the clerk on a form furnished by him for that purpose for a permit to make such connection. Such application shall contain an exact description of the property to be served, the estimated maximum amount of water to be used per month and uses to which the water is to be put, both general and special.

Sec. 2.—Permits Issued by the Clerk: Cost. The clerk shall, upon receiving an application as provided in Section 1, hereof, if the same is in proper form, issue to the person applying for the same, a permit to connect with the municipal water pipes, and the applicant shall pay a fee of One Dollar (\$1.00) to the clerk therefor, which fee shall be paid over by the clerk to the treasurer and deposited to the credit of the water fund.

Sec. 3.—All Water to be Metered. All water furnished by the municipal water plant shall be measured by meters unless the council shall, on the recommendation of the superintendent of the water plant, otherwise determine.

Sec. 4.—Every Premise to have Separate Connection. Unless special permission is granted by the superintendent of the water works, each premise shall have a separate and distinct service connection, and where permission is granted for branch service pipe, each branch must have its own curb cock and separate meter.

Sec. 5.—Service Pipe to be Installed by Licensed Plumbers Only. No one except regular employees of the water department of this village or plumbers holding licenses issued by this village, shall do any plumbing work on any pipes connected to or to be connected to the municipal water system.

Sec. 6.—Trenching and Backfilling. All excavations made by plumbers in public ground shall not be kept open longer than is absolutely necessary to make the connections required, and while open shall be protected in suitable barriers, guards and lights as provided in the ordinances of this village. Backfilling shall be thoroughly compacted and left in a condition satisfactory to the village engineer.

Sec. 7.—Character of Pipe for Service Connections. All underground service pipes leading from main to meter shall be government type "K" copper, and shall be laid six feet below the established grade, or as low as the street mains.

Sec. 8.—Curb Stop and Waste Cocks. There shall be a curb stop which shall be installed in a service box which shall be a Western service box or equivalent, the same to be placed as near as possible to the curb, if on a street, or within one foot of the alley line if the main is located in the alley. There shall be one or more stop and waste cocks attached to every supply pipe, at some point between the curb stop and the meter, so that the water can be shut off and the meter and the house plumbing entirely drained.

Sec. 9.—Check Valves Required. Check valves are hereby required on all connections to steam boilers or on any other connection deemed by the superintendent of the water plant to require one. Safety and relief valves shall be placed on all boilers or other steam apparatus connected with the water system where the steam pressure may be raised in excess of forty pounds per square inch.

Sec. 10.—Cost of Installation Borne by Consumer. The cost of original installation of all plumbing between the curb and any service devices maintained by the consumer, and all extensions hereafter made to such service pipes, as well as all repairs to the same, shall be borne entirely by the consumer, although such service pipes and devices shall at all reasonable times be subject to inspection by duly authorized officials of the water department. Any repairs found to be necessary by such officials shall be made promptly or the village will discontinue service.

Sec. 11.—Reading Meters. For the purpose of reading meters, duly authorized employees of the water department of this village may legally enter upon any premises at a reasonable hour.

Sec. 12.—Water Account in Name of Owner. All accounts carried upon the books of the municipal water department shall be with the owner in fee simple of the property served, who shall at all times be liable for water used upon the premises, whether he is occupying the same or not.

Sec. 13.—Use of Water During Fire. It is hereby declared to be unlawful for any person in this village or any person owning or occupying premises connected to the municipal water system to use or allow to be used during a fire, any water from said water system, except for the purpose of extinguishing said fire, and upon the sounding of a fire alarm it shall be the duty of every such person to see that all water services are tightly closed, and that no water is used except in extra-ordinary cases of emergency during said fire.

Sec. 14.—Taking Water Without Authority. It is hereby declared unlawful for any person to take any water from the municipal water plant except the same be drawn through a meter or from any premises not owned by him or them without the permission of the owner thereof.

Sec. 15.—Tampering with Cut-Off Valves. It shall be unlawful for any person to turn any curb cock on or off except a duly authorized employee of the water department.

Sec. 16.—Reserved Right to Discontinue Service. The village hereby reserves the right to discontinue service to any or all customers of the municipal water system without notice when the same is necessary in the repair of said system, or any part thereof, or for the non-payment of water rents, and when water service has been discontinued for non-payment of rent, it shall not be resumed except upon the payment of the water rent past due together with interest at 6 per cent thereon, and a fee of one dollar (\$1.00) for turning water on, which sum shall be paid to the clerk at the time of paying the back water bill, and deposited to the credit of the water fund.

ARTICLE XXX

Regulating the license and sale of non-intoxicating malt liquors, prohibiting the sale thereof at retail except in licensed premises and to and by persons under the age of twenty-one years, restricting the time of sale thereof, providing penalties for violations.

Sec. 1.—The term non-intoxicating malt liquor within the meaning of this ordinance shall not be held to include any malt liquor or beverage containing less than one-half of one percentum of alcohol by volume.

Sec. 2.—It shall be unlawful to sell non-intoxicating malt liquors at retail except when licensed as hereinafter provided. There shall be two types of licenses issued for the sale of non-intoxicating malt liquors, as hereinafter set out, namely:

(a)—"On Sale" licenses shall permit the licensee for the sale of said non-intoxicating malt liquors to sell such for consumption on the premises. "On Sale" licenses shall be granted only to restaurants, hotels, and drug stores.