

Ordinance No 177

An Ordinance in Relation to the Sale
of Milk and Milk Inspection.

Be it ordained by the City Council
of the City of Grand Junction, Colorado:

Section 1 It shall be unlawful for any person to sell or offer for sale, or cause to be sold or kept for sale, any milk or cream for human food at any grocery store or other place, or peddle or deliver the same from any wagon or other vehicle, or otherwise, within the City of Grand Junction until and unless he shall have procured a permit as herein provided. Any person desiring a permit to sell milk shall make application in writing therefor to the Commissioner of Health and Civic Beauty, setting forth therein his full name and residence, and if a corporation, shall state the full name and residence of each of its officers, place where milk shall be sold if sold in a store, the name of the dairy and its location, a description of each wagon or other vehicle to be used by the applicant in and about his business; also the number of cows owned or controlled by the applicant, and shall further state that the applicant will abide by the provisions of this ordinance.

Sec. 2

Upon such application for a permit being filed with the Commissioner of Health and Civic Beauty, the City Health Officer shall inspect the dairy and the place of business described in such application and the wagons or other vehicles intended to be used by such applicant. The Health Officer shall report the results of such inspection to the Commissioner of Health and Civic Beauty, and if such dairy, place of business and

such wagons or vehicles are found by said health officer to be in sanitary condition, the Commissioner of Health and Civic Beauty may thereupon cause to be issued a permit to such applicant. Such permit shall not be transferable nor permit the carrying on of his business at any other place than that described in such permit. In case an applicant for a permit as herein provided shall be the owner or keeper of two or more cows, or shall sell or offer for sale the milk or cream from two or more cows, the application for such permit shall be accompanied by a fee of two dollars to cover the cost of inspection, provided, when a wagon, carriage or other vehicle is used by such milk or cream dealer or vendor, from which milk or cream is sold or offered for sale, such dealer or vendor shall also pay for each such wagon, carriage or vehicle at the rate of two dollars. All permits shall be numbered and shall contain the descriptive matter aforesaid sufficient to identify the applicant and his business, and record shall be kept of each permit so issued by the Commissioner of Health and Civic Beauty. If after the issuance and delivery of the permit any change be made in the location of the dairy, of the holder of such permit, notice thereof must forthwith be given to the Commissioner of Health and Civic Beauty. All permits issued under this section shall expire on the 31st day of December next after the issue thereof.

Sec 3 It shall be unlawful for any person to sell or keep for sale within the limits of the city of Grand Junction any milk which has been watered, adulterated, reduced, or changed in any respect by the addition of water or any substance,

or from which the cream or milk fat has been removed. The term "adulterated" when used in this ordinance means: First, milk containing more than eighty-eight per cent. of water or fluids, less than twelve per cent. of milk solids or less than three per cent. of butter fat; second, milk which has been diluted with water or other fluid, or to which has been added or into which has been introduced any foreign substances whatever, or preservative of any kind or nature; third, milk taken from any animal within fifteen days before or five days after parturition, or milk taken from any animal which is sick or suffering from any disease which will impair its health or milk as a food; fourth, milk which has been exposed to contamination from filth or filthy receptacles or appliances injurious to health, or milk which has been handled by persons infected with, or who have been exposed to, diphtheria, scarlet fever, small pox, typhoid or typhus fever, tuberculosis, or other disease dangerous to public health; fifth, milk drawn from animals fed on slops, distillery waste, sugar beet pulp, or any substance in a state of fermentation or putrefaction, or of any unhealthy food; sixth, milk the temperature of which is higher than fifty degrees Fahrenheit.

Sec. 4 It shall be unlawful for any person to sell or keep for sale any cream which contains less than fifteen per cent. of butter fat, or which shall have been adulterated or contaminated in any of the modes set forth in section 3 hereof, or to sell any skimmed milk so contaminated; provided, that

skimmed milk shall not be required to contain the amount of milk solids and fats herein provided, but in all cases of a sale of skimmed milk, the fact that it is skimmed milk shall be stated to the purchaser, or the can, bottles or other receptacles containing such milk shall be labeled as "Skimmed Milk" in plain black letters.

Sec. 5 No building shall be used for stabling cows for dairy purposes which is not well lighted, ventilated and drained, and the same shall be cleaned of all manure or dung at least once a day, and no manure or fermenting feed shall be permitted to remain in the building where dairy cows are stabled. All dairy cows shall be supplied with pure water for drinking purposes. All vessels and appliances for holding and cooling, storing and transporting milk and cream shall be of non-absorbent material, and each vessel, bottle or other receptacle used in and about the handling of milk and cream, or either of them, shall be thoroughly cleaned in pure water, scalded and sterilized before being used again. And all milk while being cooled and stored shall be kept covered in a clean place free from flies and all dirt and noxious gasses or substances which will taint or contaminate the same.

Sec. 6 It shall be the duty of the City Health Officer to visit, view and inspect each and every place of business where milk or cream is sold or kept for sale and each and every dairy or place where milk is produced for sale, at least twice each year.

and report in writing the condition of the same to the Commissioner of Health and Civic Beauty.

Sec. 7 The Commissioner of Health and Civic Beauty, the City Health Officer, and any inspector or police officer of the city, shall have the right and power to enter and have full access to any building, structure and premises where any milk or cream is produced, stored or kept for sale, and shall have the right of access to all wagons, railroad cars or other vehicles of any kind used for the conveyance or delivery of milk and cream, or either of them, and shall have the right to take samples of milk and cream therefrom, such samples not to exceed one quart, for the purpose of inspecting, testing or analyzing the same. Any person refusing to allow such right of entry or refusing to allow such samples of milk or cream to be taken or hindering or obstructing any officer named herein in carrying out the power conferred by this section shall be deemed guilty of a violation of this ordinance and shall be fined as hereinafter provided.

Sec. 8 All milk or cream from sick or diseased cows or cows fed on slops, sugar beet pulp, or foods that have been subject to fermentation or that may injuriously affect or be detrimental to life or health, shall, upon discovery thereof, be confiscated or forfeited by and under the direction of the City Health Officer.

Sec. 9 All persons owning cows, the milk of which is sold or offered for sale in this city, shall permit the examination of such cows by a qualified veterinary surgeon designated by the Commissioner of Health and Civic Beauty, and at such times and in such manner as

he shall determine.

Sec. 10 Nothing in this ordinance shall be so construed as to prohibit the use or sale of what is known as buttermilk, provided the same is produced from pure and wholesome milk; but it shall be unlawful for any person to sell or offer for sale any buttermilk which is not the product of pure and wholesome milk, or which is impure or adulterated.

Sec. 11 Every hotel keeper, restaurant keeper or boarding house keeper who furnishes milk or cream to his or their guests or boarders shall be in all respects subject and amenable to the provisions of this ordinance (saving and excepting the obtaining of a permit) so far as applicable.

Sec. 12 Any person who shall violate any of the provisions of this ordinance, shall upon conviction be fined not less than five dollars nor more than one hundred dollars for each and every offense, and if the person so convicted shall have a permit such as herein provided the same may be revoked by the City Council upon the recommendation of the Commissioner of Health and Civic Beauty.

Passed and adopted this 15th day of March, A. D. 1910.

Thos M. Jett

Mayor

Attest:

Charles K. Holmberg,
City Clerk.

I hereby certify that the foregoing ordinance, entitled, "An Ordinance in Relation to the Sale of Milk and Milk Inspection," was introduced and read at a regular meeting of the City Council

of the City of Grand Junction held on the 24th day of February, 1910; that said ordinance was passed and adopted at a regular meeting of the City Council held on the 15th day of March, 1910, and that the same was published once in full in a daily newspaper of the city at least ten days before its final passage.

In Witness Whereof, I have hereunto set my hand and affixed the official seal of the City this 15th day of March, A. D. 1910.

Charles K. Holmberg
City Clerk