

Ordinances of the City of Grand Junction, Colorado

ORDINANCE NO. 179.

AN ORDINANCE FOR THE PRESERVATION OF THE PUBLIC HEALTH.

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

ARTICLE I.

THE HEALTH DEPARTMENT--ITS DUTIES AND POWERS.

Section 1. The Health Department of this city shall consist of the Commissioner of Health and Civic Beauty, the Health Officer, the Plumbing Inspector, and such assistants and employes as the Council may provide for the efficient administration of this department.

Sec. 2. The Commissioner of Health and Civic Beauty shall be the head of the Health Department and shall have the management and control of all matters and things pertaining thereto. He shall have and exercise a general supervision over the sanitary condition of the city, and shall enforce all the laws of the State and the ordinances of the city and all rules and regulations of the Health Department. He shall cause all nuisances to be properly abated, and for the purpose of carrying out the requirements of this section he shall be permitted at all times to enter any premises, house, store, stable or other building or place, to cause floors to be raised if he shall deem it necessary in order to make a thorough examination of cellars, vaults, sinks or drains, and to cause all privies, cesspools and grease traps to be cleaned and kept in good condition, and to cause all dead animals or other nauseous or unwholesome substances or things to be buried, burned or disposed of as he may direct.

Sec. 3. The Commissioner of Health and Civic Beauty shall cause a notice to be served upon the owner, occupant or agent of any lot, building or premises in or upon which any nuisance may be found or who may be the owner or cause of such nuisance, requiring him to abate the ~~the~~ same within a reasonable time, specified in such notice. If such owner, occupant or agent shall fail or refuse to comply with such order, he shall be fined as hereinafter provided for every such failure or refusal. Upon the expiration of the time specified in said notice, the Commissioner of Health and Civic Beauty shall cause such nuisance to be abated and the expense of such abatement shall be collected from the person who may have created, continued and suffered such nuisance to exist.

Sec. 4. The City Health Officer shall, whenever he shall hear of the existence within this city of any case of small pox, diphtheria, scarlet fever, scarlet rash, scarletina, typhoid fever, typhus fever, measles, mumps, whooping cough, chicken pox, pneumonia, cerebral spinal meningitis or any other communicable disease dangerous to the public health, investigate the same and adopt measures to arrest its progress. He shall order the prompt and thorough isolation of those sick or infected with small pox, scarlet fever or diphtheria, so long as there is danger of their communicating the disease to other persons, and shall give public notice of the quarantine so established by posting placards upon the infected premises, which quarantine so established shall be by all persons respected and observed, and no person other than the attending physician shall be permitted to enter or leave said premises until said quarantine is raised by the Health Officer. Said Health Officer shall notify teachers or superintendents of schools concerning families in which there are contagious diseases, and no person from such family or families who has been exposed to said disease shall be permitted to attend school, church or other public gathering during the continuance of said quarantine.

Sec. 5. Whenever any householder shall know that any person within his family is taken sick with small pox, scarlet fever, or any other disease dangerous to public health, as herein specified, he shall immediately give notice thereof to the Health Officer of this city, and whenever any physician shall know that any person whom he is called to visit, or who is brought to him for examination, is infected with small pox, scarlet fever, diphtheria or other disease dangerous to the public health, he shall immediately give notice thereof to the City Health Officer, and to the householder, hotel keeper, boarding house keeper or tenant within whose house or rooms such sick person may be. Said notice shall state the name of the disease, the name, age and sex of the sick person, a description of the house or place where such sick person may be and the name of the attending physician.

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Sec. 6. The Health Officer shall have power to cause any house or premises to be cleansed, disinfected, fumigated, or closed to visitors, and prevent persons from resorting thereto while any such house or premises contains any persons sick with any contagious or communicable disease. He may direct any nuisance to be abated or any unwholesome matter, dirt, filth, to be removed from any house or premises and may prescribe the time and mode of doing so, and take any other measures he may deem necessary or proper to prevent the spread of any disease.

Sec. 7. The Health Officer shall have charge of the Isolation Hospital and shall have power to employ such assistants and nurses as he may deem necessary. He shall, when requested by the Chief of Police, visit the police station and examine and make provision for the care of all persons there found to be sick or injured. He shall, when requested by the Mayor or City Attorney, visit, investigate and examine all cases of physical injury claimed or alleged to result from defective streets, alleys, sidewalks or bridges or from any cause which might render the city liable for damages, and report the result of such investigation and examination to the Mayor or City Attorney, as may be.

Sec. 8. The Plumbing Inspector shall be appointed by the Council and shall be a practical plumber, who shall have had not less than five years' experience.

Sec. 9. It shall be the duty of the Plumbing Inspector to see that the construction, maintenance and control of the plumbing, drainage, gas-fitting, heating and ventilation of all buildings in this city shall conform to and comply with the ordinances, rules and regulations pertaining to plumbing, drainage, gas-fitting, heating and ventilation. He shall inspect the plumbing in houses in the course of erection, undergoing alteration or repair as often as may be necessary, and shall see that all work of plumbing, drainage, gas-fitting, heating and ventilation is done in accordance with the requirements and provisions of the ordinances of the city and the rules and regulations of the Department of Water and Sewers and the Health Department. He shall also report to the Department of Water and Sewers all new fixtures that may be added from time to time to the city water or sewer system.

Sec. 10. It shall be the duty of every physician, surgeon or midwife who attends the birth of any child within this city to report the same to the Health Officer within two weeks from the date of such birth. Such report shall be made in writing upon blanks furnished by the Health Department and shall show the name of the child if the child shall be named within such time, the time and place of birth, the name of the father, the maiden name of the mother, the sex and color of the child, whether it be born alive or dead, and such other information as the Health Department shall require.

Sec. 11. It shall be the duty of every physician or medical adviser who attends the last illness of any person within this city, or of a coroner when a case comes under his jurisdiction, to report the death of such person to the Health Officer within twenty-four hours after such death. Such reports shall be made in writing upon blanks furnished by the Health Department, and shall show the full name, age, sex, color and occupation of deceased, whether single or married, and the place, time and cause of death, and such other information as the department shall require. It shall be the duty of the householder of the house where the death occurred, or the person having the care of the person dying, to give full information concerning the death, to the physician or coroner.

Sec. 12. No undertaker or other person nor any common carrier or person engaged as expressman or public cartman shall receive from any railroad company, express company or other corporation or person engaged as a common carrier or in the conveyance of passengers, freight or merchandise, any dead human body brought from any place outside of this city unless there shall be presented with such dead body, a permit or certificate from the health officer or board of health of the place where the death occurred. Such permit or certificate shall contain the name and age of the deceased, the date, hour and place and cause of death, and the name of the physician or coroner certifying to such death. And if such death shall have been caused by any infectious or contagious disease, or if such body shall be in an offensive condition, or in a condition dangerous to the health of the community, such body shall not be received by any such person unless in addition to such permit or certificate there shall be produced the permission

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of the Health Officer for the bringing into the city of such body. Such permit or certificate from such foreign board of health shall be immediately presented to and filed with the Health Department, upon which a permit for the burial of such body shall be issued.

Sec. 13. No person shall remove or cause to be removed, or assist in removing any person sick with any communicable disease from any house or place within this city to any other house or place, without a permit from the Health Officer, first procured for that purpose, and no person shall drive or use any vehicle, or permit any vehicle under his control or charge, to be driven or used for the conveyance of any person sick with any communicable disease, without first obtaining a permit from the City Health Officer.

Sec. 14. No person having charge or the management of any railroad car or any passenger or freight train, engine or street car, nor any other person, shall knowingly bring into, or cause to enter this city, any person sick with, or having been exposed to, any contagious disease.

Sec. 15. Whenever it shall be decided by the Commissioner of Health and Civic Beauty that any building or part thereof is unfit for human habitation by reason of its being infected with any communicable disease or from other causes, if it is likely to cause sickness among its occupants, notice of such disease or other cause may be fixed conspicuously upon the building or part thereof decided to be so infected and personally served upon the owner, lessee or agent, requiring all persons therein immediately to vacate said building or part thereof, for the reasons therein stated. If it shall be necessary, in the judgment of the Health Department, to preserve the public health, such building shall be removed or destroyed at the expense of the owner, agent or lessee of said property, upon the order of the City Council.

Sec. 16. The body of a person who has died from any contagious disease shall not be removed from the room where death occurred until it has been wrapped in a cloth saturated with proper disinfectant, then tightly enclosed in a coffin. The body shall then be buried immediately without the attendance of any person other than is necessary for the interment thereof; or, if transported, it shall be prepared for transportation under the rules and regulations of the Colorado State Board of Health governing the transportation of bodies dead from such contagious disease.

Sec. 17. The funeral of any person dead from any contagious disease shall be private, and no undertaker, sexton or other person having charge or direction of the burial of any person dead from any such disease shall permit the coffin or casket containing such body to be opened in the presence of any child, nor shall any child be permitted to act as pallbearer or carrier at the funeral of any such person.

Sec. 18. Any person violating any of the provisions of this article shall be fined not less than five nor more than one hundred dollars for each offense.

ARTICLE II.

N U I S A N C E S .

Section 1. It shall be the duty of the Commissioner of Health and Civic Beauty to serve notice upon the owner, occupant, agent or person in possession, charge or control of any lot, building or premises in or upon which any nuisance may be found or who may be the cause or owner of such nuisance, requiring them, or either of them, to abate the same in such manner as he shall prescribe within a reasonable time, and such notice may be given or served by any officer who may be directed or deputed to give or make the same; and if the person so notified shall neglect or refuse to comply with the requirements or such order, by abating the nuisance within the time specified, such person shall be fined as hereinafter provided for every such violation, and it shall be the duty of the Health Department to proceed at once, upon the expiration of the time specified in such notice, to cause such nuisance to be abated; provided, that whenever the owner, agent, or person in possession, charge or control of premises in or upon which any nuisance may be found, is unknown, or cannot be found, the Health Department shall proceed to abate such nuisance without notice, and, in either case, the expense of such abatement shall be collected from the person who may have created, continued or suffered such nuisance to exist.

Sec. 2. Any corral, livery or other stable, cattle yard or shed, barn, chicken yard or other yard, house, building, store or structure

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of any kind, or any grounds or premises which shall become nauseous or foul or offensive to the neighborhood, or dangerous or prejudicial to the public health, is hereby declared a nuisance, and the owner, agent or person in charge or control thereof shall be fined as hereinafter provided for each offense, and the further penalty of ten dollars for each day such nuisance shall continue after the first prosecution.

Sec. 3. No person shall keep any hogs or pigs within the limits of this city. No person shall erect or maintain any public corrals or rabbitries within the limits of this city except with the permission of the Commissioner of Health and Civic Beauty.

Sec. 4. No person shall suffer or permit any cellar, vault, private drain, pool, sewer, sink, greasetrap, or catch basin upon any premises belonging to or occupied by him, or in his possession, charge or control, to become nauseous, foul or offensive or dangerous to the public health.

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Sec. 5. No owner of any lot, block or parcel of ground within this city, or any agent of such owner, shall allow or permit weeds to grow or remain when grown on such lot, block or parcel of ground, or on or along any sidewalk adjoining the same. All weeds growing on any lot, block or parcel of ground, or on or along the sidewalk adjoining the same, shall be cut close to the ground, and so kept. If any owner or agent shall fail to cut such weeds, the Commissioner of Health and Civic Beauty may direct the same to be cut by some officer or employee of the Health Department and charge the cost thereof to such owner or agent.

Sec. 6. The permitting or maintaining of stagnant water on any lot or piece of ground within the limits of this city is hereby declared to be a nuisance, and every owner or occupant of a lot or piece of ground within said city is hereby required to drain or fill up said lot or piece of ground whenever the same is necessary so as to prevent stagnant water or other nuisance accumulating thereon, and it shall be unlawful for any such owner, agent or occupant to permit any such nuisance.

Sec. 7. All complaints of nuisances made to the Commissioner of Health and Civic Beauty shall state the nature of such nuisance, where it is, giving street number, the name of the owner, agent or occupant of the building or lot, if known, and the name and address of the complainant.

Sec. 8. Whenever any trade, business or manufacture, or the maintenance of any substance or condition of things shall be dangerous to the public health, the same shall constitute a nuisance, and shall be abated as such.

Sec. 9. Any offensive, or unwholesome business, or establishment, or any business or establishment carried on in an offensive or unwholesome manner within, or within one mile beyond the outer limits of the city, is hereby declared a nuisance and prohibited, and the Commissioner of Health and Civic Beauty shall have power to abate the same.

Sec. 10. In all cases where no provision is herein made defining what are nuisances and how the same may be removed, abated or prevented, in addition to what may be declared such herein, those offenses which are known to the common law of the land and statutes of Colorado as nuisances, may, in case the same exist within the city limits or within a mile thereof, be treated as such and proceeded against as in this ordinance provided, or in accordance with any other provision of law.

Sec. 11. Any person violating any of the provisions of this article shall be fined not less than five nor more than one hundred dollars for each offense.

ARTICLE III.

SANITARY REGULATIONS.

Section 1. The Health Department shall cause a thorough sanitary inspection of the entire city and the area within its jurisdiction at least once a year, and shall immediately thereafter make a report to the City Council of the conditions disclosed by such inspection.

Sec. 2. No person affected with tuberculosis shall be employed

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by the School Board to teach in any of the departments of the public schools of this city.

Sec. 3. No person shall spit upon any sidewalk or upon the floor of any street car, omnibus, hack or other vehicle which is used for conveying passengers, or upon any stairway, floor or wall of any hall or building in this city.

Sec. 4. Every owner, agent, lessee or occupant of any public hall or building shall provide the same with cuspidors in sufficient number to accommodate the necessities thereof.

Sec. 5. No person shall throw, deposit, put or place in or upon any street, alley, sidewalk, vacant lot, park or public grounds in this city, any paper, old clothes, shoes, hats, bottles, broken glass, straw, hay, tin cans, decayed vegetables or fruit, or garbage, ashes, swill, slops, manure or filth of any kind.

Sec. 6. No person shall throw, put or place any dead animal or fowl, or part thereof, or any animal or fowl sick or injured, in or upon any street, alley, vacant lot, park or other public place within this city.

Sec. 7. When any animal shall die in this city it shall be the duty of the owner or keeper thereof to remove the body of such animal forthwith beyond the limits of the city and cause the same to be buried. If such body shall not forthwith be removed, the same shall be deemed a nuisance and such owner or keeper the author of a nuisance. When the body of such dead animal shall be in any street, alley, highway or public grounds in this city, it shall be the duty of the Chief of Police or other police officer, when knowledge thereof shall come to him, to cause such body to be removed forthwith beyond the limits of the city. Any dead animal so removed from the city shall be caused by the party whose duty it shall be to remove the same, to be buried in the earth sufficiently deep to prevent the escape of effluvia injurious to the public health.

Sec. 8. No person who shall keep any cow, horse, chickens, ducks, geese, turkeys, pigeons or other domestic fowls, within this city shall be permitted to keep the same in any yard, enclosure or building within a distance less than twenty feet from any house or building occupied as a dwelling, except with the consent of the occupant of such building; provided, that this section shall not apply when such dwelling is erected at or within ten feet of the alley line. No person who shall keep any chickens, ducks, geese, turkeys, pigeons or other domestic fowls within this city, shall permit the yard or place within which such fowls are kept, by reason of any want of care, food, ventilation, or cleanliness or otherwise, to be or become dangerous or detrimental to human health, and the Commissioner of Health and Civic Beauty shall have the power to declare all such yards or places kept in any unclean condition, nuisances, and the same shall be abated as such.

Sec. 9. Every owner, agent or occupant of any house, hotel, restaurant, building, flat, apartment or tenement in this city, where persons reside, board or lodge, or where animal or vegetable food is prepared or served shall provide for such house, hotel, restaurant, building, flat, apartment or tenement, and shall at all times maintain in good order, a vessel or vessels for garbage. Such vessel for garbage shall be water tight and made of metal, with a close-fitting metal cover, and shall have a capacity of not less than ten gallons. The word "garbage" shall be taken to mean and include any and all rejected or waste food, offal, swill, or carrion, and no person shall deposit in any such can or vessel, anything except garbage, and no person except the owner thereof, his agents or servants, shall deposit any garbage in such vessel, or remove, displace, injure, deface, destroy, uncover or in any manner disturb such vessel or the contents thereof. Such vessel shall be placed on the inside of the alley fence or line and made easily accessible for the removal of its contents.

Sec. 10. Every person shall be required to keep the sidewalk in front of, and adjacent to, the house, store, building, tenement and grounds occupied by him, clear of ice, mud, dirt, rubbish and filth, and after any fall of snow shall cause the snow to be immediately removed from said sidewalk into the street.

Sec. 11. Every wagon or vehicle used to transport manure, offal, ashes, cinders, or other loose material on or through the streets or alleys of this city, shall be fitted with a good and substantially

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tight box thereon, the sides of which shall be sufficiently high, so that no portion of said manure or other loose matter shall be scattered or thrown into the streets; and all such wagons or vehicles used for the collection and removal of garbage shall be fitted with a good and substantial water-tight metal tank with a close-fitting top, so as to prevent the escape of any of the contents thereof, and shall have the words "GARBAGE WAGON" plainly painted thereon, so as to be legible at least eighty feet. All such wagons shall be thoroughly cleaned and disinfected at least once a week.

Sec. 12. All garbage or other filth must be removed to such distance without the limits of the city as the City Council may from time to time direct. The Health Department shall have the power to prescribe such rules as it may deem proper to govern the manner and time for the collection and removal of garbage. It shall be the duty of the persons licensed to call regularly at such places as they may be notified so to do and remove garbage deposited by housekeepers or others in water-tight vessels at the side of the alley adjacent to their houses or at the rear line of their lots convenient of access. The maximum price for removing garbage deposited as aforesaid shall be at the rate of fifteen cents per barrel, or ten cents for half a barrel or less, and for cleaning cess-pools or privy vaults the sum of twenty-five cents per cubic foot.

Sec. 13. The City Council may provide for the disposal of garbage matter at public expense by making annual appropriation therefor.

Sec. 14. Any person violating any of the provisions of this article shall be fined not less than five nor more than one hundred dollars for each offense.

ARTICLE IV.

FOOD, MEAT, DRUGS, ICE AND LIQUIDS.

Section 1. Until otherwise provided by ordinance, the City Health Officer shall act as inspector of foods, meats and drugs. He shall condemn any such articles of food as he shall find unfit for human consumption, and he shall perform such other duties as may be required of him by the Commissioner of Health and Civic Beauty and City Council.

Sec. 2. No person shall keep or offer for sale or exchange, or shall sell or deliver or expose for sale any food, liquids or ice, which shall be impure, unwholesome, adulterated or to which any harmful or injurious foreign substance has been added, or any drugs not conforming to the United States Pharmacopoeia.

Sec. 3. No person shall expose for sale in this city any diseased, emaciated, tainted or putrid meat, fish or provisions which from these or other causes may be deemed unwholesome. No person shall offer for sale for human food within this city, the meat of any animal killed while such animal was in an overheated, feverish or diseased condition. No person shall bring, or cause to be brought, into this city, or sell or offer for sale for human food, any decayed or unwholesome fruit, vegetables or berries, intended to be sold or offered for sale as human food, nor keep or store any decayed or unwholesome fruit, vegetables or berries. It shall be the duty of the Commissioner of Health and Civic Beauty, the City Health Officer, and any officer of the Health Department, having knowledge of such fact, forthwith to seize and destroy all such unwholesome meat and provisions, fruit, vegetables or berries.

Sec. 4. It shall be the duty of every person knowing of any fish, meat, fowls, birds, or vegetables being bought, sold or offered for sale as human food in this city, which is not sound, healthy or wholesome for such food, forthwith to report such facts and the particulars relating thereto to the Commissioner of Health and Civic Beauty.

Sec. 5. No person shall sell or offer for sale within this city any apple, orchard or cider vinegar which is not the legitimate product of pure apple juice, known as apple cider. All vinegar made by fermentation shall be branded "fermented vinegar," with the name of the fruit or substance from which the same is made, and shall be free from foreign substances and contain not less than two per cent of solids of the fruit or grain from which the same was made, and shall not contain any preparation of lead, copper, sulphuric acid or any ingredient injurious to health.

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Sec. 6. No person shall distribute or cause to be distributed to or among pedestrians, or throw or place or cause to be placed into or upon any street car or vehicle, or upon any street or alley, yard, porch or premises in this city, any drug, physic or medicine of any kind or sample thereof, or any sample of prepared food or liquid, without first obtaining a permit from the Commissioner of Health and Civic Beauty.

Sec. 7. Any person violating any of the provisions of this article shall be fined not less than five nor more than fifty dollars for each offense.

Sec. 8. Ordinance no. 7; Sections 1, 2, 4, 5, 7, 9, 10 and 12 of Ordinance No. 10; Sections 1, 2, 3, 4, 5, and 9 of Article IV, and Sections 1, 2, 4 and 12 of Article V of Ordinance No. 83, and all ordinances or parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed.

Passed and adopted this 8th day of July, A. D. 1910.

B. W. Tiddler

Acting Mayor.

Attest:

Charles K. Holmberg

City Clerk.

(Published July 9, 1910.)

I hereby certify, that the foregoing ordinance entitled "An Ordinance for the Preservation of the Public Health," was introduced and read at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the seventh day of June, A. D. 1910; that said ordinance was passed and adopted at a regular adjourned meeting of the City Council of said city, held on the 8th day of July, A. D. 1910, and that the same was published in full in The Daily News, a daily newspaper published and in general circulation in said city, at least ten days before its passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said city this 8th day of July, A. D. 1910.

(SEAL.)

Charles K. Holmberg

City Clerk.