

ORDINANCE NO. 374

AN ORDINANCE AMENDING ORDINANCE NO. 318 PASSED AND ADOPTED THE 24th DAY OF MAY, 1922, ENTITLED "AN ORDINANCE CONCERNING THE SALE, HANDLING AND DELIVERY OF MILK, AND INSPECTION AND REGULATION OF DAIRIES, REPEALING ORDINANCE NO. 177 PASSED AND ADOPTED MARCH 15th, 1910, AND EACH AND EVERY OTHER ORDINANCE AND PARTS THEREOF IN CONFLICT HEREWITH, BY ADDING THERETO A NEW SECTION NUMBERED 27A AND AMENDING SECTIONS 3, 6, 10 AND 26 TO SAID ORDINANCE NO. 318.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

Section 1. That Section 3 of Ordinance No. 318, passed and adopted the 24th day of May, 1922, entitled, "An Ordinance concerning the sale, handling and delivery of milk, and inspection and regulation of dairies, repealing Ordinance No. 177, passed and adopted March 15, 1910, and each and every other ordinance and parts thereof in conflict herewith," be and the same is hereby amended to read as follows:

Section 3. Upon the filing of such application, the Chief of Health and Parks, or his deputies, shall cause the dairy and herd of the applicant or the person or persons from whom he obtains milk or cream, and the wagon or other vehicle intended to be used by such applicant, to be thoroughly inspected to ascertain if the same conforms in all respects to the provisions of this Ordinance. Said inspection shall include the "tuberculin" test, provided that, if it shall appear from the application and satisfactory proof thereof shall be furnished to the Chief of Health and Parks that such dairy herd has been tuberculin inspected within six months prior to the date of such application by an inspector employed by or under the authority of the state of Colorado or of the United States, or by a duly licensed, qualified veterinarian, and such herd was found upon inspection to be free from tuberculosis, then in such event the Chief of Health and Parks may adopt such tuberculin inspection required by this Ordinance, and if such place of business, dairy, including milk house and herd and such wagon and other vehicle, are found by said Chief of Health and Parks to be in a sanitary condition and fit for the uses to which they are intended to be put, the Chief of Health and Parks may thereupon authorize the City Clerk to issue a license to such applicant upon the payment of the following fees: For selling or offering for sale or delivering milk or cream from five cows or less, the sum of Five Dollars (\$5.00) per annum, and Five Dollars (\$5.00) per annum for each additional lot of five cows or less. For store houses, bakeries,

grocery stores and other places from which milk or cream is sold in limited quantities (which milk or cream must be obtained from a licensed dairyman) Two Dollars (\$2.00) per annum. All licenses issued under this section shall expire on the 31st day of December next after the issue thereof. If the dairy (which includes milk houses), appliances or herd are not found upon such inspection to conform in all respects to this Ordinance, no license shall issue to such applicant until such dairy and appliances shall have been made to conform therewith, and until all cows or animals affected with disease have been removed from the dairy and herd, and the dairy disinfected under the supervision of the Chief of Health and Parks. No license shall issue to any applicant who refuses to permit his dairy or herd to be inspected as herein provided, nor shall any applicant receive any license who sells or is about to sell milk or cream in the City of Grand Junction from any dairy or herd wherever situated, the owner of which refuses to permit such dairy or herd to be inspected as herein provided.

Section 2. That Section 6 or Ordinance No. 318, passed and adopted the 24th day of May, 1922, entitled "An Ordinance concerning the sale, handling and delivery of milk and inspection and regulation of dairies, and repealing Ordinance No. 177, passed and adopted March 15th, 1910, and each and every other Ordinance and parts thereof in conflict herewith" be are the same is hereby amended to read as follows:

Section 6. Every person licensed under the provisions of this Ordinance or who is engaged in or carrying on the business of vending milk and cream or either of them, within the corporate limits of the City of Grand Junction, shall keep the milk house and all cans and other receptacles used in and about the handling of milk and cream, or either of them, and all refrigerators or compartments and stores and other places where milk and cream or either of them is kept, stored or handled in a scrupulously neat and clean condition and free from the presence of any article or thing likely to contaminate or injuriously affect the quality or sweetness of the milk or cream, and shall also cause all bottles, cans, dippers or other receptacles for milk or cream to be sterilized with boiling water or live steam as soon as they are empty and before they are used again, and shall cause all bottles, cans, dippers or other vessels used in and about the peddling or vending of milk and cream to be scalded and sterilized daily and shall cause all bottles and jars in which milk or cream is sold, offered for sale or delivered to be washed clean and thoroughly sterilized as soon as they are empty and before being used again. No milk or cream delivered in this city shall be bottled, canned or prepared for delivery at any place other than the milk house, which said milk house shall be separate and apart from any house occupied as living quarters and

shall be well screened, sanitary and used only as and for a milk house. No person shall use any can, bottle or other receptacle in which milk or cream has been shipped or conveyed to him for the storage of such milk or cream, but shall cause such cans, bottles or other receptacles to be emptied, thoroughly cleaned and dried and returned to the shipper within twenty-four hours after he shall have received the same, and all sterilizing and cleaning required by this Ordinance shall be done as the Chief of Health and Parks, or his deputies, may direct. Any person, firm or corporation licensed under the provisions of this Ordinance, shall not use or cause or permit to be used any can, bottle or other receptacle which has upon it the name or label of any other person, firm or corporation licensed under the provisions of this Ordinance.

Section 3. That Section 26 of Ordinance No. 318, passed and adopted the 24th day of May, 1922, entitled "An Ordinance concerning the sale, handling and delivery of milk, and inspection and regulation of dairies, and repealing Ordinance No. 177, passed and adopted March 15th, 1910, and each and every other Ordinance and parts thereof in conflict herewith," be and the same is hereby amended to read as follows:

Section 26. No person, association or corporation shall keep or maintain more than one cow upon his or its premises or at any other place within the following described limits in the City of Grand Junction, bounded as follows.

Bounded on the north by North avenue; on the south by South avenue; on the east by Fifteenth street, and on the west by First street and then only on written application to the City Clerk for a permit, subject to the following conditions which shall be set forth in the permit, to-wit:

(a) The permittee agrees to keep the premises where such cow is kept in a sanitary condition, and to comply with any ordinance or ordinances of this City concerning same, and to provide and keep a tight covered box in which the manure shall be placed and to haul said manure away every week at the expense of the permittee and to daily clean the stable and cow pen.

(b) Permittee agrees not to sell or give away any milk or cream without first complying with all the requirements of this Ordinance for operating a dairy and obtaining a license therefore.

(c) The said permit may be revoked by the Chief of Health and Parks if any of the terms or conditions of said permit are violated.

Section 5. That said Ordinance No. 318 be and the same is hereby amended by adding thereto a new section numbered 27a and 30, reading as follows:

Section 27a. Any milk or cream offered for sale as pasteurized milk or cream shall be labeled as such, and shall have been subjected to a temperature of from 142 degrees to 145 degrees Fahrenheit and shall be held at this temperature for a period of from thirty to thirty-five minutes and then immediately cooled to a temperature of 50 degrees Fahrenheit or lower, and thereupon immediately bottled or sealed. The Chief of Health and Parks may require an automatic recording device to be attached to each pasteurizing machine by which the temperature of the milk or cream and the length of time heated shall be recorded upon a chart. That before any person, association or corporation shall sell, offer for sale, or deliver within the City of Grand Junction for human food any pasteurized milk or cream, said person, association or corporation shall first comply with all the requirements of this Ordinance for operating a dairy and obtaining a license therefore.

Section 30. Provided that nothing in this Ordinance shall be construed to require any license for inspection of cows or dairy farms selling milk or cream exclusively to manufacturing plants in the City of Grand Junction, which shall pasteurize such milk or cream and which is manufactured into dairy products.

Passed and adopted this 29th day of December, A. D. 1924.

/s/ W.G. Hirons

President of the Council.

ATTEST:

/s/ Fred A. Peck

City Clerk.

I, Fred A. Peck, do hereby certify that the foregoing ordinance was introduced, read and ordered published at a regular meeting of the City Council of the City of Grand Junction, held on the 3rd day of December, A. D. 1924.

In witness whereof I have set my hand and affixed the official seal of said City this 2nd day of January, A. D. 1925.

/s/ Fred A. Peck

City Clerk.

