

## Ordinance no. 175

copy

An Ordinance to protect the public health and to prevent the spread of dangerous or contagious diseases.

The people of the City of Albany do enact as follows:

Section I There shall be kept at the Marshall's office by the Marshal and under his direction a book in which shall be entered the name and place of residence of any person who is affected with any of the diseases mentioned in this ordinance.

Section II There is hereby established a Board of Health consisting of the Mayor, the Chairman of the Standing Committee of the Common Council on Health and Police, and the Marshal of the City. The Marshal shall be ex officio Health Officer of the City.

Sec. III The Board of Health may, whenever it may be deemed necessary, employ a physician of skill and experience to visit and examine persons sick with any contagious or infectious disease, or to certify to the cause of death of any person, and to advise said Board in any matter relating to the health of the City. Such physicians shall receive such compensation as the Board of Health may consider reasonable, subject to the approval of the Common Council.

Section IV Every person practicing midwifery in this City under whose charge or

superintendence births shall hereafter take place shall keep a true and exact register of such births, and shall enter the same on a blank schedule to be furnished by the Health Officer. This schedule shall contain a list of births which have occurred under his or her care during the month and shall set forth as far as can be ascertained the full name of such child (if any shall have been conferred), its sex and color, the full name occupation and nativity of its parent or parents, and the date and place of birth; and the said schedule shall be delivered, duly signed by such practitioner in the form of a certificate, on the first day of each and every month, to the Health Officer, or to any authorized person calling for the same. In case the birth of any child shall have occurred without the attention of a physician or practitioner of midwifery, or should no other person be in attendance upon the mother immediately thereafter, it shall then become the duty of the parent or parents of such child to report its birth to the Health Officer, in the manner and form and within the period above prescribed.

Section V The Health Officer shall cause all cases of Asiatic cholera or small-pox brought to his notice, to be examined and report the result of such examination to the Board of Health. He shall be vigilant and active in detecting and removing all causes of

disease, and shall see that all persons violating ordinances in relation to the preservation of public health, are duly prosecuted.

Section VI Every police officer or night-watch having a regular beat, shall be ex officio health inspector, but without extra pay therefor. Should such officer observe that any building, premises or street on his beat, is in a condition offensive to the public health, he shall immediately report the same to the Health Officer.

Section VII It shall be the duty of each physician in this city to report to the Health Officer in writing, every patient he shall have laboring under Asiatic cholera or small-pox, variola, diphtheria, typhoid fever, measles, or any other dangerous or contagious diseases, immediately after he shall be satisfied of the nature of the disease, and to report to the same officer, every case of death from such disease, immediately after it shall have occurred.

Section VIII It shall be the duty of every household in this city to report in writing to the Health Officer, immediately, the name of every person boarding or lodging at his or her house or living there, whom he or she shall have reason to believe to be sick of cholera, small-pox, variola, diphtheria, scarlet fever, typhoid fever, measles, or any other dangerous or contagious disease and to report any deaths

occurring at his or her house from any such disease.

## Section IX

That it shall be, and is hereby made the duty of the owner or occupant of every house, store, building or tenement in said city, wherein any person may have the diphtheria, cholera, small pox, typhoid fever, scarlet fever, measles, whooping-cough, chicken pox or any other dangerous or contagious disease or diseases, to give notice to the public immediately of the existence of such disease in such house, store, building, or tenement, by placing a green flag in case of diphtheria, a scarlet flag in case of scarlet fever, a yellow flag in case of small-pox or cholera, and in all other cases a white flag, in some conspicuous place on the premises, where it may be seen by persons passing on the street near the said premises: and in case the owner or occupant of such house, store, building, or tenement shall fail or neglect to place such flag as aforesaid, it is hereby made the duty of the Marshal of said city, as soon as he is informed of the existence of such disease in any house, store, building, or tenement to cause such flag to be placed as aforesaid: and such flag, whether placed as aforesaid by the owner or occupant, or by the Marshal of the city, shall remain there until such person having such disease shall have so far recovered that no danger from infection shall remain. Said flag shall be not less than one foot wide by one and one

feet long.

Section X

No person, who shall have any contagious disease as enumerated in any section of this ordinance, shall go out in public, or pass from house to house, or building to building, or appear in any street, alley, or other public place in said city, until he or she shall have so far recovered therefrom as to preclude any and all danger of infection:

And if the Marshal of the city shall see or be informed of any person violating this section, it shall be his duty to cause such person to be taken forthwith to his or her place of residence if within the city, and if such residence be not within the city, then to such place as the Mayor and Chairman of the Committee on Health and Police may direct.

Section XI

The occupant of any house, store building or tenement in said city, wherein any person may have been sick of smallpox, diphtheria, or scarlet fever, shall, on the death or recovery of such person from such disease, forthwith destroy, by burning or burying, the clothes worn by such person during such sickness, under the supervision of the Health Officer, and shall cleanse and purify the room and house, store building or tenement in which such sick person was confined: and the Health Officer shall see that the provisions of this section are strictly enforced. And if the occupant of any building in which there shall have been

a case of small-pox, diphtheria, or scarlet fever, shall vacate such building without having first cleansed and purified the same as herein before provided, then it shall be unlawful for the owner or the agent or agents of such owner to lease or rent such building or any part thereof, to any other person until the same shall have been thoroughly cleansed and purified under the supervision of the Board of Health of said City.

## Sec. XII

No person owning or having control thereof shall knowingly drive or use any vehicle, or permit such vehicle to be used or driven for the conveyance, transportation, or removal of any person infected with the small-pox, diphtheria, cholera, or scarlet-fever, or the body of any person who may die of such disease, without the written consent of the Health Officer: and any vehicle so used under a permit shall not be used for any other purpose whatsoever without the written consent of the Health Officer.

## Sec. XIII

No person owning or having control thereof shall use or permit to be used any vehicle which is used for the purpose of carrying or transporting passengers, groceries, or any article or articles of food, for the carrying, or allow to be placed therein the body of any deceased person.

Sec. XIV. No person attending upon or otherwise coming in contact with any person affected with small pox or diphtheria, in such manner or to such an extent as to render him liable to communicate the disease, shall go upon any public street or alley in the city, or in any way mingle with people not affected with the disease, until all danger of infection shall have passed. Provided that nothing here in shall apply to physicians.

Sec. XV. Whenever a case of small pox shall exist in any house, store, building or tenement, the Board of Health may direct the Health Officer to place some suitable person in charge of such premises, whose duty it shall be to see that the provisions of section 11 of this ordinance are strictly enforced as long as may be deemed necessary for public safety.

Sec. XVI. Whenever a case of small pox is reported to the Health Officer, and found to be such by the statement of the attendant physician, or of the physician employed by the Board of Health, he shall immediately cause to be erected a yellow flag in a conspicuous place upon said premises, said flag to remain during the continuance of the disease.

Sec. XVII. No person shall move a small pox or diphtheria patient from any house or place within the city limits, to any other house or place within the city limits without the written consent of the Board of Health.

Sec. XVIII. No person shall, without a permit from the Health Officer, knowingly carry or remove from one building to another or from any rail road depot to any house or from any boat or vessel to the shore or to any house, or through the public streets or alleys, within the city limits, any person sick of any contagious disease.

Sec. XIX. No person shall be permitted to pursue any business or occupation in the city that is dangerous or detrimental to life or health, and every such business shall be promptly discontinued.

Sec. XX. No person shall offer, or have for sale, or deliver to any person in this city, any unwholesome, watered, or adulterated milk, or milk known as scull-milk or milk from cows that are fed on swill, stagnant water, garbage, or other like substance, or any butter or cheese made from such milk.

Sec. XXI. No person shall sell, expose for sale, or offer to sell or deliver, for human food any blown, tainted, diseased, or bad meat, poultry, fish, or game, or the flesh of any calf less than two weeks old when slaughtered, or any unsound, decayed or unwholesome fruit, vegetables or other market produce.

Sec. XXII. Any person who shall violate any of the provisions of this ordinance, shall, on conviction thereof before the Recorder's Court, be fined not less than five



dollars, nor more than one hundred dollars, or be confined in the city jail less than two days, nor more than fifty days for each offence.

Sec. XXIII All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Sec. XXIV This ordinance shall take effect and be in full force from and after its approval by the Mayor.

Passed the Council February 14<sup>th</sup> 1888.

Approved February 16 1888.

Attest: H. J. Hentore.

Recorder of the City of Albany.

J. L. Corrae

Mayor.

State of Oregon }  
County of Linn }

I, H. J. Hentore, Recorder of the City of Albany Linn County Oregon, do hereby certify that the foregoing ordinance no 173 is a true and correct copy of ordinance bill no. 176, passed by the Council of the City of Albany, at a regular meeting held February 14<sup>th</sup> 1888, and now on file in the City Recorder's office.

In testimony whereof I have hereunto set my hand and affixed the seal of the City of Albany this 16<sup>th</sup> day of February A. D. 1888.

H. J. Hentore.

Recorder of the City of Albany.

