

## CHAPTER 132.

AN ACT RELATING TO INFECTIOUS AND EPIDEMIC DISEASES, AND THE PRESERVATION OF THE PUBLIC HEALTH.

*Be it enacted by the Legislature of the State of Minnesota:*

SECTION 1. Whenever any part of this state appears to be threatened with, or is affected by, any epidemic or infectious disease, the State Board of Health may make, and from time to time alter and revoke, regulations for all or any of the following, among other purposes:

1. For the speedy interment of the dead.
2. For house to house visitation.
3. For the provision of medical aid and accommodation for patients, physicians and nurses.
4. For the promotion of cleansing, ventilation and disinfection; and
5. Guarding against the spread of disease by quarantine or exclusion of any infected persons, and may by order declare all or any of the regulations so made to be in force within the whole or any part or parts of the district of any local board of health in this state, and to apply to any vessels on any of the waters of this state, or to any railway cars or trains, or public vehicles of any kind, for the period named in such order, and may by any subsequent order abridge or extend such period.

SEC. 2. All regulations and orders so made by the State Board of Health shall be published in some paper of general circulation published at the capital of the state, and also in some paper published in the county where such disease may exist, and such publication shall be conclusive evidence thereof for all purposes.

SEC. 3. The local board of health of any district or districts within which, or part of which regulations so issued by the State Board of Health are declared to be in force, shall superintend and see to the execution thereof, and shall appoint and pay such medical or other officers or persons, and do and provide all such acts, matters and things as may be necessary for mitigating or preventing the spread of any such disease, or for superintending or aiding in the execution of or executing such regulations as the case may require; said local board may also from time to time direct any prosecution or legal proceedings for or in respect of the willful disregard or neglect of any such regulation, or any regulation duly made and established by said local board. Said local boards shall have power of entry on any premises, vessel or vehicle, for the purpose of executing, or superintending the execution, of any regulations so issued by said State Board of Health or said local board.

SEC. 4. All towns, villages, boroughs and cities, shall have a board of health who shall have and exercise all the powers necessary for the preservation of the public health. Said board shall consist of not less than three (3)

Duties of State Board of Health in case of threatened epidemics.

Orders of board, where published.

Local board of health to carry out orders of State Board.

Town and village boards of health, health officers, duties etc.

members, one (1) of whom, when practicable, shall be a physician, and such physician shall be health officer and executive officer of the board, and shall receive such compensation for his services as the council or other body answering thereto, of the town, village, borough or city, shall determine. Said board shall be elected annually by the council, or other body answering thereto, of each town, village, borough and city, unless a different term or mode is now provided by law, and such election shall be had at the next election that shall be held by such body. It shall be the duty of the health officer to perform and superintend the work prescribed in this act, and shall perform such other duties as the board may require. He shall furnish to the board such information cognate to this act as from time to time they may deem necessary, and to make once in each year, in the month of May, and oftener if necessary, a thorough sanitary inspection of said town, village, borough or city, and present a written report of such inspection at the next meeting of the board of health, and he shall forward a copy of said report as soon as rendered to the state board of health; and he may at any time, when necessary, examine into all nuisances, sources of filth and causes of sickness, and said board may make such regulations respecting the same as they may judge necessary for the public health and safety of the inhabitants; and every person who shall violate any order or regulation made by any board of health, and duly published, shall be deemed guilty of misdemeanor, and punished by a fine not exceeding one hundred dollars (\$100), or by imprisonment in the county jail not exceeding three (3) months.

Notices, how  
published.

SEC. 5. Notice shall be given by the board of health of all orders and regulations made by them, by publishing the same in some newspaper, if there is one published in such town, if there is none, then by posting up such notice in five (5) public places therein; and such publication of said orders and regulations shall be deemed a legal notice to all persons.

Nuisances to be  
abated.

SEC. 6. Whenever a nuisance, source of filth, or cause of sickness is found on private property, the board of health shall order the owner or occupant thereof, at his own expense, to remove the same within twenty-four (24) hours; and if the owner or occupant neglects so to do, he shall forfeit a sum not exceeding fifty dollars (\$50), to be recovered in the name of and for the use of the town, city or village.

SEC. 7. Whenever such owner or occupant shall not comply with such order of the board of health, said board may cause the said nuisance, source of filth, or cause of sickness to be removed, and all expenses incurred thereby shall be paid by the said owner or occupant, or by such other person as has caused or permitted the same.

Health officer  
may enter  
buildings to  
abate nuisance.

SEC. 8. Whenever the board of health thinks it necessary, for the preservation of the health of the inhabitants to enter any building or vessel in their town for the pur-

pose of examining into and destroying, removing or preventing any nuisance, source of filth, or cause of sickness and shall be refused such entry, the health officer or any member of the board may make complaint under oath to a justice of the peace of his own town, stating the facts in the case so far as he has knowledge thereof.

SEC. 9. Such justice shall thereupon issue a warrant, directed to the sheriff or any constable of the county, commanding him to take sufficient aid, and being accompanied by (2) or more of the board of health, between the hours of sunrise and sunset, to repair to the place where such nuisance, source of filth or cause of sickness complained of may be, and the same destroy, remove or prevent, under the direction of the members of such board of health.

If refused admission, warrant to issue.

SEC. 10. All local boards of health and health officers shall make such investigations and reports, and obey such directions as to infectious diseases, as shall be directed by the State Board of Health. And any member of any board of health, or health officer, who shall neglect to perform the duties required of him under the provisions of this act, or any other act relating to the duties of the boards of health or health officers of this state, or who shall neglect or refuse to obey any reasonable directions as to infectious diseases as shall be directed by the State Board of Health shall be liable, upon conviction in any court having competent jurisdiction, to be fined in a sum not less than twenty-five (\$25) dollars, or more than one hundred (\$100) dollars and shall become disqualified from holding the office of a member of the board of health.

Penalty for neglect of duty of health officer.

SEC. 11. When any local board of health are of the opinion that the cleansing and disinfection of any house, building, car, vessel or vehicle, or any part thereof, and of any articles therein likely to retain infection, would tend to prevent or check infectious disease, it shall be the duty of such authority to give notice in writing to the owner or occupier of such house, vessel or vehicle, or part thereof, requiring him to cleanse and disinfect such house, vessel or vehicle, and the said articles within a time specified in said notice. If the person to whom notice is so given fails to comply therewith, he shall be liable to a fine of not less than twenty-five (\$25) dollars nor more than one hundred (\$100) dollars for every day during which he continues to make default, and said board shall cause such house, vessel or vehicle and articles to be cleansed and disinfected, and may recover the expenses incurred, and said fine and costs of prosecution in a civil action before any justice of the peace or court having jurisdiction in like cases, which sum when recovered shall be placed to the credit of a special fund for the purpose of said local board of health [to be used] by said board for general expenses. *Provided*, that where the owner or occupier of any such house, vessel or vehicle is from poverty or otherwise unable in the opinion of said

Local board to give notice to occupants to abate nuisances — penalty for non-compliance

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local board effectually to carry out the requirements of said board in said notice, such authority may, without enforcing such requirements on such owner or occupier, with his consent, cleanse and disinfect such premises and articles and defray the expenses thereof.

May destroy  
bedding &c

SEC. 12. Any local board may direct the destruction of any bed or bedding, clothing, carpets or other articles which have been exposed to infection from contact with infected persons or articles, and may allow compensation for the same, or may provide a proper place, with all necessary apparatus and attendance for the disinfection of such articles and may cause any articles brought for disinfection to be disinfected thereby, and said board may provide and maintain when necessary, a carriage or carriages suitable for the conveyance of such articles or of persons suffering under any infectious disorder, and may pay the expense of conveying therein any person so suffering to a hospital or other place of destination.

Infected persons  
to be removed  
to hospital,  
when

SEC. 13. Where any suitable hospital or place for the reception of the sick is provided within the district of any local board, or within a convenient distance of such district, any person who is suffering from any dangerous infectious disorder and is without proper lodging or accommodation, or lodged in a room occupied by more than one (1) family, or is on board any vessel, cars or other vehicle, may on a certificate signed by a qualified medical practitioner or the executive officer of said board, and with the consent of the superintending body of such hospital or place, be removed by order of any justice to such hospital or place at the cost of the local district; and any person so suffering, who is lodged in any common lodging or boarding house, may, with the like consent and on a like certificate, be so removed by order of the local board. An order under this section may be addressed to such constable or officer as the justice or local authority making the same may think expedient, and any person who willfully disobeys or obstructs the execution of said order shall be liable to a fine not exceeding fifty dollars (\$50), to be recovered on criminal complaint, and the sum so recovered shall be paid over to said board for general expenses thereof.

SEC. 14. The State Board of Health may, by order, require any two (2) or more local boards to act together for the purposes of the provisions of this act, for the prevention of epidemic diseases.

Strangers sick  
with contagions  
—how provided  
for.

SEC. 15. When any person coming from abroad, or residing in any town, village, borough or city within this state, is infected, or lately has been infected, with the small pox or other contagious disease dangerous to the public health, the board of health of the town, village, borough or city where such sick or infected person is, may immediately cause such person to be removed to a separate house, if it can be done without danger to his health, and shall provide for such

person or persons, nurses, medical attendance and other necessaries, which shall be a charge in favor of such town, village, borough or city upon the person so provided for, his parents, guardian or master, if able; otherwise upon the county in which he has a legal settlement, or upon the state, if said person be a non-resident of the state, and has no property within the state; in which latter case the bills for such expenses shall be paid only after being audited and approved by the State Board of Health and by the Governor, and said bill shall be allowed only on condition that the local board of health shall have promptly, on the appearance of such disease, notified the State Board of Health thereof, and shall have followed the instructions and regulations of said State Board given with respect to the care and expense in the case or cases in reference to which said bills were incurred, and further shall file satisfactory evidence to said State Board that such person or persons were non-residents of the state and have no property within the same. The town, village, borough or city, as the case may be, may recover in a civil action against the person or persons or the county chargeable under this section.

SEC. 16. If such infected person cannot be removed without danger to his health, the board of health shall make provision as directed in the preceding section for such person in the house where he may be, and in such case they may cause the persons in the neighborhood to be removed, and [may take such other measures as they] may deem necessary for the safety of the inhabitants.

SEC. 17. When a disease dangerous to the public health breaks out, the board shall immediately provide such hospital or place of reception for the sick and infected as is judged best for their accommodation, and the safety of the inhabitants, which shall be subject to the regulations of the board; and the board may cause any sick and infected persons to be removed thereto, unless his condition will not admit of such removal without danger to his health, in which case the house or place where he remains, shall be considered as a hospital, and with all its inmates, subject to the regulations of the board.

Board may provide hospital for temporary use.

SEC. 18. [It] shall be the duty of all local boards of health, whenever they are informed that there is a case of small pox, scarlet fever, diphtheria or other infectious or contagious disease within the territory over which it has jurisdiction, to immediately examine into the facts of the case, and if the disease appears to be of the character above specified, they shall adopt such quarantine and sanitary measures as may in their judgment tend to prevent the spread of said disease in its locality, subject to be modified by the State Board of Health, and shall immediately notify the secretary of said state board, of the appearance of such disease and the measures adopted by said local board in relation thereto.

Quarantine.

SEC. 19. And said boards of health shall have power to

Precautions  
against spread  
of infectious dis-  
eases.

forbid, by notices posted upon the entrances to premises where there may be a patient sick with such disease, any person except the medical attendants and spiritual advisers, from going to or leaving said premises without their permission, or carrying or causing to be carried, any material whereby said disease may be conveyed, until after said disease has abated and the premises, dwelling and clothing have been rendered free from disease by such disinfecting means as the board may direct; and if said board shall be informed that the above, or any reasonable or sanitary measures which they have adopted and made public, is or has been violated, then the said board may cause said offender against this act to be apprehended and brought before an officer having jurisdiction; and said offender shall, upon conviction, be liable to a fine in the sum of not less than five dollars (\$5) nor more than twenty-five dollars (\$25) for any violation under this act. Any member of any board of health who shall neglect his duties under the provisions of this act shall be liable, upon conviction in a court having competent jurisdiction, to be fined in a sum not less than twenty-five dollars (\$25) nor more than one hundred dollars (\$100) for the first offense; and for conviction for violation of this act the second time, shall, in addition to the fines already provided, become disqualified from holding the office of, or to which is attached the duties of a member of a board of health.

Penalty for  
violations of  
this act.

Fines to be used  
for expenses of  
board.

SEC. 20. All fines collected under this act shall be placed to the credit of a special fund of the city, village or town in which the offense is committed for the use and expenses of said board. That every physician shall report to the local board of health, in writing, every person having a contagious disease, and the state of his or her disease, and his or her place of dwelling, and name if known, which such physician has prescribed for or attended for the first time since having a contagious disease, or since the discovery of the same to be contagious, during any part of the preceding twenty-four (24) hours; but not more than two (2) reports shall be required in one (1) week concerning the same person; but every attending physician thereat must see that such report is or has been made by some attending physician.

Physicians to  
report contag-  
ious diseases.

SEC. 21. That it shall be the duty of each and every practicing physician in this state, to report in writing to the local board of health the death of any of his patients who shall have died of contagious or infectious disease, within twenty-four (24) hours thereafter, and to state in such report the specified [specific] name and type of such disease

Physicians to  
report deaths.

SEC. 22. That every keeper of any private house, boarding-house or lodging-house, and every inn keeper and hotel keeper shall, within twenty-four (24) hours, report in writing to the local board of health the same particulars

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required of any physician in the preceding section, concerning any person being at any of the aforesaid houses and hotels, and attacked with any contagious disease dangerous to the public health.

SEC. 23. That it shall be the duty of every person knowing of any person sick of any contagious disease dangerous to the public health, and the duty of every physician hearing of any such sick person, who he shall have reason to think requires the attention of the local board, to at once report the facts to the board in regard to the disease, condition and dwelling place or position of such sick person.

SEC. 24. That no person shall, within the limits of any town, city or village within this state, without a permit from the local or State Board of Health, carry or remove from one (1) building to another, or from a vessel to the shore, or any railway cars, any person sick of any contagious disease, or the body of any person having died of contagious disease; nor shall any person, by any exposure of any individual sick of any contagious disease or of the body of such person, or by any negligent act connected therewith, or in respect to the care and custody thereof, or by a needless exposure of himself, cause, or contribute to or promote the spread of disease from any such person or from any dead body.

SEC. 25. That every person being the parent or guardian, or having the care, custody or control, of any minor or other person, shall, to the extent of any means, power or authority of said parent, guardian or other person, that could properly be used or exerted for such purpose, cause and procure such minor or person under control to be so promptly, frequently and effectively vaccinated that such minor or individual should not take, or be liable to take the small pox.

SEC. 26. That no principal, superintendent or teacher of any school, and no parent, master or guardian of any child or minor, having the power and authority to prevent, shall permit any child or minor having scarlet fever, diphtheria, small pox or any dangerous, infectious or contagious disease, or any child residing in any house in which any such disease exists, or has recently existed, to attend any public or private school until the board of health of the town, village, borough or city shall have given its permission therefor; nor in any manner to be unnecessarily exposed, or to needlessly expose any other person to the taking or to the infection of any contagious disease.

SEC. 27. That no person shall allow to be retained unburied the dead body of any human being for a longer time than four (4) days, or where death has been caused by a contagious disease for a longer time than twenty-four (24) hours after the death of such person, without a permit from the local board of health, which permit shall specify the length of time during which such body may be retained un-

Infected persons not to be removed without permission.

Vaccination.

Pre-cautions in schools.

Time within which the dead must be buried.

buried; and when death has been caused by a contagious disease the body shall, if directed by said board, be immediately disinfected in such manner as may be directed by said board and enclosed in a tightly sealed coffin, which shall not thereafter be opened, and the funeral of such person shall be strictly private, and in the removal thereof for burial or otherwise hearses or such other vehicles as may be authorized by said board only shall be employed.

Board may employ assistants and physicians.

SEC. 28. Said boards of health may employ all such persons as shall be necessary to carry into effect the provisions of this act and the regulations duly established by said boards as herein provided, and may fix their compensation. The said boards shall have power to employ physicians and provide necessaries for persons in cases of poverty, and generally to pay such expenses as are necessarily incurred by them in taking precautions which they may deem necessary to the public health.

Expenses, how provided for

SEC. 29. All expenses so incurred by any town or village board of health, heretofore or hereafter, shall, in the first instance, be borne and paid out of the town or village treasury, as the case may be, by orders on the treasurer thereof issued by said board, and payable out of the special fund herein mentioned, if sufficient; if not, out of the general fund. The proper authorities of villages and towns shall certify the amount required to reimburse said general funds, to the county auditor at the time of certifying other taxes, and such auditor shall extend on the tax list of the county a tax sufficient to pay the amount so certified, which tax shall be collected as other taxes and paid over to said town or village treasurer as the case may be.

Penalty.

SEC. 30. Any person who shall willfully violate any of the provisions of this act, or of any regulations duly made and published by any of the boards of health herein mentioned—the penalty for which is not herein specifically provided for—shall be guilty of a misdemeanor; and upon conviction thereof, shall be subject to a fine not to exceed one hundred dollars (\$100), or imprisonment not to exceed thirty (30) days, or both such fine and imprisonment. All amounts so collected shall be paid to the town, village, or city treasurer and placed to the credit of a special fund for the purposes and expenses of the said local board of health.

SEC. 31. This act shall take effect and be in force from and after its passage; and all acts and parts of acts inconsistent with this act are hereby repealed.

Approved March 3, 1883.