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THE

# Sanitary Ordinances

OF THE

CITY OF BROOKLYN,

As in Force December 20, 1895.

Z. TAYLOR EMERY, M. D.,

*Commissioner of Health.*

RICHARD M. WYCKOFF, M. D.,

*Deputy Commissioner.*

GEORGE E. WEST, M. D.,

*Secretary.*

BROOKLYN :

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# Code of Sanitary Ordinances,

Edition of December 20, 1895.

## EXPLANATORY.

December 20, 1895. This edition of the Sanitary Ordinances of Brooklyn contains certain amendments of the Sanitary Code that were adopted in the year 1895; also one adopted in 1894.

Section 33 appears as passed by the Common Council, April 29, 1895.

Section 172 was repealed and an amended Section 185, which was passed December 16, 1895, became law by the approval of the Mayor, December 19, 1895.

Section 191 appears as passed by the Common Council, October 14, 1895.

Section 195 appears as passed by the Common Council, December 3, 1894.

Z. T. E.

MLM

## DEPARTMENT OF HEALTH.

Office of Counsel, 164 Montague Street.

BROOKLYN, N. Y., March 1, 1895.

TO HON. Z. TAYLOR EMERY, M. D.,  
*Commissioner of Health:*

*Sir:*—I have the honor to report that, pursuant to your instructions, I have prepared a new edition of the Sanitary Ordinances, together with the Rules and Regulations of the Department of Health. The Minutes of Proceedings of the Common Council, from March 11th, 1889 (the date of the last compilation of the ordinances), to date, were searched for amendments to the Sanitary Ordinances, by John K. Erskine, Jr., Esq.; and all such amendments have been inserted in this edition. I have completely re-indexed the Code. The Rules and Regulations I have compiled from the last printed edition thereof (of 1889) and the current Minutes of the Department, after consultation with the Hon. R. M. Wyckoff, your deputy.

Respectfully submitted,

ALEXANDER H. VAN COTT,  
*Counsel to Department of Health.*

## PREFACE.

According to statistics furnished by the Hon. Richard M. Wyckoff, M.D., now Deputy Commissioner of Health of Brooklyn, and during the years 1882-3-4-5 Secretary of Department of Health, editions of the code of Sanitary Ordinances governing the city were published in the following years: Under the Metropolitan Board of Health, in 1866 and 1869. After the abolition of that board, they were published June 24, 1870; July 15, 1873; August 4, 1875; November 22, 1882; July 20, 1887; March 11, 1889.

The Sanitary Ordinances of Brooklyn, as they now exist, are the product of over twenty years, as will be seen by the following brief history:

On the 28th day of June, 1873, the Legislature passed an act (L. 1873, ch. 863, p. 1290) amending the charter of the city of Brooklyn. This act reorganized the Department of Health of Brooklyn, and conferred and imposed upon it the powers and duties of the Metropolitan Board of Health. In pursuance of the act the Board of Health on July 15, 1873, adopted a "Sanitary Code" consisting of one hundred and seventy-six sections. On June 21st, 1875, an act was passed (L. 1875, ch. 633, p. 792) amending the act of 1873. Section 7 of the act of 1875 amends Title XII. of the act of 1873, which, as so amended, contains the following sections, among others:

"SECTION 1. There shall be a Department of Health which shall be known as the Board of Health of the City of Brooklyn, which shall have jurisdiction over said city."

"SEC. 2. The management and control of said department shall be vested in a Board of

Health, to be composed of the President of the Board of Aldermen, the President of the Board of Police, and one physician who shall have been ten years in active practice and five years a resident of the city of Brooklyn immediately prior to his appointment."

"SEC. 4. Said Board of Health as thus constituted shall have the power to act as a legislative board in regard to all matters pertaining to public health and to the registration of vital statistics in said city, and to make such rules and regulations and such appointments of officers and employees as it may deem necessary for the proper carrying out and enforcement of all laws, ordinances and codes that may be prescribed for its government, for the protection of the public health and for the proper care and registration of such statistics."

"SEC. 5. The said Board of Health is hereby authorized and directed to prepare such ordinances as it shall deem to be required for the protection of the public health, and for securing the proper registration of births, marriages, deaths, and such other statistical information necessary for efficient working of the department, with penalties for their violation, which ordinances shall be by said Board submitted to the Common Council, and when approved by said Common Council shall have and possess the same power and effect as other ordinances of said city, and shall be carried out and executed by said Board of Health."

A Board of Health was duly organized pursuant to this act consisting of Hon. Andrew Otterson, M. D., its President; Hon. Daniel Briggs, President of the Board of Police, and Hon. Daniel Reilly, acting President of the Board of Aldermen.

On the 4th day of August, 1875, this

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Board of Health adopted and submitted to the Board of Aldermen for approval a code of Sanitary Ordinances, which was approved and adopted by the latter Board on the same day. (Proceedings of the Board of Aldermen, vol. 2, pp. 807, 900.)

The Code of Sanitary Ordinances thus duly adopted was based upon the "Sanitary Code" adopted July 15, 1873, and is the foundation of the Sanitary Ordinances of Brooklyn as they now exist.

On the 4th day of June, 1880, the Legislature passed an act amending the charter of Brooklyn (L. 1880, ch. 545, vol. 1, p. 775), which enlarged the legislative power of the Board of Health, and contained the important provision (Id., § 3). that no ordinance prepared by the Board of Health and approved by the Common Council shall be amended or repealed without the approval of said Board.

By Chapter 377, Laws 1880 (vol. 1, p. 557), passed May 25th, the presidents of the Boards of Police and Aldermen were legislated out of the Board of Health, which was converted into a Department of Health with a single head, designated the Commissioner of Health; and the act provided that all the powers, duties, obligations, rights and privileges of the former Board of Health should devolve upon the commissioner when duly appointed. This provision invested the Commissioner of Health with all the legislative powers vested by the acts above referred to in the Board of Health.

In the year 1886, the Ordinances of the City of Brooklyn were, pursuant to a resolution of the Common Council, revised; and on November 8th, 1886, they were, by resolution of the Common Council, adopted as revised; and it was declared by the same



## VII.

resolution, "that all ordinances or part of ordinances inconsistent with these ordinances as revised are hereby repealed." (Proceedings of the Board of Aldermen, 1886, vol. 2, p. 661).

On the 21st day of February, 1887, the Hon. Andrew Otterson, M. D., Commissioner of Health, submitted numerous proposed amendments of the Sanitary Ordinances to the Common Council for adoption. They were referred to the Committee on Law and Public Health of the Common Council. On April 25th, 1887, the Committee made a report on the matter, which was laid on the table. On June 20th, 1887, this report was taken up, and the amendments, as therein set forth, were adopted. (Proceedings of the Board of Aldermen, 1887, vol. 1, pp. 359, 870, 1258). The portions of the Code included in these amendments were sections 40, 42, 43, 49, 52, 79, 96, 104, 161, 187; and the tenement sections 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173. The entire Code, as so revised, was then published, together with the Rules and Regulations of the Department of Health, in the form of a pocket edition, by Commissioner Otterson.

On the 19th day of November, 1888, the Common Council directed the City Clerk to publish as a document of that body the Ordinances of the City of Brooklyn as revised in 1886, with all amendments made since such revision. Pursuant to this direction, the City Clerk caused a "compilation of all ordinances in force on the first day of March, 1889," to be made and duly reported to the Common Council; which, on March 11th, 1889, ordered the Ordinances to be printed as a document, bound and indexed, for general distribution. This was done.

The Sanitary Ordinances are comprised in Chapter IV. of this compilation.

In 1888 an act was passed combining in a single act all special laws relating to the City of Brooklyn. (L. 1888, Ch. 583, p. 949).

The following sections of Title XII. of this act provide for the adoption of sanitary ordinances :

“SEC. 2. Said Health Commissioner *shall have power to act in a legislative capacity* in regard to all matters pertaining to public health, the removal and burial of the dead, the maintenance and operating of an ambulance service for the speedy removal of sick and needy persons, the registration of births, marriages and deaths, and to the registration of vital statistics in the said city, *and to make such rules and regulations and such appointments of officers and employees as he may deem necessary for the proper carrying out and enforcement of all laws, ordinances and codes* that may be prescribed for the government of said department for the protection of the public health, and for the proper care and registration of such statistics.”

“SEC. 3. The said Health Commissioner is hereby authorized and directed to prepare such ordinances as he shall deem to be required for the protection of the public health, and for securing the proper registration of births, marriages, deaths, and such other statistical information necessary for the efficient working of the department, with penalties for their violation, which ordinances shall be by him submitted to the Common Council, and when approved by said Common Council shall have and possess the same power and effect as other ordinances of said city, and shall be carried out and executed

by said Health Commissioner. No ordinance, so prepared and approved, shall be repealed or amended without the approval of the Health Commissioner."

These sections control the adoption, amendment and repeal of Sanitary Ordinances in the City of Brooklyn.

This present edition of the Sanitary Ordinances contains all amendments down to March 1st, 1895.

BROOKLYN,            }  
  March 1, 1895.    }

ALEXANDER H. VAN COTT,  
*Counsel to Dep't of Health.*



# SANITARY ORDINANCES.

## DEFINITIONS OF TERMS.

SECTION 1. That the terms "board," "this board," and "said board," shall be held to mean the "Board of Health of the city of Brooklyn;" that the word "department," wherever used herein, shall be held to mean the Board of Health of the city of Brooklyn; that the words "person," "owner," "tenant," "lessee," "occupant," "contractor," "party," "manager," "board" and "officer," shall respectively be held to apply to and include, both jointly and severally, each and all owners, part owners, tenants, lessees, occupants, managers, contractors, parties in interest, persons, officers, boards and corporations who may sustain the relations, or may be in like position of any one or more thereof referred to in any ordinance or regulation; that every order, ordinance or regulation declared applicable to the built-up portion of Brooklyn shall, so far as the subject matter thereof is applicable (save as to interments), and so far as this Board has authority to make the same, be held to include and apply to the built-up portions of said city; that every word or phrase anywhere herein defined shall be held to include the same sense wherever used; that the words "city," or "this city," or "said city," whenever used herein, shall be held to mean the city of Brooklyn; that the word "regulation" shall be held to include "special regulation" (which latter will be from time to time issued, and will contain more detailed provisions than can be herein conveniently set forth); that the word "permit" shall be construed to mean the permission in writing of this Board, issued according to its by-laws, rules, regulations and sanitary code; and that every "report" herein required shall be held to be

a report in writing, signed by the person (and indicating his official position) who makes the same; that the word "light," or "lighted," shall be held to refer to external light; and that all words and phrases herein defined, shall also include their usual and natural meaning, as well as herein especially given.

§ 2. That the word "street," when used in the sanitary code, shall be held to include avenues, sidewalks, gutters and public alleys; and the word "public place" shall be held to include parks, piers, docks, and wharves, and water and open spaces thereto adjacent; also public yards, grounds and areas and all open spaces between buildings and streets, and in view of such streets; the word "ashes" shall be held to include cinders, coal, and everything that usually remains after fires; the word "rubbish" shall be held to include all the loose and decayed material and dirt-like substance that attends use or decay, or which accumulates from building, storing or cleaning; the word "garbage" shall be held to include every accumulation of both animal and vegetable matter, liquid or otherwise, that attends the preparation, decay, and dealing in or storage, of meats, fish, fowl, birds or vegetables; and the word "dirt" shall be held to mean natural soil, earth and stone.

§ 3. That a "tenement house" shall be taken to mean and include every house, building, or portion thereof, which is rented, leased, let or hired out to be occupied, or is occupied, as the house, home or residence of more than three families living independent of one another, and doing their cooking upon the premises, or by more than two families upon a floor, so living and cooking, but having a common right in the halls, stairways, yards, water closets or privies, or some of them. A "lodging-house" shall be taken

to mean and include any house or building, or, portion thereof, in which persons are harbored or received, or lodged for hire for a single night, or for less than one week at one time, or any part of which is let for any person to sleep in for any term less than a week. A "cellar" shall be taken to mean and include every basement or lower story of any building or house of which one-half or more of the height from the floor to the ceiling is below the level of the street adjoining. The phrase "boarding house" shall be held to include every building and every story and portion thereof, which is at any time or usually used, leased or occupied, or intended so to be, by any number of persons, exceeding ten, as boarders thereat. The word "manufactory" shall be held to include every building, and every story and portion thereof, in which any sort of labor or work is done, which calls for the continual or usual presence of several persons during several hours of the day or night, engaged about said work or labor; and the word "saloon" shall be held to include every portion of any building in which the business of selling meals, liquors, drinks or refreshments of any kind, shall be conducted, and includes "concert saloons."

§ 4. That the term "theatre" shall be held to include the building, rooms and place where any play, concert, opera, circus, trick of jugglery, show, gymnastic or other exhibition, masquerade, public dance, drill, lecture, address, or other public or frequent gathering for amusement are, is, or may be held, given, performed or take place, and the approach or approaches to and appurtenances thereof.

§ 5. That the word "physician" shall include dentists and every other person who

practices about the cure of the sick or injured, or who has charge of, or professionally prescribes for, any person sick, injured or diseased, and any person who pursues the business of or acts as midwife; that the phrase "contagious disease" shall be held to include all persons sick, affected or attacked by a disease of an infectious, contagious or pestilential nature (more especially, however, referring to the cholera, yellow-fever, small-pox, diphtheria, ship or typhus, typhoid, spotted, relapsing and scarlet fevers), and also including any new disease of an infectious, contagious or pestilential nature, and also any other disease publicly declared by this Board dangerous to the public health; and every physician in said city shall at all times cause his or her name, office and residence, and also his or her kind and class of practice, to be registered within the Bureau of Vital Statistics, and in a manner according to the regulations prescribed by this Board.

§ 6. That the word "meat" whenever herein used includes every part of any land-animal and eggs (whether mixed or not with any other substance); and the word "fish" includes every part of any animal that lives in water, or the flesh of which is not meat; and the word "vegetable" includes every article of human consumption as food, which (not being meat, or fish or milk) is held or offered, or intended for sale or consumption as food for human beings, at any place in said city; and all fish and meat found therein shall be deemed to be therein, and held for such sale or consumption as such food, unless the contrary be distinctly proved.

§ 7. That the word "cattle" shall be held to include all animals except birds, fowl, and fish, of which part of the body is used as



food; the word "butcher" shall be held to include whoever is engaged in the business of keeping, driving or slaughtering any cattle, or in selling any meat; the words "private market" shall include every store, cellar, stand and place (not being part of a public market) at which the business is the buying, selling or keeping for sale, of meat, fish or vegetables for human food.

#### MISFEASANCE AND NONFEASANCE.

§ 8. That no person shall carelessly or negligently do, or advise, or contribute to the doing, of any act or thing dangerous or detrimental to the health of any human being; nor shall any person knowingly do, or advise, or contribute to the doing, of any such act or thing (not actually authorized by law) except with justifiable motives and for adequate reasons; nor shall any person omit to do any act, or to take any precaution, reasonable and proper, to prevent or remove danger or detriment to the life or health of any human being.

#### OBEDIENCE TO ORDINANCES AND REGULATIONS.

§ 9. That every contractor in these ordinances referred to, and every person who has contracted, or undertakes, or is bound to do or is engaged in doing, any one of those things, in respect of which these ordinances contain provisions or regulations, shall comply with these ordinances, to the extent that any contract, obligation or duty requires or permits; and no direction of any contractors or persons shall excuse him for non-compliance with any of said ordinances.

§ 10. That every person shall observe and obey each and every special regulation, and every order of this Board that is or may be made for carrying into effect any of the ordi-

nances or powers hereinbefore or hereinafter contained, or contained in any law of this State, or otherwise, whether issued directly by the Board, or promulgated by any bureau charged therewith, as if the same had been herein inserted at length.

#### ENFORCEMENT OF ORDINANCES.

§ 11. That the Inspectors of this Department, and its proper officers and agents, shall make the inspections and examinations required by law; that the Board of Police of the city of Brooklyn do execute, and cause to be executed, all the orders of this Board when so specially ordered; and all persons are hereby forbidden to interfere with or obstruct such inspection, examination or execution.

§ 12. That, except as herein specially or otherwise provided, or as may be hereafter provided, or as is otherwise made necessary by the laws of the State, the Board of Police of the Police Department shall, through its proper officers and men, and as near as may be according to its existing regulations, or amendments to be made thereto, on advice with this Board, and subject to the supervision of this Board, carry into effect and exercise the sanitary powers heretofore exercised by the Board of Police; and that said Board of Police shall keep this Department regularly advised of its action in that behalf, and shall conform to these and all future ordinances, and to all special regulations of this Board.

#### BILLS OF HEALTH.

§ 13. That no person, officer or board within said city (except this Board or its proper officers, or proper officers of any bureau of this Department, and as the regulations of this Board shall provide) shall

grant, sign or deliver any certificate or "bill of health."

#### MEDICINES, ADULTERATIONS AND POISONS.

§ 14. That no doctor, druggist or other person shall make, sell, put up, prepare or administer, any prescription, decoction or medicine under any deceptive or fraudulent name, direction or pretence; nor shall any false or deceptive representation be made by any person to any other as to the kind, quality, purpose, or effect, of any such or other drug, medicine, decoction, drink or other article offered or intended to be taken as food or medicine.

§ 15. That no poisonous medicine, decoction or substance shall be held for sale or sold, except for lawful purposes and with proper motives, and by persons competent to give the proper directions and precautions as to the use thereof; nor shall any bottle, box, parcel or receptacle thereof be delivered to any person unless the same is marked "poison," nor to any person whom the party de-

§ 16. That no person, owner or keeper of any licensed house, lodging house, boarding house or manufactory shall keep up within the same to be purchased, or used for any purpose a number of persons or guests, or to keep in any such house, at any given time, all or a party to cause any danger or detriment to health.

§ 17. That no person, owner or keeper of any licensed house, lodging house, boarding house or manufactory shall keep up within the same to be purchased, or used for any purpose a number of persons or guests, or to keep in any such house, at any given time, all or a party to cause any danger or detriment to health.

ture which, or any part of which, shall be inadequate or defective in respect to ventilation, light, sewerage or any of the usual, proper or necessary provisions or precautions for the preservation of health, nor shall the builder, lessee, tenant or occupant of any such, or of any other building or structure (within the right or ability of either to remedy or prevent the same), cause or allow any matter or thing to be or to be done in or about any such building or structure dangerous or prejudicial to health.

§ 18. That no owner, agent, or lessee of any building, or any part thereof, shall lease or let, or hire out the same, or any portion thereof, to be occupied by any person, or allow the same to be occupied as a place in which any one may dwell or lodge, except when said buildings or such parts thereof are sufficiently lighted, ventilated, provided and accommodated, and are in all respects in that condition of cleanliness and wholesomeness for which this code or any law of this State provides, or in which they or either of them

or  
or

... shall be held liable for the same, and shall be subject to the supervision of the Board, every one who, and exercising the authority conferred upon them by the Board of Police, and that said Board of Police shall keep this Department regularly advised of its actions in that behalf, and shall conform to those and all future ordinances, and to all special regulations of the Board.

#### DEPARTMENT OF HEALTH

§ 19. That no person, other than a licensed physician and duly licensed the holder of a proper license, or person acting in the name of the Department, and in the regulation of this Board shall practice

will not before using any water to wash the same, and any substance that cannot be before scraped away shall be washed or allowed to be carried or be put into the sewer, or into

§ 19. That no person having the right and power to prevent the same, shall knowingly cause or permit any person to sleep or remain in any cellar, or in any place dangerous or prejudicial to health, by reason of a want of ventilation, or drainage, or by reason of the presence of any poisonous, noxious or offensive substance or otherwise.

§ 20. That no owner, lessee or keeper of any tenement house, lodging-house, boarding house or manufactory shall cause or allow the same to be overcrowded, or cause or allow so great a number of persons to dwell, be or sleep in any such house, or any portion thereof, as thereby to cause any danger or detriment to health.

and shall be made clean and wholesome and shall not be put into any sewer or drain

§ 21. That it shall be the duty of all boards, departments, officers and persons having power and authority so to do or to cause to be done (not to the extent thereof), to cause to be used sufficient water and other adequate means to be taken so that whenever vehicles may enter any street and deposit filth along and down the same, and that the same water and other means shall be used to wash off the filth and to prevent the same from being deposited in any place or premises to health.

§ 22. That the proper officers and authorities, and for the use of their power and boarders, and workers thereat, adequate privies or water-closets, and the same shall be so adequately ventilated, and shall at all times be kept in such cleanly and wholesome

outlet or sewer, or through any such privy or water-closet, shall be allowed, by any person aforesaid, to pass into such house or any part thereof, or into any other house or building.

§ 23. That every owner, lessee and tenant, and manager of any boarding-house or manufactory, shall cause every part thereof and its appurtenances to be put, and shall thereafter cause the same to be kept in a clean and wholesome condition, and shall speedily cause every department thereof in which any person may sleep, dwell or work, to be adequately lighted and ventilated ; and if the same be a manufactory, shall cause every part thereof in which any person may work to be maintained at such temperature, and

§ 25. That every person when cleaning any street, shall clean, and every contractor shall cause to be cleaned, the gutters and parts of the streets along which the water

will run before using any water to wash the same ; and no substance that could be before scraped away shall be washed or allowed to be carried or be put into the sewer, or into any receptacle therewith connected.

§ 26. That it shall be the duty of every person using, making or having any drain, soil pipe or passage to connect with any sewer (or with either the East river and any canal), and any ground, building, erection or place of business, and in like manner the duty of the owner and tenant of all grounds, buildings and erections, and of the parties interested in such place of business, or the business thereat, and in like manner the duty of all boards, departments, officers and persons (to the extent of the right and authority of each), to cause and require that such drain, soil-pipe, passage and connection shall at all times be adequate for its purpose, and such as shall convey and allow freely and entirely to pass whatever enters or should enter the same.

§ 27. That it shall be the duty of all boards, departments, officers and persons having power and authority so to do or require (and to the extent thereof), to cause to be used sufficient water and other adequate means to be taken so that whatever substances may enter any sewer shall pass speedily along and from the same, and sufficiently far into some water or proper reservoir, so that no accumulations shall take place, and no exhalations from thence proceed, dangerous or prejudicial to health.

§ 28. That the proper officers and authorities shall, to the extent of their power and ability, cause the sewers and drainage of said city to be so well located and constructed, so adequate in size, and to be so kept in repair and cleaned, and so adequately supplied with

water, and with such proper arrangements and constructions in every particular, that life and health shall not be needlessly exposed, or suffer unnecessary peril or detriment by their neglect, or by reason of the defects or deficiencies of any sewers or drainage, or the want thereof.

#### FOOD AND DRINK.

§ 29. That no meat, fish, birds or fowl, or vegetables, nor any milk, not being then healthy, fresh, sound, wholesome and safe for human food, nor any meat or fish, that died by disease or accident, shall be brought within said city, or offered or held for sale in any public or private market, as such food anywhere in said city.

§ 30. That no calf, pig or lamb, or the meat thereof, shall be brought, held or offered for sale, as such food, in said city, which, at the date of its death (being a calf), was less than four weeks old; or (being a pig), was, when killed, less than five weeks old; or (being a lamb), was, when killed, less than eight weeks old. Nor shall any meagre, sickly or unwholesome fish, birds or fowl be bought, held, sold or offered for sale, as such food, in said city.

§ 31. "That no cattle shall be killed for human food while in an overheated, feverish or diseased condition; and all such diseased cattle in the city of Brooklyn, and the place where found and their disease, shall at once be reported to the Department of Health by the owner or custodian thereof, and it shall be the duty of every veterinary surgeon, owner or person having the charge, care or custody of any horse, ass, mule, colt, ox, milch cow, calf, sheep or goat or any other animal affected with glanders or farcy, pleuro-pneumonia, tuberculosis or other disease infec-



... have ceased dripping therefrom) after its killing, nor until the entrails, head (unless the same be skinned), hide, horns and feet shall have been removed. Nor shall gut-fat, or any unwholesome or offensive matter or thing be brought to or near any such market.

§ 33. That no person shall, in the built-up portion of the City of Brooklyn, or adjacent thereto, sell or have for sale, in or from any vehicle, or in any street or public place, without a permit from the Department of Health, any fish from which all parts which are not usually cooked for food have not been removed.

[Passed by Common Council, April 29, 1895. Became an Ordinance May 14, 1895.]

§ 34. That no decayed or unwholesome vegetables shall knowingly be brought into said city to be consumed or offered for sale for human food, nor shall any such articles be kept or stored therein.

§ 35. That no person, being the manager or keeper of any saloon, boarding house, or lodging-house, or being employed as a clerk, servant or agent thereat, shall therein or thereat offer or have for food or drink, or to be eaten or drank, any poisonous, deleterious or unwholesome substance, nor allow anything therein to be done or to occur prejudicial to health.

§ 37. That no meat, fish, vegetables or milk, or unwholesome liquid, shall knowingly be bought, sold, held, offered for sale, labeled, or any representation made in respect thereof under a false name or quality, or as being what the same is not, as respects wholesomeness, soundness or safety for food or drink.

§ 38. That every person being the owner, lessee, or occupant of any room, stall, or place where any meat, fish or vegetables, designed or held for human food, shall be stored or kept, or shall be held or offered for sale, shall put and keep such room, stall and place, and its appurtenances, in a clean and wholesome condition; and every person having charge, or interested, or engaged, whether as principal or agent, in the care or in respect to the custody, or sale of any meat, fish, birds, fowl or vegetables designed for human food, shall put and preserve the same in a clean and wholesome condition, and shall not allow the same, or any part thereof, to be poisoned, infected or rendered unsafe or unwholesome for human food.

§ 39. That no butcher or dealer shall keep in any market any refrigerator or ice box, unless the same shall be lined with lead or

therefrom to the nearest gutter or proper waste pipe.

§ 40. That it shall be the duty of every person knowing of any fish, milk, meat, fowl, birds or vegetables being bought, sold or offered or held for sale as food for human beings, or being in any market, public or private, in said city, and not being sound, healthy or wholesome for such food, to forthwith report such facts and the particulars relating thereto, to this Department or to one of its officers or inspectors.

§ 41. That no person shall, without consent of this Board, bring into said city for use as a drink for human beings, or offer or have for sale in said city, as such drink, any poisonous or deleterious liquid.

§ 42. That upon any cattle, milk, meat, birds, fowl, fish or vegetables being found by any Inspector or other officer of this Department, in a condition which is in his opinion unwholesome and unfit for use as human food, or in a condition, or of a weight or quality in this code condemned or forbidden, he is empowered, authorized and directed to immediately condemn the same and cause it to be removed to the offal or garbage dock for destruction, and report his action to the Department without delay.

§ 43. That no person shall sell or give to any other person, or permit such other person to get (having the right and ability to prevent the same) any drink, food or dress, when such first-named person may have reason to think or believe that such drink, food or dress may cause danger or detriment to life.

§ 44. That no distiller, or brewer, or other person, shall manufacture, or have or keep for sale, any liquid designed for drink or

beverage for human beings which would be, if used, dangerous or detrimental to life or health.

§ 45. That no person shall sell or deliver, or have for sale or otherwise, in the city of Brooklyn, any milk from cows or other animals, without a permit therefor, in writing, from this Board. No person shall have at any place where milk, butter or cheese is kept for sale, nor shall at any place sell, or deliver, or offer, or have for sale, or keep for use, nor shall any person bring or send to said city any unwholesome, skimmed, watered or adulterated milk, or milk known as "swill milk," or milk from cows or other animals that for the most part have been kept in stables, or that have been fed in whole or in part on swill, or milk from sick or diseased cows or other animals, or any butter or cheese made from any such milk, or any unwholesome butter or cheese. Nor shall any person sell or deliver, nor have for sale, nor keep in said city, any milk of a less specific gravity than 1,029 (distilled water being 1,000), at a temperature of 60 degrees Fahrenheit.

§ 46. That no person shall throw or allow to run or pass into any public reservoir, water-pipe, or aqueduct, or into or upon any border or margin thereof, or excavation or steam therewith connected, any animal, vegetable or mineral substance whatever; nor shall any person allow the same to be done (having power or right to prevent the same); nor shall any person do or permit to be done (having right or power to prevent the same), any act or thing that will impair or imperil the purity or wholesomeness of any water or other fluid used or designed as a drink in any part of said city; nor shall any person bathe nor (except in the discharge of public duty)

anywise injure or impair any drinking hydrant, or part thereof, in the said city ; nor shall any person interfere with the use of or enjoyment of the water therein, or therefrom, or interrupt the flow thereof, or as a drink ; nor shall any person put any dirty, poisonous, medicinal or any noxious substance into or near said water or hydrant whereby such water is made or may be regarded as dangerous or unwholesome as a drink.

#### CATTLE, HORSES, ETC.

§ 49. That no cattle, sheep, horse, goat, goose or mule, or any dangerous or offensive animal, shall be allowed by any owner, or by any person having charge of, or who shall have charge of the same, to go at large in any street or public place in the city of Brooklyn.

beverages for human beings which would be, if used, dangerous or detrimental to life or health.

§ 49. That no person shall sell or deliver, or have for sale or otherwise, in the city of Brooklyn, any milk from cows or other animals, without a permit therefor, in writing, from this Board. No person shall have at any place where milk, butter or cream is kept for sale, nor shall at any place sell, or deliver, or offer, or have for sale, or keep for use, except all such persons bring or send to this city any milk, cream, butter, watered or adulterated milk, or milk known as "swill milk," or milk from cows or other

§ 50. That no person shall allow any pig, swine or goat to run at large in said city, and no person shall, within the limits of said city, keep or permit to be kept, any pig, swine or goat, without a permit to do so from this Board.

§ 51. That no cattle shall be kept in any place of which the water, ventilation and food are not sufficient and wholesome for the preservation of their health, safe condition and wholesomeness of food.

§ 52. That no person shall keep or allow to be kept in any building or any premises, or on grounds of which he may be the owner, lessee, tenant or occupant, more cows or other cattle than at the rate of fifteen to an acre, or on an average, one to a city lot (in or near the built up portions of said city), with-

out a permit from this Board. And no person shall permit any person to keep or allow to be kept in any building or any premises, or on grounds of which he may be the owner, lessee, tenant or occupant, more cows or other cattle than at the rate of fifteen to an acre, or on an average, one to a city lot (in or near the built up portions of said city), without a permit from this Board. And no person shall permit any person to keep or allow to be kept in any building or any premises, or on grounds of which he may be the owner, lessee, tenant or occupant, more cows or other cattle than at the rate of fifteen to an acre, or on an average, one to a city lot (in or near the built up portions of said city), without a permit from this Board.

§ 24. That neither the business of slaughtering cattle, nor the keeping of any slaughter-house, nor the yarding of cattle, shall be begun, or either taken at any new or additional place within the city of Brooklyn, except pursuant to a permit from the Board, nor shall any person or persons be engaged in slaughtering or yarding, or any other business connected therewith, without a permit from the Board.

§ 25. That no person shall employ or engage as, or in any public market, stall or in any public place, or in any place to be used in the city of Brooklyn, any animal, without a permit therefor from the Board.

§ 26. That every person who shall employ or engage as, or in any public market, stall or in any public place, or in any place to be used in the city of Brooklyn, any animal, without a permit therefor from the Board, shall be liable to a fine of five dollars for each offense, and the Board may, at its discretion, suspend or revoke any permit granted by it.

And no permit shall be granted for the slaughtering of cattle, within the district bounded by Newtown Creek, Metropolitan avenue, Grand street, Bushwick, Flushing and Washington avenues and the East River, after the 1st day of May, 1879; and no

§ 50. That no person shall allow any pig, swine or goat to run at large in said city, and no person shall, within the limits of said city, keep or permit to be kept, any pig, swine or goat, without a permit to do so from this Board.

§ 51. That no cattle shall be kept in any place of which the water, ventilation and feed are not sufficient and wholesome for the preservation of their health, safe condition and wholesomeness of food.

§ 52. That no person shall keep or allow to be kept in any building or any premises or on grounds of which he may be the owner, lessee, tenant or occupant, more cows or other cattle than at the rate of fifteen to an acre, or on an average, one to a city lot (if near the bulk or station, ~~in~~ city), with-

§ 58. That no building occupied wholly or partly as a slaughter-house, or any part thereof, or any building on the same lot, shall, without a special permit from this Board, to be occupied for a dwelling or lodging place; that every such building shall at



§ 59. That neither the business of slaughtering cattle, nor the keeping of any slaughter-house, nor the yarding of cattle, shall be begun or undertaken at any new or additional place within the city of Brooklyn, except pursuant to a permit from this Board; nor shall any person or corporation keep any slaughter-house or yard, or any cattle therein, hereafter, without a permit from this Board.

§ 60. That no person shall kill or dress any animal or meat in any market, nor have, or permit to escape therein, or within one hundred feet thereof, any poisonous, noxious, or offensive substance.

§ 61. That no person shall become or continue, or engage as, or in the business of a butcher, at or in any public or private market or stand in the city of Brooklyn, without a permit therefor from this Board.

§ 62. That every butcher and milk dealer, and their agents, shall allow the parties authorized by this Board, to freely and fully inspect their cattle and meats, fish and vegetables, held, offered, or intended for sale, and will be expected to answer all reasonable and proper questions asked by such persons relative to the condition thereof, and of the places where such articles may be.

§ 63. That no offal or butchers' refuse

ing or keeping for sale of any fish, meat, birds, fowl or vegetables, shall, without a permit from this Board, expose the same upon any portion of any street or sidewalk, or public place in the city of Brooklyn.

§ 65. That no person, being owner, lessee or tenant of any house or building, shall allow any water or other liquid to run from or out of his building or ground upon or across any sidewalk or curbstone, and if such substance is allowed by this Board to pass upon any street it must reach the same by a passage, to be kept at all times adequate and in repair by such person, under such flagstone or through such curbstone; and no such water or other liquid, or ice therefrom, shall be allowed to gather or remain on the upper surface of such curb, flagstone or passage; nor shall such person allow any accumulation of such water or liquid, or the ice therefrom, upon any street or place, but shall, at all times, cause the same to be removed, or to pass along the gutter or some proper passage to one of the rivers, or into a sewer.

§ 66. That every owner, lessee, tenant and occupant of any building or lot in the built-up portions of the city of Brooklyn, shall, within two hours after the fall of any snow exceeding one inch in depth, and within two hours after the forming of any ice on the

sidewalk or in the gutter, in front of or against the side of any such building or lot, remove or cause the same to be removed, from such sidewalk and gutter, or in case of great difficulty in removing such ice, that every such person do sprinkle or cause to be sprinkled thereon sand or ashes, so that traveling thereon shall not be perilous; but that where said snow falls or ice forms between the hours of eight o'clock of the evening and daylight in the morning, this ordinance will be complied with by removing or sprinkling the same with sand or ashes within two hours after the sunrise succeeding the fall of such snow or the formation of such ice.

§ 67. That no keeper of any public pound in the city of Brooklyn shall allow the same, or any animal therein, by reason of any want of care, food, ventilation or cleanliness, or otherwise, to be or become dangerous or detrimental to human health.

#### DOGS, ETC.

§ 68. That no person shall take, or call any dog into or allow any dog to go into any street or public place in the city of Brooklyn unless such dog is properly and securely muzzled; and any police officer finding any dog in any street or public place in violation of this ordinance shall immediately kill such dog.

§ 69. That every animal which is mad, or has the hydrophobia, or shows symptoms thereof, shall by the person owning the same, or having the possession, charge or control thereof, be at once killed; and every animal that has been exposed to such disease, shall be at once confined in some secure place for such length of time as to show that such exposure has not given such animal said disease and so as to avoid all danger to life or

health. And the dead body of any animal that died of such disease shall be at once, by such person, buried not less than three feet under ground, at some place not within one thousand feet of any residence.

#### OFFENSIVE ODORS AND LIQUID.

§ 70. That no person shall permit or have any offensive water or other liquid or substance on his premises or grounds to the prejudice to life or health, whether for use in any trade or otherwise; and no establishment or place of business for tanning, skinning, or scouring, or for dressing hides or leather, or for carrying on any offensive or noisome trade or business, shall hereafter be opened, started or established in the city of Brooklyn without a permit from this Board. And every such establishment now existing shall be kept cleanly and wholesome, and be so conducted in every particular as not to be offensive or prejudicial to life or health.

§ 71. That no person or company being a manufacturer of gas, or engaged about the manufacture thereof, shall throw or deposit or allow to run, or having the right or power to prevent the same, shall permit to be thrown or deposited in any public waters, river or stream, or into any sewer therewith connected, or into any street or public place, any gas-tar, or any refuse matter of or from any gashouse, works or manufactory; nor shall any such person or company allow any substance or odor to escape from such house, works or manufactory, or make any gas of such ingredients or quality that any substance shall escape therefrom, or be formed in the process of burning any gas, which shall be offensive or dangerous, or prejudicial to life or health. Nor shall any such person

or company fail to use the most approved, or all reasonable means, for preventing the escape of odors.

§ 72. That no water-closet, sink, tub, vat or other structure shall hereafter be constructed within the city of Brooklyn having connection with, or by, any sewer or underground passage, unless the same is provided with adequate or the best generally approved constructions and precautions for preventing gases and other offensive currents, substances and smells from passing up or out through such connection from such sewer or passage; nor shall any such water-closet or privy be constructed without adequate provisions for the effectual and proper ventilation and

gerous or detrimental to life or health, be hereafter established within said city; and no business or pursuit of the kind in this section named shall be carried on anywhere in said city, unless the same shall be allowed by a permit of this Board.

nor shall the business of bone crushing, bone boiling, bone grinding, bone burning, shell burning, gut cleaning, nor the skinning of or making of glue from any dead animal, or part thereof,

nor the storage or keeping of scrap, fat or grease, or offensive animal matter, be permitted or conducted at any place in the city of Brooklyn; nor shall any business hereinbefore mentioned be conducted at any place in the city of Brooklyn without a special permit from this Board; nor shall the business of boiling or rendering the fresh lard fat, or tallow aforesaid, be conducted within said city, without a like special permit from this Board; and such permit must be applied for in writing, specifying the nature and precise location of the proposed business, and such application will not be acted upon until the second regular meeting, two weeks after such application.

§ 76. That no person shall hereafter erect, start or establish in said city, without the consent of this Board, any manufactory or place of business for boiling any varnish or oil, or for the distilling of any ardent or alcoholic spirits, or for making any lamp-

business that is of w  
or detrimental to health.

§ 77. That no animal or vegetable substance nor street sweepings, muck or silt, nor dirt gathered in cleaning yards, buildings,

accumulate during thirty-six hours; from such building or place of business, or the person thereof of which such person may be the owner, tenant, lessee, or occupant; and every such box, basket, receptacle designed to hold ashes shall be lined with some suitable material. That receptacles shall be provided for refuse and rubbish, and another for garbage and liquid substances, and ashes and rubbish shall not be placed or kept in the same vessel with garbage and liquid substances; and all ashes, rubbish, garbage and liquid substances that should be removed from such building and place of business, or from that part for which said receptacles were provided, shall be removed (without the proper consent) shall be placed thereon, and no such box, basket, or receptacle shall be placed on the sidewalk, or in any other public place, and shall be removed by the city or by the owner thereof.

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§ 85. That such boxes, baskets and receptacles shall be placed and kept in such position (unless kept within or upon private grounds, within the sidewalks) as the inspectors or agents of this Board shall provide or direct; and no person, not for that purpose authorized, shall interfere therewith or with the contents thereof.

§ 86. That all receptacles so provided, immediately after delivery thereof, shall be taken directly to the proper receptacle for removal at any hour of the day, and shall not be present; and all such boxes, baskets and receptacles from receptacles delivered at any hour shall be removed at such hour; and such boxes, baskets and receptacles shall not be highly filthy or offensive; and in the latter case, the same shall not be so delivered or received during the period from twelve o'clock A. M. of any day until ten o'clock of the evening of the same day.

§ 83. That no person shall draw off, or allow to run into any ground, street, or place of said city, the contents (or any part thereof) of any vault, privy, cistern, cess-pool or sink; nor shall any owner, tenant or occupant of any building to which any vault, sink, privy or cess-pool shall appertain, or be attached, permit the contents, or any part thereof, to flow therefrom, or to rise within two feet of any part of the top, or said contents to become offensive; nor shall any privy, or other erection in this section mentioned, be filled with, or covered with dirt, till its filthy contents shall be emptied.

§ 84. That no person shall throw into, or deposit in any vault, sink, privy, or cess-pool, any offal, ashes, meat, fish, garbage or other substance, except that of which any such place is the appropriate receptacle; nor shall any slops or kitchen waste be permitted to run into any privy or cess-pool, except the same be connected with the sewer.

§ 85. That neither the contents of any such tub, or of any receptacle, cess-pool, privy, vault, sink, or water-closet, cistern, nor anything in any room, excavation, building, premises, or place, shall be allowed to become a nuisance, or offensive, so as to be dangerous or prejudicial to health.

§ 86. That every tub or other receptacle



contents) to be offensive. And the provisions of this code relative to emptying cess-pools, and to throwing any substance therein, shall apply to said tubs and receptacles as if here repeated and applied thereto.

And no person shall throw, drop, or allow to fall into the East River, any canal, or into any street or place, any substance being, or having been part of, the contents of any such vault, cess-pool, privy, sink, tub or receptacle, or any offal.

§ 87. That no person shall deposit upon any street or public place within the generally built-up portion of the city of Brooklyn, or upon any paved street, any dirt or brick or other material or dirt taken from any ground therein, in such manner as to obstruct the free flowage along any gutter.

§ 88. That it shall be the duty of every owner, tenant, lessee, and occupant of any and every building or place of business in the generally built-up portions of the city of Brooklyn, forthwith to provide, or cause to be provided, and at all times thereafter to keep and be kept provided within such building or place of business, suitable and sufficient boxes, barrels or tubs for receiving and holding, without leakage, and without being filled to within four inches of the top thereof, all the ashes, rubbish, garbage and liquid substances, of whatever kind, that may

accumulate during thirty-six hours, from said building or place of business, or the portion thereof of which such person may be the owner, tenant, lessee, or occupant; and every such box, barrel and tub designed to hold ashes shall be made of or lined with some suitable metal. That a separate vessel shall be provided for ashes and rubbish, and another for garbage and liquid substances; and ashes and rubbish shall not be placed or kept in the same vessel with garbage and liquid substances; and all ashes, rubbish, garbage and liquid substances that should be removed from such building and place of business, or from that part for which said receptacles were provided, and none other (without the proper consent) shall be placed therein, and no such box, barrel or tub, shall remain on any sidewalk, or in any public place, longer than may be needful for the removal of the contents thereof.

§ 89. That such boxes, tubs and barrels shall be placed and kept in such position (unless kept within or upon private grounds, within the sidewalks) as the inspectors or agents of this Board shall provide or direct; and no person, not for that purpose authorized, shall interfere therewith or with the contents thereof.

§ 90. That all occupants, so preferring, may deliver their ashes, garbage and rubbish directly to the proper carts, to be taken away at any hour of the day when said carts may be present; and said carts may take such articles from receptacles delivered at any such hour; provided that such garbage or rubbish be not highly filthy or offensive; and in the latter case, the same shall not be so delivered or received during the period from seven o'clock A. M. of any day until ten o'clock of the evening of the same day.

[As amended February 5, 1894.]

§ 91. That no lime, ashes, coal, dry sand, hair, feathers or other substance that is in a similar manner liable to be blown by the wind, shall be sieved, or agitated, or exposed, nor shall any mat, carpet or cloth be shaken or beaten, nor any cloth, yarn, garment or material, or substance, be scoured, cleaned or hung, nor any business be conducted over or in any street or public place, or where it, or particles therefrom, or set in motion thereby, will pass into any such street or public place, or into any occupied premises, nor shall any carpet or rug exceeding ten feet square be beaten in any private yard within one hundred feet of any dwelling house. That neither any usual nor any reasonable precaution shall be omitted by any person to prevent fragments or other substances from falling, to the peril of life, or dust and light material flying into any street, place or building, from any building or erection, while the same is being altered, repaired or demolished, or otherwise.

§ 92. That every owner, lessee, tenant and occupant of any stall, stable or apartment, in which any horse, cattle or swine, or any other animal shall be kept, or of any place in which manure or any liquid discharge of such animals shall collect or accumulate, within the built-up portion of said city shall cause said liquid or manure to be at once removed to some proper place, and shall at all times keep or cause to be kept such stalls, stables and apartments, and the drainage, yard and appurtenances thereof in a cleanly and wholesome condition, so that no offensive smell shall be allowed to escape therefrom; and when within three hundred feet of any occupied dwelling house, or of any manufactory where more than five persons are employed,

the removals from the stable shall not be made, nor shall the manure or refuse from the stable be allowed to remain on any street or place near such stable, any time between eight o'clock A. M. and six o'clock P. M., without a permit from this Board.] Every such stall, stable, or apartment where horses or cattle are kept, shall have a properly covered water-tight manure vault or box, which shall not be allowed to become filled. [But the Sanitary Superintendent is authorized to issue permits, to be regularly reported to this Board, regulating such removal within said hours.]

*see also 105*

§ 93. That no person shall empty, or attempt to empty, any vault, sink, privy, or cess-pool in the city of Brooklyn, except pursuant to a permit therefor first received from this Board.

§ 94. That no part of the contents of any privy, vault, sink, cess-pool, except substances other than excrements insoluble in water, or any accumulation of any offensive fluid, liquid, or semi-liquid substance or material, being in any excavation, cellar or place, within the limits of the city of Brooklyn, shall be removed therefrom, nor shall the same be transported through any of the streets or avenues of said city, unless and except the same shall be removed and transported by means of an air-tight apparatus, or in such a manner as shall prevent entirely the escape of any noxious or offensive odors therefrom, and by a permit from this Board.

§ 95. That the drivers of all carts for the removal of any garbage, offal, rubbish, or dirt from any building or premises, shall give adequate notice to those dwelling in any street whose buildings or premises such cart is about to or should approach for the removal of any substance aforesaid.

§ 96. That no person shall engage in the business of a scavenger, or of transporting manure, swill, ashes, offal, rubbish or garbage, or any offensive or noxious substance, or in driving any cart for such purpose in the city of Brooklyn (except the persons acting under the Street Cleaning Commissioners, or of the contractors for cleaning the streets, and as this Department may provide), until he shall have first received a permit from this Department of such form and effect as the regulations of the Department shall provide, authorizing such person so to engage.

“That no individual or corporation shall bring, cart or carry, or in any manner convey into the city of Brooklyn, any offal, butcher's refuse, bones, hocks, pates, or any kind of animal scraps. Nor shall oyster or other fish shells be carted, brought or conveyed into the city of Brooklyn except pursuant to a permit therefor first received from the Department of Health.”

[As amended May 29th, 1893.]

§ 97. That every cart and other vehicle hereafter constructed for or engaged about any business, or intended to be loaded with any matter or substance, in the last section mentioned, shall be constructed according to this code, and to the regulations and orders of the Board of Health.

§ 98. That no cart or other vehicle for carrying any offal, swill, garbage or rubbish, or the contents of any privy, vault, cess-pool or sink, or having upon it or in anything on such cart any manure, or other nauseous or offensive substance, shall, without necessity therefor, stand or remain, nor shall a needless number gather before or near any building, place of business or other premises where any person may be; nor shall any cart or vehicle occupy an unreasonable length of time in

loading or unloading, or in passing along any street, or through any inhabited place or ground; nor shall any such cart or vehicle, or the driver thereof, or anything thereto appertaining, be (or by any person having a right to control the same, be allowed to be) in a condition needlessly filthy or offensive; and when not in use, all such carts, vehicles and all implements used in connection therewith, shall be stored and kept in some place where no needless offence shall be given to any of the people of said city.

§ 99. That all carts and vehicles in the last section mentioned, and boxes, tubs and receptacles thereon, in which any substance in said section referred to may be or be carried, shall be strong and tight, and the sides shall be so high above the load or contents that no part of such contents or load shall fall, leak or spill therefrom; and that when, in the opinion of this Board, it is necessary to prevent the contents of such carts or vehicles, tubs or boxes, or receptacles from being offensive, each of such carts, tubs and boxes and receptacles shall be adequately and tightly covered, as the orders or regulations of this Board may provide or direct.

§ 100. That no driver of such cart or vehicle, nor any person having undertaken or being engaged about the loading or unloading thereof, nor any person or persons engaged about the cleaning or emptying, or having undertaken to empty or remove any manure, garbage, offal, or the contents of any vault, sink, privy, cess-pool, or any noxious or offensive substance, shall do or permit to be done about the same, or in connection therewith, that which shall be needlessly offensive or filthy in respect to any person, street, place, building, or premises, and all carts or

vehicles shall be thoroughly disinfected and put in an inoffensive condition when not in use.

§ 101. That no person shall allow (and it shall be the duty of every contractor and person who has ordered or procured, or is having any of the following articles carried, or who is driving the same, to prevent) any cart or vehicle to be so fully loaded, or being in such bad condition of repair, or of such faulty construction, or being so improperly driven or managed, that any offensive liquid, or any manure, garbage, rubbish, offal, dirt, or material thereon, shall fall upon or in any place, street, or premises; and it shall be the duty of every such person to at once replace on such vehicle and remove what has so fallen.

§ 102. That all putrid and offensive matter, and all night soil and the contents of sinks, privies, vaults and cess-pools, and all noxious substances in said city, shall, before their removal or exposure, be disinfected and rendered inoffensive, by the owner, lessee or occupant of the premises where the same may be (or in default of the same being so done) by the person or contractor who removes or is about to remove the same.

§ 103. That neither the owner, tenant, nor occupant of any building or premises, in the built-up portions of the city of Brooklyn, shall employ, cause or permit any part of the contents of any vault, privy, sink, or cess-pool (being thereon, and of which he has control) to be removed, unless according to a permit or the regulations of the said Board.

§ 104. That no pile or deposit of manure, offal, dirt or garbage, or any accumulation of any offensive or nauseous substance, shall be made within the built-up portions of the city of Brooklyn, or upon any open space

enclosed within any portions thereof, or upon the piers, docks or bulkheads adjacent thereto, or upon any open grounds near (or upon any vessel or scow other than those to be speedily, and according to the duty of

accumulation thereof be made, within one hundred feet of any street, without a permit from this Department]

§ 105. [That no pile or deposit of manure, offal, or garbage, nor accumulation of any offensive or nauseous substance, shall be made within the limit of said city ;

§ 106. That no manure, garbage, or other material that is liable to emit an offensive



exhalation, shall, in or adjacent to the built-up portions of the city of Brooklyn, be turned or stirred (except about its removal), in such way as to be liable, by reason thereof, to increase such exhalations.

§ 108. That no hotel or house swill or garbage, or offensive material of a liquid nature, or partly liquid nature, not removed or required to be moved by the contractors for street cleaning, shall be transported through or along any street in the city of Brooklyn, except in tightly covered and

any person not being therein or thereupon engaged.

§ 110. That every furnace employed in the working of engines by steam, or in any mill, factory, printing house, dye-factory, iron-foundry, glass-house, distillery, brew-house, sugar refinery, bake-house, gas-works, or in any other buildings used for the purpose of trade, or manufacture, shall be so constructed as to consume or burn the smoke arising therefrom, unless a permit to the contrary be obtained from this Board.

§ 111. That no vault, privy, sink, cistern or cess-pool shall hereafter be made or rebuilt in the city of Brooklyn, except in accordance with the regulations of this Board; and no privy shall be built within two feet of the line of any lot.

#### DISEASED ANIMALS.

§ 112. That no diseased or sickly horse, cattle, swine, sheep, dog or cat, or other animals, nor any that have been exposed to any disease that is contagious among such animals, shall be brought into the city of Brooklyn.

§ 113. That no person shall keep, retain, or allow or employ to be kept or retained, at any place within or adjacent to the built-up portions of the city of Brooklyn, any horse, ass or colt having the disease known as glanders or farcy.

#### DEAD, SICK AND INJURED ANIMALS.

§ 114. That no person shall leave in or throw into any place or street, or public water, or offensively expose or bury the body (or any part thereof) of any dead or fatally sick or injured animal; nor shall any person keep any dead animal, or any offensive meat, bird, fowl or fish in a place where the same may be dangerous to the life or detrimental to the health of any person.

§ 115. That any animal, being in any street or public place, within or adjacent to the built-up portions of Brooklyn city, and appearing in the estimation of any officer or inspector of this Board (and of two discreet citizens, called by such officer, or inspector to view the same in his presence) injured or diseased past recovery for any useful purpose, and not being attended and properly cared for by the owner, or some proper person to have charge thereof for the owner; or not having been removed to some private premises, or to some place designated by such officer or inspector within one hour after being found or left in such condition, may be deprived of life by such officer or inspector, or as he may direct, and shall thereafter, unless at once removed by the owner or proper person, be treated as any other animal found on a street or place.

§ 116. That any person having a dead animal, or an animal past recovery, and not killed for and proper for use as meat or fish, or in an offensive condition, or sick with an infectious or contagious disease, on his premises in said city, and every person whose animal, or any animal in his charge, or under his control, in any street or place, may die or become, or be in a condition past recovery, shall at once remove or cause the removal of such animal, dead or alive, to some proper place; and when such place may be designated by this Board, to the place so designated.

§ 117. That every person having within his possession or control, or upon any premises occupied or owned by him, any dead animal not proper for food and liable to become noxious and detrimental to health, shall at once give notice thereof to the officer in

charge of the nearest police station, and such officer shall at once cause notice thereof to be given to this Board.

§ 118. That no person other than the inspectors or officers of this Board, or the Board of Police, or persons thereto authorized, shall in any way interfere with such dead, sick or injured animal in any street or place, and no person shall skin or wound such animal in such street or public place, unless to terminate its life as herein authorized, except that the owner or person having control of such animal may terminate the life thereof in the presence and by the consent of a policeman, or an inspector or officer of this Board.

§ 119. That no person shall obstruct, delay or interfere with the proper and free use, for the purposes for which they may be and should be set apart and devoted, of any dock, pier or bulkhead, set apart for the use of any contractor or person engaged in removing any offal, garbage, rubbish, dirt, dead animal, night soil, or other like substances, or with the proper performance of such contracts.

§ 120. That it shall be the duty of every contractor and person (his agents and employees) who has contracted or undertaken to remove any diseased or dead animal, offal, rubbish, garbage, dirt, street sweepings, night soil, or other filthy, offensive or noxious substances, or is engaged about any such removal, or in loading or unloading of any such substance, to do the same with dispatch, and in every particular in a manner as cleanly and little offensive, and with as little danger and prejudice to life and health as possible.

§ 121. That no street sweepings or other noxious material shall lay piled up, or partially raked together, in any street or place before the removal thereof, more than a reasonable time, nor for more than four hours in the daytime, under any circumstances.

§ 122. That no ship, boat or other vessel or article shall be taken or allowed by any person to come into or lay to or at or within any dock, pier, bulkhead, or slip (or to be placed thereon), set apart or appropriated for the use or purpose of the shipment or removal of any offal, garbage, rubbish, dirt, or dead animals, or for the use of any contractor about the removal of any of the foregoing substances, without a permit from this Board.

#### REPORTS AS TO CONTAGIOUS AND INFECTIOUS DISEASES.

§ 123. That every physician shall report to the Sanitary Bureau, 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, during any part of the preceding twenty-four hours; but not more than two reports shall be required in one week concerning the same person; but every attending or practicing physician thereat, must, at his peril, see that such report is or has been made by some attending physician.

§ 124. That it shall be the duty of each and every practicing physician in the city of Brooklyn to report, in writing, to the Board of Health, the death of any of his patients who shall have died in said city, of contagious or infectious diseases, within twenty-

four hours thereafter, and to state in such report the specific name and type of such disease.

§ 125. That every keeper of any boarding house or lodging house, and every inn keeper and hotel keeper, shall, within twenty-four hours, report, in writing, to the Sanitary Bureau, the same particulars in the last section required of any physician concerning any person being at any of the aforesaid houses and hotels, and attacked with any contagious disease.

§ 126. That the Commissioners, Managers, Principals, or other proper head officers of each and every public or private institution in said city shall twice in each week report, in writing (or cause such report by some proper and competent person to be made twice in each week) to the Sanitary Bureau, and state therein the name, if known, and condition and disease, of any and every person being thereat, and sick of any contagious disease.

Nor shall commissioners, manager, principal or other proper head of such public or private institution, nor any of the employees thereof, nor any person whatever in said city, burn or permit to be burned within the built up portion of said city, nor within one-half mile of any building therein, any rags, bedding or any other substances whatever, which have been used in the treatment of any person suffering from any disease or submitting to any surgical operation.

§ 127. That the master, chief officer and consignee, or one of them, of every vessel, not being in quarantine, or within quarantine limits, but being within one-fourth of a mile of any dock, wharf, pier or building, of said city, shall daily report to the Sanitary

Bureau, or cause to be reported, in writing, the particulars, and shall therein state the name, disease and condition of any person being in or on such vessel, and sick of any contagious disease.

§ 128. That it shall be the duty of every person knowing of any individual in said city sick of any contagious disease (where such person shall have reason to regard such individual as neglected or not properly cared for, and to avoid giving said disease to others), and the duty of every physician hearing of any such sick person, who he shall have reason to think requires the attention of this Board, to at once report the facts to the Sanitary Bureau, in regard to the disease, condition and dwelling place, or position of such sick person.

§ 129. That the keepers, lessees, tenants and owners of every boarding-house and lodging house, shall within six hours after the fact shall come to his or her or their knowledge, notify the Sanitary Bureau, in writing, of the fact of any seafaring man or person, lately from any vessel, being taken sick at such house, and shall, in such notice, state where such sick person may be found, and from what vessel, and when he came, to the best of the knowledge of the person or persons giving such notice.

§ 130. That every master and chief officer of any vessel, and every physician of, or who practiced on, any vessel which shall arrive at any dock or wharf in the city of Brooklyn, from any other port, shall at once report to this Board any facts connected with any person or thing on said vessel, or that came thereon, which he has reason to think may endanger the public health of this city; and he shall report the facts as to any person

being or having been sick thereon of a contagious disease, and as to their being, or having been during the voyage or since her arrival, any infected person or articles thereon.

§ 131. That every master, charterer, owner, part-owner and consignee of any vessel, or of the cargo thereof which shall be in the water of said city, unless detained in quarantine, shall at once give, or cause to be given, to the Sanitary Superintendent, written notice of any infected article or person, and of every person sick of a contagious disease, being or having within ten days been on board said vessel; and also of each and every fact and thing relative to said vessel, sick person or cargo, or to the crew of such vessel, which any of the first mentioned persons shall have reason to think may be useful for this Board to know, or be or become dangerous or prejudicial to life or health in said city.

#### REMOVAL FROM AND UNLOADING OF VESSELS.

§ 132. That every master, owner, charterer, part owner and consignee of any vessel that shall bring any cotton into the city of Brooklyn between the first day of May and the first day of November of each year, shall at once report to this Board, or cause to be made, in writing, a report to this Board, of the fact of any such cotton being in a dangerous, infected, or unsound condition or having been exposed to any infection.

§ 133. That no master, charterer, owner, part owner, or consignee of any vessel, or any other person, shall bring to any dock, pier, wharf or building within one thousand feet thereof, in said city, or unload at any dock, building or pier therein, or have on



storage in the built-up portion of said city, any skins, hides, rags or similar articles or materials, having been brought from any foreign country, or any infected place, or from any point south of Norfolk, Virginia, without or otherwise than according to, a written permit so to do, from this Board; and no person shall sell, exchange, or in any way make any exposure of any straw, bedding or articles that have been exposed to the contagion or infection of any contagious disease, or have been or are liable to communicate such disease, or have lately been on any emigrant vessel, till after the same have been adequately cleansed or disinfected.

§ 134. That no owner, agent or consignee of any vessel or cargo, and no officer of any vessel (in respect of either of which vessel or cargo, a permit, according to any law, ordinance or regulation, shall or should have been obtained to pass quarantine, or to come up to the water-front of the city of Brooklyn), shall unlade or land, or cause to be unladen or landed, such cargo, or any part thereof, in said city, without having first received the written permit of this Board so to do.

§ 135. That no captain, officer, consignee, owner or other person in charge of any vessel (or having right and authority to prevent the same) shall remove or aid in removing from any vessel to the shore (save as legally authorized by this Board, and into quarantine grounds or building only) any person sick of, or person that has been exposed to and is liable very soon to develop, any contagious disease, nor so remove or aid in removing any articles that have been exposed to the contagion of any such disease, except in accordance with a permit of this Board, or with its special regulations.

§ 136. That no master, charterer, consignee, or other person, shall order, bring or allow (having power and authority to prevent) any vessel or person, or article therefrom from any infected port, nor any vessel, or person, or article therefrom liable to quarantine, according to the ninth section of the three hundred and fifty-eighth chapter of the laws of 1863 (or under any other laws, and whether such quarantine has been made or suffered, or not), to come or be brought to any point nearer than three hundred yards of any dock or pier, or to any building in said city, without or otherwise than according to a permit of this Board. Nor shall any vessel, or person or thing therein or therefrom, having been in quarantine, come or be brought within the last named distance of any last named place, without the permit or assent of this Board.

§ 137. That no person shall bring into this city, from any infected place, or land, or take therein, from any vessel lately from any infected port, or from any vessel or building in which had lately been any person sick of a contagious disease, any article or person whatsoever, nor shall any such person land or come into such city without a permit of this Board; and it shall be no excuse that such person or article so offending, or the occasion of offense, has passed through quarantine, or has a permit from any other source than this Board.

§ 138. That no owner, part owner, charterer, agent or consignee of any vessel, or any other officer or person having charge or control of the same, shall allow to be cast therefrom, and no person shall cast therefrom, into any public waters of the city of Brooklyn, any straw, bedding, clothing, or

other substance, from any incoming vessel, from any foreign port, or port south of Cape Henlopen, without a permit from this Board, except as allowed by the quarantine authorities.

#### HEALTH OFFICER.

§ 139. That the Health Officer of the port of New York, his assistants and deputies, shall at all times keep this Board informed, by weekly written reports, of the number of vessels in quarantine, of the number of persons sick in the floating or other hospitals thereat, and of the diseases with which they are severally afflicted; he and they shall also receive into the floating hospital all cases of yellow fever found in this city and the port aforesaid; he or they shall not send or allow to return to the vicinity of said city, without the permit of the Sanitary Superintendent, any person, vessel or article which this Board has ordered to quarantine.

#### REMOVAL OF SICK PERSONS.

§ 140. That no person shall, within the built-up portions of the city, without a permit from this Board, carry or remove from one building to another, or from any vessel to the shore, any person sick of any 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 of the care or 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.

#### VACCINATION.

§ 141. That every person, being the parent or guardian, or having the care, custody or control of any minor, or other individual,

shall (to the extent of any means, power and authority of said parent, guardian, or other person, that could properly be used or exerted for such purpose) cause and procure such minor or individual to be so promptly, frequently and effectively vaccinated, that such minor or individual shall not take, or be liable to take, the smallpox.

§ 142. That no principal or superintendent of any school, and no parent, master or custodian 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 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.

#### DEAD BODIES—INTERMENTS—SEXTONS.

§ 143. That no interment of the dead body of any human being, or deposition thereof in any tomb, vault or cemetery, shall be made within the city of Brooklyn, without a permit therefor granted by this Board, nor otherwise than in accordance therewith, and no sexton or other person shall assist in, or assent to, or allow any such interment, or aid or assist about preparing any grave or place of deposit for any such body, for which such permit has not been given authorizing the same. And it shall be the duty of every person who shall receive any such permit to preserve and to return the same to this Board, as its regulations may require.

§ 144. That no new burying ground, cemetery, tomb, or vault, for dead human bodies shall be established, nor shall the remains of any dead body be placed in any existing burying ground, vault, tomb, or cemetery, in the city of Brooklyn, nor any of said receptacles be opened, exposed or disturbed, except, according to the terms of a permit therefor given by this Board ; and every body buried in any such place shall be buried to a depth of six feet below the surface of the ground and four feet below any closely adjacent street.

§ 145. That every person who acts as a sexton or undertaker in the city of Brooklyn, or has charge or care of any vault, tomb, burying ground or cemetery for the reception of the dead, or where the bodies of any human beings are deposited, shall cause his or her name and residence, and the nature of his or her charge and duties, to be registered with this Board.

§ 146. That every sexton and other person having charge of any burying ground, cemetery, tomb or vault, in the city of Brooklyn, shall, before twelve o'clock of Monday of each week, make return to this Board of the bodies and persons buried since their last return, and in such form, and specifying such particulars, as the special regulations of this Board shall require.

§ 147. That no captain, agent, or person having charge of, or attached to, any ferry-boat, sailing or other vessel, nor any person in charge of any car, stage or other vehicle, or public or private conveyance, shall convey or allow to be conveyed thereon, or by any means aforesaid, nor shall any person convey or allow to be carried or conveyed, in any manner, from or in the city of Brooklyn,

the dead body of any human being, or any part thereof, without a permit therefor from this Board. And the proper coupon for that purpose attached to any such permit, when issued, shall be preserved and returned to this Board, as its regulations may require, by the proper officer or person on such boat or vessel, and by the proper person in charge of any train of cars or vehicle on which any such body may be carried from said city; provided, however, that the same effect shall be given, under this section, to a burial or transit permit issued by the Health Officer, or Board of Health of the city of New York, as to a burial or transit permit issued from this Board, when the death of the person named in the permit shall have occurred in the city of New York; and provided that the same effect shall be given under this section to a burial or transit permit issued by the Board of Health and of Vital Statistics of Richmond County, as to a burial permit from this Department, when the death of a person named in the permit shall have occurred in Richmond County; and provided that the same effect shall be given under this section to a burial or transit permit issued by the Board of Health or Health officer of Long Island City, as to a burial or transit permit, issued from this Board, when the death of the person named in the permit shall have occurred in Long Island City; and provided that the same effect shall be given under this section to a burial or transit permit issued by the Board of Health or Health Officer of Morrisania, as to a burial or transit permit issued by this Board, when the death of the person named in the permit shall have occurred in Morrisania.

§ 148. That no person shall retain, exposed, or allow to be retained, or exposed,

the dead body of any human being, to the peril or prejudice of the life or health of any person.

§ 149. That it shall be the duty of every person who has discovered or seen the body of a dead human being, or any part thereof (if there is reason for such person to think that the fact of the death, or the place of such body, or part thereof, is not publicly known), to immediately communicate to this Board the fact of such discovery of such body, the place where, and time when the same was discovered or seen, and where the same is or may be found, and any facts known by which said body may be identified, or the cause of death be ascertained.

§ 150. That no person shall allow to be retained unburied the dead body of any human being for a longer time than four days, or where death has been caused by a contagious disease, for a longer time than twenty-four hours after death of such person, without a permit from this Board, which permit shall specify the length of time during which such body may be retained unburied, and when death has been caused by a contagious disease, the body shall be immediately thereafter disinfected in such manner as may be directed by the Board of Health, 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 removal thereof for burial or otherwise, hearses only shall be employed.

#### CORONERS.

§ 151. It shall be the duty of every Coroner, within forty-eight hours after having held an inquest upon any dead body, to file a certificate with the Board of Health containing the date of said inquest, and, so far

as can be ascertained, the name and age of the deceased; where said dead body was found; the occupation of said deceased, when living; the length of time said deceased had resided in the city of Brooklyn; and where, previous to death; and also the verdict of the jurors upon such inquest; said certificate to be signed by the Coroner holding such inquest.

MARRIAGES, BIRTHS AND DEATHS.

§ 153. That it shall be the duty of every person mentioned in the last section, or required to make or keep any such register, to present to this Board a copy of such register, signed by such person, or a written statement, by him signed, of all the facts in said register required to be entered, within five days after the birth or marriage, and within



thirty-six hours after the death of any person to whom such registry may or should relate, which shall thereupon be placed on file with this Board.

§ 154. That every clerk, officer and person within said city, required by the one hundred and fifty-second chapter of the laws of 1847, or by the three hundred and eightieth chapter of the laws of 1864, to make or preserve an entry, registry, record or certificate as to births, deaths or marriages, shall send or

§ 155. That no person shall allow to be retained unburied the dead body of any human being for a longer time than five days, if whose death has been caused by a contagious disease, for a longer time than forty-eight hours after death of such person, and any person who shall violate this Board, which person shall be liable to be arrested and punished as provided by a non-judicial officer, and shall be immediately thereupon deposited in such manner as may be directed by the Board of Health, and enclosed in a tightly sealed coffin, which shall not thereafter be opened, and the funeral of such person shall be entirely private, and the names, and of the parents of any child born in said district (and if there be no parent alive that has made such report, then of the next of kin of such child born, and of every person present at such birth, within five days after such birth or death, to report to said Board in writing, so far as known, the date, ward and street number of

said birth, and the sex and color of such child born, and the names of the parents, and the age, color, nativity, last occupation, and cause of death, of such deceased person, and the ward and street, and place of such person's death, and last residence."

#### RAILROAD CARS.

§ 156. That each and every car used upon any railroad in the city of Brooklyn for the carrying or transportation of passengers shall, on each and every day on which it may be used for the carrying or transportation of passengers, be carefully and thoroughly washed and cleaned, so that all filth and dirt are removed from the inside of said car.

§ 157. That no person shall at any time carry or convey in, or upon, any passenger railroad car, nor shall any conductor or person in charge of any such railroad car, allow to be carried or conveyed in or upon such car except on the front platform, any soiled or dirty articles of clothing or bedding in baskets or bundles.

#### TENEMENT HOUSES.

§ 158. No house, building, or portion thereof, in the city of Brooklyn shall be used, occupied, leased or rented for a tenement or lodging house, unless the same conforms in its construction and appurtenances to the requirements of this code of ordinances; and if occupied by more than one family on a floor, and if the halls do not open at one end directly to the external air with suitable windows without a room or other obstruction at that end, it shall not be used, occupied, leased or rented unless it is made to conform to the requirements of said Department of Health for light, ventilation, plumbing and drainage, or subject to the conditions of a

permit, in writing, from said Department of Health.

§ 159. Every house, building, or portion thereof, in the city of Brooklyn, designed to be used, occupied, leased or rented, or which is used, occupied, leased or rented for a tenement or lodging house, shall have in every room which is occupied as a sleeping room and which does not communicate with the external air, a ventilating or transom window, having an opening or area of not less than three square feet over the door leading into and connecting with a room which does communicate directly with the external air, or in the partition between said rooms; or in case there is no adjacent room communicating directly with the external air, there shall be a ventilating or transom window having the same opening or area, communicating with the entry or hall, and, when practicable, both such ventilating or transom windows shall be provided. In case the room cannot be provided with windows as herein required, such room shall not be further used as a sleeping room. Every such house or building shall have in the roof, at the top of the hall, a ventilator with a clear opening or area to the external air of not less than one square foot, and more if required by the Department of Health.

§ 160. The roof of every such house shall be kept in good repair and so as not to leak; and all rain water shall be conducted into the street sewer, if a sewer exists in the street; if there is no sewer in the street, it shall be so drained or conveyed therefrom as not to cause dampness in the walls, yard or area. The roof water and all surface water shall be conducted into the street gutter by a passage beneath the sidewalk, which shall be

covered by a permanent cover, but so arranged as to permit access to remove obstructions or impurities in such manner as shall be approved by the Department of Health.

§ 161. Every such building shall be provided with good and sufficient water closets or privies of a construction approved by the Department of Health, and shall have proper doors, traps, soil-pans and other suitable works and arrangements, so far as may be necessary to insure the efficient operation thereof. Such water closets or privies shall not be less in number than one to every fifteen occupants of said house; but water closets or privies may be used in common by the occupants of any two or more houses, provided the access is convenient and direct, and provided the number of occupants in the houses for which they are provided shall not exceed the proportion above required for every privy or water closet. Every such house situated upon a lot or street in which there is a sewer, shall have the water closets or privies furnished with a proper connection with the sewer, which connection shall be in all parts adequate for the purpose, as to permit entirely and freely to pass whatever

enter them so that no accumulation shall take place, and so as to prevent any exhalation therefrom, offensive, dangerous or prejudicial to health, and so as to prevent the same from being or becoming obstructed. No cess-pool shall be allowed in or under or connected with any such house, except when it is unavoidable, and in such case it shall be constructed in such situation and in such manner as the Department of Health may direct. It shall in all cases be water-tight and arched or securely covered over, and no offensive smell or gases shall be allowed to escape therefrom, or from any privy or privy vault. In all cases where a sewer exists in the street upon which the house or building stands, the yard or area shall be so connected with the same that all water, from the roof or otherwise, and all liquid filth shall pass freely into it. Where no sewer exists in the street, the yard or area shall be so graded that all water from the roof or otherwise, and all filth shall flow freely from it and all parts of it into the street gutter, by a passage beneath the sidewalk, which shall be covered by a permanent cover, but so arranged as to permit access to remove obstructions or impurities.

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partment of Health his name and address, and also a description of the property, by street number or otherwise, as the case may be, in such manner as will enable the Department of Health easily to find the same, and also the number of apartments in each house, the number of rooms in each apartment, the number of persons occupying each apartment, and the trades or occupations carried on therein.

All notices and orders of the Department of Health in relation to a tenement or lodging house shall be served by posting in some conspicuous place, in or on the house, a copy of the notice or order, such length of time before the time for doing the thing in relation to which said notice or order was issued, as the Department of Health may direct. It shall be the duty of the Department of Health to cause a copy of every such notice or order to be mailed, addressed to the person who had filed with the Department of Health his name and address, as provided for in this section. The posting of a copy of an order or notice, and the mailing of a

ever any person in such house is sick of fever, or of any infectious, pestilential or contagious disease, and such sickness is known to such owner, keeper, agent or lessee, give immediate notice thereof to the Department of Health, or to some officer of the same, and thereupon said Department shall cause the same to be inspected, and may, if found necessary, cause the same to be immediately cleaned or disinfected at the expense of the owner, in such manner as they may deem necessary and effectual. And all rooms or apartments occupied by any person sick of any contagious disease, shall, immediately upon the death or recovery of such persons, be, by the person having charge or custody of such rooms or apartments, thoroughly fumigated by the burning of sulphur or otherwise, in such manner as may be required by the Department of Health; and all clothing, beds, bedding or infected articles used by or in caring for such sick person, shall be likewise fumigated or disinfected, or in extreme cases destroyed, as the Department of Health may direct.



§ 168. No house hereafter erected shall be used as a tenement house or lodging house, and no house heretofore erected and not now used for such purpose shall be converted into, used or leased for a tenement or lodging house, unless in addition to the requirements hereinbefore contained, it conforms to requirements contained in the following sections.

§ 169. It shall not be lawful hereafter to erect for or convert to the purpose of a tenement or lodging house a building on any lot where there is another building on the same lot, or to build or to erect any building on any lot whereon there is already a tenement or lodging house, unless there is a clear open space, exclusively belonging thereto and extending upwards from the ground of at least ten feet between said buildings, if they are one story high above the level of the ground, if they are two stories high, the distance between them shall not be less than fifteen feet, if they are three stories high, the distance between shall not be less than twenty feet, and if they are more than three stories high, the distance between them shall not be less than twenty-five feet.

At the rear of every building hereafter erected for, or converted to the purpose of a tenement or lodging house, on any lot, there shall be a clear open space of ten feet between it and the rear line of the lot. But when thorough ventilation of such open spaces can be otherwise secured, said distances may be

ement or lodging house shall be enlarged or altered or its lot be diminished so that it shall occupy more than sixty-five per centum of the said lot, and in the same proportion if the lot be greater or less in size than twenty-five feet by one hundred feet, except in the case of corner lots where ninety per centum may be occupied by the building, but this provision may be modified in special cases by a permit from the Department of Health.

§ 170. In every such house hereafter erected or converted, every habitable room, except rooms in the attic, shall be in every part not less than eight feet in height from the floor to the ceiling, and every habitable room in the attic of any such building shall be at least eight feet in height from the floor to the ceiling, throughout not less than one-half the area of such room. Every living or sleeping room shall have at least one window communicating with the external air. The total area of window or windows in every living or sleeping room shall be at least one-tenth of the superficial area of every such room, and the top of one at least of such windows shall not be less than seven feet and six inches above the floor, and the upper half at least shall be made so as to open the full width. Every living or sleeping room of a less area than one hundred superficial feet, if it does not communicate directly with the external air, shall be provided with means of ventilation by an air shaft extending to the roof and open at the top or otherwise as the Department of Health may prescribe.

§ 171. Every such house hereafter erected or converted shall have adequate chimneys running through every floor with an open fire place or grate, or place for a stove properly connected with one of said chimneys for every family and set of apartments. It shall have proper conveniences and receptacles for ashes and garbage. It shall have Ridgewood water furnished in sufficient quantities at one or more places on each floor occupied or intended to be occupied by one or more families, so that the same may be adequately and reasonably convenient for the use of the occupant thereof; and all tenement houses shall be provided with a like supply of water by the owners thereof whenever they shall be directed so to do by the Department of Health.

Every tenement house shall have the floor of the cellar properly cemented, so as to be water-tight; and when the house is located over filled-in ground or clay soil or ground on which the water lies, the cellar floor shall be covered with concrete laid over not less than three inches thick, of small broken stone so as to effectually prevent dampness. It shall be the duty of the Department of Health to see that the cellars of all tenement houses are so made or altered as to comply with this section before July 1, 1888.

Every such house hereafter erected or converted shall have the halls on each floor at one end open directly to the external air with suitable windows, and shall have no room or other obstruction at that end, unless sufficient light or ventilation is otherwise provided for in said halls in a manner approved by the Department of Health.

Whenever it shall be certified to the Department of Health by any inspector or officer thereof that any tenement house or

room therein is so overcrowded that there shall be afforded less than six hundred cubic feet of air to each occupant of such building or room, the said department shall issue an order requiring the number of occupants of such building or room to be reduced, so that the inmates thereof shall not exceed one person to each six hundred cubic feet of air space in each building or room. Wherever there shall be more than eight families living in any tenement house in which the owner thereof does not reside, there shall be a janitor, housekeeper or some other responsible parson who shall reside in the said house and have charge of the same if the Department of Health shall so require.

A tenement house, within the meaning of these ordinances, shall be taken to mean and include every house, building or portion thereof which is rented, leased, let or hired out to be occupied or is occupied as the home or residence of three families or more living independently of one another and doing their own cooking upon the premises, or by more than two families upon a floor, so living and cooking, but having a common right in the halls, stairways, yards, water closets or privies, or some of them. A lodging house shall be taken to mean and include any house or building or portion thereof in which persons are harbored or received or lodged for hire for a single night or for less than a week at one time, or any part of which is let for any person to sleep in for any term less than a week. A cellar shall be taken to mean and include every basement or lower story of any building or house of which one-half or more of the height from the door to the ceiling is below the level of the street adjoining.

§ 172. [Repealed by Common Council December 16, 1895. See § 185, as amended by Common Council December 16, 1895, which became an ordinance December 19, 1895.]

§ 173. The Commissioner of Health shall appoint an examining board of practical plumbers to decide upon the competency of any person to practice the art of plumbing in the city of Brooklyn, said committee to consist of five (5) members, to be appointed as follows: Two (2) from the Master Plumbers' Association; two (2) from the Journeymen Plumbers' Union; one (1) from the staff of plumbers then in the Department of Health which one shall be selected by the Commissioner.

This Board shall serve during the pleasure of the Commissioner and without compensa-

This Board shall examine all appli-

PROVISIONS OF REGULATION.

### GENERAL SUBJECTS.

§ 174. That no master or teacher, or manager of or in any school, public or private, or of or in any Sunday-school or gymnasium, nor the officers or managers thereof, nor officers or managers, or persons having charge

worship, school-house, school-room, or place

of practice or exercise, or relative to anything appurtenant thereto, as that by reason of such neglect or omission the health of any person shall suffer or incur any avoidable peril or detriment.

§ 175. That no person shall take, carry, expose, or place (or induce any other person so to do) in or upon any street or public place, any substance, animal or thing, which shall imperil the health of any person who is or may properly be in such street or place.

§ 176. That no person owning or occupying or having charge of any stable or other premises, shall keep or allow thereon or therein any dog or other animal which shall by noise disturb the quiet or repose of those or any one therein or in the vicinity, to the detriment of the life or health of any human being.

§ 178. That no privy vault, cistern, cess-pool or other excavation to be used for the reception of liquid waste, drainage, excrement or sewage, shall be built, erected or constructed in connection with any building, or upon any premises situated upon or adjoining any sewered street, avenue or place.

All vaults not constructed in accordance

with existing ordinances, shall be at once emptied of their contents, disinfected and filled with clean earth or ashes.

All premises the contents of which have

tained outside of premises except in cases where such location shall be condemned by the Department of Health and the Common Council.

No privy vault, cistern or cess-pool shall be constructed or used upon any unsewered street, unless the said vault, cistern or cess-pool shall be made and kept water-tight in a manner and form approved by the Department of Health.

§ 180. That every agent, or other person having the charge, control or management, or who collects or receives the rents of any lands, premises or other property, in the city of Brooklyn, shall disclose the name or names of the owner or owners of such land, premises or property, or the name or names of the person or persons for whom such agent or

other person is acting to this Board, upon application being made therefor by any inspector, agent or officer of this Board.

§ 182. That no building, vehicle, structure, receptacle or thing used or to be used for any purpose whatever, shall be made, used, kept, maintained or operated in the city of Brooklyn, if the use, keeping, maintaining or operating of such building, vehicle, structure, receptacle or thing, shall be the occasion of any nuisance, or dangerous or detrimental to health.

§ 184. That every person shall obey the ordinances, rules, regulations and orders of this Board, made or to be made in pursuance of the act of the Legislature of the State of New York, under which these ordinances are adopted.

§ 185. That any person who omits, neglects or refuses to comply with, or who resists



any of the provisions of the foregoing ordinances, or who refuses or neglects to obey any of the rules, orders, or sanitary regulations of the Board of Health of the city of Brooklyn, or who omits, neglects or refuses to comply with or who resists any order or special regulation of the said Board of Health of the city of Brooklyn, shall, upon conviction of such offence, be punished by a fine not exceeding two hundred dollars, nor less than ten dollars, and may, in default of payment of such fine, be sentenced to imprisonment in the County Jail for a period not exceeding ten days. [Passed by Common Council, December 16, 1895; became an Ordinance December 19, 1895.]

§ 186. The ambulances of the Department of Health, while engaged in going for or in carrying sick or wounded persons to or from the hospitals, shall have the right of way in the streets of the city, as against any person, carriage or incumbrance put, driven or being in said streets, and no person shall obstruct said ambulances while so engaged if there shall be an opportunity to get out of the way of the same, under a penalty of ten dollars, for each offense. It shall be the duty of the police to enforce the provisions of this section.

§ 187. That no person or persons or corporation, shall hereafter erect, conduct or maintain within the limits of the city of Brooklyn, any hospital or other institution having the care of sick or diseased persons, without first obtaining a written permit from the Health Department of said city.

§ 188. That no person shall make, prepare, deliver or issue any false certificate, statement or report of a birth, marriage or death, or any such certificate, statement or

report, which is not in accordance with the facts of the birth, marriage or death; all certificates, statements and reports of births, marriages and deaths, shall be signed by the person purporting to make the same, and no person shall sign or forge the name of another to any such certificate, statement or report.

§ 189. That no person engaged in buying, selling or storing skins, hides, rags, bones or similar articles, or who has become possessed by purchase or otherwise of skins, hides, rags, bones or similar articles, for the purpose of selling the same, shall store or keep any of said above mentioned articles within the limits of the city of Brooklyn, without first obtaining a written permit so to do from the Commissioner of Health of said city, the terms and conditions of which permit shall be strictly complied with by the person obtaining the same.

§ 190. That poisonous materials shall not be used for coloring, preserving or preparing foods or drinks, and foods or drinks so colored, preserved or prepared, shall not be sold or held for sale. The term poisonous materials here used, shall be held to include all those substances or preparations which contain antimony, arsenic, barium (excepting barium sulphate), lead, cadmium, chromium (excepting pure chromic oxide), copper, mercury, zinc, tin, gambogia, picric acid or any other poisonous material.

§ 191. Searches and transcripts of the records of births, marriages and deaths shall be made by an officer or clerk of the Department, upon application therefor, for the following fees:

For searching the records the fees shall be fifty cents for each year to which the

search shall extend, provided that no charge shall be made when adequate vouchers are presented to this Department to prove that the information for which the search is requested is needed for United States pension purposes.

In all cases in which a successful search shall be made one official transcript of the record shall, if desired, be furnished to the applicant free of charge. For duplicate transcripts a fee of twenty-five cents each shall be charged.

An account of the fees collected shall be kept by the Secretary, who shall, each month, report to the Commissioner the amount and deposit the same in the City Treasury.

[Passed by Common Council, October 14, 1895. Became an Ordinance October 29, 1895.]

§ 192. Any person who shall obtain a permit of any kind from the Department of Health by means of a false or untruthful statement, shall be subject to a penalty not to exceed the sum of two hundred and fifty dollars for each and every offense.

§ 193. All persons, organizations, or institutions who shall erect, conduct or maintain, within the limits of the city of Brooklyn, any maternity hospital or lying-in-institution, or any place where females may be cared for during or after confinement, or any institution, house or place wherein children under the age of twelve years are received, boarded or kept, shall obtain a permit so to do from the Department of Health of the city of Brooklyn, and, in addition to any and all other records required by law, shall keep a correct register of the name and age of all children under three years old who are

given out, adopted, or indentured from such place to any one, together with the correct name and residence of the person or persons so adopting, indenturing, or taking such child or children, and the keeper or any other person in charge of said hospital, institution, house or place, shall cause a correct copy of the aforesaid register to be sent to the Board of Health of said city within forty eight hours of said adopting, indenturing, or taking of such child or children.

[Passed by Common Council, July 6, 1891.]

§ 194. It shall not be lawful for any person or persons to construct or cause to be constructed in the city of Brooklyn any buildings of any class whatsoever, which is to be connected with a sewer, unless the person or persons causing such a building to be constructed shall first have presented to the Commissioner of the Department of Health of the city of Brooklyn, a plan showing the proposed connection of the plumbing work or fixtures therein contained with the main drain extending to the sewer, and procured his approval thereof. The said Commissioner of Health shall in all cases prescribe the point at which the system of plumbing in any such building shall meet the main drain connecting such system with the sewer. The Commissioner of the Department of Buildings shall not approve any plans for the erection of any such building in the city of Brooklyn pursuant to Section IV., of Title XIV., of Chapter 583 of laws of 1888, unless said plan of the main drain and its connections in and from said building to the sewer in the street shall have been first approved by the Department of Health. Any person or persons infringing the provisions of this

ordinance shall be subject to a penalty of fifty dollars.

[Passed by Common Council, July 10, 1893.]

§ 195. That no street railway operating on the streets of the city of Brooklyn run open cars at any time when the temperature shall be lower than sixty degrees Fahrenheit.

[Passed by Common Council, December 3, 1894; became an Ordinance December 18, 1894.]

SEC. 40, of Article VII. of Chapter III. That no person or persons shall erect or maintain within the city of Brooklyn, any building, shed or other structure in which is or shall be carried on the manufacture of asphaltum, unless such building, shed or other structure shall first have been inspected and approved by the Department of Health. And the manufacture of asphaltum shall not be permitted or conducted at any place within the city of Brooklyn without a special written permit from the Department of Health. Any person or persons who shall violate the provisions of this ordinance or either of such provisions, shall be subject to a penalty of two hundred and fifty dollars for each and every such offence.

Passed by Common Council, February 11, 1889, and known as Section 40 of Article VII. of Chapter III. of the General Ordinances.



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