

# AN ACT

TO MAKE FURTHER PROVISIONS RESPECTING THE

## PUBLIC HEALTH.

### CHAPTER 38, R.S.O.

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

#### PART I.—PRELIMINARY.

1. This Act may be cited as "*The Public Health Act, 1884.*" Short title.

2. In this Act the following words and expressions shall have the meaning hereinafter assigned to them respectively, unless such meaning is inconsistent with the context, that is to say:—

(1) "Owner" means the person for the time being receiving the rent of the lands or premises in connection with which the word is used, whether on his own account or as agent or trustee of any other person, or who would so receive the same if such lands and premises were let.

(2)

"Health District," "District," "Local Board," and "Board." (2) "Health District" or "district" means any local municipality, or union of local municipalities, under the jurisdiction of a Local or District Board of Health, and "Local Board" or "Board" shall include a District Board.

"House." (3) "House" includes schools, factories and other buildings, huts and tents used for human habitation or work, whether such use is permanent or temporary, and whether the same are stationary or moveable.

"Street." (4) "Street" shall include every highway, road, square, row, lane, mews, court, alley and passage, whether a thoroughfare or not.

Powers of Provincial Board to make regulations for prevention or mitigation of disease. 3. Whenever this Province, or any part thereof or place therein appears to be threatened with any formidable epidemic, endemic, or contagious disease, the Provincial Board of Health may, subject to the approval of the Lieutenant-Governor in Council, issue such regulations as the Board deems necessary, for the prevention, as far as possible, or the mitigation of disease, and may make, renew or alter any such regulations, or substitute new regulations; and the said Board may, by such regulations, provide:

(1) For the frequent and effectual cleansing of the streets, yards, and out-houses, by the local health authorities, or by the owners or occupiers of houses and tenements adjoining thereto.

(2) For the removal of nuisances.

(3) For the cleansing, purifying, ventilating and disinfecting of houses, churches, buildings, and places of assembly, railway stations, steamboats, railway carriages and cars, as well as other public conveyances by the owners and occupiers, and persons having the care and ordering thereof.

(4) For regulating, so far as this Legislature has jurisdiction in this behalf, with a view of preventing the spread of infectious disease, the entry or departure of boats or vessels at the different ports or places in Ontario, and the landing of passengers or cargoes from such boats or vessels, or from railroad carriages or cars, and the receiving passengers or cargoes on board the same.

(5) For the safe and speedy interment of the dead, and the conduct of funerals, with a view of preventing the spread of infectious diseases as aforesaid.

(6) For supplying medical aid, and accommodation, and medicine, and such other articles as may be deemed necessary for mitigating such epidemic, endemic, or contagious disease.

(7) For house to house visitation. (8)

(8) For preventing or mitigating such epidemic, endemic or contagious disease in such other manner as to the said Provincial Board seems expedient.

4. It shall be the duty of the Local Boards of Health to superintend and see to the execution of any such regulations; or to execute, or aid in executing the same within their respective districts; and to do and provide all such acts, matters and things as are necessary for superintending or aiding in the execution of such regulations, or for executing the same as the case may require.

Local Boards to see to execution of regulations.

5. The Provincial Board of Health may, by order, declare all or any of the regulations so made to be in force within the whole or any part or parts of the district of any Local Board of Health or any municipality, and, so far as this Legislature has jurisdiction, to apply to boats, vessels, railway carriages and cars, or other conveyances in any portion or portions of the Province.

Provincial Board may determine extent of liability to which regulations are to apply.

6. All orders and regulations so made shall take effect from the approval thereof and shall be forthwith published in the *Ontario Gazette* and at least one newspaper within the district, or portion or portions of the Province, in which they shall be declared in force.

Publication of orders and regulations.

7. During the time that any such orders or regulations are in force in any Health District as provided by the four next preceding sections of this Act, all by-laws of the Local Board of such district which, in any manner, conflict with any such order or regulations, shall be suspended.

Conflicting by-laws of Local Board suspended.

8. The expenses incurred by the said Provincial Board of Health in connection with such epidemic, shall be defrayed out of any moneys appropriated by the Legislature specially for that purpose, and the expenses incurred by the said Local Boards of Health in the execution or in superintending the execution of the regulations of the Provincial Board, shall be defrayed and provided for by the Municipal Corporations having jurisdiction over the respective places affected.

Expenses of Provincial and Local Boards, how defrayed.

9. The Local Board of Health may also, from time to time, direct any prosecution or legal proceedings for, or in respect of, the wilful violation or neglect of any such regulation.

Prosecution for neglect of regulation.

10. The Provincial Board of Health shall meet quarterly at Toronto, and at such other places and times as may be fixed under a resolution of the Board. Three members shall be a quorum for the transaction of business.

Meetings of Board.

11. With the concurrence of that member of the Executive Council to whose department the Provincial Board of Health is for the time being assigned by the Lieutenant-Governor in Council,

Investigations as to causes of contagious or other disease.

Council, the Board may send its secretary, or any member or members of the Board, to any part of the Province when deemed necessary, to investigate the cause or causes of any contagious or other disease or mortality; and at such investigation evidence may be taken on oath or otherwise as the said secretary, member or members may deem expedient; and in such case the secretary, or any member of the Board present at the investigation, may administer the oath; and the said investigating committee shall have power by warrant, under the hand and seal of any one of its members, to call upon any person to give evidence regarding any matter in question in the said investigation; and the said investigating committee shall have all the powers which may be conferred upon Commissioners under *The Act respecting Inquiries concerning Public Matters*.

PART II.—LOCAL BOARDS OF HEALTH:  
THEIR ORGANIZATION.

Local Boards of Health, their constitution and powers.

**12.** (1) All the powers and authorities conferred upon or vested in the members of any municipal council or councils by any statute of the Legislature of this Province, as health officers of the said municipality or municipalities, shall hereafter be vested in the Local or District Board of Health which shall be formed in such municipality or municipalities as hereinafter provided.

(2) There shall be a Local Board of Health in each township and incorporated village, to be composed of the reeve, clerk and three ratepayers, to be appointed annually by the municipal council.

(3) There shall be a Local Board of Health in each town containing less than four thousand inhabitants according to the municipal enumeration of the previous year, to consist of the mayor, clerk and three ratepayers, to be appointed annually by the municipal council.

(4) There shall be a Local Board of Health for each city and for each town containing more than four thousand inhabitants, according to the municipal enumeration of the previous year, to consist of the mayor and eight ratepayers, to be appointed annually by the municipal council.

Appointment of members of Board.

**13.** (1) The first appointment of members of the said Board shall be made at the first meeting of the municipal council after the first day of May next.

(2) The annual appointments thereafter shall be made at the first meeting of the municipal council after being duly organized, and any vacancy arising from any cause shall be filled at the first meeting thereafter of the municipal council; but, if for any reason appointments are not made at the said dates, the same shall be made as soon as may be thereafter.

**14.**

14. Two or more councils may, by concurrent by-laws, unite their respective municipalities into a Health District; and any of such councils may withdraw its municipality from the District by a by-law passed prior to the first day of December of any year, and to take effect on the third Mouday of January following.

Union of municipalities in one Health District.

15. The members of the District Boards of Health shall consist of three members from each municipality included in the District, namely: the head of the council, the municipal clerk, and one other ratepayer not a member of the council, to be appointed by the council.

Constitution of District Boards of Health.

16. Every District Board thus constituted and its members shall, in respect of the Health District for which it acts, possess the same powers, be subject to the same regulations, and perform like duties as a Local Board of Health of a municipality and its members.

Powers of District Boards.

17. Every Local or District Board shall elect a chairman, and the Clerk of the Municipal Council shall be the secretary of the Local Board, and the District Board may elect one of its members, or appoint some other person as its secretary.

Officers of Local or District Boards.

18. It shall be the duty of the secretary to report to the secretary of the Provincial Board of Health the names of the members of the Local Board within one month after its first regular meeting, which shall be held on the second Monday after the members, who are not members *ex officio*, have been appointed.

Secretary to report to secretary of Provincial Board the names of members.

19. When any municipal council neglects or refuses to elect members or a member of the Local or District Board of Health as required by this Act, the Provincial Board of Health may appoint a duly qualified ratepayer or ratepayers to be a member or members of such Local or District Board of Health to act with the *ex-officio* or other members.

Provincial Board may appoint to Local Board in case Council neglects to do so.

20. Every Municipal Council may appoint a Medical Health Officer and a Sanitary Inspector or Inspectors for the municipality, and may fix the salaries to be paid them, or two or more councils may unite in the appointment of any of these officers.

Appointment of Medical Health Officer and Sanitary Inspector.

### PART III.—POWERS AND DUTIES OF LOCAL BOARDS.

21. The Municipal Council or Councils may vote such sums as are deemed necessary by the Local or District Board for the carrying on of its work.

Appropriation for work.

22. The members of the Local and District Boards shall be Health

Officers.

Health Officers within the meaning of *The Revised Statute respecting the Public Health*, and shall have the powers and duties assigned to Health Officers by the said Act, and the other powers and duties assigned by this Act.

Quorum.

**23.** A majority of the number of any regularly constituted Board shall be a quorum for the transaction of business.

Duties of Secretary.

**24.** A minute book shall be provided in which the Secretary shall record the proceedings of the Local Board of Health. The Secretary shall draft an annual report of the sanitary work done during the year, and of the sanitary condition of the municipality, for the consideration of the Board; which report, when adopted, shall be transmitted to the Secretary of the Provincial Board of Health. The said report shall include the annual report of the Medical Health Officer.

Mode in which Local Board may enforce its authority.

**25.** Whenever any Local Board of Health has any authority to direct that any matter or thing should be done by any person or corporation, such Local Board of Health may also, in default of its being done by the person, direct that such matter or thing shall be done at the expense of the person in default, and may recover the expense thereof with costs by action or distress; and, in case of non-payment thereof, the same shall be recovered in like manner as municipal taxes.

Appeal to County Judge in certain cases.

**26.** Wherever the order of any Local Board of Health or Health Officer involves an expenditure of more than \$100, the party against whom the order is made, or anyone chargeable with such expenditure, or any part thereof, may within four days from his being served with a copy of such order in writing, appeal therefrom to the County Judge, who shall have full authority to vary or rescind the order made, and any order so varied may be enforced by the board or officer in the same manner as an order originally made by the board or officer.

Recovery of costs and expenses of execution of provisions relating to nuisances.

**27.** Any costs or expenses recoverable from an owner of premises under this Act, or under any provision of law in respect of the abatement of nuisances, may be recovered from the occupier for the time being of such premises; and the owner shall allow such occupier to deduct any moneys which he pays under this enactment out of the rent from time to time becoming due in respect of said premises, as if the same had actually been paid to such owner as part of said rent: Provided, that no such occupier shall be required to pay any further sum than the amount of rent for the time being due from him, or which after demand of such costs or expenses from such occupier, and after notice not to pay his landlord any rent without first deducting the amount of such costs or expenses, becomes payable by such occupier, unless he refuses truly to disclose the amount of his rent and the

Proviso.

name

name and address of the person to whom rent is payable ; but the burden of proof that the sum demanded from any such occupier is greater than the rent due by him at the time of such notice, or which has since accrued, shall be on such occupier : Provided, also, that nothing herein contained shall affect any contract between any owner or occupier of any house, building or other property whereby it is, or may be, agreed that the occupier shall pay or discharge all rates and dues and sums of money payable in respect of such house, building or other property, or affect any contract, whatever between landlord and tenant. Proviso.

*Nuisances, etc.*

**28** It shall be the duty of every Local Board of Health to cause to be made, from time to time, inspection of its district, in order to prevent the accumulation within the district of any dirt, filth or other thing which may endanger the public health, and with a view to ascertain what nuisances exist calling for abatement under the powers of this Act, or of *The Revised Statute respecting the Public Health*, and to enforce the provisions of this Act and the said Revised Statute in order to abate every such nuisance. Duty of Local Board to inspect districts for detection of nuisances.

**29.** A medical health officer of a municipality may exercise any of the powers conferred upon health officers by sections 3 4 and 5 of *The Revised Statute respecting the Public Health*, and may, without being specially authorized by the Board, exercise any powers which under section 6 can be conferred upon two medical practitioners, and the Board may act on his report. Powers of Medical Health Officer.

**30.** Information of any nuisance or unsanitary condition under this Act within the jurisdiction of any Local Board may be given to such Local Board by any person aggrieved thereby, or by any two inhabitant householders, or by any officer of such Local Board, or by any constable or officer of the police force within the jurisdiction of the Board. Information of nuisances to Local Board.

**31.** Whenever such information has been so given, it shall be the duty of the Local Board of Health to investigate the cause of the said complaint ; and to hear the testimony of all persons who may be produced before it to testify in respect of any such matter ; and every Local Board or any two of its members shall have the same authority as a Justice of the Peace to require and compel the attendance of witnesses and the giving of evidence. Investigation to be made by Local Board.

**32.** Whenever the Local Board of Health is satisfied of the existence of the nuisance, it shall serve a notice on the person by whose act, default or sufferance the nuisance arises or continues, or, if such person cannot be found, on the owner or occupier Local Board to serve notice requiring abatement of nuisances.

cupier of the premises on which the nuisance exists or from which the same arises, requiring him to abate the same within a time to be specified in the notice, and to execute such works, and do such things, as may be necessary for that purpose, provided :

*First*.—That where the nuisance arises from the want or defective construction of any structural convenience, or where there is no occupier of the premises, notice under this section shall be served on the owner ;

*Second*.—That where the person causing the nuisance cannot be found, and it is clear that the nuisance does not arise or continue by the act or default of the owner or occupier of the premises and it is therefore improper that such owner or occupier should be required to abate the said nuisance, the Local Board of Health may report the facts to the municipal council or councils, and such council or councils may abate the nuisance at the expense of the municipality or district.

Power to proceed where cause of nuisance arises without district.

**33.** Where a nuisance in any municipality or district appears to be wholly or partially caused by some act or default committed or taking place outside of the said municipality or district, the Board of Health of such municipality or district may take or cause to be taken against the person by whose act or default the nuisance is caused in whole or in part, any proceedings in relation to nuisances by this Act authorized, with the same incidents and consequences, as if such act or default were committed or took place wholly within its jurisdiction, so, however, that summary proceedings shall in no case be taken otherwise than before a court having jurisdiction in the municipality or district where the act or default is alleged to be committed or take place.

Recovery of costs and expenses incurred in abating nuisances.

**34.** All reasonable costs and expenses incurred in abating a nuisance shall be deemed to be money paid for the use and at the request of the person by whose act, default or sufferance the nuisance was caused, and such costs and expenses shall be recovered by the municipal council or Local Board of Health or person incurring the same, under ordinary process of law ; and the court shall have power to divide costs, expenses and penalties between persons by whose acts or defaults a nuisance is caused as to it may seem just.

Restriction or establishment of offensive trades.

**35.** In case any person after the passing of this Act, establishes, without the consent of the municipal council of the locality, any offensive trade ; that is to say, the trade of:—

Blood boiling, or  
 Bone boiling, or  
 Refining of coal oil, or  
 Extracting oil from fish, or  
 Storing of hides, or  
 Soap boiling, or

Tallow



Tallow melting, or  
 Tripe boiling, or  
 Slaughtering of animals, or  
 The manufacturing of gas, or

any other noxious or offensive trade, business or manufacture, or such as may become offensive, he shall be liable to a penalty not exceeding \$250 in respect of the establishment thereof; and any person carrying on a business so established shall be liable to a penalty not exceeding \$10 for every day on which, after notice in writing by the Local Board, or an officer thereof, to desist, the offence is continued, whether there has or has not been any conviction in respect of the establishment thereof.

**36.** (1) If on an investigation by any Local Board of Health any nuisance or thing prejudicial to health is found to exist in a municipality in which it has jurisdiction; and if, after the Board has required the removal or abatement of the same within a specified time, the Board finds that default in such removal or abatement has been made and the case seems to the Board one involving considerations of difficulty owing to the fact that such removal or abatement involves the expenditure or loss of a considerable sum of money, or that any trade or industry is seriously interfered with, or owing to other circumstances, the Local Board of Health may apply to the Provincial Board of Health to investigate and report upon the same, and it shall be the duty of the said Provincial Board, with the approval of the Minister of the Department, to make a full investigation and report.

Provision where abatement of nuisance involves considerations of difficulty.

(2) If the said report recommends the removal or abatement of such nuisance or thing, the Local Board or any ratepayer of the municipality, or within a mile thereof, may apply to the High Court of Justice, for an order for the removal, or abatement of the nuisance or unsanitary condition, and to restrain the proprietors of any such industry from carrying on the same until the said nuisance shall have been abated to the satisfaction of the Provincial Board of Health; and the said judge may, if he thinks proper, issue such order upon the report of the Provincial Board of Health.

**37.** (1) Wherever information is obtained by the Provincial Board that any remediable unsanitary condition or nuisance exists in any municipality, and that the local health authorities have after proper representation of the facts, neglected or refused to take such efficient measures as might remove such condition or abate such nuisance, it shall be competent for the Provincial Board of Health to institute an investigation, and, if necessary, take sworn evidence concerning the condition or nuisance complained of.

Proceedings on complaint to Provincial Board of default of local authority.

(2) If, upon such investigation it is proved that such remediable unsanitary condition or nuisance exists, it shall be within the province of the Provincial Board to direct  
 its

its immediate removal or abatement by the individual or person responsible therefor, and to report the same to the Minister for the time in charge of the Department; and if such individual or person neglects or refuses to remove or abate the same, the Provincial Board of Health may cause such removal or abatement to be made, and collect the expenses therefor from such individual or person by ordinary process of law.

*Contemplated Systems of Public Water Supply, Sewerage, Drainage, etc.*

Plans relating to proposed public water supply or system of sewerage to be submitted to Provincial Board.

**38.** (1) Whenever the establishment of a public water supply or system of sewerage shall be contemplated by the council of any city, town or village, it shall be the duty of the said council to place itself in communication with the Provincial Board of Health, and to submit to the said Board, before their adoption, all plans in connection with said system.

(2) It shall be the duty of the Provincial Board of Health to report whether, in its opinion, the said system is calculated to meet the sanitary requirements of the inhabitants of the said municipality; whether any of its provisions are likely to prove prejudicial to the health of any of the said inhabitants, together with any suggestions which it may deem advisable; and to cause copies of said report to be transmitted to the Minister of the Department to which the said Provincial Board of Health is attached, and to the Clerk of the Municipal Council, and the Secretary of the Local Board of Health of the District interested.

(3) No sewer, or appliance for the ventilation of the same, shall be constructed in violation of any of the principles laid down by the Provincial Board of Health, subject to appeal to the Lieutenant-Governor in Council.

*Unsound Meat, etc.*

Power of Medical Health Officer or Sanitary Inspector to inspect meat, etc.

**39.** (1) Any Medical Health Officer or Sanitary Inspector may, at all reasonable times, inspect or examine any animal, carcase, meat, poultry, game, flesh, fish, fruit, vegetables, grain, bread, flour, or milk exposed for sale, or deposited in any place for the purpose of sale, or for preparation for sale, and intended for the food of man; the proof that the same was not exposed or deposited for any such purpose, or was not intended for the food of man, resting with the party charged; and if any such animal, carcase, meat, poultry, game, flesh, fish, fruit, vegetables, grain, bread, flour or milk appears to such Medical Officer or Inspector to be diseased, or unsound, or unwholesome or unfit for the food of man, he may seize and carry away the same, or cause it to be seized and carried away, in order that he may cause it to be destroyed or so disposed of as to prevent it from being exposed for sale or used for the food of man.

(2) The person to whom the same belongs, or did belong at the time of exposure for sale, or in whose possession or on whose premises the same was found, shall be liable to a penalty not exceeding \$100 for every animal, carcass, or fish, or piece of meat, flesh or fish, or any poultry or game, or for the parcel of fruit, vegetables, grain, bread or flour, or for the milk so condemned; or, at the discretion of the convicting justices or magistrate without the infliction of a fine, to imprisonment for a term of not more than three months.

40. Any person who in any manner prevents any Health Officer or Sanitary Inspector from entering any premises and inspecting any animal, carcass, meat, poultry, game, flesh, fish, fruit, vegetables, grain, bread, flour or milk exposed or deposited for the purpose of sale and intended for the food of man; or who obstructs or impedes any such Medical Officer, or Inspector, or his assistant when carrying into execution the provisions of this Act, shall be liable to a penalty not exceeding \$25.

Penalty for hindering officer from inspecting meat, etc.

*Infectious Diseases and Hospitals.—Provisions against Infection.*

41. Where any Local Board of Health is of opinion, on the certificate of its Medical Health Officer or of any other legally qualified medical practitioner, that the cleansing and disinfecting of any house, or part thereof, and of any articles therein likely to retain infection, would tend to prevent or check infectious disease it shall be the duty of such Local Board of Health to give notice in writing to the owner or occupier of such house or part thereof, requiring him to cleanse and disinfect, to the satisfaction of the Medical Health Officer, such house or part thereof and articles, within a time specified in such notice.

Local Board to notify owner of premises requiring to be cleansed and disinfected.

42. If the person to whom notice is given fails to comply therewith, he shall be liable to a penalty of not less than twenty-five cents and not exceeding \$2 for every day during which he continues to make default; and the Local Board of Health shall cause such house, or part thereof, and articles to be cleansed and disinfected, and may recover the expenses incurred from the owner or occupier in default in a summary manner.

Penalty, if notice not complied with.

43. Where the owner or occupier of any house or part thereof is, from poverty or otherwise, unable, in the opinion of the Local Board of Health, efficiently to carry out the requirements of the two preceding sections, such Local Board of Health may, without enforcing such requirements on the owner or occupier, cleanse or disinfect such house, or part thereof, and articles, and defray the expense thereof.

Special provision in case of poverty of owner.

Power of Local Board to provide hospitals.

**44.** In case the small-pox, or any other disease dangerous to the public health, breaks out in any municipality, the health officers or Local Board of Health, in case the municipality shall not have already provided the same, shall immediately provide such a temporary hospital, hospital-tent or other place or places of reception for the sick and infected, as they shall judge best for their accommodation and the safety of the inhabitants, at the cost of the municipality, and for that purpose may

(1) Themselves erect such hospital-tents, hospitals, or places of reception; or

(2) Contract for the use of any such hospital or part of a hospital or place of reception; or

(3) Enter into any agreement with any person having the management of any hospital, for the reception of the sick inhabitants of their district, on payment of such annual or other sum as may be agreed on; or

(4) Two or more Local Boards of Health may combine in providing a common hospital.

Provision of conveyance for persons suffering from disease or accident.

**45.** Any Local Board of Health may provide, maintain, or hire a carriage or carriages, suitable for the conveyance of persons suffering from disease or accident, and may pay the expense of conveying therein any person so suffering to a hospital or other place of destination.

Notice to be given by householder in case of small-pox, etc.

**46.** Whenever any householder knows that any person within his family or household has the small-pox, diphtheria, scarlet fever, cholera, or typhoid fever, he shall within twenty-four hours give notice thereof to the Local Board of Health, or to the Medical Health Officer of the district in which he resides, and such notice shall be given either at the office of the Medical Health Officer, or by a communication addressed to him and duly mailed within the time above specified, and in case there is no Medical Health Officer then to the Secretary of the Local Board of Health either at his office or by communication as aforesaid.

Householder not to permit removal of person or of clothing.

**47.** No householder in whose dwelling there occurs any of the above mentioned diseases, shall permit any person suffering from any such disease, or any clothing or other property to be removed from his house, without the consent of the Board or of the Medical Health Officer or attending physician and the said Board, or Medical Health Officer, or attending physician shall prescribe the conditions of such removal.

Removal of sick persons and others in same household.

**48.** No person sick with any of the diseases above specified shall be removed at any time except by permission and under direction of the Board of Health, or Medical Health Officer, or attending physician, nor shall any occupant of any house in which

which there exists any of the above diseases, except typhoid fever, change his or her residence to any other place without the consent of the Board or of the Medical Health Officer, or attending physician, who shall in either case prescribe conditions, as aforesaid.

**49.** Whenever any physician knows that any person whom he is called upon to visit is infected with small-pox, scarlet fever, diphtheria, typhoid fever, or cholera, such physician shall within twenty-four hours give notice thereof to the Local Board of Health, or Medical Health Officer of the municipality in which such diseased person is, and in such manner as is directed, by rules 2 and 3 of section 17 of Schedule A.

Report to be made by Physician.

**50.** When the small-pox, scarlet fever, diphtheria, cholera, or any other contagious disease, dangerous to the public health, is found to exist in any municipality, the health officers or Local Board of Health shall use all possible care to prevent the spreading of the infection or contagion, and shall give public notice of infected places by such means as, in their judgment, is most effective for the common safety.

Precautions to be taken against spread of infection.

**51.** Except the attending physician or clergyman, no person affected with small-pox, scarlet fever, diphtheria or cholera, and no person having access to any person affected with any of the said diseases shall mingle with the general public until such sanitary precautions as may be prescribed by the Local Board or attending physician shall have been complied with.

Sick person or persons having access to sick not to mingle with general public.

**52.** (1) Where there is reason to suspect that any person who has the small-pox, diphtheria, scarlet fever, cholera, or typhoid fever, is in or upon any railway car, steamboat, stage, or other conveyance, the Medical Health Officer, or Sanitary Inspector of the municipality, or, if there is no such officer, any member of the Local Board of Health, may enter such conveyance and cause any such person to be removed therefrom, and may detain the conveyance until it is properly disinfected; or such officer or member may, if he thinks fit, remain on or in, or re-enter and remain on or in, the said conveyance (with any assistants he may require) for the purpose of disinfecting the same, and his authority as a health officer shall continue in respect of such person and conveyance, notwithstanding the conveyance is taken into any other municipality.

Power to enter on steamboats, etc.

(2) Any member or officer of the Provincial Board of Health, or any medical practitioner authorized by such Board, shall have the like authority.

**53.** In case any person coming from abroad, or residing in any municipality within the province, is infected, or lately before has been infected with, or exposed to any of the said diseases, the health officers or Local Board of Health

Isolation of persons infected or who have been exposed to infection.

Health

Health of the municipality, where such person may be, may make effective provision in the manner which to them shall seem best for the public safety, by removing such person to a separate house, or by otherwise isolating him, if it can be done without danger to his health, and by providing nurses and other assistance and necessaries for him at his own cost and charge, or the cost of his parents or other person or persons liable for his support, if able to pay the same, otherwise at the cost and charge of the municipality.

Persons recovering from sickness, and nurses to take precautions against spread of disease.

**54.** Persons recovering from any of the said diseases, and nurses who have been in attendance on any person suffering from any such disease, shall not leave the premises till they have received from the attending physician, or Medical Health Officer, a certificate that in his opinion they have taken such precautions, as to their persons, clothing, and all other things which they propose bringing from the premises, as are necessary to insure the immunity from infection of other persons with whom they may come in contact, nor shall any such person expose him or herself in any public place, shop, street, inn, or public conveyance without having first adopted such precautions.

Measures necessary for disinfection to be adopted.

**55.** All persons named in the last preceding clause shall be required to adopt for the disinfection and disposal of excreta, and for the disinfection of utensils, bedding, clothing and other things which have been exposed to infection, such measures as have been, or may hereafter be, advised by the Provincial Board of Health or by the Medical Health Officer, or such as may have been recommended by the attending physician as equally efficacious.

Notice to be given to person in charge of conveyance in certain cases.

**56.** No person suffering from, or having very recently recovered from, smallpox, diphtheria, scarlet fever, cholera, measles, or other disease dangerous to public health shall expose himself, nor shall any person expose anyone under his charge who is so suffering, or who has recently recovered from any such disease, in any conveyance without having previously notified the owner or person in charge of such conveyance of the fact of his having, or having recently had, such disease.

Conveyance to be disinfected.

**57.** The owner or person in charge of any such conveyance must not, after the entry of any so infected person into his conveyance, allow any other person to enter it without having sufficiently disinfected it under the direction of the Board of Health or the supervision of the Medical Health Officer, or Sanitary Inspector.

Precautions to be taken respecting clothing, etc.

**58.** No person shall give, lend, transmit, sell or expose any bedding, clothing or other article likely to convey any of the above diseases, without having first taken such precautions as the

the board may direct as necessary for removing all danger of communicating any such disease to others.

**59.** Any Local Board of Health may provide a proper place or portable furnace, with all necessary apparatus and attendance for the disinfection of bedding, clothing or other articles which have become infected, and may cause all such articles to be disinfected free of charge, or may make reasonable charges for the disinfecting of the same as may be provided by-law.

Provision of means of disinfection.

**60.** Any Local Board of Health may direct the destruction of any bedding, clothing or other articles, which have been exposed to infection, and may give compensation for the same.

Destruction of infected bedding, etc.

**61.** No person shall let or hire any house or room in a house in which any of the diseases mentioned in section 46 have recently existed, without having caused the house and the premises used in connection therewith to be disinfected to the satisfaction of the health authorities; and for the purposes of this section the keeper of an inn or house for the reception of lodgers shall be deemed to let for hire part of a house, to any person admitted as a guest into such inn or house.

Houses or rooms occupied by sick persons to be disinfected before being let.

**62.** No person letting for hire or shewing for the purpose of letting for hire any house or part of a house, on being questioned by any person negotiating for the hire of such house or part of a house as to the fact of there previously having been therein any person suffering from any infectious disorder, or any animal or thing infected thereby, shall knowingly make a false answer to such questions.

Persons letting houses not to make false statements as to infectious diseases.

**63.** The provisions of sections 5 to 14, inclusive, of *The Revised Statute respecting Vaccination and Inoculation*, are hereby extended to towns, incorporated villages, and townships; and section 3 of the said Act is hereby repealed.

R. S. O. c. 191, ss. 5-14, to apply to towns etc. Sec. 3 repealed.

#### *Assistance by Constables, etc.*

**64.** Any member of a legally constituted Board of Health, or any Medical Health Officer or Sanitary Inspector may, when obstructed in the performance of his duty, call to his assistance any constable or other person he thinks fit, and it shall be the duty of every such constable so called upon to render such assistance.

Officer if obstructed may summon assistance.

#### *Penal Clauses.*

**65.** (1) Every person violating sections 56, 57, 58, 61, or 62 of this Act shall be liable for every such offence to a penalty of not less than \$5 nor more than \$50 in the discretion of the convicting Justices or Magistrate, besides costs, which may also be inflicted if the convicting Justices or Magistrate see fit to impose the same.

Penalties

(2)

(2) Any person who violates any other provision of this Act shall, unless it is otherwise specially provided, be liable for every such offence to a penalty not exceeding \$20, in the discretion of the convicting Justices or Magistrate besides costs, which may also be inflicted if the convicting Justices or Magistrate see fit to impose the same.

Recovery of penalties.

**66.** (1) Every such penalty and every other penalty specified in this Act may be recovered by any person before any two Justices or a Police Magistrate having jurisdiction in the Municipality, and shall be levied by distress and sale of the goods and chattels of the offender, with the costs of such distress and sale, by warrant under the hands and seals of the Justices, or the hand and seal of the Police Magistrate, before whom the same are recovered, or under the hands and seals of any other two Justices having jurisdiction in the municipality, and in default of sufficient distress the said Justices or Magistrate may commit the offender to the Common Gaol or to any Lock-up or House of Correction in the said municipality for any time not exceeding fourteen days unless the amount imposed is sooner paid.

(2) In case any person, from poverty or other sufficient cause, is unable to comply with the provisions of this Act or any of them, he shall give notice of such inability to the medical health officer or Secretary of the Local Board of Health, and in case the Local Board on examination is satisfied of the sufficiency of the cause of such inability, the Secretary thereof shall give his certificate to that effect, and such certificate shall be a bar to all proceedings against such person for the period of six months.

Application of penalties.

**67.** Every penalty recovered under this Act shall be paid to the treasurer of the municipality in which the offence was committed, for the use of the Local Board of Health and subject to its disposition.

Proceedings not to be quashed for want of form or removed into Superior Courts.

**68.** No order or other proceeding, matter or thing, done or transacted in or relating to the execution of this Act shall be vacated, quashed or set aside for want of form, or be removed or removable by *certiorari* or other writ or process whatsoever into any of the Superior Courts, and no appeal shall be had to the General Sessions upon any conviction under this Act.

Application of enactments in Schedule A.

**69.** (1) The enactments contained in Schedule A, appended to this Act, shall after the first day of July next be in force in every Municipality in this Province for which there is a Medical Health Officer and a Sanitary Inspector, as a by-law of such Municipality, as if enacted by the Council thereof, except in so far as they shall in the meantime or thereafter, be altered, amended, or repealed by the Council, (Schedule B.); and the Council of every local municipality shall have authority to pass by-laws from time to time in respect of the various matters dealt with by the said enactments. (2)



(2) In any Municipality which has no Medical Health Officer and Sanitary Inspector, or has only one of these officers, the said enactments shall except as aforesaid, be in force unless so far as they relate to the officer which such Municipality does not possess.

(3) Where two or more Municipalities join in the appointment of a Health Officer or Sanitary Inspector, such officer or inspector shall be deemed to be the Health Officer or inspector of each of the said Municipalities.

(4) Where any act or omission is a violation of any express provision of this Act and is also a violation of a by-law of a Municipality in respect of a matter over which the Council of the Municipality has jurisdiction, a conviction may be had under either the Act or the by-law, but a second conviction shall not be made for the same act or omission.

## SCHEDULE A.

### Section 69.

#### BY-LAW IN FORCE IN EVERY MUNICIPALITY TILL ALTERED BY THE MUNICIPAL COUNCIL.

1. It shall be the duty of the Medical Health Officer to assist and advise the Board and its officers, in matters relating to public health, and to superintend, under the direction of the Board, the enforcement and observance, within this municipality, of Health By-laws or Regulations, and of Public Health Acts, and of any other Sanitary Laws, and, if thought advisable by the Board of School Trustees, to act as Medical Inspector of Schools, as well as advisory officer in matters pertaining to school hygiene, and to perform such other duties and lawful acts for the preservation of the public health, as may, in his opinion, be necessary, or as may be required by the Board of Health. He shall also present to this Board, before the fifteenth day of November in each year, a full report upon the sanitary condition of the district. Duty of Medical Health Officer.
2. The Sanitary Inspector, besides performing the duties hereafter indicated by this By-law as belonging specially to him, shall assist the Medical Health Officer, and perform such other duties as may from time to time be assigned to him by the Board of Health or its Chairman. Duty of Sanitary Inspector.
3. The Chairman of the Board of Health shall, before the first day of December in each year, present to the Municipal Council or Municipal Councils, comprised within this district, a report containing a detailed statement of the work of the Board during the year, and the report of the sanitary condition of the Municipality, as rendered to the Board by the Medical Health Officer. A copy of each such report shall be transmitted by the Secretary to the Secretary of the Provincial Board of Health. Chairman of Board of Health to report to Council.
4. No person shall within this municipality suffer the accumulation upon his premises, or deposit, or permit the deposit, upon any lot belonging to him, of anything which may endanger the public health, or deposit upon, on, or into, any street, square, lane, by-way, wharf, dock, slip, lake, pond, bank, harbour, river, stream, sewer, or water, any manure or other refuse, or vegetable or animal matter, or other filth. Deposits endangering public health forbidden.
5. It shall be the duty of the Sanitary Inspector, to keep a vigilant supervision over all streets, lanes, by-ways, lots, or premises, upon which any such Duty of Sanitary Inspector as to lands, etc,

such accumulation as aforesaid may be found, and at once to notify the parties who own or occupy such lots or premises, or who either personally or through their employees, have deposited such manure, refuse, matter, dirt, or filth, in any street, lane, or by-way, to cleanse the same, and to remove what is found thereon; such parties shall forthwith remove the same, and if the same be not removed within twenty-four hours after such notification, the Inspector may prosecute the parties so offending, and he may also cause the same to be removed at the expense of the person or persons so offending. He shall also inspect at intervals, as directed by the Board of Health, all premises occupied by persons residing within its jurisdiction, and shall report to the Board each and every case of violation of any of the provisions of this By-law, or of any other regulations for the preservation of the public health, and shall also report every case of refusal to permit him to make such inspection.

Examination of buildings or premises by Sanitary Inspectors.

6. Whenever it shall appear to the Board, or to any of its officers, that it is necessary for the preservation of the public health, or for the abatement of anything dangerous to the public health, or whenever they or he shall have received a notice signed by one or more inhabitant householders of this municipality, stating the condition of any building in the municipality to be so filthy as to be dangerous to the public health, or that upon any premises in the municipality there is any foul or offensive ditch, gutter, drain, privy, cesspool, ashpit, or cellar, kept or constructed so as to be dangerous or injurious to the public health, or that upon any such premises an accumulation of dung, manure, offal, filth, refuse, stagnant water, or other matter, or thing, is kept so as to be dangerous or injurious as aforesaid, it shall be the duty of the Sanitary Inspector to enter such buildings or premises for the purpose of examining the same, and, if necessary, he shall order the removal of such matter or thing as aforesaid. If the occupant, or proprietor, or his lawful agent or representative, having charge or control of such premises, after having had twenty-four hours notice from any such officer of the Board of Health to remove or abate such matter or thing as aforesaid, shall neglect or refuse to remove or abate the same, he shall be subject to the penalties imposed under section 18 of this by-law.

Notice to put premises in proper sanitary condition or to quit same.

7. If the Board is satisfied upon due examination, that a cellar, room, tenement, or building within its jurisdiction, occupied as a dwelling-place, has become by reason of the number of occupants, want of cleanliness, the existence therein of a contagious or infectious disease, or other cause, unfit for such purpose, or that it has become a nuisance, or in any way dangerous to the health of the occupants, or of the public, they may issue a notice in writing to such occupants, or any of them, requiring the said premises to be put in proper sanitary condition, or if they see fit, requiring the occupants to quit the premises within such time as the Board may deem reasonable. If the persons so notified, or any of them, neglect or refuse to comply with the terms of the notice, every person so offending shall be liable to the penalties imposed by section 18 of this by-law, and the Board may cause the premises to be properly cleansed at the expense of the owners or occupants, or may remove the occupants forcibly and close up the premises, and the same shall not again be occupied as a dwelling-place until put into proper sanitary condition.

Distance of slaughter-house, etc.

8. No proprietor or tenant of any shop, house or outhouse, shall, nor shall any butcher or other person, use any such house, shop or outhouse at any time as a slaughter-house or for the purpose of slaughtering any animals therein, unless such shop, house or outhouse be distant not less than two hundred yards from any dwelling-house and distant not less than seventy yards from any public street.

Inspection of slaughter-house.

9. All slaughter-houses within this municipality shall be subject to regular inspection under the direction of the Board of Health; and no person shall keep any slaughter-house unless the permission in writing of the Board for the keeping of such slaughter-house has been first obtained, and remains unrevoked. Such permission shall be granted, after approval of such premises upon inspection, subject to the condition that the said houses

shall

shall be so kept as not to impair the health of persons residing in their vicinity, and upon such condition being broken the said permission may be revoked by the Board ; and all animals to be slaughtered, and all fresh meat exposed for sale in this municipality shall be subject to like inspection.

10. All milch cows and cow byres and all dairies or other places in which milk is sold or kept for general use, and all cheese factories and creameries shall be subject to regular inspection under the direction of the said Board ; and the proprietors shall be required to obtain permission in writing from the Board, to keep such dairy or other place in which milk is sold or kept as aforesaid, or to keep a cheese factory or creamery, and the same shall not be kept by anyone without such permission, which shall be granted after approval of such premises upon inspection, subject to the condition that all such places as aforesaid are so kept and conducted that the milk shall not contain any matter or thing liable to produce disease either by reason of adulteration, contamination with sewage, absorption of disease germs, infection of cows, or any other generally recognised cause, and upon such condition being broken the said permission may be revoked by the Board.

Inspection of cow byres, cheese factories and creameries.

11. No person shall offer for sale as food within this municipality any diseased animal, or any meat, fish, fruit, vegetables, milk, or other article of food which, by reason of disease, adulteration, impurity, or any other cause shall be unfit for use.

Sale of diseased food.

12. It shall be the duty of the owner of every house within this municipality to provide for the occupants of the same a sufficient supply of wholesome drinking water ; and in case the occupant or occupants of any such house is or are not satisfied with the wholesomeness or sufficiency of such supply, he or they may apply to the Board of Health to determine as to the same ; and if the supply be sufficient and wholesome, then the expenses incident to such determination shall be paid by the said occupant or occupants, and if not, then they shall be paid by the owner ; and in either case the said charges shall be recoverable in the same manner as municipal taxes.

Supply of drinking water.

13. All wells in this municipality which are in use, whether such wells are public or private, shall be cleaned out before the 1st day of July in each year, and in case the Board of Health certifies that any well should be filled up, such well shall be forthwith filled up by the owner of the premises.

Wells to be cleaned out etc.

14. The following code of rules and regulations for the disposal of sewage and refuse shall constitute a part of this by-law, and any person or persons violating or neglecting any of the said rules and regulations shall be liable to the fines and penalties imposed by section 18 of this by-law.

Rules respecting disposal of sewage and refuse.

**RULE 1.**—No privy-vault, cesspool or reservoir into which a privy, water-closet, stable or sink is drained, shall be established until the details of such establishment shall have been submitted to and obtained the approval in writing of the Medical Health Officer, who shall, from time to time, determine with the approbation of the Board, the method of disposal of excreta, sewage and other refuse, to be adopted within the district.

Details of establishment of privy vaults, etc., to be approved by Medical Health Officer.

**RULE 2.**—Earth privies or earth closets without a vault below the surface of the ground do not come within Rule 1, but sufficient dry earth, wood-ashes or coal-ashes to absorb all the fluid parts of the deposit must be thrown upon the contents of such earth privies and closets daily, the contents when removed from the closet must be placed in a shed or box with rain-proof cover, and removed from the premises at least once a year on or before the fifteenth day of May.

Time deposits to be removed.

**RULE 3.**—If the exigencies or circumstances of the municipality require that privy-vaults, cesspools or reservoirs shall be allowed in accordance with Rule 1, they shall be cleaned out at least once a year, on or before the fifteenth day of May, and from the fifteenth day of May to the first day of November in each year they shall be thoroughly disinfected by

Cleaning out and disinfecting privy vaults, etc.

by adding to the contents of the vault, cesspool or reservoir, once a month, not less than two pounds of sulphate of copper, dissolved in two pailfuls of water, or other suitable disinfectant.

Deodorization before removal.

RULE 4.—Within the limits of this municipality no night-soil or contents of any cesspool shall be removed unless previously deodorized as above, and during its transportation the material shall be covered with a layer of fresh earth, except the removal shall have been by some "Odorless Excavating Process."

Time for removal of decayed animal or vegetable matter.

RULE 5.—All putrid and decaying animal or vegetable matter must be removed from all cellars, buildings, out-buildings and yards on or before the fifteenth day of May in each year.

Time for removal of garbage.

RULE 6.—Every householder and every hotel and restaurant-keeper or other person shall dispose of all garbage, for the disposal of which he is responsible, either by burning the same or by placing it in a proper covered receptacle for swill and house offal, the contents of which shall, between the fifteenth day of May and the first day of November, be regularly removed as often as twice a week.

Hogs.

RULE 7.—Between the fifteenth day of May and the first day of November, no hog shall be kept within the limits of this municipality, except in pens seventy feet from any house, with floors kept free from standing water and regularly cleansed and disinfected.

Livery stable.

RULE 8.—The keeper of every livery or other stable shall keep his stable and stable-yard clean, and shall not permit, between the fifteenth day of May and the first day of November, more than two waggon-loads of manure to accumulate in or near the same at any one time, except by permission of the Board of Health.

15. The following regulations regarding the construction of houses, shall be in force within this municipality :—

Soil of building sites to be disinfected.

RULE 1.—No house shall be built in or upon any site, the soil of which has been made up of any refuse, unless such soil shall have been removed from such site, and the site disinfected, or unless the said soil shall have been covered with a layer of charcoal, covered by a layer of concrete at least six inches thick and of such additional thickness as may be requisite under the circumstances to prevent the escape of gases into such proposed house.

Ventilation of drains, etc.

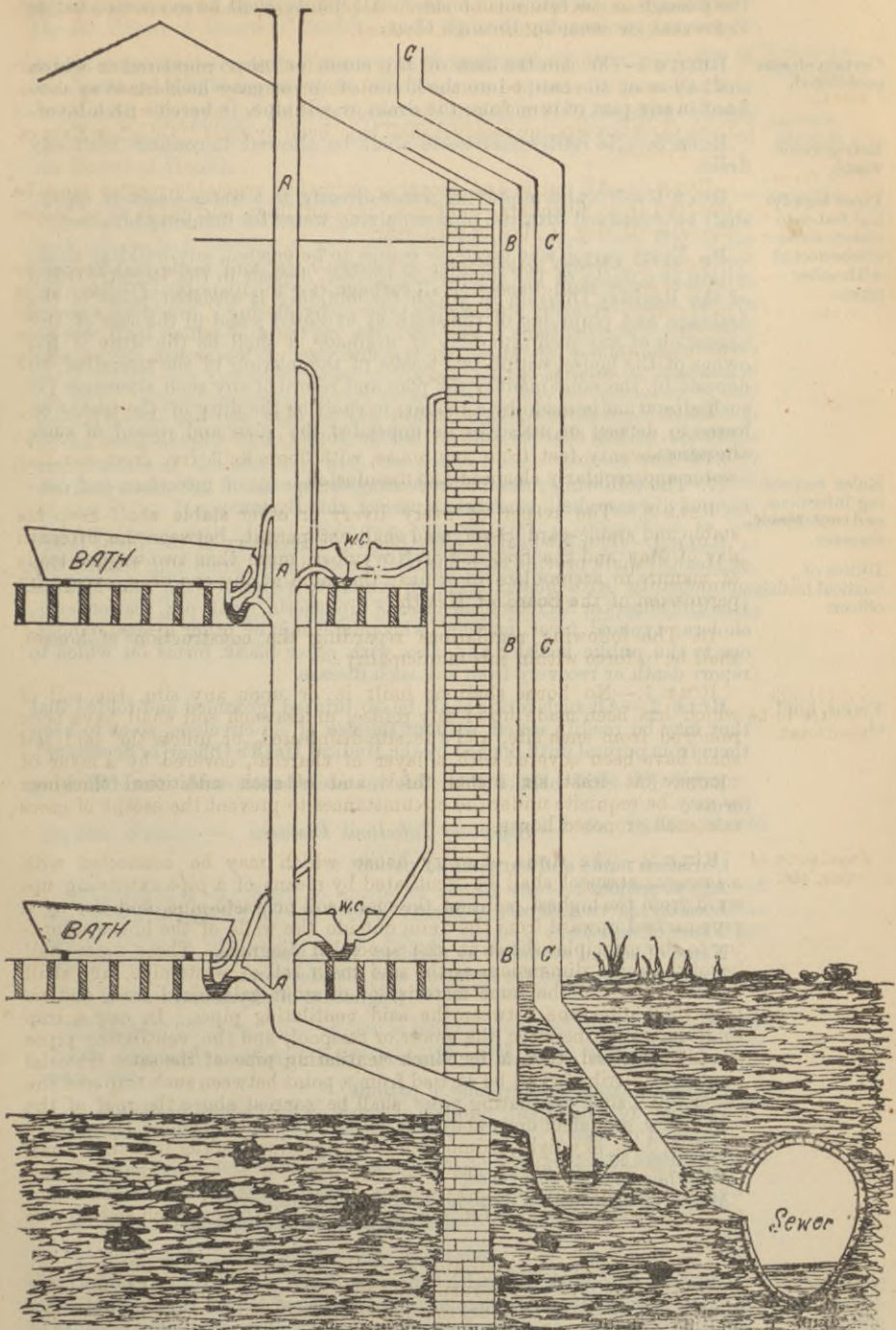
RULE 2.—The drain of every house which may be connected with a sewer or cesspool shall be ventilated by means of a pipe extending upward from the highest point of the main soil or waste-pipe, and also by a pipe carried upward from the drain outside the walls of the house according to the principles shewn in the appended diagram. These pipes shall be of the same dimensions as the said main soil or waste-pipe, and shall be constructed of the same material or of stout galvanized iron, and no trap shall intervene between the said ventilating pipes. In case a trap shall intervene between the sewer or cesspool, and the ventilating pipes already described, then a four-inch ventilating pipe of the same material as above described shall be carried from a point between such trap and the sewer. All such ventilating pipes shall be carried above the roof of the said house, and shall open above at points sufficiently remote from every window, door, sky-light, chimney or other opening leading into any house.

No pipe carrying air or gas from any drain or soil-pipe shall be connected with any chimney in a dwelling-house, unless the same be a furnace chimney used exclusively for the purpose of ventilating such soil-pipe or drain.

Description of drain pipes.

RULE 3.—Every house-drain shall be constructed of vitrified earthenware or iron pipe; and every soil and waste pipe, of iron pipe rendered impervious to gas or liquids, the joints thereof being run with lead and caulked, or of lead pipe weighing at least 6 lbs. to the square foot; and the waste pipe from every closet, sink, tub, wash-basin, safe or other service shall have as near as may be to the point of junction with such service a trap

## DIAGRAM.



A—Extension upwards of soil pipe.

B—Second ventilating tube.

C—Ventilator for drain in case a trap is placed between the sewer and house.

trap so constructed, vented and furnished, that it shall at no time allow of the passage of gas into such house. All joints shall be so constructed as to prevent gas escaping through them.

Certain closets prohibited.

RULE 4.—The construction of any closet or other convenience which shall allow of the escape into the house of air or gas which has been confined in any part of it or from the drain or soil pipe, is hereby prohibited.

Refrigerator waste.

RULE 5.—No refrigerator waste shall be allowed to connect with any drain.

Pipes supplying water to closets to be disconnected with other pipes.

RULE 6.—No pipe supplying water directly to a water-closet or urinal, shall be connected with the pipe supplying water for drinking purposes.

16. Every person who erects, or causes to be erected, any building shall, within two weeks of the completion thereof, deposit in the Registry Office of the Registry Division in which the building is situated, plans of the drainage and plumbing of the same as executed; and in the case of any alteration of any such plumbing or drainage, it shall be the duty of the owner of the house, within two weeks of the making of the alteration, to deposit in the same manner the plan and record of any such alteration; if such alteration is made by a tenant, it shall be the duty of the tenant or lessee to deposit or cause to be deposited the plan and record of such alteration.

Rules respecting infectious and contagious diseases.

17. The following rules for preventing the spread of infectious and contagious diseases shall constitute a part of this By-law:—

Duties of medical health officer.

RULE 1.—The Medical Health Officer [or Secretary of the Local Board of Health] shall provide each medical practitioner, practising within this municipality, with blank forms on which to report to the said Medical Health Officer [or Secretary] any case of diphtheria, small-pox, scarlet fever, cholera, typhoid fever, measles, whooping-cough or other disease dangerous to the public health; and, also, with other blank forms on which to report death or recovery from any such disease.

Forms, kind of.

RULE 2.—All such forms shall be so printed, gummed and folded that they may be readily sealed, without the use of an envelope, so as to keep them from perusal until opened by the Medical Health Officer [or Secretary].

RULE 3.—Said blanks shall be in accordance with the following forms:—

*Report of Infectious Disease.*

Christian name and surname of patient :

Age of patient :

Locality, (giving street, number of house or lot), where patient is :

Name of disease :

Name of school attended by children from that house :

Measures employed for isolation and disinfection :

(Signature of physician) :

.....

*Report of Death or Recovery from Infectious Disease.*

Christian name and surname of patient :

Locality, (giving street, number of house or lot), where patient is :

Name of disease :

How long sick :

Whether dead or recovered :

Means of disinfection employed, and when employed :

(Signature of physician) :

.....

Notice of disease to be posted up.

RULE 4.—The Medical Health Officer [or Secretary], within six hours after he shall have received a notice of the existence of scarlet fever, diphtheria, small-pox, cholera, or whooping-cough, in any house, shall affix or cause to be affixed by the head of the household, or by some other person, near the entrance of such house a card at least nine inches wide and twelve inches long,

long, stating that such disease exists in the said house, and stating the penalty for removal of such card without the permission of the Medical Health Officer or Board of Health.

RULE 5.—No person shall remove such card without the permission of the Board of Health or one of its officers. Not to be removed.

RULE 6.—No animal affected with an infectious or contagious disease shall be brought or kept within this municipality, except by permission of the Board of Health. Animals affected.

18. Any person who violates section 4, 6, 7, 9 or 11 of this by-law, or Rule 1 of section 15, or Rule 5 or 6 of section 17, shall be liable for every such offence to a penalty of not less than \$5 nor more than \$50 in the discretion of the convicting Justices or Magistrate, besides costs, which may also be inflicted if the committing Justices or Magistrate see fit to impose the same. Any person who violates any other provision of this by-law shall be liable for every such offence to a penalty not exceeding \$20, in the discretion of the convicting Justices or Magistrate, besides costs, which may also be inflicted if the convicting Justices or Magistrate see fit to impose the same. Every such penalty may be recovered by any person before any two Justices or a Police Magistrate having jurisdiction in the municipality, and shall be levied by distress and sale of the goods and chattels of the offender, with the costs of such distress and sale, by warrant under the hands and seals of the Justices, or the hand and seal of the Police Magistrate, before whom the same are recovered, or under the hands and seals of any other two Justices having jurisdiction in the municipality, and in default of sufficient distress the said Justices or Magistrate may commit the offender to the Common Gaol or to any Lock-up or House of Correction in the said municipality for any time not exceeding fourteen days, with or without hard labour, unless the amount imposed be sooner paid. Penalties.

## SCHEDULE B.

### FORM OF MUNICIPAL BY-LAW AMENDING THE ABOVE BY-LAW.

*By-law Number —, intituled "A By-law respecting the Public Health By-law."*

Whereas it is expedient to amend or repeal some of the provisions of the by-law appended to *The Public Health Act, 1884*, so far as the same are in force in this municipality, and to suspend the operation of other provisions of the said by-law.

Be it therefore enacted by the Municipal Council of

1. Section 13 of the said by-law is hereby amended by substituting the "first day of July of every second year" for "the first day of July in each year."

2. Rule 7 of section 14 of the said by-law is amended by striking out the words "and disinfected" at the end of the said rule.

3. Rule 2 of Section 15 shall not be in force in this municipality until the First day of January 1885.

4. Rule 3 of section 14 is hereby repealed.

5. This by-law shall go into force forthwith.

any, stating that such disease exists in the said house, and stating the names of the persons of such age without the permission of the Health Officer or Board of Health.

Article 3.—No person shall remove such age without the permission of the Board of Health or one of its officers.

Article 4.—No animal affected with an infectious or contagious disease shall be brought or kept within this municipality except by permission of the Board of Health.

Article 5.—Any person who violates section 4, 5, 6, 7 or 11 of this chapter, or Article 1 or 2 of section 13, or Article 3 or 4 of section 14, shall be liable for every such offense to a penalty of not less than \$5 nor more than \$50 in the discretion of the commanding Justice or Justices or Magistrate, which may also be included if the commanding Justice or Magistrate see fit to impose the same. Any person who violates any other provision of this law shall be liable for every such offense to a penalty not exceeding \$25 in the discretion of the commanding Justice or Magistrate, besides which may also be included if the commanding Justice or Magistrate see fit to impose the same. Every such penalty may be recovered by any person before any two Justices or a Police Magistrate having jurisdiction in the municipality, and shall be levied by distress and sale of the goods and chattels of the offender, with the costs of such distress and sale, and warrants under the hands and seals of the Justice or Justices and seal of the Police Magistrate, before whom the same are recovered, or under the hands and seals of any other two Justices having jurisdiction in the municipality, and in default of judgment between the said Justices or Magistrate may be brought for recovery to the Common Pleas or any Court of the County of Hamilton in the said municipality for any sum not exceeding four hundred dollars, with or without legal interest, upon the amount thereof to recover said.

## SCHEDULE B.

### Form of Municipal By-Law Amending the Snow By-Law.

Article Number —, entitled "A By-Law respecting the Public Health."

Whereas it is expedient to amend the special laws of the provisions of the by-law appended to the Public Health Act, 1867, in so far as the same are in force in this municipality, and to suggest the operation of other provisions of the said by-law.

Be it therefore enacted by the Municipal Council of the City of Hamilton, Ontario, that section 13 of the said by-law is hereby amended by substituting the words "the first day of July in each year" for "the first day of July in each year."

Article 2 of section 14 of the said by-law is amended by striking out the words "and discontinued" at the end of the said rule.

Article 3 of section 15 shall not be in force in this municipality until the first day of January 1885.

Article 5 of section 16 is hereby repealed.

Article 6 of section 17 shall go into force forthwith.