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ORDINANCES

:: :: :: OF THE :: :: ::

BOARD OF HEALTH

N.S.

of the
CITY OF NEW BRUNSWICK
New Jersey

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ADOPTED MARCH 20th, 1913

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ORDINANCES

:: OF THE ::

BOARD OF HEALTH

OF THE

CITY OF NEW BRUNSWICK
NEW JERSEY



ADOPTED MARCH 20, 1913

ORDINANCES
OF THE
NEW BRUNSWICK
(NEW JERSEY)
BOARD OF HEALTH

The Board of Health of the City of New Brunswick, State of New Jersey, by virtue of provisions of the act of the Legislature of the State of New Jersey, entitled "An Act to establish in this State Boards of Health and a Bureau of Vital Statistics, and to define their respective powers and duties," approved March 31, 1887, the several supplements and amendments thereto and other acts, doth ordain:

ARTICLE I.

Definitions

That the definitions enumerated in this Article shall be held to apply whenever and wherever such words or terms may occur in the ordinances, rules and regulations of the Board of Health of New Brunswick.

The terms "Board," "this Board," and "said Board" shall be held to mean "The Board of Health of the City of New Brunswick;" that the words "person," "owner," "agent," "tenant," "lessee," "occupant," "contractor," "party," "manager," and "officer" shall respectively be held to apply and to include, both jointly and severally, each and all owners, part owners, lessees, occupants, managers, contractors, parties in interest, persons, boards and corporations who may sustain the relations, or be in like position, or any one or more thereof referred to in any ordinance or city regulation. The words "city," "this city" or "said city," wherever used shall be held to mean the City of New Brunswick. The word "permit" or the word "license"

shall mean the permission in writing of this Board issued according to its ordinances, rules and regulations.

The word "street," when herein used, shall be held to include avenues, sidewalks, gutters and public alleys; and the words "public place" shall be held to include parks, piers, docks and wharves and water and open spaces thereto adjacent, and 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 dirt 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, or which attends the preparation and decay of, dealing in, or storage of meats, fish, fowls, birds or vegetables, and the word "dirt" shall be held to mean natural soil, earth or stone.

ARTICLE II.

Nuisances

SEC. 1. In addition to the nuisances specifically enumerated in the ordinances, rules and regulations of the Board whatever is dangerous to human life or health, and whatever renders the ground, air, food, or water unwholesome and an injury to human health, is hereby declared to be a nuisance and is prohibited.

SEC. 2. That any pool, ditch, gutter, water course, privy, urinal, cesspool, drain or ash pit on any lot of land within said city near any inhabited dwelling house or any public highway so foul or in such a state as to breed mosquitoes, flies or other insects, or to cause the air in said public highway or such dwelling house by reason of offensive, noxious odors, emitted therefrom, to be corrupted, offensive to the senses or injurious to the public health, all full or overflowing privies, sinks or cesspools, heaps of manure, garbage, offal, rags, unclean pens, carcasses or parts of dead animals, upon any lot, garden, yard, street, lane, alley, within the corporate limits of the City of New Brunswick, shall be deemed and is hereby declared to be a nuisance.

SEC. 3. That the casting, throwing, draining or discharging or causing to be cast, thrown, drained or discharged into any public street or highway, gutter, alley or other public place within said city, and slops, kitchen water, laundry water, sewage, waste water, or other liquid so foul or of such a character as to breed mosquitoes, flies or other insects, or cause the air in such public street or

highway or other public place to be corrupted, offensive to the senses or injurious to the public health, shall be deemed and is hereby declared to be a nuisance.

SEC. 4. That any accumulation or deposit of offal or any decaying animal or vegetable substance in or upon any lot of land near any inhabited dwelling house or any public or private place within said city, which shall cause the air in such dwelling house, or in such public street or highway to become and be noxious and offensive, or in such a state as to breed flies, mosquitoes or other insects, or otherwise become injurious to public health, shall be deemed and is hereby declared to be a nuisance.

SEC. 5. Any accumulation of sewage, waste or stagnant water in or upon any lot of land, gutter, public street or highway, alley or other private place within said city which shall breed mosquitoes, flies or other insects, or shall render the air noxious and offensive, or which shall be injurious to the public health, shall be deemed to be and is hereby declared to be a nuisance.

SEC. 6. No person, whether the owner, lessee, tenant, or occupant of any house or other building in this city, shall allow any water or other liquid to run from or out of his building or land upon or across any sidewalk or curbstone, and if such substance is allowed to pass upon any street, it must reach the same by a passage, to be kept at all times adequate and in repairs by such person, under or through such flagstones or curbstones; and no such water or other liquid, or ice therefrom, shall be allowed to gather or remain on the upper surface of each 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 pass along the gutter, or such proper passage to a sewer or other proper outlet.

SEC. 7. Every person creating or maintaining, or aiding in the creation or maintenance of any nuisance, shall forfeit and pay a penalty of twenty-five dollars for every such offense, and in the case of a continuing offense, shall be liable to a further penalty of ten dollars for each day after a written notice of the offense by this Board.

ARTICLE III.

Nuisances on Public Places

SEC. 1. No person shall cast, throw, dump or deposit, or cause to be cast, thrown, dumped or deposited, any offensive matter in or on any public highway, road, street, avenue or alley within this city. The owner, lessee or occupier of any lot fronting, adjoining or abutting on any public highway, road, street, avenue or alley within this

city shall forthwith, after written notice to that effect from this Board or from the Health Officer, remove any offensive matter lying in or being on such public highway, road, street, avenue or alley adjoining such premises.

SEC. 2. No person shall maintain any sunken land, or marsh land, on which mosquitoes, flies or other insects breed, or from which, by reason of stagnant water therein or thereon, there shall arise an offensive gas, odor or smell, and all sunken land or marsh land shall be drained or otherwise so cared for as not to breed mosquitoes or to be or become a nuisance.

SEC. 3. Every person who shall violate any of the provisions of this Article shall forfeit and pay a penalty of twenty-five dollars for every such offense, and in the case of a continuing offense, shall be liable to a further penalty of ten dollars for each day after written notice of the offense from this Board.

ARTICLE IV

Fly Breeding Places

SEC. 1. Any place or condition where flies or other insects may breed is hereby adjudged and declared a nuisance, injurious to public health.

SEC. 2. It shall be unlawful for any person, firm, or corporation to suffer or permit, or have upon their premises, whether owned or occupied by them, either one or more of the following unsanitary fly-producing, disease-causing conditions, to-wit :

First.—Manure which is not securely protected from flies.

Second.—Any privy, vault, cesspool, sink, pit, or like place which is not securely protected from flies.

Third.—Garbage which is not securely protected from flies.

Fourth.—Vegetable waste, trash, litter, rags, or refuse of any kind, nature or description in which flies may breed or multiply.

SEC. 3. Every act or thing done, made, permitted, allowed, or continued in violation of Section 1 and 2 of this Article shall be deemed a nuisance.

SEC. 4. In order to better carry out the provisions of this Article, the Health Officer may serve a notice in writing upon the owner, occupant, or agent of any lot, building, or premises, in or upon which any nuisance, declared to be such in Section 1 and 2 of this Article, may be found, or upon him who may be the cause of such nuisance, requiring him to abate the same in such manner as the Health Officer may direct, and within a reasonable time, to be fixed in the notice ; but failure to give notice, as provided herein,

shall not relieve the author of any nuisance from the obligation to abate such nuisance, or from the penalty provided for the maintenance thereof.

SEC. 5. In case of neglect or refusal of any person to abate any nuisance defined by this Article, after notice in writing has been served upon him, as provided in Section 4 of this Article, and within the time in said notice specified, it is hereby made the duty of the Health Officer to abate or procure the abatement thereof, and the expense of such abatement shall be collected from the person or persons so offending.

SEC. 6. Any person or persons violating any of the provisions of this Article shall forfeit and pay a penalty of twenty-five dollars for every such offense, and in case of a continuing offense, shall be liable to a further penalty of ten dollars for each day after written notice of the offense from this Board.

ARTICLE V.

The Keeping of Animals

SEC. 1. No person shall have or keep on any premises in the City of New Brunswick, any cattle, sheep, goats or swine, without a permit from the Board of Health, which permit shall be renewed annually on or before the first day of January in each year, and revokable at the pleasure of the Board; and for each and every permit so granted the sum of twenty-five cents for each animal shall be paid. Provided, that no such registry shall be made or permit issued until it shall be shown, upon inspection, that such place and premises are kept in good sanitary condition.

SEC. 2. It shall be the duty of the owner of any such cattle, sheep, goats, or swine, to make registry thereof at the office of the Board of Health on or before the first day of January in each and every year hereafter, under a penalty of ten dollars for any neglect to make such registry hereunder.

SEC. 3. That any animal kept within said city in such a manner that noxious and offensive odors are created and sent forth, rendering the air offensive and injurious to the public health, or which is kept in such a condition that flies, mosquitoes or other insects are bred therein, shall be deemed and is hereby declared to be a nuisance.

SEC. 4. Any person violating any of the sections of this Article shall forfeit and pay a penalty of twenty-five dollars for every such offense, and in a case of a continuance of the same, shall be liable to a further penalty of ten dollars for each day after written notice of the offense from this Board.

ARTICLE VI.

Stables, Manure Pits, Etc.

SEC. 1. Every owner, lessee or occupier of a building or premises wherein or whereon any horse, cattle, swine or other live stock may be kept within this city shall provide, in connection with such building or premises, a suitable receptacle for dung, manure, soil, filth, or other offensive or noxious matter which may from time to time be produced in the keeping of any such animal in such building or upon such premises.

SEC. 2. A suitable receptacle for manure, dung, or other offal, as required in the section next preceding, shall be constructed as the Board may direct with the following as a minimum requirement:

(a) Constructed of brick or concrete and in such a manner as to be water and liquid tight, and to prevent any escape of the contents thereof.

(b) To be provided with a cover which will exclude at all times access of flies, mosquitoes and other insects, and which will prevent the escape therefrom of noxious odors or emanations.

(c) If located within fifty feet of any dwelling or other building occupied as a store, shop or factory, shall be ventilated by a shaft twelve inches square, inside dimensions carried two feet above such adjoining building.

SEC. 3. That every owner, lessee or occupier of a building or premises wherein or whereon any horse, cattle or other live stock may be kept within this city, shall once in every thirty days, or oftener, if required by the Board, cause to be removed from the receptacle hereinbefore provided for, all dung, manure, soil, filth, or other offensive and noxious matter produced in or upon such building or premises and deposited in such receptacle.

SEC. 4. Every owner, lessee or occupier of a building or premises wherein or whereon any horse, cattle, swine, or other live stock may be kept within this city, shall keep the same at all times free from any solid or liquid discharge or excrement dung, soil or filth; and free from any condition where noxious odors or offensive odors may be present or emanate; and free from any condition which may breed flies or other insects.

SEC. 5. Every person, firm or corporation who shall violate any of the provisions of this Article, shall forfeit and pay a penalty of twenty-five dollars for every such offense.

ARTICLE VII.

Permits for Cesspools, Vaults and Manure Pits

SEC. 1. No privy-vault, cesspool or manure-pit shall hereafter be constructed or reconstructed within the City of New Brunswick without a permit for that purpose being first had and obtained from the Board of Health. The fee for such permit shall be one dollar.

SEC. 2. No permit for the construction of any privy-vault, cesspool or manure-pit shall be issued as required in the above section until there shall be filed in the office of the Board of Health a plan, or drawing (in ink) and written description thereof, signed by the owner or lessee of the premises upon which such privy-vault, cesspool or manure-pit is to be located, showing in detail the proposed construction of the same, and said description explaining all portions of the proposed construction not clearly set forth in the plans or drawings and the said plans or drawings and written description thereof properly approved by the Health Officer in writing.

SEC. 3. Said permit shall be revokable by this Board for cause such as a violation of any ordinance regulation or order for the control of such a cesspool, privy-vault or manure-pit. Provided, that all permits granted for the construction of privy-vaults or cesspools shall expire by limitation upon the construction of a public sewer upon any street or section of street abutting on or adjacent or accessible to the premises for which permit was granted; and upon expiration or cancellation of such permit, the said privy-vault or cesspool shall be abandoned, emptied of its contents and filled to the top with earth or other material, approved by this Board.

SEC. 4. All work upon any privy-vault, cesspool or manure-pit hereafter to be constructed or reconstructed in the City of New Brunswick shall be strictly in accordance with the approved plan or drawing and with the written description thereof as hereinbefore required to be filed.

SEC. 5. No privy-vault, cesspool or underground receptacle for filth shall be hereafter erected or built on any street in which a public sewer is laid, but proper water closets, school sinks, latrines or some means approved by this Board shall be provided, which shall discharge into said sewer; and no such water closet, school sink or latrine shall be allowed unless provided with a flow of water sufficient to wash all filth into the public sewer.

SEC. 6. Every person who shall violate any of the provisions of this Article shall forfeit and pay a penalty of twenty-five dollars for every such offense.

ARTICLE VIII.

Cesspool and Privy Vault Construction

SEC. 1. Every person who shall construct a privy-vault or cesspool within this city shall construct such privy-vault or cesspool at a distance of fifteen feet at least from a dwelling house or public building, or any building in which any person may be or may be intended to be employed, in any manufacture, trade, or business, and at least five feet distant from the line of every adjoining property, street, alley, court or public or private passageway, except by permission from the Board of Health.

SEC. 2. Every person who shall construct a privy-vault or cesspool within this city shall not construct such privy-vault or cesspool within the distance of fifty feet from any stream of water or well which is used for domestic purposes or otherwise in such a position as to cause the pollution of such water.

SEC. 3. Every person who shall construct a privy-vault or cesspool within the city shall construct such privy-vault or cesspool in such position as to afford ready means of access thereto for the purpose of cleansing such privy-vault or cesspool and of removing filth therefrom.

SEC. 4. Every person who shall construct a cesspool within this city shall construct such cesspool of good brick-work or cement or other approved material properly laid in cement at least four inches thick, sides and bottom water tight, and shall cause such cesspool to be arched with brick or covered with flagstone or flagstones, so that the same shall be properly and tightly covered in such a manner as to prevent emanations or odors therefrom, and be screened to prevent access of flies and other insects thereto.

SEC. 5. Every person who shall construct a privy-vault within this city shall construct such privy-vault of good brick, or other material approved by the Board, with sides and bottom at least eight inches thick, not less than six feet in depth, properly rendered inside with cement and made water tight, and so constructed that odor and emanations do not issue therefrom, and so covered and screened as to prevent access of flies and other insects thereto.

SEC. 6. In the case of existing privy-vaults which are not in accordance with the foregoing sections, the owner of the property shall not be required to reconstruct the privy-vault, unless in the opinion of the Health Officer or Board of Health, said privy is a menace to health, but all privy-vaults whether new or old shall comply with the following minimum requirements :

(a) The roof shall be water tight and shall not discharge rain water into the box or vault.

(b) The house shall be without openings or cracks through which flies or insects may enter. It shall be provided with a tight, self-closing door. It shall have an opening or openings for light and ventilation, which opening or openings shall be screened for the exclusion of flies or other insects.

(c) The seat shall have a hinged cover of sufficient size to completely cover the opening or openings in the seat.

(d) Failure to meet any of the above minimum requirements is hereby declared to constitute a public nuisance and a menace to public health.

SEC. 7. All alterations or repairs which shall hereafter be made on any privy-vault or cesspool in the city of New Brunswick, shall be made in accordance with the requirements of this Article, and whenever it shall become necessary to reconstruct or to change the location of any existing privy-vault or cesspool, the new privy-vault or cesspool shall be constructed throughout in conformity with the requirements of this Article.

SEC. 8. Whenever in the opinion of the Health Officer or the Board of Health, the condition of the privy-vault or cesspool is such that it cannot be put in sanitary condition, the Health Officer or Board of Health shall order a new privy-vault or cesspool constructed throughout in conformity with the requirements of this Article. These rules and regulations apply only to property for which no sewer is available. When a sewer is available, connection must be made with the same and proper water-closet must be installed, the old privy or cesspool to be removed at once.

SEC. 9. Every person who shall violate any of the provisions of this Article shall forfeit and pay a penalty of twenty-five dollars for every such offense, and an additional penalty of ten dollars per day for every day that an offense against this Article shall continue after a written notice from this Board.

ARTICLE IX.

Maintenance of Cesspools and Privy Vaults

SEC. 1. The owner, lessee or occupier of any premises within this city shall not allow the contents of any cesspool or privy-vault belonging to such premises to rise within two feet of the top thereof.

SEC. 2. The owner, lessee or occupier of any premises within this city shall cleanse every cesspool or privy-vault belonging to such premises and remove the contents therefrom upon notice in writing to that effect from this Board.

And every such occupier, or owner, or lessee, who shall neglect or refuse to cleanse any such cesspool or privy-vault for three days after the time specified in such written notice to that effect, shall be adjudged as committing a separate and distinct offense for each day of such continuance.

SEC. 3. The owner of any privy-vault or cesspool in the City of New Brunswick, situated on premises abutting on a street of said city in which a public sewer is laid, shall clean, remove and fill up all privy-vaults or cesspools on said premises and connect the premises with said sewer, whenever in the judgment of the Board of Health of said city it shall be necessary for them so to do, within thirty days after notification in writing or printing by the Board of Health, through the Health Officer, and in case such owner shall reside out of the City, or can not be found, the posting of said written notice upon said house or building shall be considered sufficient notice.

SEC. 4. Whenever the use of any privy-vault or cesspool is discontinued, such privy-vault shall be cleaned of its contents and filled with earth or other suitable material in a manner to be approved by the Health Officer or this Board.

SEC. 5. Every person, firm or corporation who shall violate any of the provisions of this Article, shall forfeit and pay a penalty of twenty-five dollars for each offense.

ARTICLE X.

Scavengers

SEC. 1. No person shall clean, empty or remove the contents of any privy-vault, sink or cesspool within the city without a written permit from the Board of Health, and no person shall engage in the business of cleaning, emptying and removing, or shall clean, empty or remove the contents of any privy-vault, sink or cesspool in the City of New Brunswick except by a written permit from the Board of Health and under the supervision and control of the Board of Health.

SEC. 2. The permit to be granted as set forth in the next preceding section, shall continue for the term of one year from the date of the granting of the same; and a fee of ten dollars shall be paid therefore. Provided, that if any person licensed as aforesaid, or any of his employees, servants or agents shall violate any section of this code, or rule of the Board of Health in cleaning any cesspool or privy-vault, or in removing the contents thereof, such license may, at the discretion of the Board, be revoked.

SEC. 3. Every person engaged in the business of removing the contents of privy-vaults, sinks or cesspools in this city, where such contents are to be carried through any public street or highway of said city, shall use in such business a suitable conveyance for the carrying of such contents, provided with water-tight tanks or boxes, with close-fitting lids or covers, or some other suitable conveyance to be first approved for such use by this Board.

SEC. 4. Every scavenger shall make a return in writing to the Health Officer at least once each week on blanks provided for the purpose of each privy-vault, cesspool or sink emptied and cleaned by him, giving the name, location of the premises wherein such work has been performed and such other data as may be required by this Board.

SEC. 5. Every scavenger, or person so licensed or engaged in the business and employment of cleaning and emptying privy-vaults, sinks and cesspools and removing the contents thereof shall, upon receipt of an order signed by the Health Officer, stating the necessity for the immediate cleaning or emptying of any privy-vault, sink, or cesspool in this city and the removal of the contents thereof, perform such work within forty-eight hours after the receipt of such order. Provided, that the owner, lessee, or occupant of said premises on which such privy-vault, sink or cesspool is situated, or the Board of Health, shall express willingness to pay for such services the usual fee allowed for such work.

SEC. 6. Any person, firm or corporation who shall violate any of the provisions of this Article, shall forfeit and pay the sum of twenty-five dollars for every such offense.

ARTICLE XI.

Garbage and Refuse

SEC. 1. The term "garbage" used herein or elsewhere in these ordinances and regulations is intended to include all kitchen refuse, waste material or offal, of animal or vegetable nature, which is decayed, decaying or liable to decay.

SEC. 2. All garbage shall be kept and stored separate from other waste material in liquid-tight, covered receptacles, which receptacles shall be kept clean from offensive odors or emanations. All ashes shall be kept separate from other refuse, and stored in suitable receptacles for removal by the city collectors. All waste paper shall be tied in bundles or otherwise secured to prevent scattering. All waste not otherwise enumerated herein shall be kept separate from garbage and stored in suitable containers for removal by the city collectors.

SEC. 3. No garbage shall be deposited any where within the corporate limits of the City of New Brunswick, except by permission and under direction of the Board of Health, and only then when the garbage so dumped shall be covered once in forty-eight hours with a layer of clean ashes or earth, on the top and sides, not less than twenty-four inches deep.

SEC. 4. Every owner, lessee, or occupier of any meat, vegetable, or oyster stall, or place in any market in this city where meat, fish or oysters are exposed or kept for sale, shall cause such place to be kept thoroughly clean and purified, and all offal, blood, fat, garbage and other refuse and unwholesome matter kept in air and liquid-tight receptacles, which receptacles shall be kept clean and free from offensive odors and emanations, and the contents shall be removed therefrom at least once in every twenty-fours.

SEC. 5. The removal, upsetting or interfering with the contents of any receptacle in which garbage or other refuse may be placed for removal by the City Collectors is hereby prohibited.

SEC. 6. Any person or corporation found guilty of violating any of the provisions of this Article shall forfeit and pay a penalty of not less than ten dollars nor more than twenty-five dollars for every such offense, and in case of a continuing offense, shall be liable to a further fine of ten dollars for each day after notice from this Board.

ARTICLE XII.

Collection of Garbage and Swill

SEC. 1. No person or persons shall collect or convey through the streets of the City of New Brunswick, any garbage, swill, offal or dead animals, without first obtaining a permit so to do from the Board of Health.

SEC. 2. All applications for permits to collect or remove garbage, swill, offal or dead animals shall be made in writing addressed to the Board of Health, and shall state the number and kind of wagons or other vehicles to be used in such collection or removal, the disposition to be made of the material collected or removed and such other information as the Board of Health may from time to time require.

SEC. 3. Each permit to be granted under the provisions of this Article shall expire on the first day of January next, following the granting of the same. Provided, that if any person granted a permit as the aforesaid, or any of his employees, servants or agents shall violate any ordinance or rule of the Board of Health relating to the collec-

tion or removal of garbage, swill, offal, or dead animals, such permit may at the discretion of the Board of Health be revoked.

SEC. 4. No permit as required in the sections preceding shall be issued until there shall have been paid to the said Board of Health for such permit the sum of one dollar. (The Corporation of the city of New Brunswick, excepted.)

SEC. 5. Every person, firm or corporation who shall collect, remove or convey or cause to be collected, removed or conveyed through or along any street within this city, any garbage, swill or offal, shall use a water-tight metal or metal-lined wagon with metal or metal-lined covers, or water-tight metal cans provided with tightly fitting metal covers. Said wagons or cans must at all times, while in the city, except when being loaded or unloaded, be tightly covered. Every wagon or vehicle used in the business of the collection or removal of garbage, swill, offal or dead animals, shall have permanently painted on both sides the name of the person using the same and holding a permit under this Article, and the number of his permit.

SEC. 6. No wagon or vehicle used for the collection or removal of garbage, swill, offal or dead animals, shall stand in the streets or other public places within the limits of the City of New Brunswick, at any time, except when being loaded or unloaded.

SEC. 7. Any person, firm or corporation who shall violate any of the provisions of this Article shall forfeit and pay a penalty of ten dollars for every such offense.

ARTICLE XIII.

Sewerage Connections

SEC. 1. Where in any street or section of street there is now constructed a public sewer, or where hereafter in any street or section of street there may be constructed any public sewer for the purpose of carrying off the sewage, the owner or owners of property abutting on, adjacent to, or along the line of any such sewer so constructed or to be constructed shall, within thirty days after being notified by the Board of Health, connect the houses and buildings on such property with such public sewer in a proper manner.

SEC. 2. Any person refusing or neglecting to make such connection, or to comply with the provisions of this Article and said notice, shall pay a fine of twenty-five dollars, and an additional fine of ten dollars for each and every day after the aforesaid notice of thirty days shall have expired, and during which time the provisions of this ordinance and said notice have not been complied with.

ARTICLE XIV.

Reports of Contagious Disease

SEC. 1. The terms "communicable disease," "contagious disease," "infectious disease," "pestilential disease," whether used in the singular or plural in the ordinances and regulations of this Board, shall be considered as equivalent, synonymous and interchangeable. These terms shall be considered as applicable to any disease which may be communicated or transmitted directly or indirectly.

SEC. 2. Every physician shall, within twelve hours after his professional attendance upon any person who is suffering from cholera, yellow fever, typhus fever, leprosy, plague, trichinosis, small-pox, varioloid, enteric (or typhoid) fever, diphtheria, membranous croup, scarlet fever, chicken-pox, cerebro-spinal meningitis, infantile paralysis, trachoma, hydrophobia, glanders, anthrax, whooping-cough, or measles, or any other contagious, infectious or communicable disease which hereafter may be publicly declared by the State Board of Health or this Board of Health to be preventable and specially dangerous to the public health, report such sickness to the Health Officer of this Board, which report shall be in writing, signed by such physician, and shall set forth the name age and precise location of the person suffering from such disease, and such further information as this Board may require.

SEC. 3. Every houseowner or householder who knows that any person living, dwelling or being in any building under his control is affected by any of the contagious, infectious or communicable diseases hereinabove specified or referred to shall, when no physician has professionally attended such sick person, within twelve hours after discovering the same, report the fact in writing to the same person and in the same manner as any physician attending such sick person would be required to do as hereinbefore set forth.

SEC. 4. On the thirtieth day of June and the thirty-first day of December in each and every year every physician, houseowner and householder making any report or reports as in this Article required, shall be entitled to receive from the officer to whom such report or reports shall have been made during the preceding six months, a certificate in writing under the hand of such officer, setting forth the number of names of persons reported to have been affected with any of the diseases hereinabove specifically named or referred to, which certificate when presented by such physician, houseowner or householder to

the Treasurer of this Board, shall entitle such physician, houseowner or householder to receive from such officer the sum of ten cents for each and every name by such certificate certified to have been reported, unless such notification shall be found to have been erroneous.

SEC. 5. Any physician, houseowner or householder who shall refuse or neglect to perform the duty herein required of him in this Article, shall be liable to a penalty of fifty dollars.

ARTICLE XV.

Contagious Disease—Prevention of Spread of Same

SEC. 1. No person being in charge of any person suffering from any of the diseases hereinbefore mentioned in Article XIV., shall wilfully expose such sufferer without proper precautions against spreading the disease in any street, public place, shop, inn, or public conveyance, or shall enter any public conveyance in this city without previously notifying the owner, conductor or driver thereof that he is in charge of the person so suffering.

SEC. 2. No person shall, within this city, give, lend, sell, transmit or expose, without previous disinfection, any bedding, clothing, rags or other things which have been exposed to infection from any of the diseases hereinbefore mentioned in Article XIV. Provided, that no proceedings under this section shall be taken against any person transporting with proper precaution any bedding, clothing, rags, or other things, for the purpose of having the same disinfected.

SEC. 3. No person, while suffering from any of the diseases hereinbefore mentioned in Article XIV., shall wilfully expose himself or herself without proper precautions against spreading the said disease in any street, public place, shop, inn, or public conveyance, or enters any public conveyance in said city without previously notifying the owner, conductor or driver thereof that he is so suffering,

SEC. 4. It shall be the duty of every person knowing of any individual in said city who may be sick with any contagious disease, or hearing of any such sick person whom he shall have reason to believe requires the attention of this Board, to at once report the facts to the Board of Health.

SEC. 5. Any person who shall violate any of the provisions of this Article shall forfeit and pay a penalty of not less than ten dollars nor more than fifty dollars for every such offense.

ARTICLE XVI.

Quarantine and Disinfection

SEC. 1. That in case of any of the diseases mentioned in Article XIV., or any other contagious, infectious or com-

municable disease in the City of New Brunswick, the persons affected thereby shall, at the discretion of this Board, or the Health Officer, be isolated, or they may be removed to such locality as this Board may order and direct; and all buildings, clothing, property and other things, and premises and vehicles which may become infected by the presence of such contagious, infectious or communicable disease, shall be disinfected by or under the direction of the Board of Health.

SEC. 2. This Board may establish such separation and isolation or quarantine of the sick from other persons not necessary as attendants, and also provide and effect such special care, disinfection, and cleansing of property and premises as shall, in the judgment of the Board, or the Health Officer, be deemed necessary to prevent the spreading of such disease.

SEC. 3. When the house infected by the presence of a person suffering from any contagious or infectious disease shall no longer contain a person so suffering, or upon recovery of such patient, it shall be the duty of the attending physician to so report to the Board of Health, when the infected house shall be thoroughly disinfected by the Health Officer.

SEC. 4. Whenever quarantine has been established by the Board of Health upon or in any house or premises within said city in which any contagious or infectious disease exists, by a placard affixed to said house or premises, such quarantine and all provisions thereof shall be maintained and obeyed by all persons until the recovery or death of the person or persons so affected with such disease and until the said house has been disinfected by or under the direction of this Board, and such placard has been removed by said Board.

SEC. 5. No person shall interfere with or obstruct the entrance, inspection or examination of any house by the members, officers, or agents of this Board, when there has been reported the case of a person sick with contagious disease therein.

SEC. 6. The Health Officer shall have power to cause to be placed on the outside of any building or other premises, or upon door of any room, occupied by a person having an infectious, contagious or communicable disease, except tuberculosis, a printed placard giving notice of such disease. No person shall remove, deface, or in any manner whatsoever knowingly obstruct from public view such placard placed by order of the Health Officer, and every person having control or occupancy of a house or premises

upon which a placard is placed by the Health Officer, shall be held responsible for the removal, defacement, or obstruction of the same.

SEC. 7. Any person offending against any of the provisions of this Article shall forfeit and pay a penalty of twenty-five dollars for every such offense.

ARTICLE XVII.

Contagious Disease in Schools, Etc.

SEC. 1. No principal, teacher, or superintendent of any public or private school, or any Sunday school, shall knowingly permit any person sick with any disease declared by this Board to be contagious or communicable, or any other communicable disease, or any person residing in any house in which scarlet fever, diphtheria, small-pox, measles or cerebro-spinal meningitis shall exist, to attend any school until such time as the Board of Health, or the Health Officer, certifies in writing to such teacher, principal or superintendent that the said child may attend school without communicating the disease to others.

SEC. 2. It shall be the duty of the principal or teacher of any private or public day-school, night-school or Sunday-school, within the city, to report to the Board of Health the name and residence of any person affected with any contagious or infectious disease who shall present himself or herself for attendance at such school.

SEC. 3. No person from any dwelling wherein a disease dangerous to the public health exists shall take any book or magazine to or from any circulating library.

SEC. 4. No circulating library, librarian, or employee of the same shall allow any books or magazines to be taken or returned from a dwelling or premises where contagious or infectious disease may exist until he shall receive from the Health Officer or Board of Health a written permit to do so.

SEC. 5. Any person who shall violate any of the provisions of this Article shall forfeit and pay a penalty of twenty-five dollars for each offense.

ARTICLE XVIII.

Tuberculosis

SEC. 1. Tuberculosis is hereby declared to be an infectious and communicable disease, dangerous to the public health. It shall be the duty of every physician in the City of New Brunswick to report in writing, signed by him the name, age, sex, color, occupation, place where last employed, if known, and address of every person known by the said

physician to have tuberculosis, to the Health Officer within forty-eight hours after such fact comes to the knowledge of said physician. It shall also be the duty of the chief officer, or person having charge for the time being of any hospital, asylum, prison, jail or other private or public institution in said city, to report in like manner the name, age, sex, color, occupation, place where last employed, if known, and previous address of every patient having tuberculosis who comes into his care or under his observation, within forty-eight hours thereafter.

SEC. 2. When notified of the vacation of any apartment or premises occupied by a person having tuberculosis, the Health Officer shall order and direct that, except for purposes of cleaning or disinfection, no infected article shall be removed therefrom until properly and suitably cleaned or disinfected.

SEC. 3. Any person having tuberculosis who shall dispose of his sputum, saliva or other bodily secretion or excretion so as to cause offense or danger to any person or persons, shall be deemed guilty of a nuisance. Any person subjected to such a nuisance may make complaint in person or writing to the Health Officer. It shall be the duty of the Health Officer, upon receiving such complaint, or whenever he has notice of the existence of such a nuisance, to investigate, and if it appears that the nuisance causing offense or danger to any person exists, he shall serve a Notice upon the person who has committed said nuisance, reciting the alleged cause of offense or danger, and requiring him to dispose of his sputum, saliva or other bodily secretion or excretion in such a manner as to remove all reasonable cause of offense or danger.

SEC. 4. Any person violating any of the provisions of this Article shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than ten dollars nor more than five hundred dollars.

ARTICLE XIX.

Funerals of Persons Dead of Contagious Disease

SEC. 1. There shall not be a church or other public funeral of any person who has died of small-pox, diphtheria membranous croup, scarlet fever, measles, yellow fever typhus fever, leprosy or Asiatic cholera, or other contagious or infectious disease when so directed by the Health Officer or this Board of Health but the funeral of such person shall be private, and the burial shall take place within twenty-four hours after the death of said person. It shall, not be lawful to permit at the funeral of any person who

has died of any of the above-named diseases, or at any services connected therewith, any person whose attendance is not necessary.

SEC. 2. Every undertaker having notice of the death of any person within the City of New Brunswick from small-pox, varioloid, diphtheria, membranous croup, scarlet fever, typhus fever, Asiatic cholera, leprosy, measles or any other communicable disease dangerous to the health of the community, or of the bringing of the dead body of any person who has died of any such disease into said city shall give immediate notice thereof to the Board of Health.

SEC. 3. No public coach, hack, cab or carriage, nor any upholstered vehicle used for the conveyance of passengers, shall be used to convey the body of a person who has died from any communicable disease.

SEC. 4. Every undertaker who shall be called upon to take charge of the body of any person who shall have died of small-pox, diphtheria, scarlet fever, yellow fever, typhus fever, or Asiatic cholera, or any other contagious or pestilential disease, shall bury the body of such person at the earliest possible moment, which time shall in no case be longer than twenty-four hours after such undertaker is called upon.

SEC. 5. Any person, corporation or association of persons violating any of the provisions of this Article, shall, upon conviction thereof, forfeit and pay a penalty of fifty dollars for each offense.

ARTICLE XX.

Burials and Exhumations

SEC. 1. Every dead human body interred in any burial ground or cemetery within the limits of the City of New Brunswick shall be buried so that the top of the outside coffin shall be at least four feet below the natural surface of the ground, and shall be immediately covered with at least four feet of earth, soil or sand; excepting only the bodies of infants in boxes not more than four feet in length, which shall be so interred that the top of the outside box enclosing them shall be at least three feet and six inches below the natural surface of the ground, and they shall be immediately covered with at least three feet and six inches of earth, soil or sand. Provided, this shall not apply where bodies are placed or buried in properly-constructed vaults, so as to prevent the escape of noxious or unhealthy gases therefrom.

SEC. 2. No dead human body shall be disinterred or removed from any grave, tomb or burial place within

the limits of this City between the first day of May and the first day of November, except by the direction of a competent court of this State for the purpose of criminal investigation. Provided, however, that such disinterment or removal may be made at any time on a permit being given for the purpose by the Board of Health.

SEC. 3. Any person or corporation offending against the provisions of this Article shall forfeit and pay a penalty of twenty-five dollars for every such offense.

ARTICLE XXI.

Food and Drugs

SEC. 1. No person shall distribute or sell, or manufacture for distribution or sale, or have in his possession with intent to distribute or sell, any article of food or drug which under any of the provisions of chapter 217 of the Laws of the State of New Jersey, 1907, shall be deemed to be adulterated or misbranded.

SEC. 2. Chapter 217 of the Laws of 1907, cited in Section 1 of this Article, being "An Act to secure the purity of foods, beverages, confectionery, condiments, drugs and medicines, and to prevent deception in the distribution and sale thereof" (Revision of 1907); together with the supplements thereto and the regulations and rules of the State Board of Health adopted for the enforcement of the said act is hereby adopted as an ordinance of this Board.

SEC. 3. The term "drug" as used in this Article shall include all medicines and preparations recognized in the United States Pharmacopœia or National Formulary for internal or external use, and any substance or mixture of substances intended to be used internally for the cure, mitigation or prevention of disease of man or animal; the term "food," as used in this Article, shall include every article used for food or drink by man or animal, and every ingredient of such article, and all confectionery and condiments.

SEC. 4. The Health Officer of this Board is hereby charged with the enforcement of this Article, and in accordance with Section 30 of Chapter 217, Laws of 1907, referred to in Sections 1 and 2 of this Article, is hereby authorized to designate one or more inspectors of foods and drugs in this city, subject to the approval of this Board, and whose duties shall be to aid in the enforcement of said Act in this city, and whoshall have within the limits of said city all the powers and authority given to any inspector appointed under the provisions of the Act.

ARTICLE XXII.

Protection of Food

SEC. 1. The term Food as used in this Article, shall include every article used as food or drink by man or animal, and every ingredient of such article, and shall include milk and cream and preparations of milk and cream, confectionery and condiments.

SEC. 2. Every building, room, basement or cellar occupied or used as a bakery, confectionery, cannery, packing-house, slaughter-house, dairy, creamery, cheese factory, restaurant, hotel, grocery, meat market, or other place or apartment used for the production, manufacture, preparation, packing, storage, or distribution of food intended for sale or distribution, shall be properly lighted, drained, plumbed and ventilated, and the operations carried on in such building, room, basement or cellar shall be conducted in such a manner that the purity and wholesomeness of the food therein produced, manufactured, prepared, packed, stored, sold or distributed shall not be impaired.

SEC. 3. The floors, sidewalls, ceilings, furniture, receptacles, implements and machinery of every establishment or place where food intended for distribution or sale is produced, manufactured, prepared, packed, stored, sold or distributed, and all cars, trucks and vehicles used in the transportation of such food products shall at no time be kept in an unclean or unsanitary condition. All food intended for distribution or sale in the process of production, manufacture, preparation, packing, storing, sale, distribution or transportation shall be securely protected from flies, dust, dirt, and, so far as possible, by the use of all reasonable means, from all other foreign or injurious contamination; the refuse, dirt and waste products subject to decomposition or fermentation incident to the production, manufacture, preparation, packing, storing, sale, distribution or transportation of food, shall be removed daily. The clothing worn by all operatives, employees, clerks and other persons while engaged in work in any of the places where food intended for sale or distribution is produced, manufactured, prepared, packed, stored, sold, distributed or transported shall be in a clean condition at all times. No person shall transport any such food in such a manner that the purity or wholesomeness thereof shall be in any wise impaired.

SEC. 4. The sidewalls of every bakery, confectionery, creamery, cheese factory, hotel or restaurant kitchen shall be well plastered, wainscoted or ceiled with metal or lumber, and shall be oil-painted, or kept well lime-washed, and all interior woodwork in every bakery, confectionery,

creamery, cheese factory, hotel or restaurant kitchen shall be kept well oiled or painted with oil paint, and shall be kept washed clean with soap and water ; and every building, room, basement or cellar occupied or used for the preparation, manufacture, packing storage, sale or distribution of food or in which food intended for distribution or sale is exposed shall have a tight floor made of cement, or of tile laid in cement, brick, wood or other suitable material which can be flushed or washed clean with water.

SEC. 5. All operatives, employees, clerks or other persons who handle the material from which food intended for distribution or sale is prepared, or the finished product, before beginning work and after visiting the toilet, shall wash their hands and arms thoroughly with clean water and soap, and every owner or manager of any place in which food is produced, manufactured, prepared, packed, stored, distributed or sold shall provide adequate facilities for such washing, and it shall be the duty of every such owner or manager to take all reasonable means to compel all operatives, employees, clerks, or other persons handling the material from which such food is prepared, or the finished product, to perform such washing as aforesaid. All toilets, lavatories and wash-rooms shall be separate and apart from the room or rooms where any process incident to the production, manufacture, preparation, packing, storage, sale or distribution of such food is carried on, and such toilets, lavatories and wash-rooms shall, at all times, be kept in a clean and sanitary condition.

SEC. 6. Cuspidors for the use of operatives, employees, clerks, or other persons, shall be provided whenever necessary, and each cuspidor shall be emptied and thoroughly washed out daily with a disinfectant solution, and at least five ounces of such disinfectant solution shall be left in in each cuspidor while the same is in use. No operative, employee, clerk, or other persons shall expectorate anywhere in any building, room, basement or cellar where the production, manufacture, preparation, packing, storage, sale or distribution of any food intended for sale or distribution is conducted, except in cuspidors provided for that purpose.

SEC. 7. No person or persons shall be allowed to live or sleep in any room where food intended for sale or distribution is produced, manufactured, packed, distributed or sold.

SEC. 8. No employer shall require, permit or allow any person to work, nor shall any person work in any building, room, basement, cellar or vehicle, occupied or used for the production, preparation, manufacture, packing, storage,

sale, distribution or transportation of food intended for sale or distribution who is affected with any communicable disease.

SEC. 9. Fruits, vegetables, meats and other food products shall not be displayed or exposed on the sidewalk, or outside of places of business, unless such foods are securely covered by cases of glass, wood or metal, or unless they are inclosed in tight barrels, bags or boxes. *Provided, however,* that this rule shall not apply to fruits or vegetables which must necessarily be peeled before use, but such foods, when displayed outdoors, must be supported on platforms at least eighteen inches above the surface of the sidewalk or ground.

SEC. 10. Prepared foodstuffs, such as bakers' goods, confectionery, shelled nuts, etc.; dried fruits, such as dates, figs, peaches, prunes, apricots, etc.; cereal products, such as tapioca, breakfast foods, etc.; pickled products, such as pickles, chili sauce, etc.; fruit products, such as apple butter, jellies, jams, etc.; meat products, such as dried, salted or smoked fish, veal loaf, pickled pigs' feet, chipped beef, boiled ham, mince meat or other foods prepared for eating, or subject to the attacks of worms or flies, shall not be displayed for sale unless protected from flies, dust and dirt and all other foreign and injurious contamination by suitable covering of glass, wood or metal.

SEC. 11. Whenever any person shall violate any of the provisions of this Article, the Board may, in their discretion, instead of prosecuting such person for the recovery of such penalty, cause an order to be served on such person, commanding him to discontinue or abate such violation, or to make such improvements as may be necessary to abate such violation, within a reasonable time to be fixed by the said board, and stated in said order. Such order shall be in writing, and the person receiving such order shall have the right to be heard, either in person or by attorney.

SEC. 12. Any person who violates any of the provisions of this Article, or refuses, neglects or fails to comply with any lawful order or requirement of the Board of Health, duly made in writing, as provided in Section eleven of this Article, shall be liable to a penalty not exceeding fifty dollars for the first offense, one hundred dollars for the second offense, and two hundred dollars for the third and each subsequent offense.

SEC. 13. When any person shall violate any of the provisions of this Article, or shall refuse to comply with any orders duly made in writing, as provided for in Section eleven of this Article, each day upon which such violation

occurs shall be deemed to constitute a distinct and separate violation, and each day elapsing after the expiration of the time limit fixed for the compliance with the said order in writing shall be deemed to constitute a distinct and separate offense.

ARTICLE XXIII.

Milk

SEC. 1. No person, corporation or association of persons shall sell or deliver or have in possession for sale or delivery in the city of New Brunswick any milk or cream without first obtaining from the Board of Health a permit for such sale or delivery.

SEC. 2. No permit as required in the last preceding Section, shall be issued by the Board of Health until there shall be paid to the said Board of Health for the issuing thereof and for a proper inspection and supervision of the milk or cream, the sum of two dollars. The fees named in Section two shall cover one place of business and one wagon, for each additional place of business or wagon an additional fee of one dollar shall be required.

SEC. 3. Each permit to be granted under the provisions of this Article shall expire on the first day of May following the granting of the same; provided that if any person so granted a permit as aforesaid or any of the employees, servants or agents shall violate any ordinance or rule of the Board of Health relating to the sale, distribution or inspection of milk or cream, such permit may at the discretion of the Board of Health be revoked.

SEC. 4. Any person, corporation or association of persons engaged in the sale of milk or cream within the city of New Brunswick, shall, when requested by the Board of Health or Health Officer of said city, furnish to said Board or said Health Officer, a true statement in writing upon blanks to be supplied by said Board of Health, setting forth the locality from which said milk or cream was procured, and also a full and complete list of the names of persons from whom said milk or cream was purchased or procured, and the names and addresses of all persons and customers to whom he or they may sell or deliver milk or cream within said city, and said blanks, when filled in as aforesaid, shall be signed by the person selling or delivering said milk or cream to whom said blank shall be tendered.

SEC. 5. Any person, corporation or association of persons engaged in the sale or delivery of milk or cream within the city of New Brunswick shall notify the Board of Health in writing before changing the source of supply of

the milk or cream to be sold by him or them within said city, and said notice shall also state the name or names of the persons from whom, and the locality from which, said milk or cream is to be procured.

SEC. 6. No milk or cream shall be sold or offered for sale or distributed in the city of New Brunswick except from cows in good health nor unless the cows from which it is obtained have, within one year, been examined by a veterinarian whose competency is vouched for by the State Veterinary Association of the State in which the herd is located, and a certificate signed by such veterinarian has been filed with the Board of Health stating the number of cows in each herd that are free from disease. On and after January 1, 1914 this examination shall include **the tuberculin test** and charts showing the reaction of each individual animal and shall be filed with this Board. All cows which react to tuberculin test shall be removed from the premises or separated from the other cows in a manner satisfactory to this Board at once if the sale of milk is to continue, and no cows shall be added to a herd until certificates of satisfactory tuberculin tests of said cows have been filed with this Board.

Provided: That milk or cream from cows which have not been subjected to the tuberculin test may under permission of this Board be allowed to be sold after being subjected to a pasteurizing or heating process satisfactory to this Board.

SEC. 7. All animals found to be free from tuberculosis under the tests provided for in Section six of this Article shall be marked with an indestructible tag to be supplied by this Board.

SEC. 8. No person, persons, firm or corporation shall sell, offer for sale, exchange, or have in possession with intent to sell within the limits of the city of New Brunswick any milk or cream which is the product, in whole or in part, of any animal kept in a crowded, uncleanly or unhealthy place or condition, which is the product in whole or in part of any animal fed on swill, or any substance of an unwholesome nature or any food or substance which may produce diseased or unwholesome milk.

SEC. 9. No person, persons, firm or corporation shall sell, offer for sale, exchange or have in possession with intent to sell within the limits of the city of New Brunswick any milk which is produced in whole or in part from any animal within fifteen days before or five days after parturition.

SEC. 10. In case of any sickness or contagious disease breaking out in any herd, the owner shall immediately re-

port the same to the Board of Health, and no milk or cream shall be sold or delivered until investigation, shall have been made by the said Board, and permission given by said Board for such sale or delivery.

SEC. 11. Upon notice from this Board that any well or spring, the water from which is supplied to cows or used for washing utensils used in connection with milk or cream or the sale, delivery, or handling thereof is contaminated, the water from such well or spring shall not be used for any of the above mentioned purposes.

SEC. 12. If at any time any person or persons having any connection with a dairy or milk depot from which cream or milk is delivered or sold or offered for sale in the city of New Brunswick, or any resident member of the family of any person so situated shall be stricken with any communicable or contagious disease, notice shall be given to said Board immediately by the owner or owners of the dairy, and no milk or cream produced from such dairy shall, after the first discovery of any such communicable disease, be sold or exposed for sale or delivered in the city of New Brunswick until special permission therefor has been granted by said Board.

SEC. 13. No person, persons, firm or corporation shall sell, offer for sale, exchange or have in possession with intent to sell within the limits of the city of New Brunswick any milk which contains less than eleven and one-half per centum of milk solids, or more than eighty-eight and one-half per centum of watery fluids, or less than three per centum of milk fats.

SEC. 14. No person, persons, firm or corporation shall sell, offer for sale, exchange or have in possession with intent to sell, within the limits of the city of New Brunswick any milk from which the cream or any part thereof has been removed, unless every can, vessel or package containing such milk shall have a metal label or tag of metal distinctly, durably and permanently, soldered in a conspicuous place upon the outside and not more than six inches from the top thereof, with the words "skimmed milk" stamped, indented, or engraved on the label or tag in letters not less than two inches in height and the several lines shall not be less than three-eighths of an inch in width.

Provided however, that every glass bottle, in lieu of such label or tag, may have blown in it the words "skimmed milk" in letters which shall not be less than one inch in height, and the several lines of which shall not be less than one-eighth of an inch in width; such milk shall only be sold, or shipped in or retailed out of a can, bottle or vessel so marked.

SEC. 15. No milk or cream shall be sold or delivered in the city of New Brunswick which is obtained from a dealer who handles a supply any part of which supply is not approved by this Board; and no person, corporation or association of persons shall deliver or offer for sale in the city of New Brunswick any milk or cream unless the entire supply which he handles complies with the requirements hereinbefore set forth, unless satisfactory evidence is given this Board that any and all parts of his supply which do not comply with the said requirements are kept separate and apart and not made the subject of sale or delivery in said city.

SEC. 16. The score card system adapted by the Board of Health of the State of New Jersey for the rating of dairies is hereby adopted by this Board of Health. No milk, cream or skimmed milk shall be sold, delivered or exposed for sale, or used in the manufacture of ice cream which is obtained from a dairy having a rating below 60 per cent. under the said system.

Provided that milk produced at a dairy rating below 60 per cent. may be sold after pasteurization under a system approved by this Board.

SEC. 17. No person, persons or corporation shall be granted a license to retail milk within the limits of the city of New Brunswick until it shall be shown upon inspection that a satisfactory method for the sterilization of bottles and all other utensils has been installed.

SEC. 18. No person, persons, firm or corporation shall sell, deliver or offer for sale within the limits of the city of New Brunswick any milk or cream which contains over 500,000 bacteria per cubic centimeter or any pathogenic bacteria as shown in three (3) tests made within ten (10) successive days.

SEC. 19. No milk shall be sold or labeled "certified milk" within the limits of the city of New Brunswick unless the method used in its production shall conform to the standard established by the laws of the State of New Jersey and shall be certified by a milk commission acceptable to the Board of Health of the city of New Brunswick.

SEC. 20. No milk shall be sold as pasteurized milk unless the methods used in such pasteurization be acceptable to and approved by the Board of Health of the City of New Brunswick, and such pasteurized milk shall be distinctly and legibly labeled "Pasteurized Milk" with the date of pasteurization.

SEC. 21. No person, persons, firm or corporation shall sell, offer for sale, exchange, store or transport or have in

possession with intent to sell within the limits of the city of New Brunswick any milk which is at a temperature exceeding or higher than fifty degrees Fahrenheit.

SEC. 22. On and after July first, Nineteen Hundred and Thirteen all milk shall be delivered in bottles and no milk in partly filled bottles shall be sold or offered for sale, and no bottles shall be filled, capped or recapped outside the bottling room used for filling bottles and said room shall at all times be kept in a clean and sanitary condition, and milk bottles shall be used for no other purpose than as receptacles for milk; provided, that in any case in which one customer shall buy at one time ten quarts or more of milk, the milk so purchased may be delivered in cans which have been sealed at the dairy, bottling house or creamery.

SEC. 23. No person having custody of a milk can, bottle or other vessel used as a container for milk or cream intended for sale or distribution shall place or permit to be placed therein any article or substance other than milk or its products or water or other agents used for cleansing such can, bottle or vessel.

SEC. 24. It shall be the duty of any person, persons, firm or corporation to whom milk or cream is delivered by any person, persons, firm or corporation before returning the can or vessel used for transportation of such milk or cream to remove all milk or cream from such can or vessel and to thoroughly rinse such can or vessel or cause the same to be done.

SEC. 25. Every person who sells or offers or exposes for sale, or has in his possession for the purpose of sale any milk or condensed milk contained in any can or package having a capacity of forty quarts or more; from which milk or condensed milk the cream or any part thereof has been removed, shall securely fix a label or tag in a conspicuous place upon the outside of every such can or package containing such milk or condensed milk and such label or tag shall have the words "skimmed milk" or "condensed milk" as the case may be, printed thereon in letters not less than one inch in height, and the several lines of which letters shall not be less than one-eighth of an inch in width and such milk or condensed milk shall only be sold or offered or exposed for sale, or had in possession with intent, or shipped in a can or package so marked.

SEC. 26. No person, corporation or association of persons shall deliver or leave at any house, dwelling, apartment or store which is quarantined or in which there is a case of typhoid fever any milk bottle, can or other receptacle used for delivering milk or cream; and no such bottle,

can or other receptacle, shall be removed from such house, dwelling, apartment or store, until permission so to do is given by this Board.

SEC. 27. Any person, corporation, or association of persons selling or delivering milk or cream in the city of New Brunswick by means of a wagon or other vehicle shall have the name of such person or persons and the number of the permit in plain letters and figures on each side of said wagon or vehicle.

SEC. 28. All stores or other establishments in which milk or cream is sold shall have displayed therein their permit or a card bearing the number and date of such permit.

SEC. 29. Milk or cream kept for sale in any store, shop, restaurant, market, bakery, or other establishment in the city of New Brunswick shall be kept in a covered cooler, box or refrigerator properly drained and cared for, and shall at no time be allowed to become malodorous through the lack of proper cleaning and at no time shall the temperature of such milk or cream be allowed to exceed fifty degrees Fahrenheit. Said store, shop, restaurant, market, bakery or other establishment shall at all times when business is being carried on, be open to inspection by any member of this Board or its authorized agents.

SEC. 30. No person, persons, firm or corporation who desire to retail or wholesale any milk or cream within the limits of the city of New Brunswick shall be allowed to use a room or rooms for the purpose of handling, storing or distribution of milk in a cellar or basement of a dwelling; provided, that any person, persons, firm or corporation occupying a room or rooms in a cellar or basement of a dwelling at the passage of this Ordinance may be allowed to continue the same if in the judgment of the Board the premises are in a sanitary condition.

SEC. 31. No person or persons shall be allowed to live or sleep in any room where milk or cream intended for sale or distribution within the limits of the city of New Brunswick is produced, stored, distributed or sold. Nor shall any person work in any building, room or vehicle occupied or used for the distribution or transportation of milk or cream intended for sale or distribution within the limits of the city of New Brunswick who is affected with any communicable disease.

SEC. 32. When the Board of Health of the city of New Brunswick shall have established isolation or quarantine on any dwelling house, store, shop or other building in this city, it shall be the duty of any person, delivering milk at such quarantined premises, to pour such milk into a vessel which it shall be the duty of the family so quarantined or

the person in charge thereof to furnish, and the transfer of the milk shall be made in such a manner as to avoid the handling of the vessel so furnished; and every person delivering milk in such cases is hereby prohibited from leaving vessels containing milk, or taking or removing from such quarantined premises any milk ticket or coupon or any can, bottle or other vessel used for handling or transporting milk until such premises shall have been disinfected and the quarantine removed by order of the Board of Health.

SEC. 33. Samples of milk shall be furnished to this Board or its authorized agents by any producer or dealer at any time upon request and proper payment therefor.

SEC. 34. No cream shall be sold, exposed for sale or delivered within the city of New Brunswick unless it is produced and handled in accordance with the requirements hereinbefore set forth for the production and handling of milk.

SEC. 35. Everything about farms, stables, dairies, milk wagons, milk depots of dealers doing business in the city of New Brunswick must at all times be open to inspection of the Board of Health, its officers and agents.

SEC. 36. The Board of Health will, from time to time, adopt rules and regulations in regard to the production and transportation of milk, and all dairies, the milk from which is to be sold or delivered in the city of New Brunswick, must conform with the requirement of such rules and regulations. Any violation of the requirements as set forth in said rules and regulations, on the part of the dairyman or dealer, will be sufficient cause for the revocation of the permit under which the milk from such dairy is sold. The intention of the Board is that this Section shall be deemed to be separable from the other Sections of this Article and not essential to the validity of the other Sections.

SEC. 37. That if any Section of this Article shall for any reason be held to be unconstitutional or invalid, it shall not affect the other provisions of this Article.

SEC. 38. No person, persons, firm or corporation shall after the passage of this Article be allowed to establish any dairy within the limits of the city of New Brunswick, provided the above shall not mean any dairy or dairies established within the limits of the city of New Brunswick before the passage of this Article; and provided further, that the dairies established within the limits of the city of New Brunswick before the passage of this Article shall be kept in a strictly sanitary condition at all times.

SEC. 39. No metallic card or paper card tickets shall be used in connection with the sale or distribution of milk

or cream in the city of New Brunswick but instead thereof a coupon ticket shall be employed, and such ticket shall be cancelled and destroyed after being once used.

SEC. 40. Any person, persons, who shall violate any of the provisions of this Article shall be liable to a fine or penalty of twenty-five dollars for each and every offense, said fine and penalty to be imposed and collected in the manner provided by law in such cases.

ARTICLE XXIV.

Street Cars

SEC. 1. That no railway car running through or upon the streets or elsewhere in the City of New Brunswick, unless propelled by steam power, shall be used with cushions on the seats or on the backs of the seats thereof which may be declared unsanitary.

SEC. 2. That each and every railway car running through or upon the streets of or elsewhere in the city of New Brunswick and engaged in carrying passengers in said city or to other places shall be carefully and thoroughly washed and cleaned and, when so directed by this Board, fumigated, so that all filth and dirt or causes of disease are removed from the said car.

SEC. 3. That every person or corporation engaged in the running or operating of a line of railway cars through or upon the streets of or elsewhere in the city of New Brunswick shall have and provide for the use of the passengers desiring to ride therein cars which are entirely enclosed and properly heated whenever the state of the temperature or of the elements require the same or whenever in the judgment of the Board of Health the same may be necessary for the proper preservation of the health of the inhabitants of the city of New Brunswick, and to be heated to a temperature of 65°.

SEC. 4. Any person or corporation engaged in the operating or running a line of railway cars or any motor truck or motor car or cycle through or upon the streets of, or elsewhere in the city of New Brunswick, shall remove from any of said streets the body of any animal which shall be killed by any of said vehicles, cycles or cars so operated or controlled, within three hours after such killing may occur.

SEC. 5. Every person or corporation violating any of the provisions of this Article shall forfeit and pay a penalty of twenty-five dollars for every such offence.

ARTICLE XXV.

Spitting

SEC. 1. Spitting or expectorating upon the sidewalk of any street, alley, thoroughfare, square, park or other

public place in the city of New Brunswick, or upon the floor, walls, or other part of any room, hall, or office in any hotel or other part of any tenement or lodging house which is used in common by the guests or inmates thereof, or upon the floors, walls, or other part of any theatre, store factory, or of any building which is used in common by the public, or upon the floor of any street car, or railroad car, or other public conveyance, or upon the floor of any depot, station, or upon the station platform or stairs of a railroad or common carrier is hereby forbidden.

SEC. 2. Every corporation, proprietor, or other person owning, operating, or controlling any such building, store, factory, street car, or railroad car or other public conveyance, depot, or station, station platform or stairs of a railroad or common carrier, are hereby required to keep permanently posted in each of said places a sufficient number of notices forbidding spitting, according to the provisions of Section 1 of this Article.

SEC. 3. Every corporation, proprietor, or other person owning, operating, or controlling any store, factory, theatre, or other building or room which is used in common by the public, or any street or railroad car or other public conveyance, or any depot or railroad station, shall provide a sufficient number of non-absorbent receptacles for expectoration, and shall provide for satisfactory cleansing and disinfection thereof at least once in 24 hours.

SEC. 4. It is hereby made the duty of every corporation, proprietor, or other person owning, operating, or controlling any manufacturing concern in the city of New Brunswick, in which two or more persons are employed, to provide a sufficient number of non-absorbent receptacles for spitting.

SEC. 5. Any person violating any of the provisions of the four preceding sections of this Article shall, on conviction thereof, be fined in any sum not less than \$1 and not more than \$5 for the first offense, and in any sum not less than \$5 and not more than \$10 for each and every subsequent violation of the provisions of said four Sections; and on failure to pay said fine shall be committed to the county jail for a period not exceeding 30 days.

ARTICLE XXVI.

Wells and Water Supply

SEC. 1. No person shall cause or suffer to be brought or to throw into any stream of water, pond or reservoir, or well in this city, the water of which is used for domestic purposes, or into any drain or pipe communicating there-

with, any substance whereby the water in such stream or well is or may become polluted.

SEC. 2. No person shall throw, cause or permit to be thrown into any reservoir of water, the water whereof is intended for distribution for public use in this city, any carcass of any dead animal or any offal or offensive matter whatsoever fitted to render said water impure or unfit for domestic use.

SEC. 3. Whenever it appears to the satisfaction of this Board that the water of any well in this city, used for domestic purposes, is polluted or detrimental to the public health, this Board may by notice in writing, require the owner, lessee or occupant of the premises whereon such well is situated, forthwith to close the same and to do all work necessary or proper for that purpose. And if such notice be not complied with within ten days after such service the owner, lessee or occupant of such premises shall be adjudged as violating the provisions of this Section and each days continuance of such violation shall constitute a separate and distinct offense.

SEC. 4. Every person who shall violate any of the provisions of this Article shall forfeit and pay a penalty of twenty-five dollars for each offense.

ARTICLE XXVII.

Ice

SEC. 1. No ice shall be cut for the purpose of being sold or used in this city from any pond, creek or river within the limits of such city, unless a permit therefor shall be first obtained from the board of health, and no person, persons or corporation shall sell or deliver any ice in this city without first obtaining a permit therefore from the board of health; fee for such permit shall be \$1.00 for the first wagon and 50c for each additional wagon; and this board of health may refuse a permit and revoke any granted by them as aforesaid when in their judgment the use of any ice cut or sold, or to be cut or sold, under the same is or would be detrimental to the public health.

SEC. 2. Permits provided for in Section 1 of this Article shall be granted from May first in each year and shall be in force for one year (or fractional part thereof) expiring May first each year.

SEC. 3. The board of health may prohibit the sale and use of any ice within the limits of the city when in their judgment the same is unfit for use, and the use of the same would be detrimental to the public health, and the board may prohibit and through its officers stop, detain and prevent the bringing of any such ice for the purpose of sale or

use into the limits to the city, and also in the same manner stop, detain and prevent the sale or use of any such ice found within the limits of the city.

SEC. 4. Any person or persons or corporation who shall violate any of the provisions of this article, or who shall attempt to cut, sell or bring into this city any such ice after being notified by said board of health or its officers not to do so, shall forfeit and pay a penalty of not less than twenty-five dollars or more than fifty dollars for every such offense.

ARTICLE XXVIII.

Slaughtering of Animals

SEC. 1. No person shall slaughter or disembowel any cattle, sheep or swine, or calf within the corporate limits of the city of New Brunswick except by special permit from this Board, and such place for which such permit is granted shall meet such requirements as the laws of the State of New Jersey demand. The fee for such special permit shall be \$10.00 per annum. And every person who shall violate this Article shall forfeit and pay a penalty of twenty-five dollars for every such offense.

ARTICLE XXIX.

Administration

SEC. 1. The members of the Board of Health, police force and such officers, agents and employees as may be appointed by the Board of Health, are hereby authorized to enter, inspect, and examine all buildings and parts of buildings and other premises within the city for the purpose of inspecting the sanitary condition thereof and for the purpose of the discovery and abatement of nuisances therein. If any such member of the Board of Health, or police force, or any such officer, agent or employee shall find any nuisance whatever in or upon any such buildings, parts of buildings, or other premises, he shall report the same immediately to the Health Officer, unless the owner, occupant, or agent of such premises immediately cause the same to be remedied. Any person or persons who shall in any manner interfere with, hinder, or obstruct any such member of the Board of Health, police officer, or any other such officer, agent, or employee in the exercise of the said authority or duty of said officer, agent, or employee, as provided by this Article, or who shall refuse to any such officer, agent, or employee admission or entry to such premises after demand made by such officer, agent, or employee in the exercise of his authority or duty, as pre-

scribed by this Article, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not less than ten dollars nor more than one hundred dollars.

SEC. 2. This Board of Health may, by resolution, delegate any portion of its power to any member of the Board or to any officer thereof, to be exercised only when the Board is not in session, and any notice by any member of the Board, or by any officer thereof, shall be notice by the Board, and the person served therewith shall be bound thereby.

Passed and adopted on third and final reading March 20, 1913.

FREDERICK B. KILMER,
President.

Attest:

ELMER J. McMURTRY,
Secretary.

MEMBERS OF THE BOARD OF HEALTH

Frederick B. Kilmer, Chemist
Arthur L. Smith, M. D.
Jas. A. Morrison, Esq.
Jos. H. Ridgeway, Esq.
Benj. Gutman, M. D.
F. M. Hoffman, M. D.
E. J. McMurtry, Registrar Vital Statistics
E. Irving Cronk, M. D., Health Officer

