City of Cambridge.

IN THE YEAR ONE THOUSAND EIGHT HUNDRED AND SEVENTY-EIGHT.

AN ORDINANCE

IN RELATION TO HEALTH.

Be it ordained by the City Council of the City of Cambridge, as follows:

SECTION 1. It shall be the duty of the board of health to be vigilant and active in protecting the public health; to see that the laws and ordinances in relation to the same are enforced; to communicate its views to the city council from time to time, as it may deem expedient; and it shall have power to call upon the police department and the various city officers to aid it in the performance of these duties.

SECT. 2. The board of health shall make all contracts and regulations for the cleaning of private cesspools, vaults, and privies, provided, however, that the expenditure for the purposes herein enumerated shall not exceed the amount previously appropriated therefor by the city; and all contracts for such work shall contain the condition that they shall be performed to the satisfaction of the board of health.

SECT. 3. The board of health shall organize annually by the choice of one of its members as chairman. The said board shall also appoint a secretary, whose duty it shall be to have charge of the records of said board.

SECT. 4. The said board shall annually, on or before the tenth day of February, send to the city council an estimate, in detail, of the appropriations required by the health department during the next financial year. All bills for expenditures from the appropriations for the health department shall be approved in writing by a majority of said board at some meeting thereof.

SECT. 5. The said board of health shall annually, in the month of December, present to the city council a report made up to and including the last day of the preceding November, containing a full and comprehensive statement of the acts of the board during the year, and a review of the sanitary condition of the city.

SECT. 6. Whenever the board of health does, or causes to be done, work for any ~~individual~~ person, the board of health shall enter, in books to be kept for that purpose, all such work done, with the price thereof, and shall forthwith make out bills for the same and deliver them to the city treasurer for collection, who shall forthwith demand payment of the same, and shall, on the first day of every month, report, in writing, to the auditor of accounts a list of the bills so delivered; and in case any bills or dues under this ordinance remain unpaid at the expiration of thirty days after demand for payment as aforesaid, the said treasurer shall ~~deliver the same to the city council for legal proceedings~~. collect the same according to law.

INTERMENT OF THE DEAD.

SECT. 7. The board of health shall approve ~~licenses for burials, and for the removal of dead bodies from the city, and point out the place, depth, width and range of all graves in the several burying grounds, and shall forbid graves to be dug within those limits in such grounds~~ the certificate of the cause of death obtained from the physician, if any, in attendance at the last sickness of any person; and no burial permit shall be given by the City Clerk until such certificate has been so approved.

~~in which, in its judgment, it would be dangerous to the public health to allow graves.~~

SECT. 8. No person shall bury or inter, or cause to be buried or interred, any dead body, in violation of any direction or order of the said board, ~~given in accordance with the preceding section, or without having first obtained its approval of a license so to do~~.

SECT. 9. No person shall inter, or cause to be interred, any dead body in a grave less than three feet deep from the surface of the ground surrounding the grave to the top of the coffin.

SECT. 10. During the month of January annually, or within sixty days thereafter, the board of Mayor and Aldermen shall appoint for a period of one year, from the first Monday of February in the year in which they may be appointed, such a number of funeral undertakers as may be deemed expedient, and shall fix their compensation. Such undertakers shall be responsible for the decent, orderly, and faithful management of the funerals undertaken by them, and for a strict compliance with the ordinances of the city in this behalf. Each undertaker may employ porters, of a discreet and sober character, to assist him, and he shall be accountable for their conduct; said undertakers and porters may be removed at the pleasure of the board. No person not appointed as aforesaid shall open any tomb or grave for the purpose of depositing or removing a dead body, without the permission of the board of health.

SECT. 11. No person shall bury or inter, or cause to be buried or interred, any dead body at any other time of the day than between sunrising and sunsetting, except when otherwise permitted by the board of health.

SECT. 12. The board of health is authorized to make and adopt any regulations in relation to the interment of the dead which it may deem expedient.

VAULTS AND DRAINS.

SECT. 13. The owner, agent, occupant, or other person having the care of any tenement used as a dwelling-house, or of any building occupied as a manufactory, shall furnish the same with a sufficient drain under ground to carry off the waste water, and also with a suitable water-closet or privy, the vault of which shall be sunk under ground and built in the manner hereinafter prescribed, and of a capacity proportionate to the number of inhabitants of such tenement, or of those having occasion to use such privy, and no person shall suffer any waste or stagnant water to remain in any cellar, or on any lot of land or vacant ground, owned or occupied by him, so as to become a nuisance, or offensive, or dangerous to the public health. Any such owner, agent, occupant, or other person who shall neglect to comply with the provisions of this section after due notice shall be liable to a penalty of not less than five dollars nor more than twenty dollars, for each and every week during which such offence shall continue.

SECT. 14. All privies vaults ~~and privies~~ hereafter constructed, shall be made of brick and cement, and contain at least eighty cubic feet, and the inside of the same shall be at least two feet distant from the line of every adjoining lot; and at the same distance from every street, lane, alley, court, square, or public place, or public or private passageway; and they shall be so constructed as to be conveniently approached, opened, and cleaned. Every vault or cesspool shall be made tight, so that the contents thereof cannot escape therefrom, except as is provided in section seventeen. All preparations for cleaning a cesspool, vault or privy shall be made by the person liable to the penalty prescribed

in section 13; and, in case of neglect to make such preparations, it shall be made by the city, and the expense thereof be charged to such person.

SECT. 15. The city engineer, under the direction of the board of health, and the committee on sewers, is authorized to permit, under such restrictions, ~~and on the payment of such sum, not exceeding thirty dollars,~~ as it may deem expedient, the construction of sufficient passage-ways or conduits under ground for the purpose of conveying the liquid contents of any vault into any common sewer or drain.

SECT. 16. If the board of health shall at any time be satisfied that any tenement, used as a dwelling-house, or any such other building as is mentioned in the thirteenth section, is not provided with a suitable water-closet, privy, vault, cesspool, and drain, or either of them, as aforesaid, it shall give notice in writing to the owner, agent, occupant, or other person having the care thereof; or in case neither the owner, agent, or person having the care thereof is an inhabitant of the city, public notice in one newspaper printed in Cambridge, requiring such owner, agent, occupant, or other person, within such time as it may appoint, to cause a proper and sufficient water-closet, privy, vault, cesspool, and drain, or either of them, to be constructed for such tenement or other building; and in case of neglect or refusal to obey such notice the board of health shall cause such water-closet, privy, vault, cesspool, and drain to be made for such tenement or other building, at the expense of such owner, agent, occupant, or other person; and in case any such water-closet, drain, vault, cesspool, or privy is constructed as aforesaid, for the use of more than one house, then the owner, agent, occupant, or other person having the charge of each of such houses, shall be liable to pay such proportional part of said expense as the board may determine.

SECT. 17. Whenever any water-closet, vault, privy, cesspool, or drain, becomes offensive or obstructed, the same shall be cleansed and made free, and the owner, agent, occupant, or other person having charge of the land in which any water-closet, vault, privy, or drain is situated, the state or condition of which is in violation of the provisions of this ordinance, shall remove, cleanse, alter, amend, or repair the same within such reasonable time, after notice in writing to that effect given by the board of health or the health officer as shall be expressed in such notice. In case of neglect or refusal so to do, the board of health may cause the same to be removed, altered, amended, or repaired, as it may deem expedient, at the expense of the owner, agent, occupant, or other person as aforesaid, and such owner, occupant, or other person shall also be liable to such penalties as are prescribed by law or ordinance.

SECT. 18. No cesspool, ~~vault,~~ or privy vault shall be emptied without a permit from the health officer, nor in any other mode, or at any other time, than he may direct and appoint, subject to such regulations as the board of health from time to time shall make on the subject, and always at the expense of the owner, agent, occupant, or other person having charge of the premises upon which such vault is situated.

SECT. 19. No person shall drive, or cause to be driven, any cart or wagon containing night-soil, or any wagon or cart used for that purpose, through any street, lane, or alley in the city, between the hours of four o'clock, A.M., and nine o'clock, P.M.; nor permit any such wagon or cart to stand, between said hours, in any street, lane, or alley in said city.

SECT. 20. Books, in which shall be entered all applications for opening and cleansing vaults, and cesspools, shall be kept in convenient places under the charge of the chief of

police; such applications shall specify the number of loads, if less than the whole contents of the vault or cesspool, to be removed; and they shall receive attention in the order in which they are made, so far as practicable.

HOUSE OFFAL, ASHES, ETC.

SECT. 21. All house offal, whether consisting of animal or vegetable substances, shall be placed in suitable vessels, and no ashes or other refuse matter shall be mingled therewith; and the same shall be kept in some convenient place, to be taken away by the city scavengers, at such times as the board of health may from time to time direct.

SECT. 22. No person shall remove, or carry in, or through, any of the streets, squares, courts, lanes, avenues, places, or alleys within the city of Cambridge, any house dirt or house offal, either animal or vegetable, or any grease or bones, or any refuse substances from any of the dwelling-houses or other places in the city, unless such person so removing or carrying the same, and the mode in which the same may be removed or carried, shall have been expressly licensed by the board of health, upon such terms and conditions as it may deem the health and interest of the city require.

SECT. 23. No person, without the license of the board of health, shall throw into, or leave in, or upon, any street, court, square, lane, alley, public square, public enclosure, vacant lot, or any pond or body of water within the limits of the city, any dead animal, dirt, sawdust, soot, ashes, cinders, shavings, hair, shreds, manure, oyster, clam, or lobster shells, waste water, rubbish or

filth of any kind, or any refuse animal or vegetable matter whatsoever. Nor shall any person throw into, or leave in, or upon, flats, or tide water within the jurisdiction of the city, any dead animal or other foul or offensive matter.

SECT. 24. If any of the substances mentioned in the preceding section shall be thrown or carried from any house, warehouse, shop, cellar, yard, or other place, or left in any of the places specified in the preceding section, the owner and occupant of such house, warehouse, shop, cellar, yard, or other place as aforesaid, and the person who actually threw, carried, or left the same, or who caused the same to be thrown, carried, or left, shall severally be held liable for such violation of this ordinance; and all such substances shall be removed from the place where they have been so thrown or left, as aforesaid, by such owner or occupant, or other person, within two hours after personal notice, in writing, to that effect, given by the board of health or any police officer; or such removal shall be made under the direction of said board or its officers, and the expense thereof borne by such owner or occupant or other person.

SECT. 25. All dirt, sawdust, soot, ashes, cinders, shavings, hair, shreds, manure, oyster, clam, or lobster shells, waste water, or any animal or vegetable substance, rubbish, or filth, of any kind, in any house, warehouse, or other building, cellar, yard, unaccepted street, alley-way, or other place which the board of health may deem injurious to the health of the city shall be removed by the owner or occupant of such house, warehouse, other building, cellar, yard, unaccepted street, alley-way, or other place where the same may be found, within

twenty-four hours, or such other time as the board of health may deem reasonable, after notice in writing to that effect, served personally upon the owner or occupant, or their authorized agent, by any police officer or person competent to serve a notice in a civil suit, or left at the owner's, occupant's, or agent's last and usual place of abode, if the same be known and be within the State; or such removal shall be made under the direction of the board of health, and the expense thereof borne by such owner or occupant or other person, who shall also be liable to a penalty.

SECT. 26. No swine shall be kept within the limits of the city without a license first obtained therefor from the board of health, and then only in such place and manner as it shall direct.

MISCELLANEOUS.

SECT. 27. No person shall bring into the city any putrid, decayed, or unwholesome meat, fish, rice, coffee, fruit, potatoes, grain, or other vegetable product, without a permit therefor from, and in such a manner only as directed by, the board of health.

SECT. 28. Every person offending against any of the provisions of this ordinance, for which no penalty is prescribed by the laws of the Commonwealth, shall forfeit and pay a sum not less than one dollar, nor more than twenty dollars for each offence.

SECT. 29. The board of health shall also have charge of any buildings which are or may be established within the city limits, for the admission of patients having the small-pox, or any other infectious disease; and

it shall make such rules and regulations for the management and government of the patients and employés as it may deem proper and necessary.

SECT. 30. All ordinances and parts of ordinances inconsistent with the foregoing, are hereby repealed.

In Common Council
July 31. 1878.

Passed to be ordained.

Geo. S. Saunders President.

In Board of Aldermen July 31. 1878.
Passed to be ordained.
Saml L. Montague, Clerk.

In Common Council
July 31, 1878.

Correctly enrolled.

Attest.

Com. on Enrolled Ordinances.

Charles E. Hancock
Wm. E. Doyle.