

1871  
May  
29.

At a regular meeting of the Common Council of the City of Marquette, held May 29<sup>th</sup> 1871, present H H Staffow, Mayor; J N Murch, Recorder. Ald. Hawley, Parkinson, Shull & Moore - Absent, Ald. Ball & Wilkinson -

The Minutes of meetings held May 22, & 24<sup>th</sup>, were read and approved -

#### Petitions.

A petition of J H Grinnell & 15 others, residents and property holders on Arch Street, praying for an alteration in the character of the grading to be done on said Arch Street, was presented. And on motion the prayer of the petitioners was granted, and the Street Commissioners authorized to change the grade so far as to form a road bed thirty feet in width, including gutters, and leaving eighteen feet on each side, for sidewalks & lawns.

#### Reports of Committee.

The Committee on Streets, Sidewalks & Bridges, reported, a plan for a Bridge over the Jackson Cut, on Front Street, and recommended the adoption of the plan reported, and that a Special Ordinance be drawn by the City Attorney, ordering the building of said Bridge, & assessing the expense thereof on the parties owning the right of Way through said Jackson Cut.

On motion, the report of the Committee was accepted.

On motion, the report of the Committee on Streets, Sidewalks & Bridges, relative to a Bridge over the Jackson Cut, and their recommendation concerning the same, was accepted -

Local Order of Miscellaneous Business,  
A Bill of Con Claim for rock used on Lake Street in making repairs, amount \$60.75, was presented and referred to the Committee on Claims,

On Motion, the following rules for the government of the actions of the Council, were adopted, To wit:

Rule 1<sup>st</sup> All petitions and communications to the Common Council, shall, unless otherwise ordered by the Council, be referred to a Committee,  
 Rule 2, The Mayor shall annually in the month of April, appoint the following Standing Committees from the members of said Common Council,  
 To wit:

Committee on Finance & Taxation -  
 Committee on Police, Claims, and Grievances,  
 Committee on Streets, Bridges, Sewers, & public grounds -

Committee on Ordinances.  
 Each Committee shall consist of a Chairman and two Members, and all vacancies in such Committees shall be filled by appointment of the Mayor within two weeks after the same shall occur.

Rule 3, Reports of Committees, and of all City Officers made to the Council, shall be in writing, signed by the person or persons making the same.

And when a report of a Committee is made, the report shall be equivalent to a motion, and unless some other motion be interposed, the question shall be taken on the adoption of the report.

Rule 4, The Order of business at every regular meeting of the Council shall be as follows, to wit:

1<sup>st</sup> Calling of the Roll.

2<sup>nd</sup> Reading the minutes of preceding meeting.

3<sup>rd</sup> Presentation of petitions, & communications.

4<sup>th</sup> Report of Committee on Streets, bridges, sewers, and public grounds -

5<sup>th</sup> Report of Committee on finance and taxation.

6<sup>th</sup> Report of Committee on Police, Claims, and Grievances

7<sup>th</sup> Report of Committee on Ordinances.

8<sup>th</sup> Report of Special Committees.

- 9<sup>th</sup> Reports of Officers -  
 10<sup>th</sup> Presentation of Accounts;  
 11<sup>th</sup> Motion and Resolutions,  
 12<sup>th</sup> Unfinished business of preceding Meetings

- Rule 5. All motions and resolutions shall be reduced to writing if required by any member -  
 Rule 6. Every member, previous to his speaking, shall rise from his seat and address himself to the Mayor or president.  
 Rule 7. These rules shall not be amended or repealed except by consent of three-fourths of all the members of the Council,  
 Rule 8. Subject to the foregoing rules, the proceedings of the Council shall be governed by the ordinary parliamentary law - &c

On Motion the following Ordinance relative to Sidewalks, was passed unanimously -  
 To wit:

Ordinance - It is hereby Ordained by the Common Council of the City of Marquette:

Sec 1. All sidewalks which shall be hereafter constructed, shall be made under the Superintendence, and to the Satisfaction of the Street Commissioners, and in the following manner, viz:

All Sidewalks constructed on Front Street, between Washington & Rock Streets, and on Superior, between Lake and Third Streets, shall, unless the Common Council shall otherwise direct, be of the uniform width of ten feet; and all sidewalks constructed on any other street in the City shall, unless the Common Council shall otherwise order, be of the uniform width of six feet.

The Street shall be surveyed, if the Street Commissioners shall deem it necessary; the ground shall be graded, and the grade of all sidewalks, unless otherwise ordered by the Common Council, shall be eight inches above the grade of the Center of the Street on which they are severally constructed. Such sidewalks shall be constructed of good sound pine or oak plank, not less

than two inches in thickness, and not to exceed eight inches in width, laid lengthwise on sleepers, not less than two by six inches, laid crosswise, not more than three feet apart from center to center; the earth to be filled in and firmly packed even with the top of the sleepers; the plank to be firmly nailed with at least twenty-penny nails in each plank, with at least two nails at every bearing, and the plank shall be laid so as to break joints,

Such sidewalks may, instead of plank, be constructed of brick, flagging stone or concrete.

A substantial curbing of stone, or of good sawed pine or oak plank, not less than three inches in thickness, well tied in, shall hereafter be laid on the outer edge of all sidewalks hereafter constructed.

Sec 2. Whenever the Common Council of said City shall deem it necessary to provide funds for defraying the expenses of constructing any sidewalk within the limits of said City, they shall do so by assessments on the owners or occupants of the lots or premises in front, or adjacent to such sidewalk, or proposed sidewalk; provided, that the expense of constructing crosswalks across streets and alleys, and sidewalks in front of the public property of said City, shall be paid by general tax.

Sec 3. Any parties interested shall have the privilege of constructing a plank sidewalk in front of their respective premises after the same shall have been ordered by the Common Council, within the time, and after the <sup>same</sup> manner, as hereinafter provided in section four, and shall be entitled to all the rights and privileges secured by said section.

Sec 4.

When the Common Council shall direct the construction of any sidewalk, it shall be the duty of the Street Commission, to ascertain the proper description, and the

Names of the owners of the premises within the limits embraced in the order of the Common Council, in front of which Sidewalks are not already Constructed, and he shall forthwith serve or cause to be served, upon all persons therein interested, a written or partly written, or partly printed notice, by delivering the same to them personally, or leaving it at the party's usual place of abode, or business, or when the persons interested are not residents, or cannot be found, by posting such notice in some conspicuous place on said premises, which said notice shall fully set forth the place where said walk is ordered, and that said party is allowed ten days within which to commence the construction of the same, and to be completed within twenty days thereafter, and if completed within that time to the satisfaction of the Street Commissioner, that no expenses of proceedings to collect the same be incurred by them; and upon the expiration of said ten days the Street Commissioner shall make <sup>as full a full return</sup> to the Recorder of his doings under this section, and state fully whether such notices have or have not been complied with by such parties

Sec 5.

If from such returns it appears that said Sidewalks have not been constructed by the parties notified within the twenty days prescribed, the said Recorder shall, with all due diligence, ascertain from the best evidence in his power, all the necessary facts, and shall then make out a written report or assessment roll, stating therein the names of the owners or occupants of the lots or premises in front of or adjacent to such Sidewalks, describing by itself, with sufficient accuracy, each lot or portion of a lot owned by any one person, or company of persons, and also the names of such owners or several owners, and when he cannot ascertain the names of any <sup>such</sup> person owners or occupants, or either of them he shall state such fact in his report; and said Recorder shall also, in an accurate a

Manner as possible, ascertain, and in said report set forth, the space or number of feet of sidewalk to be placed in front of or adjacent to the lot or premises owned or occupied by any one person or set of persons, the sum of money which such person or set of persons shall be assessed at and pay for the construction of such sidewalk, which report said Recorder shall present to said Common Council.

Sec 6. It shall be the duty of the Recorder, immediately after the filing of said report to make out a notice directed to the several persons named in said report notifying them that they are about to be assessed to defray the expenses of constructing such proposed sidewalk in front or adjacent to certain premises owned or occupied by them and that the report containing such assessment is on file in the office of said Recorder and open for inspection and notifying them of the time and place that the Common Council will meet and review said report or assessment on the request of any person conceiving himself aggrieved thereby. which said notice shall be published in some newspaper printed in said city for one week previous to said meeting.

Sec 7. The Common Council shall at the time and place in said notice specified or at some session thereafter take said assessment into consideration and if no person appears to object to said report or roll and no good cause to the contrary appears and an affidavit of publication of the requisite notice having been made by some one acquainted with the facts they shall by a written resolution entered on their journal declare that they approve of said report or assessment roll; that they receive as correct the description of the premises and the names of the individuals therein contained. and that the sum which said report states to be the correct one which each individual or set of individuals should be assessed at and pay, be the assessment and be collected from the several persons liable according to law. But if any sufficient cause appears or is shown to said Common Council they shall review said report or roll and make such assessments as may be just and right in the premises. and said Common Council may adjourn from time to time for the

purpose of finishing said review of assessment  
 Sec 8.

Upon the Confirmation of the Assessment roll by the Common Council it shall be the Duty of the Street Commissioner to Construct or Cause such walk to be Constructed. And when the Same shall have been Constructed the amount of such Assessment together with all Costs and Charges as provided in this Ordinance shall be Collected by Warrant Issued for that purpose as hereinafter Provided

Sec 9.

All Expenses for making Assessments under this Ordinance Incurred after the Confirmation by the Common Council of the Assessment roll including the Expense of printing notices and four per Cent. as Collector's fees shall be justly apportioned by the Recorder to the persons liable to pay said assessments and shall be Collected at the same time and in the same manner and he shall endorse upon such roll a Detailed Statement of the Expenses apportioned by him to the persons named in said roll under this Section

Sec 10. Upon the Confirmation and Completion of said Assessment roll as provided in Sections Eight and Nine of this Ordinance it shall be the Duty of the Recorder to Attach to such rolls a warrant in due form Directed to the City Treasurer Commanding ~~Such~~ Treasurer to Collect from the Several persons named in said roll the Several Sums mentioned in the last Column of such roll opposite their respective names and to retain in his hands the amount of four per Cent. fees on Collection and to hold the balance Subject to the Order of the Common Council. And the said warrant shall authorize the City Treasurer in case any person named in the assessment roll shall neglect or refuse to pay his tax. to levy the same by Distress and Sale of the Goods and Chattels of such person and further Commanding the said Treasurer to make returns to the Common Council within Thirty Days thereafter

Sec 11.

It shall be the Duty of said Treasurer upon the receipt of such tax or assessment roll to proceed at once to Collect said tax as he is in the warrant thereto attached Commanded and he shall at the time limited for the return of such warrant and tax roll return the same to the Recorder and shall in such roll indicate the names of all persons that have not paid their assessments ~~thereon~~ together with a Description of the --

premises upon which the same was assessed and also a description of the premises the owner or occupants of which are not known and upon which there are unpaid assessments; Whereupon the said premises upon which such tax or assessment remains unpaid shall be advertised and sold in the manner provided for the sale of lands for Delinquent Assessments in other cases

Sec. 12

The taxes and assessments levied by virtue of this Ordinance shall become a lien on the lands described in the assessment roll from and after the time such roll shall be delivered to the City Treasurer

Sec. 13. All moneys collected on or by virtue of such assessment shall be considered as appropriated exclusively for the construction of the side walk for which the same was levied and shall be used for no other purpose

Sec. 14.

It shall be the duty of the Street Commissioner to keep in a book a copy of all notices served under sections four of this Ordinance on which shall be made a memorandum signed by said Commissioner of the time when the persons to whom and the manner in which said notice was served

Sec. 15.

Whenever by mistake or otherwise any person may be improperly designated as the owner or occupant of any lot or premises in proceedings under this Ordinance or any other Ordinance of said City relative to taxes or assessments, the tax or assessment shall not for such cause be vitiated but the same shall be a lien on such lot or premises and collected as in other cases

Sec. 16. All Sidewalks in said City shall be kept in good repair by the owners or occupants of the house lot or premises adjoining or fronting on such; and whenever any sidewalk within the limits of said City shall require repairing, it shall be the duty of the Street Commissioner to notify by a written or printed or partly written and partly printed notice the owner or occupant of such house lot or other premises adjacent to or fronting on such part of sidewalk needing such repairs to repair the same within forty eight hours and if the person thus notified shall refuse or neglect to comply with the exigency of said notice then the Street Commissioner shall have said repairs made and shall report the making of the same to the Recorder who shall prepare —



and transmit to the Common Council a proper assessment roll assessing the expense of said repairs upon said lot or premises which roll shall be confirmed by the Common Council in the same manner as provided by sections seven of this Ordinance and the amount of said assessment with all costs and charges including collection fees as hereinbefore provided in section nine shall be collected by warrant in the same manner as hereinbefore provided in this Ordinance for the collection of taxes or assessments for the construction of sidewalks and the amount of such tax shall be a lien on the lot or premises from the time such roll shall be delivered to the City Treasurer, and such lot or premises may be sold for the amount of such unpaid tax in the manner provided for the sale of lands for delinquent assessments in other cases

Sec. 17.

If any lot or premises in front of or adjacent to which said repairs shall be required shall be tenanted and the owner or owners or lessee thereof cannot be found in said city the Street Commissioner may serve said notice by posting the same in some conspicuous position upon said lot or premises and he shall preserve a copy of said notice as provided in section fourteen. And if any person shall neglect or refuse to repair any sidewalk after notice as aforesaid he shall on conviction thereof be subject to a penalty of five dollars for each offense together with the costs of prosecution; he shall also be liable for all damages which the city may incur by reason thereof to be recovered by the city in an action of assumpsit

Sec. 18.

No Porch Gallery Stoop Steps Stair railing or platform shall be allowed to extend into or upon any sidewalk nor shall any cellar door rise or project above the surface of the sidewalk more than one inch at the outer edge or three inches at the side next the building nor shall the hinges thereof or any other thing connected therewith project or rise above the door nor shall any staple lock or other fastening be placed on the upper side thereof and no area beneath the surface of the sidewalk be allowed without sufficient grating or other protection under a penalty of five dollars for each offense to every person violating any provision of this section and a like penalty for every day such violation shall continue after a lapse of three days after notice by the Marshall or Street Commissioner to remove the same.

Sec. 19. No Sign Post or other Post Except hitching Posts as Hereinafter Provided Shall be Erected or placed or if hereafter Erected be permitted to remain in or upon any Sidewalk or Street or other public way under a penalty of five Dollars and a like penalty for every Day such Post shall be allowed after notice to the owner or occupant of the premises from the Marshall or Street Commissioner to remove the same. Provided. Nothing herein Contained shall prevent the Erection of one and not to Exceed two Posts in front of Each Building for the purpose of Hitching Horses and which if of wood shall not be less than four inches in Diameter and not to Exceed four feet in Height and placed in a line within the outer Edge or Curb of the Sidewalk.

Sec 20.

All Awnings shall be Covered with Cloth Leather or other light Substances and Securely attached to the Building and properly supported without posts by Iron or other Metallic fastenings and Supports. and shall be Elevated at least eight feet at the lowest part thereof above the top of the Sidewalk and shall not project over the Sidewalk to Exceed three-fourths of the width thereof so as to leave the Sidewalk wholly unobstructed thereby; No such Awning shall be Erected or repaired either wholly or in part with wood. Any person who shall Erect any Awning Contrary to the Provisions hereof or permit any such heretofore Erected to remain shall be Subject to a penalty of five Dollars for every offense and to a further penalty of five Dollars for every Day he shall fail to Comply with a notice after a lapse of three Days from the Service thereof from the Marshall or Street Commissioner to remove the same.

Sec. 21. No Clothing Goods wares Merchandize Signs Boxes or other article or thing shall be placed in front of any Store Shop or other place in said City on or above the Sidewalk so as to Occupy more than three feet next to the Building or premises on such Sidewalk under the penalty of five Dollars for each offense and a like penalty for every twenty four Hours the same shall remain after being requested by any City officer to remove the same.

Sec. 22. No person or persons shall place or keep upon or suffer to be placed or kept upon any Sidewalk any Goods wares or Merchandise which he or they may be receiving or Delivering without leaving a passage way clear upon such Side walk where such Goods may be of six feet wide for the use of foot passengers and no person or persons receiving or

Delivering Such Goods shall suffer the same to be or remain on Said Sidewalk (Subject nevertheless to the foregoing restriction) for a longer period than twelve hours; and any person or persons Violating any of the provisions of this Section shall forfeit and pay to Said City a Sum not less than three nor more than ten Dollars. and shall be subject to a like penalty for each hour the said Goods or any part thereof shall remain as aforesaid after notice from any City officer to remove the same

Sec. 23; It shall not be lawful to Gather or Stand Loitering in Crowds on any Sidewalk in the City so as to Encumber the same or to Obstruct or interfere with foot passengers under a penalty of not less than one Dollar and not Exceeding three Dollars for each and Every person Violating the provisions of this Section

Sec. 24

No person shall fasten any horse team or other animal or animals in such a way that said horse team animal or animals or any Vehicle to which the same may be attached. shall be an Obstacle to the free use of the Sidewalk. or Drive load or back any horse mule or Cow or other animal or team or Cart or Wheel Carriage or Vehicle of any Description upon or along any Sidewalk unless it be in Crossing the same to go into a yard or lot when no other suitable means of access is provided under a penalty of not less than one Dollar nor more than ten Dollars for each offense

Sec. 25

The occupant or owner if there be no occupant of each and every tenement building or lot fronting upon any Street the Sidewalk of which shall be of plank Stone Brick or Concrete shall Clear the Sidewalk in front of such tenement Building or lot of snow and ice by ten O'clock in the forenoon of each Day after the Cessation of any storm of snow or sleet and keep the same Clear of such snow or ice under a penalty of two Dollars for each failure to do so and the like penalty of two Dollars for every twelve hours such Sidewalk shall remain Encumbered with snow or ice

Sec. 26;

The Marshall or Street Commissioner is authorized to Cause any obstruction Encroachment or thing which may be in Violation of the provisions of this Ordinance to be removed within a reasonable time after notice served on the owner or

Occupant of the premises when such Violations occurs or without notice when no such owner-agent or Occupant can be found and the owner-agent or party Causing such Violations shall pay all Expenses and Costs of removal in addition to the penalties aforesaid And any person who shall wrongfully interfere with such removal shall suffer a penalty of not less than ten Dollars nor more than twenty five Dollars and may be imprisoned in the County Jail not Exceeding thirty Days in the Discretion of the Court before which a Conviction shall be had

On Motion The Council Adjourned

Silas P Murch

Recorder

1871  
June 1

At an adjourned meeting of the Common Council of the City of Marquette held June 1<sup>st</sup> 1871 Present H. H. Slufford Mayor S. P. Marsh Recorder Ald. Wilkinson Moon Parkinson and Fleury absent Ball and Shell

Reading the Minutes of preceding Meetings Dispensed with  
Petitions Presented

A petition T. T. Fleury praying the Council to Grant him permission to replace the out house on his lot in rear of his Block with the same kind of material used in the old one was presented and on motion the prayer of the Petitioner was Granted

A petition of Charles W. Taylor asking permission to erect a wooden out house in the rear of Commercial House lot was Presented and referred to the Committee on Police Claims and Excavations

A Petition of M. S. Dalliba agent for the North Western Telegraph Company praying ~~praying~~ the Council to Grant said Company permission to erect and maintain telegraph poles on Front Street was presented and referred to the Committee on Streets

General Order of Business

The Following Ordinances were considered and passed Unanimously "to wit"

An Ordinance for the Construction of a Bridge over The Jackson Cut (so called) on Front Street as follows

It is hereby Ordained by the Common Council of the City of Marquette  
Dec 1<sup>st</sup>

Ordinance

That a Good Strong and Substantial Double Track wooden Bridge in accordance with the plans and Specifications adopted by the Common Council May 29<sup>th</sup> 1871 be Constructed on Front Street over the Cut or Excavation made and used for a Rail Road track across said Street between Washington and Main Streets Commonly known as the "Jackson Cut" That said Bridge be Constructed by and at the expense of the person or persons Co-partnership Corporation or Corporation owning or operating the Rail Road running through said Cut or Excavation across said Street and be Completed within fifteen Days from and after the passage this Ordinance - - - - -

Sec. 2. If the person or persons Copartnership Corporation or Corporations owning or Operating said Rail Road shall neglect or refuse to Construct said Bridge in the Manner and within the time Directed in the first Section of this Ordinance the Committee on Streets Bridges Sewers and public Grounds shall procure the said Bridge to be Constructed by Contract in the same Manner as in Case of Street improvements and the Expense thereof together with the Costs of Collections shall be Assessed upon the person or persons Copartnership Corporation or Corporations owning or Operating said Railroad as aforesaid to be Collected in the Manner provided by Ordinance for Collecting Special Assessments for Improvements of Streets

An Ordinance respecting the Public Lamps and Lamp Posts

Ordinance

It is Hereby Ordained by the Common Council of the City of Marquette

That any person who shall Carelessly or Maliciously break Deface or in any way injure or Destroy any public lamp or lamp post in this City or Climb upon or hitch any horse or other animal to any public lamp post or hook or place any Goods or Merchandise thereon or place any Goods boxes wood or any other heavy Material upon or against the same or who shall Extinguish or Cause to be Extinguished or light or Cause to be lighted any of said lamps unless Deuly Authorized to Do so by the proper Authorities of the City or by the Marquette Gas Light Company shall forfeit the penalty of ten Dollars for each and every offence

Ordinance

An Ordinance for Grading and Macadamizing Spruce Street from Arch to Ridgely Street

It is Hereby Ordained by the Common Council of the City of Marquette

That Spruce Street from Arch Street to Ridgely Street be Graded in accordance with the plans or profile thereof adopted by the Common Council and filed in the Recorder's office and that the same be Macadamized for a width of thirty feet through the center thereof including Gutters that proposals for Doing said work be Advertised for and that said work be let and the Expense thereof be assessed --

upon the lots and parcels of real Estate on said street fronting said improvements in accordance with the provisions of the Ordinance relative to the Grading paving and improvement of Streets alleys and public places

Ordinance An ordinance for the Construction of a Sidewalk on the East Side of Spruce Street

It is Hereby Ordained by the Common Council of the City of Marquette

That a Side walk be Constructed on the East Side of Spruce Street from Arch Street to Ridge Street in accordance with the provisions of the Ordinance regulating the Construction of Sidewalks &c. Adopted May 29<sup>th</sup> 1871

Ordinance An Ordinance for the Construction of a Sidewalk on Arch Street

It is Hereby Ordained by the Common Council of the City of Marquette. That a Sidewalk be Constructed on the East Side of Arch Street from Front Street to Cedar Street in accordance with the provisions of the Ordinance regulating the Construction of Sidewalks &c. Adopted May 29<sup>th</sup> 1871

Ordinance An Ordinance relative to a pound-pound Master and restraining animals

It is Hereby Ordained by the Common Council of the City of Marquette

Sec 1<sup>st</sup> That there shall be one or more ~~public~~ pound in this City to be located in such places as may be Designated by the Common Council and which shall be kept open between the first Day of April and the first Day of December in each year

Sec. 2. The Common Council shall appoint one or more Pound Masters who shall hold their office during the pleasure of said Common Council. who shall take and file the Oath of office and shall give Bonds to the City in the sum of one Hundred Dollars with one or more securities to be approved by the Mayor or Recorder Conditioned to pay to the <sup>City</sup> Treasurer all monies that shall come into his hands as pound Master excepting fees and charges allowed him by this Ordinance

Sec. 3.

No horse, ass, mule ~~or~~ Swine, Calf, Goat, Sheep, Neat-Cattle, or Geese, shall run at large within the limits of the City

Sec. 4. It is hereby made the Duty of the pound Master Marshall, Deputy Marshalls, policemen, and Constables and it shall be lawful for any other persons above the age of twenty years to take up and convey to one of the public pounds any Animal or Domestic fowl mentioned in the previous section which may be found running at large within the City limits. And for such Service the person performing it shall receive from the pound Master the following Compensation For taking to a pound any horse, Ass, Mule or Swine seventy five Cents a head any neat Cattle fifty Cents a head, any Calf, Sheep, or Goat twenty five Cents a head and for any Goose ten Cents.

Sec. 5. The pound Master shall purchase all necessary Supplies for the sustenance of all Animals and fowls impounded. And he shall receive and keep and feed any animal or fowl which may be brought to the pound.

Section 6. The pound Master shall record in a Book kept for that purpose and which shall at all times be open for public inspection, the time when any Animal or fowl was received and the Description thereof; he shall keep a record of all Sales and the amount for which each Animal and fowl was sold and the amounts paid for bringing animals or fowls to the pound and such record shall be evidence of all Sales and other matters contained therein.

Sec. 7:

The pound Master shall at the public pound sell at public Auction any horse, mule, Ass, or Ox which has been impounded therein for the period of six Days and all other animals and fowls which have been impounded therein for a period of three Days and are unclaimed or whose owners refuse to pay the fees hereinafter provided. The day on which any animal or fowl was received and the Day of Sale shall each be included in estimating the time under this Section. Notice of such Sale shall be given and shall contain a Description as near as may be of the animal or fowl to be sold. And such Notice shall at least two Days previous to such Sale be posted in a conspicuous position in the three following places "to wit" at the Court House, the post office and the pound where such Sale is to be held. Such Sales shall vest in the purchaser thereof an absolute title to any animal or fowl so sold.

Section, 8. The proceeds arising from the Sale of any



Animal or fowl less the fees, Costs and Charges allowed by this ordinance shall immediately thereafter be paid into the City Treasury and shall constitute a separate fund to be disposed of as provided in Section nine

Sec. 9. The money paid into the Treasury as provided in the last Section shall be delivered to the former owner of such animal or fowl on satisfactory proof to the Treasurer that he or she was such owner. Provided however that all money deposited as aforesaid which may remain unclaimed for the period of one year shall be transferred and credited by the Treasurer to the General fund

Sec. 10

Pound Master shall demand and receive the following fees in addition to the amounts provided for in Section five, for receiving and discharging or selling any horse, ass, mule head of neat cattle swine or other animals one dollar, for keeping and feeding any horse, ass, mule or head of neat cattle one dollar per day any sheep, calf, goat or swine twenty five cents per day for receiving and discharging any goose ten cents and for keeping any goose ten cents per day

Sec. 11

The owner of any such animal or fowl may at any time before sale redeem the same upon payment to the pound master of the fees provided for in Sections four and ten. Provided when animals or fowls are redeemed the same day on which they are impounded the pound master shall demand and receive the compensation for one day feeding and keeping

Sec. 12

The pound master shall on the first Monday in each month and often if required by the Common Council report in writing to the Common Council giving a detailed statement of the animals impounded since his last report the number of animals and fowls claimed and sold and the amount of money received by reason of fees and sales and the quantity of grain and hay used for the pound and the amount paid into the Treasury since his last report which report shall be filed by the Recorder

Sec. 13

No person shall hinder, delay or interfere with any one who is driving or carrying any animal or fowl to the public pound

Sec. 14

No person shall break or attempt to break or assist in breaking into any pound

✓ Sec. 15. Pound Keepers Shall possess and Exercise the power and Duties of policemen for the preservation of the Public peace

Sec. 16. No person shall take up Drive or Carry to the Public Pound any animal or fowl not legally liable to be impounded therein

✓ Sec. 17. The Pound Master shall not receive any other Compensation for the Services herein mentioned than that herein provided

✓ Sec. 18. If any animal or fowl that may have been lawfully impounded shall escape or be rescued any Pound Master Marshall Deputy Marshall Constable or policeman may within seven days thereafter retake such animal or fowl and the same be held and sold as if no escape or rescue had taken place

Sec 19

✓ Any Violation of the provisions of this Ordinance shall be punished by a fine not to exceed fifty Dollars and costs of Prosecution

Section 20.

✓ Whenever any animal or fowl sold under the provisions of this Ordinance shall not bring enough to pay the fee herein and penalty the deficiency may be recovered by ~~the City~~ ~~in the name~~ of the City prosecuted by the Pound Master and when recovered shall be disposed of as herein before provided as to proceed of sales

An Ordinance Relative to Nuisances

Ordinances

It is hereby Ordained by the Common Council of the City of Marquette

Section 1<sup>st</sup>

✓ No person shall himself or by another throw place or Deposit or leave in any Street highway lane alley public place or other place in the City any animal or vegetable substance Dead animal fish shells shavings dirt rubbish Excrement filth slops manure or noxious water or liquor hay straw ashes Cinders soot offal Garbage Swill or any other article or substance whatever which may cause any noxious offensive or unwholesome smell

Section 2. No person shall keep place or have on or in any private house lot or premises in this

City any Dead Carcass putrid offensive or unseasoned beef  
 pork, fish, hides, Skins, bones, horns, Stinking or rotten Soap  
 Grease tallow-offal or other animal or Vegetable Matter or  
 Substance which may Cause any Unwholesome Noisome  
 or Offensive Smell

Sec. 3.

When any Dumb Animal shall Die within the  
 limits of the City the Owner or person in possession of it shall  
 within twelve hours thereafter Cause the Carcass to be removed  
 to some place beyond the City limits or Buried in the Ground  
 and Covered with Earth at a sufficient Depth to prevent its  
 becoming a nuisance or matter of offence

Sec. 4

No Owner or Occupant of any Grocery, Cellar, tallow  
 Chandlers Shop, tannery, Butchers Shop, Slaughter House, Stable,  
 barn, privy, Sewer or other building or place shall allow any  
 nuisance to Exist or remain on his or her premises

Sec. 5.

No person shall Slaughter any beaver, Sheep or other  
 animals within the City limits without permission of the Common  
 Council to be Granted only in the manner hereinafter provided.  
 Any person Desiring such permission shall make a written  
 application to the Common Council Specifying the premises  
 the same is to be Conducted and which shall be so remote from  
 the settled portions of the City as not to be offensive to the Public  
 If such application is Granted the Applicant shall enter into  
 a bond with one or more Sureties to be approved by the Mayor  
 in the penal sum of not less than one Hundred Dollars, Conditioned  
 that such premises shall at all times be kept in a clean healthy  
 and inoffensive condition and that he will faithfully  
 comply with the requisitions of all Ordinances which may  
 be passed by the Common Council upon this Subject or with  
 such rules and regulations as may at any time be presented  
 by the Board of Health

Sec. 6.

The Keeper of any livery or other Stable shall keep  
 the stable and stable-yard clean and shall not permit between  
 first Day of June and the first Day of November any manure  
 to accumulate in or near the same in such quantities as to  
 be offensive to the public

Sec. 7.

No person shall Collect or Confine hogs in pens or

otherwise so as to become offensive to his or her neighbor or neighbors.

Sec. 8.

Every Dwelling house Store Manufactory or Shop hereafter built in the City shall be provided with a suitable privy the Vault of which shall be walled up with two inch plank brick or Stone and be sunk at least Eight feet below the level of the Earth the inside of such Vault shall be at least one foot distant from the line of every adjoining highway Street lane alley or lot and when there is a public Sewer within one hundred feet of such privy it shall be so constructed as to be Drained into such Sewer

Sec. 9.

No privy shall be emptied between the fifteenth Day of June and the fifteenth Day of September unless by the written permission of some member of the Board of Health. Privies shall be emptied between the hours of 10 P.M. and 3 A.M. and at no other times

Section 10.

Any Cart waggon or other Vehicle used or intended to be used for the purpose of conveying Sewall offal Garbage Excrement or Night-soil shall be properly tight and Covered so as to prevent the contents thereof from leaking or Spilling and such Cart waggons or other Vehicle when not in use shall not be allowed to stand in the Street alley public Square or Square

Sec. 11.

No person shall Steam or boil or in any way render any offal. Tainted or Damaged lard or tallow or Steam or render any animal Substance in such a manner as to occasion any offensive smell or which will by undergoing such process so taint the air as to render it unwholesome or offensive to the smell within the limits of the City

Sec. 12.

No person shall own occupy or keep any Grounds or other premises in such a condition as to be offensive and a nuisance to the neighborhood or permit any Cellar or Vault. Drain. privy pool. Sewer or Sink upon premises belonging to or occupied by him to become nauseous foul or offensive or injurious to the Public Health

Sec. 13.

No person being the owner of any hog Shout or

✓ pig or of any Diseased or old and infirm animal Shall suffer the same to run or be at large or be found at large  
Sec. 14.

✓ No person shall stick or post any hand bill or placard of any Description, upon any public or private house store or other building, or upon any fence, without the permission of the owner or occupant of the same  
Sec. 15.

Penalty  
✓ Any failure to comply with or Violation of any of the provisions of this Ordinance, shall be punished by a fine of not less than five Dollars, nor Exceeding one Hundred Dollars, or by imprisonment in the County jail for a term not Exceeding three Months, or by both such fine and imprisonment in the Discretions of the Court  
Section 16.

✓ In all Cases where a Nuisance shall be found in any building or upon any Ground or other premises within the Jurisdiction of this City, twenty four hours Notice may be Given by the Marshall or any other officer of the City or any Member of the Board of Health to the owner or occupant of such building or other premises, where he is known and can be found, to remove such Nuisance, and in case of his Refusal or Neglect to abate the same, in Accordance with such Notice, he shall be Chargeable with the Expenses which may be incurred in the removal thereof, to be Collected by Suit or otherwise in Addition to the fine or penalty hereinbefore prescribed.

✓ Sec 17 The Board shall have power and it is hereby made their Duty, and each Member of such Board of Health, and the Marshall and police of said City shall each have the power, and it shall be the Duty of each to make Diligent Inquiry with respect to all Nuisances of Every Description in said City which are or may be injurious to the Public Health and abate the same summarily, and to make and enter a proper Complaint for each and every Violation of any of the Provisions of this Ordinance

### An Ordinance

Ordinance For the preservation of the Public Health, and Creating a Board of Health and Defining its Duties

It is hereby Ordained by the Common Council of the City of Marquette

Section 1<sup>st</sup> There shall be appointed by the Common

Council once in each year for said City a Board of Health to consist of one person in each ward one of whom shall be a competent physician and who shall be the Health officer thereof and of said City. a Majority of whom shall constitute a quorum

Sec. 2. The members of said Board shall hold their office for one year and until their successors are appointed and accept said office; Provided however that they shall be subject to removal for neglect of duty

Sec. 3

The said Board shall have and possess all the powers given by the General Statutes of this State to Boards of Health in Townships in addition to those herein particularly enumerated. Said Board of Health shall have power and it shall be their duty to take such measures as they shall deem ~~effective~~ to prevent the entrance of any pestilential or infectious disease into the City; to stop Delains and Examine for that purpose Every person coming from any place infected or believed to be infected with such a Disease; to Establish Maintain and regulate a pest house or hospital at some suitable place within the City. to Cause any person not being a resident. or if a resident of the City who is not an Inhabitant of this State. who shall be. or suspected of being infected with any such Disease. to be sent back to the place from whence he or she came or to be sent to such pest house or hospital; to Cause any resident of the City infected with any Disease to be removed to such pest house or Hospital if the Health officer and the attending physician of the Sick person if he have one shall Certify that the removal of such person is necessary for the Public Health. Provided it can be done with safety to the patient; to remove from the City or Destroy any furniture wearing Apparel or Goods. wares. or Merchandise. or other articles of property of any kind which shall be suspected of being tainted or infected with any pestilence or which shall be or likely to pass into such a State as to Generate or propagate Disease. to require the occupant of any Dwelling house Store. Shop or other building in which there shall be any person sick with Small pox or Varioloid to put up and maintain in a conspicuous place on the front of said Dwelling house Store Shop or other building a Card or Sign to be furnished by the Board of Health on which shall be written or painted in large letters the words "Small Pox," and in case of the neglect or refusal of any person to comply with any such requirement to remove the patient therein to the pest house or hospital and to do all acts which shall be necessary and Expedient for the --

Preservation of health and Suppression of Disease in the City and to Carry into Effect and Execute the powers hereby Granted  
 Sec 4

The owner, Driver, Conductor, Master or person in Charge of any Stage, Steamboat, Vessel, Railroad Car, or Other Public Conveyance, which shall enter the City having on board any person sick of Malignant fever or pestilential or infectious Disease shall within two hours after the arrival of such sick person report in writing the fact with the name of such person and the house or place where he was put down in the City, to the Mayor or some Member of the Board of Health, and any and every person neglecting to comply with the provisions of this Section shall upon Conviction thereof be punished by fine or imprisonment or both such fine and imprisonment in the Discretion of the Court the fine not to exceed fifty Dollars with costs and the imprisonment not to exceed three months

Section 5.

Any person who shall knowingly bring or cause to be brought into the City any property of any kind tainted or infected with any Malignant fever or pestilential or infectious Disease may on Conviction thereof be punished as provided in the last Section

Sec. 6.

Every keeper of a hotel, in Boarding House or Lodging house in the City, who shall have in his house at any time any sick traveler, Stranger or Strangers, shall report the fact and name of the person in writing within six hours after he came to board or was taken sick therein, to the Mayor or some Member of the Board of Health and every physician in the City shall report under his hand to one of the officers above named, the name, residence, and Disease of every patient whom he shall have sick of any infectious or pestilential Disease within six hours after he shall have visited such patient. A Violation of the provisions of this Section may be punished as provided in Section four

Sec. 7.

All fines imposed under this ordinance shall be when collected paid into the City Treasury and be devoted to the maintenance and support of any pest house or hospital that may hereafter be established by the City

Section 8.

The said Board of Health shall meet at least once in each month at the office of the City Recorder to examine and certify to accounts as hereinafter provided and for such other business as they may deem necessary for the Government of such

Board. The Recorder shall keep a Record of such Meetings and preserve the same in his office

Sec. 9.

The Members of such Board of Health shall receive such Compensation for their Services as may be allowed by the Common Council and before entering upon their Duties shall each take and file with the Recorder the Constitutional Oath of office

Sec. 10.

No persons having the Small Pox or Varioloid or other Contagious Disease shall go about the City. and all persons having Small Pox Varioloid or other Contagious or infectious Disease as hereby required to be kept closely confined within their respective Dwellings or places of abode and no person who has been confined with such Disease shall leave his or her place of abode and go about the City until in the opinion of his or her physician or of the health officers it can be done without communicating the Disease to others. Any person violating the provisions of this Section shall be liable to punishment as provided in Section four of this Ordinance

Sec. 11.

It shall be the Duty of each Member of the Board of Health to take the Care and Charge of the Ward in which he resides to ascertain any nuisances which may exist in his Ward and forthwith to report the same in writing to the Board: to enter upon the premises and into the house of every person in his Ward as often as he shall deem necessary or the Board of Health shall order and to examine into the health Cleanliness and number of persons inhabiting such house and inspect the Cellars Vaults privies and sewers on such premises

2<sup>d</sup> Each Member of the Board of Health shall upon discovering any person who in his opinion is infected with a Malignant or infectious Disease promptly to notify the Health officer of said Board

3<sup>d</sup> Such Health officer if satisfied that such person is infected with a Malignant or infectious Disease shall cause notice of the same to be at once given to at least a Majority of the Members of said Board

4<sup>th</sup> It shall be the Duty of said Board immediately upon receiving such notice to take steps to prevent the spread of such Disease in accordance with the provisions of this Ordinance and they shall so far as practicable remove all infected persons to the pest House

Sec. 12.

Such Board shall not provide assistance or necessaries for any infected person at his, her, or their residence unless such person cannot be removed to the pest <sup>house</sup> under the provisions -



of this Ordinance and such Board shall only in such case furnish assistance and necessaries for those actually sick or infirmed. in case any member of the same family not sick or infirmed shall be in want of provisions or assistance it shall be the duty of such Board of Health to notify the Director of the Poor thereof but such Board shall not have any power to furnish such persons with provisions or other necessaries except Medicines as a preventative of Disease  
Sec 13

All Bills for necessaries furnished by order of such Board of Health shall be sworn to and shall be presented to such Board of Health who shall at their next meeting examine carefully into the various items therein charged and if correct certify to the same, and in case it is intended to present such Bill to the City or County for payment then such Board shall further certify thereon after careful and diligent examination and inquiring that the person himself his parents or other person who may be liable for his support is unable to pay the same  
Sec 14

Nothing in this Ordinance shall be construed to authorize the Board of Health to expend a larger sum than twenty Dollars without prior resolutions of the Common Council authorizing such expenditures

Ordinances

An Ordinance  
Relative to the Grading Paving and Improvement of Streets Alleys and Public Places. And the Rise and Protection thereof

It is Hereby Ordained by the Common Council of the City of Marquette

Section 1.

There shall be procured by the Recorder, a Map or Plat of the City of Marquette, on which shall be correctly delineated, the several Streets Avenues and places therein with the names thereof, as well as the several Blocks that are laid out or Platted. And the lots in each of said Blocks with their numbers respectively which said Map when approved by the Common Council shall remain in the Recorder's Office and shall be the Official Map of the City

Sec. 2.

There shall also be procured by the said Recorder a suitable Book for Street Records, in which he shall record the proper Boundaries and Descriptions of all Highways Streets lanes or Public Grounds in the City, which have been heretofore

laid out. Established and Settled. and in which he shall from time to time hereafter Record the Boundaries and Descriptions of all Highways Streets lanes or Public Grounds which shall hereafter be ascertained Described or laid out and Established by the Common Council

Sec. 3.

It shall be the Duty of the Committee on Streets Bridges Sewers and Public Grounds to ascertain and make a Description of all such Streets and Highways in the City as shall have been used for six years or more as Public Highways or Streets and which have not been sufficiently Described and duly Recorded and to report such Descriptions to the Common Council and if the Common Council shall approve thereof they shall order the same to be Recorded in the office of the Recorder in said Book of Street Records

Sec. 4. Whereas the Common Council shall Establish and settle or Change the Grade of any Street. Highway Lane or alley in said City. they shall cause a profile of such Grade to be made and filed with the Recorder. together with a full and accurate Description thereof and such profile and Descriptions as also those heretofore so filed. shall be deemed the official Record of such Grade

Sec. 5. The Establishment and Settlement of any Grade as aforesaid shall not be construed to authorize any party person or firm to fill or Excavate Streets in front of their own or any other premises until such Streets have by the Common Council been ordered filled or Excavated to Grade

Sec. 6. All Streets or Public Places hereafter ordered to be Planked or Macadamized shall unless the Common Council otherwise order. be planked or Macadamized in the following manner. after the same have been properly Graded "to wit"

1<sup>st</sup> All such planking shall be constructed of Good Sound white pine or Oak plank not less than three inches in thickness and not more than twelve inches in width resting upon Sleepers of the same materials not less than two by six inches in size laid not over three feet apart from Center to Center. the Earth to be filled in flush with tops of the Sleepers each plank to be properly Spiked to the Sleepers at every bearing the Spikes to be Drive at such angle as to be properly wedged through the plank into the Sleepers. All plank to be properly

Squared to make close joints and laid so as to break joints  
 Q All such Macadamizing shall be made of hard  
 well broken stones not more than two inches in diameter  
 and laid on to the depth of at least eight inches. So placed as to  
 form a hard and smooth wagon road with gutters on each  
 side at least eight inches lower than the center of the street. Provided  
 that whenever in the opinion of the Street Commissioner the  
 nature of the soil shall in any case render it desirable. The  
 bottom or lowest stones used in such Macadamizing may be  
 of larger size than herein prescribed the same to be of such size  
 and laid for such distance as he shall direct

Whenever the Common Council shall order any Nicholson  
 pavement or other pavement than herein specified to be laid or  
 shall order bridges Culverts or other improvements on the streets to  
 be made they shall by Ordinance prescribe in what manner and  
 of what materials the same shall be constructed

#### Sec. 7.

Whenever the Common Council shall order any street or  
 any portion thereof to be graded, macadamized, paved, planked  
 or otherwise improved, it shall cause the cost and expense thereof  
 to be ascertained and may enter into a contract for the making of  
 such improvements in the manner following. The Committee on  
 Streets, Bridges, Sewers and public grounds shall with all due  
 diligence after such improvements have been ordered, advertise  
 for proposals for such grading macadamizing paving plankings or  
 other improvement in accordance with such order. which advertis-  
 -ment shall be inserted at least once in some weekly newspaper  
 published in the City of Marquette. and after receiving proposals  
 shall let the same separately in accordance with the provisions of  
 the 15<sup>th</sup> section of the 8<sup>th</sup> Chapter of the City Charter, to the lowest bidder  
 as soon thereafter as the Common Council may have approved the  
 contract

#### Sec. 8.

The cost and expense of every such improvement except  
 the costs of cross walks and of the work at the intersections of cross  
 streets shall be assessed upon the lots and parcels of real estate  
 situated on the streets and fronting the portions thereof to be improved  
 in accordance with the provisions of the 14<sup>th</sup> - 15<sup>th</sup> - 16<sup>th</sup> - 17<sup>th</sup> - 18<sup>th</sup> and 19<sup>th</sup> -  
 sections of the 8<sup>th</sup> Chapter of the Charter of the City of Marquette

#### Sec. 9.

Upon the completion and confirmation by the Common  
 Council of the assessment roll for the cost and expense of any -

Such improvements as Provided in the 18<sup>th</sup> Section of the 8<sup>th</sup> Chapter of the Charter of the City of Marquette. the amount of such assessments together with one per-cent as Collection fees. Shall be Collected in the following manner. It shall be the Duty of the Recorder to attach to such Roll a warrant in Due form Directed to the City Treasurer Commanding ~~Said~~ Treasurer to Collect from the several persons named in said Roll the several Sums mentioned in the last Column of such Roll opposite their respective names and to retain in his hands the amount of one per-cent. fees on Collections and to hold the Balance subject to the Order of the Common Council. And the said warrant shall authorize the City Treasurer in Case any person named in the assessment Roll shall neglect or refuse to pay his assessment. to levy the same by Distress and Sale of the Goods and Chattels of such person. and further Commanding the said Treasurer to make returns to the Common Council within thirty Days thereafter

Sec. 10

It shall be the Duty of said Treasurer upon the receipt of such Assessment Roll to proceed at once to Collect said Assessment as he is in the warrant thereto attached Commanded. and he shall at the time limited for the return of such warrant and Roll return the same to the Recorder and shall in such Roll indicate the names of all persons that have not paid their Assessments together with a Description of the premises upon which the same was assessed and also a Description of the premises the owners or occupants of which are not known and upon which there are unpaid Assessments. whereupon the said premises upon which such assessment remains unpaid shall be advertised and sold in the manner provided for the Sale of lands for Delinquent Assessments in other Cases

Sec. 11.

All Money Collected on or by Virtue of such Assessment shall be Considered as appropriated Exclusively for the improvement for which the same was levied. And shall be used for no other purpose

Sec. 12.

The Cost of the work within the lines of intersections of Cross Streets and alleys. and also the Cost of the Cross walks shall be paid out of the General Road fund

Section. 13.

The Common Council may by Resolutions Extend the warrant and time for Collecting assessments under this Ordinance. but they shall not extend the time more than Sixty Days in addition to the time provided for in Section ~~10~~

Sec. 14.

The Common Council may instead of Collecting any

Assessment provided for in this Ordinance in the manner prescribed in the 9<sup>th</sup> and 10<sup>th</sup> Sections hereof may bring a Suit to be Commenced and prosecuted in the name of the City in any Court of competent Jurisdiction for the recovery thereof in accordance with the provisions of Section 22 of the 8<sup>th</sup> Chapter of the Charter of the City of Marquette Sec. 15.

No person shall place by himself or another any Stone timber lumber planks Boards bricks or other Materials in or upon any Street alley or other public Space except for the purpose of building and not for that purpose except under permission first obtained from the Common Council or Street Commissioner. and such Materials shall not be allowed to remain in such Street alley or other public Space after the completion of such building. or the part or portion of such building for which such Materials are required. or for a longer period than three months. and the same shall not be allowed to occupy and obstruct more than one third of any Street or alley. and after such building has been completed all building Material dirt and rubbish arising therefrom shall be removed forthwith  
Sec. 16.

No person or persons except the Board of fire and water Commissioners or the Marquette Gas Light Company. shall Dig or tear up any pavement Side or Crosswalk. or Dig any hole. Ditch. Drain or Sewer in any Street. alley or other Public Space; or Dig or extend any Cellar up to or into any Street or under any Sidewalk. without permission first obtained from the Common Council. and it shall be the duty of any person Digging or tearing up any pavement Side or Crosswalk or Digging any hole Ditch Drain or Sewer in any Street alley or other Public Space as speedily as practicable to repair and put the same in as good order and condition as before. and in order to do this such person shall pound down the Earth so as to make it firm and solid and if the Earth shall settle. such person shall fill the same from time to time as may be necessary and any person Digging in any Street. alley or other Public Space for any of the purposes hereinbefore mentioned or for any purpose whatever shall erect and maintain a good and sufficient fence railing or barrier around such Excavation in such a manner as to prevent accidents.  
Sec. 17.

Any permission Given under the foregoing Sections shall be upon the Express conditions. that the person asking for such permission or for whose benefit such Materials are Deposited or work Done or the owners of any lot in front of or on which such Cellar may be Dig shall in addition to the penalties prescribed in this Ordinance. be severally liable for all Damages which the City may incur by reason thereof to be recovered by the City in

an action of assumpsit. and all persons asking and accepting such permission or permitting materials to be Deposited or work Done under the same shall be deemed and considered to have consented and agreed to the terms and conditions of this section. whether the same shall have been referred to. or such conditions set forth in the resolutions of the Common Council granting such permission or not and that this section shall have the same force and effect as though a written contract was entered into and executed between said City and such person or persons

Sec. 18.

No person shall throw place Deposit or leave in any street highway alley or public place any Earth. Ashes. Rubbish Coal-wood plaster Mortar. Stone. Animal or Vegetable Substances Shells. Cans. filth. or any other article or substance whatever except such Building materials as he shall have obtained permission to place thereon in accordance with the 15<sup>th</sup> section hereof: nor shall any person without the permission of the Common Council or Street Commissioner. Dig remove or Carry away. any Earth or Soil from any street alley or public place in the City

Section 19.

The Mayor. any Alderman or any City officer is hereby authorized to order any article or thing whatsoever which may encumber or obstruct any street alley or public place to be removed. and if such article or thing shall not be removed within six hours after notice to the owner or person in charge thereof. or if the owner cannot readily be found for the purpose of such notice. to cause the same to be removed to some suitable place. and if any article or thing which may be removed in accordance with this section shall be advertised one week and sold by the Marshall unless the same shall sooner be claimed and a penalty of five Dollars and costs of removal and sale paid by the owner thereof. The proceeds of such sale shall be paid into the City Treasury. and the balance after deducting the aforesaid penalty and costs shall be paid to any person or persons furnishing satisfactory proof of ownership

Section 20.

No person shall leave any horse. mule. Oxen or team in any street alley or public square without being sufficiently tied: and no person shall halt any wagon Cart. Carriage. Sleigh or other Vehicle on any Crossway or foot way

Sec. 21.

No person shall remove or cause to be removed or aid or assist in removing into along or across any street alley -

or other Public Space without permission first obtained from the Common Council or Street Commissioner which permission shall limit the time such building shall be allowed to be or remain upon such street alley or public space and no building shall be allowed to remain thereon for any longer time than may be specified in such permission and the owner of any building so removed shall in addition to the penalty imposed by this Ordinance be liable to the City for any damage done to any street sidewalk crossing or bridge or other public property in consequence of such removal  
 Sec. 22.

No person shall erect or place any building in whole or in part upon any street sidewalk or other public ground in the City  
 Sec. 23.

The owner of any building fence porch steps gallery or other obstructions now standing or which may hereafter be erected or placed upon any street alley or sidewalk or public grounds in this city contrary to the provisions of any Ordinance of the City or which may be left standing upon any new street that has been or may be hereafter opened shall remove the same within such reasonable time not exceeding thirty and not less than three days as he shall be required to do by a notice in writing from the Mayor Street Commissioner or any other city officer and whenever the owner of any such building or other obstructions shall refuse or neglect to remove the same after such notice or if the owner cannot readily be found for the purpose of such notice the same shall be deemed a nuisance and it be lawful for either the Marshal or Street Commissioner and it is hereby made their duty to cause to be removed or taken down in their discretion and in addition to the penalty imposed for violation of this Ordinance the expense thereof shall be recoverable of the owner in an action of assumpsit. And every person who shall oppose or resist the execution of the orders of the Marshal or Street Commissioner in the premises shall be deemed guilty of a violation of the provisions of Section 21. of the Ordinance relative to the prevention of vice and immorality and the preservation of Public Peace and Good order and punished accordingly

## Section 24.

No person shall fasten any animal to or destroy or injure any fine railing ornamental or shade tree or shrub in or upon any public ground, street, alley, or other public place in the City

## Section 25.

Any Violation of the provisions of this ordinance shall be punished by a fine of not less than two Dollars and not Exceeding one Hundred Dollars in the Discretion of the Court before which a Conviction shall be had

## Section 26.

It is hereby made the Duty of the Marshal and his Deputies, any Member of the Police, and the Street Commissioner to see that the provisions of this Ordinance are faithfully observed, and to make Complaint for all Violations of the same

On Motion the Council Adjourned

Silas P. Murch  
Recorder.