

CHICAGO, ILL.

135

( LAWS AND ORDINANCES

GOVERNING THE CITY OF CHICAGO,

AS IN FORCE APRIL 2, 1890.

COMPARED AND REVISED

BY

JONAS HUTCHINSON, *Counsel to the Corporation*, and M. W. ROBINSON,  
*Assistant.*

WITH

EXPLANATORY ANNOTATIONS DIGESTING THE DECISIONS OF THE  
SUPREME AND APPELLATE COURTS TO DATE.

BY

HENRY BINMORE.

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IN TWO VOLUMES.

VOLUME I.

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air changed or renewed by ventilation at least once in every twenty minutes during the hours of employment.

**1910. Cleanliness of stores etc. — privies and urinals.] § 1350.** All such places of employment or service shall be kept in a cleanly condition, free from the effluvia of a sewer, drain, privy, stable or other nuisance; also, as far as practicable, from all gases, vapors, dust or other impurities generated by manufacturing processes or otherwise and injurious to health. Sufficient and separate privies and urinals shall be provided for male and female employes and such privies shall be ventilated.

**1911. Inspection of stores, workshops etc.] § 1351.** The commissioner of health shall visit, or cause to be visited by an officer, all such places of employment or service within the city at least once a month, to see that the provisions of this article are complied with, and shall have such arrangements made as may be deemed necessary for the safety and health of the employes, pursuant to the terms of this article and such laws as may be in force concerning health and sanitary measures.

**1912. Statistics, gathered and reported.] § 1352.** The commissioner of health shall, annually, during the first quarter of each and every fiscal year, place full and detailed statistical reports of the work of the inspectors before the city council. The reports shall specify the following:

1. Number of males and females of all ages employed; also, number of boys and girls under fifteen years of age employed.
2. The number of violations of this article and the number of abatements, with detailed accounts of improvements effected.
3. General and special sanitary condition of all people in labor or service in factories, workshops, stores, warehouse, elevators, yards and domestic workrooms. Statistics of labor, wages and cost of living in connection with the several trades and occupations specified in the reports of the factory and tenement house inspectors.
4. Number and kind of dangerous and unhealthy employments, and diseases of the several trades and occupations.

Such reports shall be printed as public documents, for the information of the people. [As amended, by ord. passed Aug. 10, 1883.]

[Passed July 21, 1884.]

**1913. Female employes — seats for.]** *Be it ordained by the city council of the city of Chicago, SEC. 1.* It shall be the duty of all employers of females in any mercantile or manufacturing business or occupation to provide and maintain seats for the use of such female employes, and to permit, to a reasonable extent, the use of such seats by such employes during the hours of their employment, for the preservation of their health.

**1914. Inspection.] § 2.** It shall be the duty of the department of health to make inspection of all mercantile and manufacturing occupations and establishments, where females are employed, to ascertain if

the first section of this ordinance is complied with, and to institute and prosecute suits for the violation of said section 1.

**1915. Penalty.] § 3.** Any employer violating any of the provisions of this ordinance shall be subject to a fine of not less than five dollars, or more than one hundred dollars, for each and every offense.

**1916. Tenement, lodging and other houses — overcrowding.] § 1353.** That no owner, lessee or keeper of any tenement house, lodging house, boarding house or manufactory shall cause or allow the same to be overcrowded, or cause or allow so great a number of persons to dwell, be or sleep in any such house or any portion thereof as, thereby, to cause any danger or detriment to health.

**1917. Tenement houses etc. — privies or water closets.] § 1354.** That, every person who shall be the owner, lessee or keeper or manager of any tenement house, boarding house, lodging house or manufactory, shall provide or cause to be provided for the accommodation thereof and for the use of the tenants, lodgers, boarders and workers thereat, adequate privies or water closets, and the same shall be so adequately ventilated and shall, at all times, be kept in such cleanly and wholesome condition as not to be offensive, or be dangerous or detrimental to health. And, no offensive smell or gases from or through any outlet or sewer, or through any such privy or water closet, shall be allowed, by any person aforesaid, to pass in to such house or any part thereof, or in to any other house or building.

**1918. Boarding house or manufactory—cleanliness — temperature.] § 1355.** That, every owner, lessee and tenant, and manager of any boarding house or manufactory, shall cause every part thereof and its appurtenances to be put, and shall thereafter cause the same to be kept, in a clean and wholesome condition, and shall speedily cause every apartment thereof in which any person may sleep, dwell or work, to be adequately lighted and ventilated; and, if the same be a manufactory, shall cause every part thereof in which any person may work to be maintained at such temperature and be provided with such accommodations and safeguards as not, by any reason of the want thereof, or of any thing about the condition of any such manufactory or its appurtenances, to cause unnecessary danger or detriment to the health of any person being properly therein or thereat.

**1919. Cellar or place illy ventilated.] § 1356.** That, no person, having the right and power to prevent the same, shall knowingly cause or permit any person to sleep or remain in any cellar, or in any place dangerous or prejudicial to health, by reason of a want of ventilation or drainage, or by reason of the presence of any poisonous, noxious or offensive substance or otherwise.

**1920. Infant, under 15 — employment regulated.] § 1357.** That, no person, having the right and power to prevent the same, shall knowingly cause or permit any child under fifteen years of age to be employed at night in any place where machinery is used, or more than eight hours in any day, at any trade or employment, and then only between the hours of seven o'clock A. M. and six o'clock P. M.

**1921. Lodging place — means of ventilation prescribed.]**  
 § 1358. Every house, building or portion thereof in the city of Chicago, designed to be used, occupied, leased or rented, or which is used, occupied, leased or rented for a tenement or lodging house, shall have in every room which is occupied as a sleeping room, and which does not communicate directly with the external air, a ventilating or transom window having an opening or area of three square feet over the door leading in to and connected with the adjoining room, if such adjoining room communicates with the external air and, also, a ventilating or transom window of the same opening or area communicating with the entry or hall of the house, or, where this is from the relative situation of the rooms impracticable, such last mentioned ventilating or transom window shall communicate with an adjoining room that itself communicates with the entry or hall. Every such house or building shall have in the roof at the top of the hall an adequate and proper ventilator, of a form approved by the commissioner of buildings.

**1922. Roof free from leakage — rain water drainage.]** § 1359. The roof of every house shall be kept in good repair and so as not to leak, and all rain water shall be so drained or conveyed therefrom as to prevent its dripping on the ground, or causing dampness in the walls, yard or area.

**1923. Water closets etc.]** § 1360. Every such building shall be provided with good and sufficient water closets or privies, and shall have proper doors, traps, soil-pans and other suitable works and arrangements; so far as may be necessary to insure the efficient operation thereof.

**1924. Water closets etc. — number of.]** § 1361. Such water closets or privies shall not be less in number than one to every twenty occupants of said house; but, water closets or privies may be used in common by the occupants of any two or more houses, provided the access is convenient and direct, and provided the number of occupants in the houses for which they are provided shall not exceed the proportion above required for every privy or water closet.

**1925. Connection with sewers.]** § 1362. Every house, situated upon a lot or street in which there is a sewer, shall have the water closets or privies furnished with a proper connection with the sewer, which connection shall be, in all parts, adequate for the purpose, as to permit entirely and freely to pass whatever enters the same.

**1926. Water closets and vaults — water supply.]** § 1363. All such water closets and vaults shall be provided with the proper traps, and connected with the house sewer by a proper tight pipe, and shall be provided with sufficient water and other proper means for flushing the same; and every owner, lessee and occupant shall take adequate measures to prevent improper substances from entering such water closets or privies or their connections, and to secure the prompt removal of any improper substances that may enter them so that no accumulation shall take place, and so as to prevent any exhalation therefrom, offensive, dangerous or prejudicial to health, and so as to prevent the same from being or becoming obstructed

**1927. Water from roof, on street not sewerred.] § 1364.** Where no sewer exists in the street, the yard or area shall be so graded that all water from the roof, or otherwise, and all filth shall flow freely from it and all parts of it in to the street gutter, by a passage beneath the sidewalk; which shall be covered by a permanent cover, but so arranged as to permit access to remove obstructions or impurities.

**1928. Tenement or lodging house — garbage — combustibles — animals.] § 1365.** Every tenement or lodging house shall have the proper and suitable conveniences or receptacles for receiving garbage and other refuse matter. No tenement or lodging house, nor any portion thereof, shall be used as a place of storage for any combustible article, or any article dangerous or detrimental to health; nor shall any horse, cow, calf, swine, pig, sheep or goat be kept in said house.

**1929. Cleanliness thereof — inspection.] § 1366.** Every tenement or lodging house, and every part thereof, shall be kept clean and free from any accumulation of dirt, filth, garbage or other matter in or on the same, or in the yard, court, passage, area or alley connected with or belonging to the same. The owner or keeper of any lodging house, and the owner or lessee of any tenement house or part thereof, shall thoroughly cleanse all the rooms, passages, stairs, floors, windows, doors, walls, ceilings, privies, cesspools and drains thereof of the house or part of the house of which he is the owner or lessee, to the satisfaction of the commissioner of health, so often as shall be required by or in accordance with any regulation or order of said commissioner, and shall well and sufficiently, to the satisfaction of the said commissioner, whitewash the walls and ceilings thereof twice at least in every year, and in the months of April and October, unless the said commissioner shall otherwise direct.

**1930. Lodging or tenement house — report of infectious disease — disinfection.] § 1367.** The owner or keeper of any lodging house, and the owner, agent of the owner, and the lessee of any tenement house or part thereof shall, whenever any person in such house is sick of fever or of any infectious, pestilential or contagious disease and such sickness is known to such owner, keeper, agent or lessee, give immediate notice thereof to the department of health or to some officer of the same and, thereupon, said officer shall cause the same to be inspected and may, if found necessary, cause the same to be immediately cleansed or disinfected, at the expense of the owner, in such manner as they may deem necessary and effectual; and they may also cause the blankets, bedding and bed clothes used by any such sick person to be thoroughly cleansed, scoured and fumigated or, in extreme cases, to be destroyed.

**1931. Infectious disease — vacation of premises enforced, when.] § 1368.** Whenever it shall be decided by the commissioner of health that any building or part thereof is unfit for human habitation, by reason of its being so infected with disease or from other causes, as to be likely to cause sickness among the occupants, and notice of such decision shall have been affixed conspicuously on the building or part

thereof so decided to be unfit for human habitation, and personally served upon the owner, agent or lessee, if the same can be found in the state, requiring all persons therein to vacate such building or part thereof for the reasons to be stated therein, as aforesaid, such building or part thereof shall within ten days thereafter be vacated, or within such shorter time, not less than twenty-four hours, as in said notice may be specified.

**1932. Tenement or lodging house — requirements for.] § 1369.**  
No house hereafter erected shall be used as a tenement house or lodging house, and no house heretofore erected and not now used for such purpose shall be converted into, used or leased for a tenement or lodging house unless, in addition to the requirements hereinbefore contained, it conforms to requirements contained in the following sections.

**1933. Construction or use thereof, when prohibited — ventilation.] § 1370.** It shall not be lawful, hereafter, to erect for or convert to the purposes of a tenement or lodging house, a building on the front of any lot where there is another building on the rear of the same lot; unless there is a clear, open space exclusively belonging thereto, and extending upwards from the ground of at least ten feet between said buildings, if they are one story high above the level of the ground; if they are two stories high, the distance between them shall not be less than fifteen feet; if they are three stories high, the distance between them shall be twenty feet; and, if they are more than three stories high, the distance between them shall be twenty-five feet. At the rear of every building hereafter erected for or converted to the purposes of a tenement or lodging house on back part of any lot, there shall be a clear, open space of ten feet between it and any other building. But, when thorough ventilation of such open spaces can be otherwise secured, said distances may be lessened or modified, in special cases, by a permit from the department of buildings.

**1934. Height of rooms — window space — open fire places.] § 1371.** In every such house hereafter erected or converted every habitable room, except rooms in the attic, shall be in every part not less than eight feet in height from the floor to the ceiling; and, every habitable room in the attic of any such building shall be at least eight feet in height from the floor to the ceiling, throughout not less than one-half the area of such room. Every such room shall have at least one window connecting with the external air, or over the door a ventilator of perfect construction, connecting it with a room or hall which has a connection with the external air, and so arranged as to produce a cross current of air. The total area of window or windows in every room communicating with the external air, shall be at least one-tenth of the superficial area of every such room; and the top of one at least of such windows shall not be less than seven feet and six inches above the floor, and the upper half, at least, shall be made so as to open the full width. Every habitable room of a less area than one hundred superficial feet, if it does not communicate directly with the external air and is without an open fire place, shall be provided with special means of ventilation



by a separate air shaft extending to the roof, or otherwise, as the commissioner of buildings may prescribe.

**1935. Chimneys — fire place or stove — rubbish box — water — cellar floor — halls — windows.]** § 1372. Every such house hereafter erected or converted shall have adequate chimneys running through every floor, with an open fire place or grate, or place for stove, properly connected with one of said chimneys, for every family and set of apartments; it shall have proper conveniences and receptacles for ashes and rubbish; it shall have water furnished at one or more places in such house or in the yard thereof, so that the same may be adequate and reasonably convenient for the use of the occupants thereof; it shall have the floor of the cellar properly cemented so as to be water tight; the halls of each floor shall open directly to the external air, with suitable windows, and shall have no room or other obstruction at the end, unless sufficient light or ventilation is otherwise provided for said hall, in a manner approved by the commissioner of buildings.

**1936. "Tenement house," defined.]** § 1373. A tenement house, within the meaning of this article, shall be taken to mean and include every house, building or portion thereof which is rented, leased, let or hired out to be occupied, or is occupied as the home or residence of more than three families living independently of one another and doing their cooking upon the premises; or by more than two families upon a floor so living and cooking, but having a common right in the halls, stairways, yards, water closets or privies or some of them.

**1937. "Lodging house," defined.]** § 1374. A lodging house shall be taken to mean and include any house or building or portion thereof, in which persons are harbored or received or lodged for hire for a single night or for less than a week at one time, or any part of which is let for any person to sleep in for any term less than a week.

**1938. "Cellar," defined.]** § 1375. A cellar shall be taken to mean and include every basement or lower story of any building or house of which one-half or more of the height from the floor to the ceiling is below the level of the street adjoining.

**1939. School, gymnasium, church etc. ventilation.]** § 1376. That no master or teacher, or manager of or in any school, public or private, or of or in any Sunday school or gymnasium, nor the officers or managers thereof, nor officers or managers, nor persons having charge of any place of public worship, shall so far omit or neglect any duty or reasonable care or precaution respecting the safety or health of any scholar, pupil or attendant, or respecting the temperature, ventilation or cleanliness or strength of any church, hall of worship, school house, school room or place of practice or exercise, or relative to any thing appurtenant thereto, as that by reason of such neglect or omission the health of any person shall suffer or incur any avoidable peril or detriment.

**1940. Agent etc., duty to disclose ownership, to inspector.]** § 1377. That, every agent, or other person having the charge, control or management, or who collects or receives the rents of any lands, premises or other property in the city, shall disclose the name or names of

the owner or owners of such land, premises or property, or the name or names of the person or persons for whom such agent or other person is acting, upon application being made therefor by any inspector, agent or officer of the department of health or the department of buildings.

**1941. Jail, prison etc., non exposure of persons confined.]**  
 § 1378. That no keeper, or other officer or person having control or authority in any city, jail, prison, station or other place where any person may be kept or confined, shall needlessly or illegally cause or allow any peril or detriment to the health of any such person by reason of too little or too much heat, or of a want of food, drink or ventilation, or from the want or neglect of any other reasonable care, protection or precaution.

**1942. Refuse matter, prohibited disposal of.]** § 1379. That, no person or persons shall throw, place or deposit, or cause to be thrown, placed or deposited, any dung, carrion, dead animal, offal or putrid or unwholesome substance, or the contents of any privy upon the margin or banks or in to the waters of lake Michigan within the limits of said city of Chicago, or upon the margin, banks or in to the waters of the Chicago river or either of its branches, or upon any public grounds, or upon any lot within the limits of said city.

**1943. Tanneries etc.—offensive liquids etc.—permit required.]**  
 § 1380. That, no person shall permit or have any offensive water or other liquid or substance on his premises or grounds to the prejudice of life or health, whether for use in any trade or otherwise; and no establishment or place of business for tanning, skinning or scouring, or for dressing hides or leather, or for carrying on any offensive or noisome trade or business, shall hereafter be opened, started or established in the city of Chicago without a permit from the city council. And, every such establishment now existing shall be kept cleanly and wholesome, and be so conducted, in every particular, as not to be offensive or prejudicial to life or health.

[Passed March 5, 1883.]

**1944. Tannery — license — penalty.]** *Be it ordained by the city council of the city of Chicago,* SEC. 1. No person, firm or corporation shall carry on the business of tanning within this city, or within one mile thereof, without a license having been first obtained, under a penalty of not less than one hundred dollars (\$100) nor more than two hundred dollars (\$200).

**1945. License fee.]** § 2. Every person, firm or corporation carrying on the business of a tanner, or keeping a tannery, within the city, or within one mile thereof, shall pay an annual license of fifty dollars (\$50). [As amended, by ord. passed Oct. 22, 1883.]

**1946. Swill, noxious liquid etc., not to fall upon street etc.]**  
 § 1381. That, no swill, brine, urine of animals, or other offensive animal substance, nor any stinking, noxious liquid or other filthy matter of any kind shall, by any person, be allowed to run or fall from out of any building, vehicle or erection in to or upon any street or public place, or be taken or put therein save as herein elsewhere provided.

**1947. Offal, garbage, prohibited disposition of.] § 1382.** That, no butcher's offal or garbage, nor any dead animals, nor any putrid or stinking animal or vegetable matter, shall be thrown, by any person, or allowed to go in to any street, place, sewer, or receiving basin, or in to any river, canal, slip or standing or running water or excavation, or upon any ground or premises in the said city.

**1948. Vault, privy etc., contents when emptied.] § 1383.** That, no person shall draw off, or allow, to run off in to any ground, street or place of said city, the contents (or any part thereof) of any vault, privy, cistern, cesspool or sink; nor shall any owner, tenant or occupant of any building to which any vault, sink, privy or cesspool shall appertain or be attached, permit the contents or any part thereof to flow therefrom, or to rise within two feet of any part of the top, or said contents to become offensive; nor shall any privy or other erection in this section mentioned be filled with or covered with dirt till its filthy contents shall be emptied.

**1949. Garbage or refuse — prohibited disposition of.] § 1384.** That, no person shall throw in to or deposit in any vault, sink, privy or cesspool any offal, ashes, meat, fish, garbage or other substance, except that of which any such place is the appropriate receptacle; nor shall any slops or kitchen waste be permitted to run in to any privy or cesspool, except the same be connected with the sewer.

**1950. Receptacle for refuse matter — to be clear of offense.] § 1385.** That, neither the contents of any such tub, or of any receptacle, cesspool, privy, vault, sink or water closet, cistern, nor any thing in any room, excavation, vat, building, premises or place, shall be allowed to become a nuisance or offensive so as to be dangerous or prejudicial to health.

**1951. Streets — gutters not to be obstructed.] § 1386.** That, no person shall deposit upon any street or public place within the limits of the city of Chicago, or upon any paved street, any dirt or brick or other material or dirt taken from any ground therein in such manner as to obstruct the free flowage along the gutter.

**1952. Dusts — feathers etc.—noxious floating matters — exclusion from streets.] § 1387.** That, no lime, ashes, coal, dry sand, hair, feathers or other substance that is in a similar manner liable to be blown by the wind, shall be sieved or agitated or exposed; nor shall any mat, carpet or cloth be shaken or beaten, nor any cloth, yarn, garment or material or substance be scoured, clean or hung, nor any business be conducted over or in any street or public place, or where it or particles therefrom or set in motion thereby will pass in to any such street or public place, or in to any occupied premises; that neither any usual nor any reasonable precaution shall be omitted by any person to prevent fragments or other substances from falling to the peril of life, or dust and light material flying in to any street, place or building, from any building or erection while the same is being altered, repaired or demolished or otherwise.

**1953. Excrement etc. insoluble in water — how removed.]** § 1388. That, no part of the contents of any privy, vault, sink, cess-pool, except substances other than excrements insoluble in water, or any accumulation of any offensive fluid, liquid or semi-liquid substance or material, being in any excavation, cellar or place within the limits of the city of Chicago, shall be removed therefrom, nor shall the same be transported through any of the streets or avenues of said city, unless and except the same shall be removed and transported by means of an air tight apparatus, or in such a manner as shall prevent entirely the escape of any noxious or offensive odors therefrom, and by a permit from the department of health.

**1954. Sewer connections — how and by whom made.]** § 1389. That, it shall be the duty of every person using, making or having any drain, soil pipe or passage to connect with any sewer from any ground, building, erection or place of business, and in like manner the duty of the owner and tenant of all grounds, buildings and erections, and of the parties interested in such place of business or the business thereat, and in like manner the duty of all departments, officers and persons (to the extent of the right and authority of each) to cause and require that such drain, soil pipe, passage and connection shall, at all times, be adequate for its purpose, and such as shall convey and allow freely and entirely to pass whatever enters or should enter the same, and that all connections between metal pipes and house drains shall be made by a plumber, as the commissioner of health may direct. [As amended, by ord. passed Mar. 12, 1886.]

**1955. Sewers — flushing of.]** § 1390. That, it shall be the duty of all departments, officers and persons having power and authority so to do or to require (and to the extent thereof) to cause to be used sufficient water, and other adequate means to be taken, so that whatever substances may enter any sewer shall pass speedily along and from the same, and sufficiently far in to some water or proper reservoir, so that no accumulations shall take place and no exhalations from thence proceed, dangerous or prejudicial to health.

**1956. Sewers — protection against detriment from.]** § 1391. That, the proper officers and authorities shall, to the extent of their power and ability, cause the sewers and drainage of said city to be so well located and constructed, so adequate in size, and to be so kept in repair and cleaned, and so adequately supplied with water, and with such proper arrangements and constructions in every particular, that life and health shall not be needlessly exposed, or suffer unnecessary peril or detriment by their neglect, or by reason of the defects or deficiencies of any sewers or drainage, or the want thereof.

**1957. Gas manufacture — deposit of matter from — prevention of escape of odor.]** § 1392. That, no person or company being a manufacturer of gas, or engaged about the manufacture thereof, shall throw or deposit or allow to run or, having the right or power to prevent the same, shall permit to be thrown or deposited in any public waters, river, canal, slip, or in to any sewer therewith connected, or in to

any street or public place, any gas tar or any refuse matter of or from any gas house, works or manufactory; nor shall any such person or company allow any substance or odor to escape from such house, works or manufactory, or make any gas of such ingredients or quality that any substance shall escape therefrom, or be formed in the process of burning any gas, which shall be offensive or dangerous or prejudicial to life or health. Nor shall any such person or company fail to use the most approved or all reasonable means for preventing the escape of odors.

**1958. Structures connected with sewers—construction of.]** § 1393. That, no water closet, sink, tub, vat or other structure shall hereafter be constructed within the city of Chicago having connection with or by any sewer or underground passage, unless the same is provided with adequate, or the best generally approved, constructions and precautions for preventing gases and other offensive currents, substances and smells from passing up or out through such connection from such sewer or passage; nor shall any such water closet or privy be constructed without adequate provisions for the effectual and proper ventilation and cleansing thereof.

**1959. Noxious refuse, deposit of—prohibited, when—duty to report violation.]** § 1394. That, no part of the contents of or substances from any sink, privy or cesspool, nor any manure, ashes, garbage, offal, rubbish, dirt, nor any refuse or waste or thing which by its decomposition could or would become offensive to human beings or detrimental to health, or create or tend to create a nuisance, shall be by any person thrown, deposited or placed upon any street or public place, nor upon any vacant lot of land or vacant place upon the surface of any lot of land within the city of Chicago, whether such lot be inclosed or otherwise, without the written permission of the commissioner of health, nor shall any of said substances be allowed by any person to run or drop from the premises occupied by such person, in to or upon any street or public place, nor upon any vacant lot of land, or vacant place upon the surface of any lot of land in said city; nor shall the same be thrown, deposited or placed, by any person, nor allowed to fall or run from the premises occupied by such person in to the river, or any canal or slip, save through the proper underground connection; and it shall be the duty of every person knowing of the violation of this article to report the same, and if known the name of the person violating it, together with the residence of such person and the facts concerning such violation to the commissioner of health within forty-eight hours after the knowledge of such violation.

**1960. Sinks, privy etc.—tubs etc.—receptacle prescribed—contents when removed.]** § 1395. That, every tub or other receptacle in any necessary house, sink or privy (or placed or allowed to stand therein by any owner, tenant or occupant of any building or premises) and used to contain any liquid or partially liquid substance, shall be sufficiently strong, perfectly tight, and adequately provided with a strong cover and with hoops and handles; shall not be allowed

to be filled to within four inches of any part of the top, and shall not be allowed (or its contents) to be offensive. And, the provisions of this article relative to emptying cesspools, and to throwing any substance therein, shall apply to said tubs and receptacles as if here repeated and applied thereto.

**1961. River, streets etc. — offal etc. not to escape or be cast etc. in to.]** § 1396. No person shall throw, drop or allow to fall in to the river, canal, slip, or in to any street or place, any substance being or having been part of the contents of any such vault, cesspool, privy, sink, tub or receptacle, or any offal.

**1962. Foods when excluded from markets.]** § 1397. That, no meat, fish, birds or fowl, or vegetables, nor any milk, not being then healthy, fresh, sound, wholesome and safe for human food, nor any meat or fish that died by disease or accident, shall be brought within said city, or offered or held for sale in any public or private market as such food anywhere in said city.

**1963. Calf, pig or lamb — immature.]** § 1398. That, no calf, pig or lamb, or the meat thereof, shall be brought, held or offered for sale, as such food in the city, which at the date of its death (being a calf) was less than four weeks old; or (being a pig) was when killed less than five weeks old; or (being a lamb) was when killed less than eight weeks. Nor shall any meager, sickly or unwholesome fish, birds or fowl be bought, held, sold or offered for sale as such food in said city.

**1964. Cattle — slaughter of.]** § 1399. That, no cattle shall be killed for human food while in an overheated, feverish or diseased condition; and all such diseased cattle in the city of Chicago and the place where found and their disease shall be, at once, reported to the commissioner of health by the owner or custodian thereof, that the proper order may be made relative thereto.

**1965. Marketing meats — condition of.]** § 1400. That, no meat or dead animal above the size of a rabbit shall be taken to any public or private market for food until the same shall have fully cooled (and all blood shall have ceased dripping therefrom) after its killing, nor until the entrails, head (unless the same be skinned), hide, horns and feet shall have been removed; nor shall gut fat, or any unwholesome or offensive matter or thing be brought to or near any such market.

**1966. Vegetables — when excluded from city.]** § 1401. That, no decayed or unwholesome vegetables shall be brought in to said city, to be consumed or offered for sale for human food, nor shall any such articles be kept or stored therein.

**1967. Boarding house etc. — unwholesome foods.]** § 1402. That, no person, being the manager or keeper of any saloon, boarding house, or lodging house, or being employed as a clerk, servant or agent thereat, shall therein or thereat offer or have for food or drink, or to be eaten or drank, any poisonous, deleterious or unwholesome substance, nor allow any thing therein to be done or to occur prejudicial to health.

**1968. Animal food, prohibited of sale.] § 1403.** That, no cased, blown, plaited, raised, stuffed, putrid, impure or unhealthy or unwholesome meat or fish, bird or fowl shall be held, bought or sold or offered for sale for human food, or held or kept in any market, public or private, or any public place in said city.

**1969. Food or drink — misrepresentation of quality.] § 1404.** That, no meat, fish, vegetables or milk, or unwholesome liquid shall knowingly be bought, sold, held, offered for sale, labelled, or any representation made in respect thereof under a false name or quality, or as being what the same is not as respects wholesomeness, soundness or safety for food or drink.

**1970. Storage of goods — cleanliness of.] § 1405.** That, every person being the owner, lessee, or occupant of any room, stall or place where any meat, fish or vegetables, designed or held for human food shall be stored or kept, or shall be held or offered for sale, shall put and keep such room, stall and place and its appurtenances in a clean and wholesome condition; and, every person having charge, or being interested or engaged, whether as principal or agent, in the care or in respect to the custody or sale of any meat, fish, birds, fowl or vegetables designed for human food, shall put and preserve the same in a clean and wholesome condition, and shall not allow the same or any part thereof to be poisoned, infected or rendered unsafe or unwholesome for human food.

**1971. Refrigerators in markets — requirements for.] § 1406.** That, no butcher or dealer shall keep in any market any refrigerator or ice box, unless the same shall be lined with lead or some proper substance so as to be water tight, nor unless the same be provided with a pipe of lead, zinc or copper leading therefrom to the proper waste pipe.

**1972. Unwholesome food for sale — duty to report.] § 1407.** That, it shall be the duty of every person knowing of any fish, meat, fowls, birds or vegetables being bought, sold or offered or held for sale as food for human beings, or being in any market public or private in said city, and not being sound, healthy or wholesome for such food, to forthwith report such facts and the particulars relating thereto, to the department of health or to one of its officers or inspectors.

**1973. Deleterious liquids, prohibited — except, when.] § 1408.** That, no person shall without consent of the commissioner of health bring in to said city for use as a drink for human beings, or offer or have for sale in said city as such drink, any poisonous or deleterious liquid.

**1974. Unwholesome provisions offered for sale — confiscation.] § 1409.** If any person shall expose for sale, in any market house or elsewhere in said city, any emaciated, tainted or putrid meat or provisions, which from these or other causes may be deemed unwholesome, such person shall, on conviction, be fined not less than five nor more than two hundred dollars for each and every offense, and it

shall be the duty of the sanitary superintendent or health officer to forthwith seize and confiscate all such meat and provisions.

**1975. Milk, butter, cheese — sale etc. regulated.]** § 1410. That, no person shall have at any place where milk, butter or cheese is kept for sale, nor shall at any place, sell or deliver or offer or have for sale or keep for use, nor shall any person bring or send to said city, any unwholesome, skimmed, watered or adulterated milk, or milk known as "swill milk," or milk from cows or other animals that for the most part have been kept in stables or that have been fed on swill, or milk from sick or diseased cows or other animals, or any butter or cheese made from any such milk or any unwholesome butter or cheese.

**1976. Water — not to be polluted.]** § 1411. That, no person shall allow to run or pass in to any water pipe, any animal, vegetable, or mineral substance whatever; nor shall any person do or permit to be done (having right or power to prevent the same) any act or thing that will impair or imperil the purity or wholesomeness of any water or other fluid used or designed as a drink in any part of said city.

**1977. Water, purity of — duty to preserve.]** § 1412. That, it shall be the duty of every person, officer and department, having any authority and control in regard to any water designed for human consumption (and within the proper sphere of the duty of each thereof), to take all usual and, also, all reasonable measures and precautions to secure and preserve the purity and wholesomeness of such water.

**1978. Drinking hydrant — non interference with.]** § 1413. That, no person shall destroy, nor in any wise injure or impair, any drinking hydrant or part thereof in the said city; nor shall any person interfere with the use of or enjoyment of the water therein or therefrom, or interrupt the flow thereof, for or as a drink; nor shall any person put any dirty, poisonous, medicinal or any noxious substance in to or near said water or hydrant whereby such water is made or may be regarded as dangerous or unwholesome as a drink.

**1979. Cattle kept — ventilation and food.]** § 1414. That, no cattle shall be kept in any place of which the water, ventilation and food are not sufficient and wholesome for the preservation of their health, safe condition and wholesomeness of food.

**1980. Stables etc.— cleanliness of— infected animal.]** § 1415. That, every person shall cause every stable and place where any cows, horses or other animals may be, to be kept at all times in clean and wholesome condition, and shall not allow any animal to be therein while infected with any disease, contagious or pestilential among such animals, without a permit from the health commissioner.

**1981. Yarding of animals, only by permit.]** § 1416. That, no cattle, swine, pigs or sheep, geese, goats or horses, shall be yarded within the city of Chicago, without the permit of said commissioner, or otherwise than according to the regulations of the department of health.

**1982. Conveyance of animals — to be untied.]** § 1417. That, no cattle shall be placed or carried while bound or tied by their legs or



bound down by the necks, in any vehicle in this city; but, shall be allowed freely to stand in such vehicle when transported and while being therein.

**1983. Slaughtering, prohibited where.] § 1418.** That, the keeping and slaughtering of all cattle, and the preparation and keeping of all meat and fish, birds and fowl shall be in that manner which is, or is generally reputed or known to be, best adapted to secure and continue their safety and wholesomeness as food. The slaughtering of cattle shall not be permitted or conducted at any place in the city of Chicago without a special permit from the city council.

1. The prescription of slaughtering establishments to certain limits is allowable; but, the spot so designated must be open to the enjoyment of all persons alike, on the same terms and conditions; *Chicago v. Rumpff*, 45 Ill., 90.

2. The power to regulate slaughtering is in the common council—not the board of health; *Tugman v. Chicago*, 78 Ill., 405.

**1984. Slaughtering place -- removal of blood, offal etc.] § 1419.** That, every butcher and every person owning, leasing or occupying any place, room or building where any cattle have been or are killed or dressed, and every person being the owner, lessee or occupant of any room or stable where any cattle may be kept, or market, public or private, and having power and authority so to do, shall cause such place, room, building, stall (and market being private) and their yards and appurtenances, to be thoroughly cleansed and purified, and all offal, blood, fat, garbage, refuse and unwholesome or offensive matter to be therefrom removed at least once in every twenty-four hours after the use thereof for any of the purposes herein referred to and shall, also, at all times (unless some public authority prevents), keep all woodwork, save floors and counters, in any building, place or premises aforesaid, thoroughly painted or whitewashed.

**1985. Slaughter or exposure on streets prohibited.] § 1420.** That, no cattle shall be slaughtered, dressed or hung, or the meat or any part thereof, within said city, wholly or partly within any street, avenue or sidewalk or public alley or place; nor shall any blood or dirty water or other substance from such cattle, meat or place of killing or the appurtenances thereof, be allowed to run, fall or to be in any such street, avenue, sidewalk, alley or place.

**1986. Slaughter house not to be used for dwelling, without permit—blood to be conveyed away.] § 1421.** That, no building occupied wholly or partly as a slaughter house, or any part thereof, or any building on the same lot shall, without a special permit from the commissioner of health, be occupied for a dwelling or lodging place; that every such building shall, at all times, be kept adequately and thoroughly ventilated; that no blood shall be allowed to remain therein over night; that adequate underground connections shall be made from every such building with a public sewer, and the floor of such building, on which the slaughtering is done, and the yard, shall be cemented and paved so as not to absorb blood and so as to carry all liquid in to the sewers.

**1987. Slaughter house or yard — permit required.] § 1422.** That, neither the business of slaughtering cattle, nor the keeping of any slaughter house, nor the yarding of cattle, shall be begun or undertaken at any new or additional place within the city of Chicago, except pursuant to a permit from the city council; nor shall any person or corporation keep any slaughter house or yard, or any cattle therein hereafter without a permit from said council.

**1988. Meat not to be dressed, nor animal killed, at market.] § 1423.** That, no person shall kill or dress any animal or meat in any market, nor have, or permit to escape therein, or within one hundred feet thereof, any poisonous, noxious or offensive substance.

**1989. Inspection of foods.] § 1424.** That, every butcher, grocer and milk dealer, and their agents, shall allow the parties authorized by the commissioner of health to freely and fully inspect their cattle and milk, meats, fish and vegetables, held, offered or intended for sale, and will be expected to answer all reasonable and proper questions asked by such persons relative to the condition thereof and of the places where such articles may be.

**1990. Offal or butcher's refuse — conveyance of.] § 1425.** That, no offal or butcher's refuse shall be conveyed through any street or avenue of the city of Chicago between the hours of 10 o'clock A. M. and 10 o'clock P. M., and that no offal or refuse shall be conveyed at any time unless the same be in tight boxes, barrels or vessels, from which no odor shall escape.

**1991. Public pound — care of animals.] § 1426.** That, no keeper of any public pound in the city of Chicago shall allow the same or any animal therein, by reason of any want of care, food, ventilation or cleanliness, or otherwise, to be or become dangerous or detrimental to human health.

**1992. Prohibited occupations, as to animal matter.] § 1427.** That, no person shall boil any offal, swill, bones or fat in said city, save in ordinary cooking; nor shall the business of bone crushing, bone boiling, bone grinding, bone burning, shell burning, fat boiling, gut cleaning, nor the skinning or making of glue from any dead animals or parts thereof, nor any other occupation that is dangerous or detrimental to life or health, be hereafter established or carried on within the limits of said city, or within one mile thereof; unless the same be allowed by a permit of the city council.

**1993. Rendering — special permit.] § 1428.** That, no person shall boil any offal, swill or bones, nor any fat, tallow or lard (except upon the same being taken at once from the animal, and while the same is fresh and otherwise inoffensive); nor shall the business of bone crushing, bone boiling, bone grinding, bone burning, shell burning, gut cleaning, nor the skinning of or making of glue from any dead animal or part thereof, nor the storage or keeping of scrap, fat or grease or offensive animal matter, be permitted or conducted at any place within the limits of the city, or within one mile thereof, without a special permit from the city council; nor shall the business of boiling or render-

ing the fresh lard fat, or tallow aforesaid, be conducted within said city, without a like special permit from said council; and, such permit must be applied for in writing, specifying the nature and precise location of the proposed business, and such application shall not be acted upon until the second regular meeting, two weeks after such application.

**1994. Rendering—deodorizing.] § 1429.** That, all persons engaged in the business of boiling or rendering of fat, lard or animal matter, shall cause the scrap or residuum to be so dried, or otherwise prepared, as effectually to deprive such material of all offensive odors and to preserve the same entirely inoffensive, immediately, after the removal thereof from the receptacles in which the rendering process may be conducted.

**1995. Manufactures generating offensive gas etc.—special permit.] § 1430.** That, no person shall hereafter erect, start or establish in said city, without the consent of the city council, any manufactory or place of business for boiling any varnish or oil, or for the distilling of any ardent or alcoholic spirits, or for making any lamp-black, turpentine or tar, or for conducting any other business that will or does generate any unwholesome, offensive or deleterious gas, smoke, deposit or exhalation, or any business that is or would be dangerous to life or detrimental to health.

**1996. Matter offensive, not to be opened etc. when—special permit.] § 1431.** That, no ground or material filled with offensive matter or substance, or that will emit or allow to arise through or from the same any offensive smell or deleterious exhalation, shall be opened or turned up, or the surface thereof removed, between the first day of May and the first day of October of any year; except according to permit first therefor obtained from the city council.

**1997. Rendering, how conducted—prohibited when.] § 1432.** That, no fat, tallow or lard shall be melted or rendered except when fresh from the slaughtered animal, and taken directly from the place of slaughter, and in a condition free from sourness and taint, and all other cause of offense at the time of rendering, and that all melting and rendering are to be in steam tight vessels, the gases and odors therefrom to be destroyed by combustion, or other means equally effective, and according to the best and most approved means and processes; and every thing preceding, following and in connection with such melting and rendering, and the premises where the same shall be conducted, must be free from all offensive odor, and other cause of detriment to the public health. No fat, lard or tallow shall be brought in to the city of Chicago to be rendered or melted, and none is to be rendered or melted that has come from any place outside of said city, except as part of the living animal.

**1998. Garbage and refuse receptacles.] § 1433.** That, it shall be the duty of every owner, tenant, lessee and occupant of any and every house, dwelling, building or place of business in the city of Chicago, forthwith, to provide or cause to be provided and all times thereafter

to keep and be kept and provided, within such house, dwelling, building or place of business, suitable and sufficient vessels for receiving and holding, without leakage, and without being filled to within four inches of the top thereof, all the ashes, rubbish, garbage and liquid substances of whatever kind that may accumulate from said building or place of business, or the portion thereof of which such person may be the owner, tenant, lessee or occupant.

**1999. Ashes, iron vehicles for—where required.] § 1434.** In that portion of the city bounded, on the north, by the main branch of the Chicago river, on the west, by the south branch of said river, on the east, by the lake and, on the south, by Twelfth street, every vessel for the deposit of ashes shall be of iron, with a cover of the same material, to be always kept in good condition and, when of greater capacity than two bushels, shall be provided with handles at the sides midway from top to bottom.

**2000. Vessels for garbage etc.—deposits in and removal from.] § 1435.** That, a separate suitable vessel shall be provided for rubbish and liquid substances, and ashes and garbage shall not be placed in the same vessel with rubbish and liquid substances; and, all ashes, rubbish, garbage and liquid substances that should be removed from such house, dwelling, building and place of business, shall be placed therein, and no such vessel shall remain on any sidewalk, or in any public place longer than may be needful for the removal of the contents thereof.

**2001. Receptacles of garbage etc.—where placed.] § 1436.** That, such vessels or receptacles shall be placed and kept in such position (unless kept within or upon private grounds, within the sidewalks) as the inspectors of the department of health shall provide or direct; and no person not for that purpose authorized shall interfere therewith or with the contents thereof.

**2002. Ashes or garbage—deposit of, when forbidden—removal—penalty.] § 1437.** No ashes or garbage shall be deposited in that portion of the city described in section 1434 after seven o'clock A. M., and the vessel containing them shall be removed within the premises as soon as they have been emptied by the scavengers, whenever, in the absence of alleys, it is necessary to place them on the sidewalks or streets; and, it shall be the duty of owners or agents of premises where more than two tenants occupy the same building, to provide the vessel, or a sufficient number of them, for containing all the ashes to be deposited daily from such building; and the penalty provided for in section 1493 may be recovered against the owners, agents or tenants of such building.

1. See Art. LIV, SCAVENGERS; see § 1999.

**2003. Scavenger's notice of removal.] § 1438.** That, the drivers of all carts for the removal of any garbage, offal, rubbish or dirt from any building or premises, shall give adequate notice to those dwelling in any street whose buildings or premises such cart is about to or should approach for the removal of any substance aforesaid.

**2004. Vehicles to convey noxious matters — construction of.]** § 1439. That, every cart and other vehicle, hereafter constructed, for or intended to be loaded with manure, swill, ashes, offal, rubbish or garbage, or other offensive or noxious substance, shall be constructed according to this article, and the regulations and orders of the department of health.

**2005. Passage of vehicles on streets—storage of.]** § 1440. That, no cart or other vehicle for carrying any offal, swill, garbage or rubbish, or the contents of any privy, vault, cesspool or sink, or having upon it or in it any manure or other nauseous or offensive substance, shall, without necessity therefor, stand or remain; nor shall a needless number gather before or near any building, place of business or other premises where any person may be; nor shall any such cart or vehicle occupy an unreasonable length of time in loading or unloading or in passing along any street or through any inhabited place or ground; nor shall any such cart or vehicle, or the driver thereof or any thing thereto appertaining, be (or by any person having a right to control the same be allowed to be) in a condition needlessly filthy or offensive; and, when not in use, all such carts, vehicles and all implements used in connection therewith, shall be stored and kept in some place where no needless offense shall be given to any of the people of said city.

**2006. Construction thereof.]** § 1441. That, all carts and vehicles, in the last section mentioned, and boxes, tubs and receptacles thereon in which any substance in said section referred to may be or is carried, shall be strong and tight, so that no part of such contents or load shall fall, leak or spill therefrom; and, shall be adequately and tightly covered, so as to prevent the same from being offensive.

**2007. Removal of offensive matters — disinfection of vehicles.]** § 1442. That, no driver of such cart or vehicle, nor any person having undertaken or being engaged about the loading or unloading thereof, nor any person or persons engaged about the cleaning or emptying, or having undertaken to empty or remove any manure, garbage, offal or the contents of any vault, sink, privy, cesspool or any noxious or offensive substance, shall do or permit to be done about the same, or in connection therewith, that which shall be needlessly offensive or filthy in respect to any person, street, place, building or premises, and all carts or vehicles shall be thoroughly disinfected and put in an inoffensive condition when not in use.

**2008. Vehicles — not to be overladen.]** § 1443. That, no person shall allow (and it shall be the duty of every scavenger, contractor and person who has ordered or procured or is having any of the following articles carried, or who is driving the same, to prevent) any cart or vehicle to be so fully loaded, or being in such bad condition of repair, or of such faulty construction, or being so improperly driven or managed, that any offensive liquid, or any manure, garbage, rubbish, offal, dirt or material thereon, shall fall upon or in any place, street or premises; and, it shall be the duty of every such person to at once replace on such vehicle and remove what has so fallen.

**2009. Offensive matter, disinfected before removal.] § 1444.** That, all putrid or offensive matter, and all night soil, and the contents of sinks, privies, vaults and cesspools, and all noxious substances in the said city shall, before their removal or exposure, be disinfected and rendered inoffensive by the person who removes, or is about to remove the same.

**2010. Privy vaults etc. not to be removed, save under health regulation.] § 1445.** That, neither the owner, tenant nor occupant of any building or premises in the city of Chicago, shall employ, cause or permit any part of the contents of any vault, privy, sink or cesspool (being thereon, and of which he has control) to be removed, unless according to a permit or the regulations of the said department of health.

**2011. Deposit of manure etc.— hay, straw etc.] § 1446.** That, no pile or deposit of manure, offal, dirt or garbage, nor any accumulation of any offensive or nauseous substance, shall be made within the city of Chicago, or upon any open space inclosed within any portions thereof, or upon the docks adjacent thereto, or upon any open grounds near, or upon any vessel or scow other than those to be speedily, and according to the duty of any person, removed lying at any such dock or wharf, except according to a permit obtained from the department of health, and according to its regulations. And, no person shall contribute to the making of any such accumulations. Nor shall any straw, hay or other substance which has been used as bedding for animals, be placed or dried upon the street or sidewalk, or roof of any building; nor shall any such straw, hay or other substance be deposited, nor shall accumulation thereof be made, within two hundred feet of any street, without a permit from said department.

**2012. Deposit of offensive matters — prohibited — manure vaults.] § 1447.** That, no pile or deposit of manure, offal or garbage, nor accumulation of any offensive or nauseous substance, shall be made within the limits of said city; nor shall any person or corporation unload, discharge or put upon or along the line of any railroad, street or highway, or public place within said city, any manure, offal, garbage or other offensive or nauseous substance; nor shall cars or flats loaded with or having in or upon them any such substance or substances be allowed to remain or stand on or along any railroad, street or highway, within the limits of said city, within three hundred yards of any inhabited dwelling. All manure vaults attached to stables, where more than two horses are kept, shall, between April and November in each year, be emptied twice in each week, and such vault shall in no case be permitted to become a nuisance.

**2013. Material, exhaling offensive odors, not to be turned etc.] § 1448.** That, no manure, garbage or other material that is liable to emit an offensive exhalation shall, in or adjacent to the city, be turned or stirred (except about its removal) in such way as to be liable by reason thereof to increase such exhalations.

**2014. Oyster houses etc. — removal of refuse.] § 1449.** That, every proprietor, lessee, tenant and occupant of any oyster house,

oyster saloon, or other premises where any oysters, clams, lobsters or shell or other fish are consumed, used or sold or where any of the refuse matter, offal or shells thereof accumulate, shall daily cause all such shells, offal and refuse matter to be removed therefrom to some proper place, and shall keep his house, saloon and premises at all times free from any offensive smells or accumulations.

**2015. Hotel or house swill etc. — removal of.]** § 1450. That, no hotel or house swill or garbage or offensive material of a liquid nature, or partly liquid nature, not removed or required to be moved by the contractors for street cleaning, shall be transported through or along any street in the city, except in tightly covered and bound casks or boxes, and none of the contents of such casks or boxes shall be allowed to fall or leak or spill therefrom.

**2016. Manufactories etc. — removal of ashes — smoke, cinders etc. not to escape.]** § 1451. That, the owners, lessees, tenants and managers of every blacksmith or other shop, forge, coal yard, foundry, manufactory and premises where any business is done, shall cause all ashes, cinders, rubbish, dirt and refuse to be removed to some proper place, so that the same shall not accumulate at any of the above mentioned premises, or in the appurtenances thereof, nor the same become filthy or offensive; nor shall any smoke, cinders, dust, gas or offensive odor be allowed to escape from any such building, place or premises, to the detriment or annoyance of any person not being therein or thereupon engaged.

**2017. Vault, privy, sink etc. — construction of.]** § 1452. That, no vault, privy, sink, cistern or cesspool shall, hereafter, be made or rebuilt in the city, except in accordance with the regulations of, and by permit of the department of health.

**2018. Diseased or sickly animal — not to be brought in.]** § 1453. That, no diseased or sickly horse, cattle, swine, sheep, dog or cat or other animals, nor any that have been exposed to any disease that is contagious among such animals, shall be brought in to the city of Chicago.

**2019. Animal with glanders or farcy — not to be kept.]** § 1454. That, no person shall keep, retain or allow or employ to be kept or retained, at any place within the city, any horse, ass or colt, having the disease known as glanders or farcy.

**2020. Dead animal — prohibited disposal of.]** § 1455. That, no person shall leave in or throw in to any place or street or public water, or offensively expose or bury the body (or any part thereof) of any dead or fatally sick or injured animal; nor shall any person keep any dead animal, or any offensive meat, bird, fowl or fish in a place where the same may be dangerous to the life, or detrimental to the health of any person.

**2021. Animal, injured or diseased on street — killed when etc.]** § 1456. That, any animal, being in any street or public place within the city, and appearing, in the estimation of any officer or inspector of the department of health (and of two discreet citizens, called by such officer or inspector to view the same in his presence) injured or diseased past re-

covery for any useful purpose, and not being attended and properly cared for by the owner or some proper person to have charge thereof for the owner; or not having been removed to some private premises or to some place designated by such officer or inspector within one hour after being found or left in such condition, may be deprived of life by such officer or inspector, or as he may direct, and shall thereafter, unless at once removed by the owner or proper person, be treated as any other animal found on a street or place.

**2022. Animal past recovery or dead — removal of.] § 1457.** That, any person having a dead animal or an animal past recovery, and not killed for and proper for use as meat or fish, or in an offensive condition, or sick with an infectious or contagious disease on his premises in said city, and every person whose animal, or any animal in his charge or under his control in any street or place, may die or become or be in a condition past recovery, shall at once remove or cause the removal of such animal, dead or alive, to some proper place; and, when such place may be designated by the city council, to the place so designated.

**2023. Animal dead — notice thereof.] § 1458.** That, every person having within his possession or control or upon any premises occupied or owned by him, any dead animal not proper for food and liable to become noxious and detrimental to health, shall at once give notice thereof to the officer in charge of the nearest police station, and such officer shall at once cause notice thereof to be given to the department of health.

**2024. Animal dead, sick or injured on street — removal or killing.] § 1459.** That, no person other than the inspectors or officers of the department of health, or department of police, or persons thereto authorized by contract or otherwise, shall, in any way, interfere with such dead, sick or injured animal in any street or place, and no person shall skin or wound such animal in such street or public place, unless to terminate its life as herein authorized; except that the owner or person having control of such animal may terminate the life thereof in the presence and by the consent of a policeman, or an inspector or officer of said department.

**2025. Dock or wharf for use of contractor to remove garbage etc.] § 1460.** That, no person shall obstruct, delay or interfere with the proper and free use, for the purposes for which they may be and should be set apart and devoted, of any dock or wharf set apart for the use of any contractor or person engaged in removing any offal, garbage, rubbish, dirt, dead animals, night soil or other like substances, or with the proper performance of such contracts.

**2026. Contractor, scavenger etc. — duty of.] § 1461.** That, it shall be the duty of every contractor, scavenger and person, his agents and employes, who has contracted or undertaken to remove any diseased or dead animal, offal, rubbish, garbage, dirt, street sweepings, night soil or other filthy, offensive or noxious substance, or is engaged about any such removal, or in loading or unloading of any such substance, to do the same with dispatch and, in every particular, in a man



ner as cleanly and little offensive and with as little danger and prejudice to life and health as possible.

**2027. Street sweepings etc. — raking up.]** § 1462. That, no street sweepings or other noxious material shall be piled up or partially raked together, in any street or place before the removal thereof, more than a reasonable time, nor for more than four hours in the day time, under any circumstances.

**2028. Vessels to convey offal etc., use of dock or slip — permit required.]** § 1463. That, no ship, boat or other vessel or article shall be taken or allowed by any person to come in to, or lay to or at or within any dock or slip (or be placed thereon) set apart or appropriated for the use or purpose of the shipment or removal of any offal, garbage, rubbish, dirt or dead animals, or for the use of any contractor for the removal of any of the foregoing substances, without a permit from the department of health.

**2029. Contagious or infectious disease — physician to report.]** § 1464. That, every physician shall report to the commissioner of health, in writing, every person having a contagious or infectious disease, such as cholera, yellow fever, scarlet fever, small pox, varioloid, or any of the grades of such diseases (and the state of his or her disease, and his or her place of dwelling and name if known) which such physician has prescribed for or attended for the first time since having such disease, during any part of the preceding twenty-four hours; but, not more than two reports shall be required in one week concerning the same person; but, every attending or practicing physician thereat must, at his peril, see that such report is or has been made by some attending physician.

**2030. Death from such disease — physician to report.]** § 1465. That, it shall be the duty of each and every practicing physician in the city to report, in writing, to the commissioner of health, the death of any of his patients who shall have died, in said city, of contagious or infectious disease, within twenty-four hours thereafter, and to state in such report the specific name and type of such disease.

**2031. Boarding house, hotel etc.—report of contagious etc. disease.]** § 1466. That, every keeper of any boarding house or lodging house and every inn keeper and hotel keeper shall, within twenty-four hours, report in writing to the commissioner of health the same particulars in the last section required of any physician concerning any person being at any of the aforesaid houses or hotels and attacked with any contagious disease.

**2032. Report as to health of inmates of public or private institutions.]** § 1467. That, the commissioners, managers, principals or other proper head officer of each and every public or private institution in said city shall, twice in each week, report in writing (or cause such report by some proper and competent person to be made twice in each week), to the commissioner of health, and state therein the name, if known, and condition and disease of any and every person being thereat, and sick of any contagious disease.

**2033. Vessels not in quarantine—health report.]** § 1468. That, the master, chief officer and consignee or one of them, of every vessel not being in quarantine, or within quarantine limits, but being wit' in one-fourth of a mile of any dock or building of said city, shall daily report to the commissioner of health, or cause to be reported in writing the particulars, and shall therein state the name, disease and condition of any person being in or on such vessel, and sick of any contagious disease.

**2034. Contagious disease—report by any one cognizant of.]** § 1469. That, it shall be the duty of every person knowing of any individual in said city sick of any contagious disease (where such person shall have reason to regard such individual as neglected or not properly cared for, and to avoid giving said disease to others), and the duty of every physician hearing of any such sick person, who he shall have reason to think requires the attention of the department of health, to at once report the facts to the commissioner of health in regard to the disease, condition and dwelling place or position of such sick person.

**2035. Boarding and lodging houses—report as to sickness, when.]** § 1470. That, the keepers, lessees, tenants and owners of every boarding house and lodging house shall, within six hours after the fact shall come to his or her or their knowledge, notify the commissioner of health in writing of the fact of any seafaring man or person lately from any vessel being taken sick at such house, and shall in such notice state where such sick person may be found, and from what vessel and when he came, to the best of the knowledge of the person or persons giving such notice.

**2036. Vessel arriving—report as to infected person or thing.]** § 1471. That, every master and chief officer of any vessel, and every physician of or who practiced on any vessel which shall arrive at any dock or wharf in the city from any other port, shall at once report to the department of health the particulars of any infected person or article on such vessel or that came thereon, which he has reason to think may endanger the public health of this city.

**2037. Vessel not in quarantine—report as to recent contagious disease.]** § 1472. That, every master, charterer, owner, part owner and consignee of any vessel or of the cargo thereof which shall be in the water of said city, unless detained in quarantine, shall at once give or cause to be given to the commissioner of health written notice of any infected article or person, and of every person sick of a contagious disease, being or having within ten days been on board said vessel; and, also, of each and every fact and thing relative to said vessel, sick person or cargo, or to the crew of said vessel, which any of the first mentioned persons shall have reason to think may be useful for this department to know, or be or become dangerous or prejudicial to life or health in said city.

**2038. Infected things—disinfection before deposit on dock etc.]** § 1473. That, no person shall bring to any dock, wharf or building within one thousand feet thereof in said city, or unload at any dock,

building or pier therein, or have on storage in the said city any skins, hides, rags, or similar articles or materials, having been brought from any infected place, without or otherwise than according to a written permit so to do from the department of health; and, no person shall sell, exchange or in any way make any exposure of any straw, bedding or articles that have been exposed to any contagious disease, or are liable to communicate such disease, till after the same have been adequately cleansed or disinfected.

**2039. Removal of infected person or thing from vessel — prohibited when.]** § 1474. That, no captain, officer, consignee, owner or other person in charge of any vessel (having right and authority to prevent the same) shall remove or aid in removing from any vessel to the shore (save as legally authorized by the department of health, and in to quarantine grounds or building only) any person sick of or that has been exposed to and is liable very soon to develop any contagious disease, nor so remove or aid in removing any articles that have been exposed to the contagion of any such disease, except in accordance with a permit of said department or with its special regulations.

**2040. Person sick with contagious disease — not to be brought in, without permit.]** § 1475. That, no person shall bring in to this city from any infected place, or from any vessel or building in which had lately been any person sick of a contagious disease, any article or person whatsoever, nor shall any such person come in to said city without a permit of the department of health; and, it shall be no excuse that such person or article so offending, or the occasion of offense, has passed through quarantine, or has a permit from any other source than said department.

**2041. Removal of person with contagious disease — burial of one dying therefrom — permit required.]** § 1476. That, no person shall, within the city, without a permit from the commissioner of health, carry or remove from one building to another, or from any vessel to the shore, any person sick of any contagious disease. Nor shall any person by any exposure of any individual sick of any contagious disease, or of the body of such person, or by any negligent act connected therewith or in respect of the care or custody thereof, or by a needless exposure of himself, cause or contribute to or promote the spread of disease from any such person or from any dead body.

**2042. Vaccination — duty of persons controlling minors.]** § 1477. That, every person, being the parent or guardian, or having the care, custody, or control of any minor or other individual, shall (to the extent of any means, power and authority of said parent, guardian or other person, that could properly be used or exerted for such purpose) cause and procure such minor or individual to be so promptly, frequently and effectively vaccinated, that such minor or individual shall not take or be liable to take the small pox.

**2043. Infants — non exposure to disease.]** § 1478. That, no parent, master or custodian of any child or minor (having the power and authority to prevent) shall permit any such child or minor to be

unnecessarily exposed, or to needlessly expose any other person, to the taking or to the infection of any contagious disease.

**2044. Vaccination — pre-requisite of admission to school.]** § 1479. That, no principal of any school, and no principal or teacher of any private, sectarian or other school, shall admit to any such school any child or minor who shall not have been vaccinated within seven years next preceding the admission or application for admission to any such school of such child or minor; nor shall any such principal or teacher retain in or permit to attend any such school any child or minor who shall not have been vaccinated within seven years next preceding the taking effect of this article.

**2045. Vaccination — evidence of.]** § 1480. The evidence of such vaccination to be presented to any such principal or teacher as is mentioned in the preceding section shall be a certificate signed by the commissioner of health or any physician duly licensed by the state board of health.

**2046. Inspection of schools.]** § 1481. The commissioner of health is, hereby, empowered to visit any and all public and private schools in the city and to make, or cause to be made, an examination of the children and minors in attendance therein, as often as he may deem necessary to secure compliance with the provisions hereof

**2047. Resistance to inspection — penalty.]** § 1482. Any principal of a public school, or principal or teacher of any private or other school, who shall violate any of the provisions of section 1479, or shall, in any way, prevent or attempt to prevent the commissioner of health from exercising the power conferred on him by section 1481, shall be fined for each offense not less than five dollars nor more than two hundred dollars.

**2048. Dead body, not to be retained or exposed.]** § 1483. That, no person shall retain, expose or allow to be retained or exposed the dead body of any human being, to the peril or prejudice of the life or health of any person.

**2049. Dead body discovered — report.]** § 1484. That, it shall be the duty of every person who has discovered or seen the body of a dead human being, or any part thereof (if there is reason for such person to think that the fact of the death, or the place of such body or part thereof is not publicly known) to, immediately, communicate to the department of health the fact of such discovery of such body, the place where and time when the same was discovered or seen, and where the same is or may be found, and any facts known by which said body may be identified or the cause of death ascertained.

**2050. Births — registration.]** § 1485. That, every physician, midwife and other person who may professionally assist or advise [at] any birth shall make and keep a registry of every birth, and therein enter the time and place, ward and street number of such birth, and the sex and color of every child born, and the names and residence of each of the parents (so far as the foregoing facts can be ascertained) and every physician and professional adviser who has attended any person during a last

illness, or has been present by request at the death of any person, shall make and preserve a registry of such death, stating the cause thereof, and specifying the date, hour, place and street number of the place of such death.

**2051. Births — report of.] § 1486.** That, it shall be the duty of every person mentioned in the last section, or required to make or keep any such register, to present to the department of health a copy of such register, signed by such person, or a written statement by him signed, of all the facts in said register required to be entered, within five days after the birth, and within thirty-six hours after the death of any person to whom such registry may or should relate, which shall thereupon be placed on file with said department.

**2052. Animal or thing imperiling health — exposure prohibited.] § 1487.** That, no person shall take, carry, or expose, or place or induce any other person so to do, in or upon any street or public place any substance, animal or thing which shall imperil the health of any person who is or may properly be in such street or place.

**2053. Cesspools etc. — construction of — connection with sewers.] § 1488.** That, all cesspools and privy vaults shall be water tight and, when on lots adjacent to sewers, shall be connected with the same in the manner required by the regulations of the department of public works.

**2054. Use of premises, regulated.] § 1489.** That, no person owning or occupying any building or premises shall use the same, or permit the use of the same, or rent the same to be used for any business or employment, or for any purpose of pleasure or recreation, if such use shall, from its boisterous nature, disturb or destroy the peace of the neighborhood in which such building or premises are situated, or be dangerous or detrimental to health.

**2055. Animal or thing occasioning nuisance — keeping prohibited.] § 1490.** That, no person shall bring in to the city or keep therein, for sale or otherwise, either for food or for any other purpose or purposes whatever, any animal, dead or alive, matter, substance or things which shall be or which shall occasion a nuisance in said city, or which may or shall be dangerous or detrimental to health.

**2056. Building etc. causing nuisance, prohibited.] § 1491.** That, no building, vehicle, structure, receptacle or thing used, or to be used, for any purpose whatever, shall be made, used, kept, maintained or operated in the city, if the use, keeping, maintaining or operating of such building, vehicle, structure, receptacle or thing shall be the occasion of any nuisance, or dangerous or detrimental to health.

**2057. Business causing nuisance, prohibited.] § 1492.** That, no substance, matter or thing, of any kind whatever, which shall be dangerous or detrimental to health, shall be permitted to exist in connection with any permitted business, or be used therein, or to exist in connection therewith, or to be used in any work or labor carried on or to be carried on or prosecuted in the city; and, that, no nuisance shall be

permitted to exist in connection with any business or in connection with any such work or labor.

1. A business — however lawful — which so annoys as to materially interfere with the ordinary physical comfort of human existence is a nuisance; *Seacord v. People*, 22 App., 279.

2. One has no right to carry on a business in a populous city, unless it can be done without emitting offensive and noxious odors, so as to be detrimental and offensive to the people of its locality; *Winslow v. Bloomington*, 24 App., 647.

**2058. Penalties.] § 1493.** That, any person who violates, disobeys, omits, neglects or refuses to comply with, or who resists any of the provisions of this article, or who refuses or neglects to obey any of the rules, orders, or sanitary regulations of the department of health, or who omits, neglects or refuses to comply with, or who resists any officer or order or special regulation of said department of health shall, upon conviction, be subject to a fine not exceeding two hundred dollars nor less than ten dollars for each offense.

**2059. Ambulances -- right of way — obstruction of — penalty.] § 1494.** The ambulances of the department of health while engaged in going for or in carrying sick or wounded persons to or from the hospitals shall have the right of way in the streets of the city, as against any person, carriage or incumbrance, put, driven or being in said streets; and, no person shall obstruct said ambulances while so engaged, if there shall be an opportunity to get out of the way of the same, under a penalty of ten dollars for each offense. It shall be the duty of the police to enforce the provisions of this section.

## ARTICLE XXVIII.

### HORSES.

#### SECTION.

2060. Speed regulated — penalty.

2061. Intersections and corners — speed at — penalty.

2062. Alleys — speed in — penalty.

2063. Not to be loose in street — penalty.

2064. Horse on sidewalk — penalty.

2065. Racing in street — penalty.

#### SECTION.

2066. Exception, to last preceding section.

2067. Auction sale on street — penalty.

2068. Sleigh or sled — bells — penalty.

2069. Speed on bridges — penalty.

2070. Animal standing unhitched — penalty.

**2060. Speed regulated — penalty.] § 1495.** No person shall ride or drive any horse or horses or other animal in the city of Chicago with greater speed than at the rate of six miles an hour, under the penalty of ten dollars for each offense, to be recovered from the owner or driver thereof severally and respectively.

1. See Art. LXIV, as to speed in tunnels.

2. Ordinance of a city, as to immoderate driving, has the force of a statute, binding on all alike; *Morse v. Sweeney*, 15 App., 486.

3. A trial of the speed of a horse, on a wager, within the corporate limits of a city, where there is an ordinance against fast driving, is an act against good morals; *Nash v. Monheimer*, 20 Ill., 215.