

# **Sanitary code of the Board of Health of the Department of Health of the City of New York.**

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## **Publication/Creation**

New York : Press of the J.W. Pratt Company, 1903.

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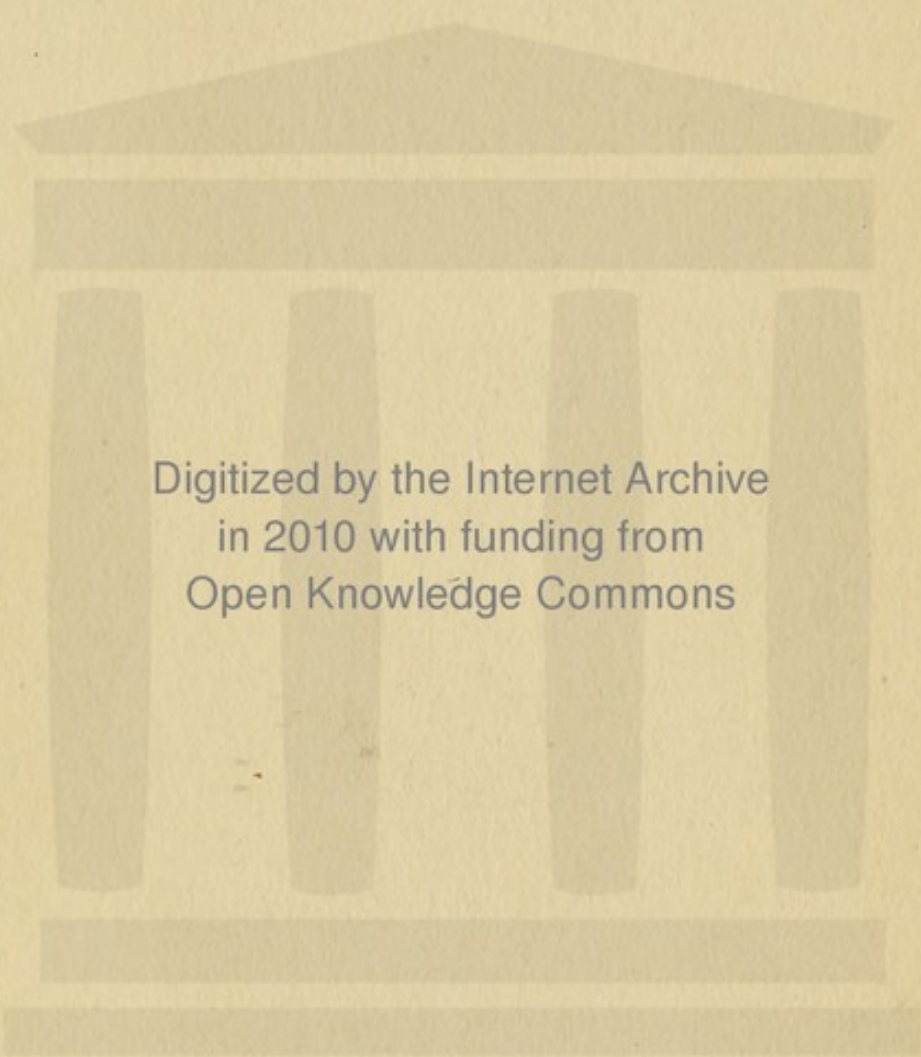
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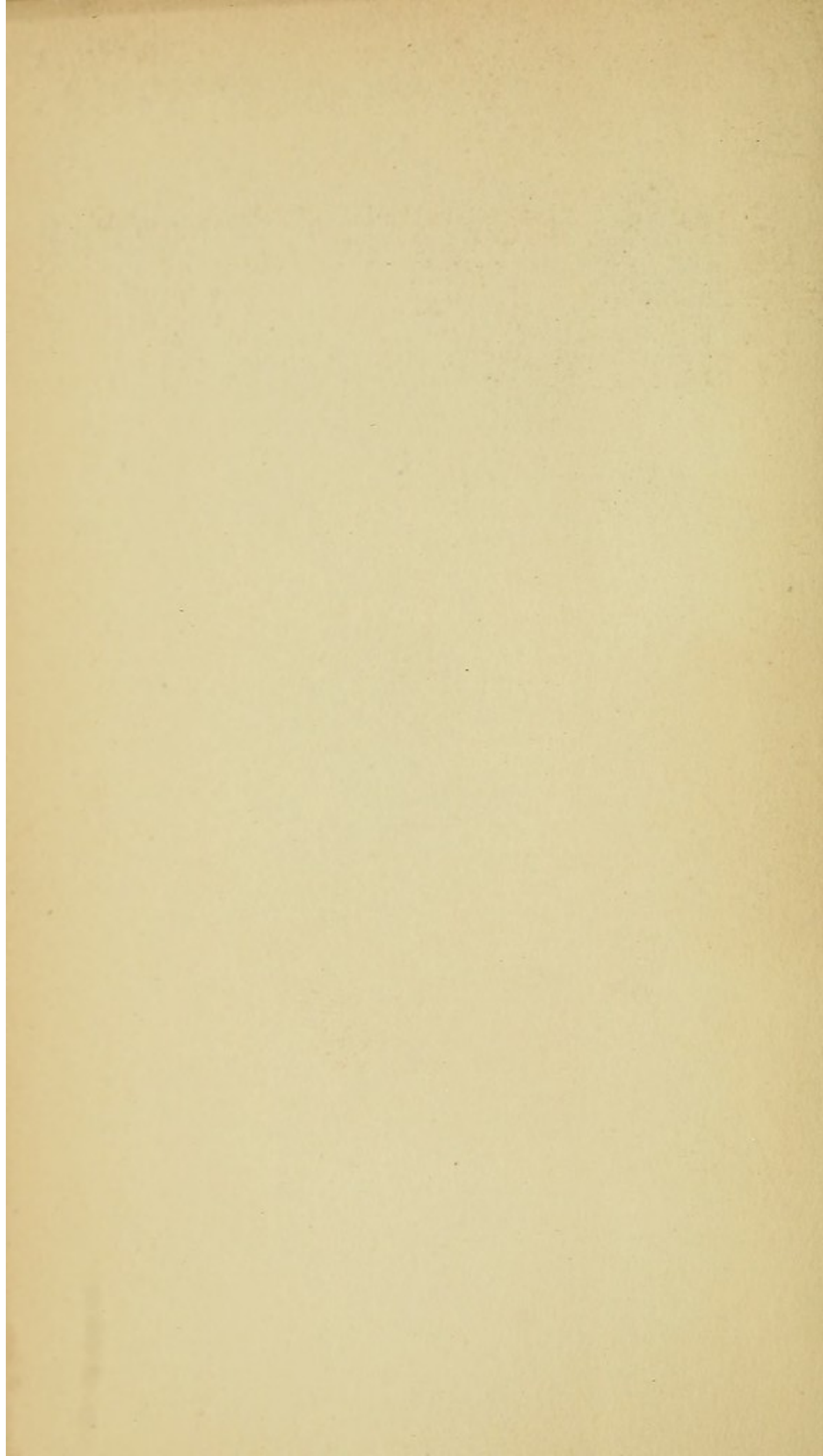
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SANITARY CODE  
OF THE  
BOARD OF HEALTH  
OF THE  
DEPARTMENT OF HEALTH  
OF  
THE CITY OF NEW YORK

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1903

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PRESS OF THE J. W. PRATT CO.  
52 TO 58 DUANE STREET

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1903



# SANITARY CODE.

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# THE SANITARY CODE.

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## The Sanitary Code.

The Sanitary Ordinances adopted by the Board of Health of the Department of Health of the City of New York, called the Sanitary Code, and conformed to Chapter XIX, Title 1, Chapter 378, of the Laws of 1897, and Chapter XIX, Title 1, Chapter 466, of the Laws of 1901, pursuant to Section 1172 of said Titles, with the amendments and additional provisions, added and published to July, 1903.

## Definitions of Terms.

**Section 1.** The terms "Board," "this Board," and "said Board" whenever used in this Code shall be held to mean the "Board of Health of the Department of Health of the City of New York;" the word "Department," whenever used herein, shall be held to mean the Department of Health of the City of New York; the words "person," "owner," "tenant," "lessee," "occupant," "contractor," "party," "manager," "board," and "officer," shall respectively be held to apply to and include, both jointly and severally, each and all owners, part-owners, tenants, lessees, occupants, contractors, parties in interest, persons, managers, boards, officers, and corporations, who may sustain the relations, or may be in like position of any one or more thereof referred to in any



ordinance or regulation; every word or phrase anywhere herein defined shall be held to have such meaning whenever used herein; the words "city," or "this city," or "said city," whenever used herein, shall be held to mean the City of New York; the word "regulations" shall be held to include "special regulations" (which latter will be from time to time issued, and will contain more detailed provisions than can be herein conveniently set forth); the word "permit" shall be construed to mean the permission in writing of this Board, issued according to its by-laws, rules, regulations, and Sanitary Code; and every "report" herein required shall be held to be a report in writing, signed by the person (and indicating his official position) who makes the same; the word "light" or "lighted," shall be held to refer to natural, external light; and all words and phrases herein defined shall also include their usual and natural meaning, as well as those herein especially given.

Sec. 2. The word "street," when used in the Sanitary Code, shall be held to include avenues, public highways, sidewalks, gutters, and public alleys; and the words "public place" shall be held to include parks, piers, docks, and wharves, and water and open spaces thereto adjacent, and also public yards, grounds, and areas, and all open spaces between buildings and streets, and in view of such streets; the word "ashes" shall be held to include cinders, coal, and everything that usually remains after fires; the word "rubbish" shall be held to include all the loose and decayed material and dirt-like substance that attends use or decay, or which accumulates from building, storing, or cleaning; the word "garbage" shall be held to include swill and every accumulation of



both animal and vegetable matter, liquid or otherwise, that attends the preparation, decay, and dealing in, or storage of meats, fish, fowls, birds, or vegetables; and the word "dirt" shall be held to mean natural soil, earth, and stone.

Sec. 3. A "tenement-house" 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 three families or more, living independently of each other, and doing their cooking upon the premises, or by more than two families upon any floor, so living and cooking, but having a common right in the halls, stairways, yards, water-closets, or privies, or some of them. 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. 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. The phrase "boarding-house" shall be held to include every building, and every story and portion thereof, which is at any time or usually used, leased, or occupied, or intended so to be, by any number of persons exceeding ten, as boarders thereat. The word "manufactory" shall be held to include every building, and every story and portion thereof, in which any sort of labor or work is done, which calls for the continual or usual presence of several persons during several hours



of the day or night, engaged about said work or labor; and the word "saloon" shall be held to include every portion of any building in which the business of selling meals, liquors, drinks, or refreshments of any kind, shall be conducted, and includes "concert saloons."

Sec. 4. The term "theatre" shall be held to include the building, rooms, and place where any play, concert, opera, circus, trick or jugglery show, gymnastic or other exhibition, masquerade, public dance, drill, lecture, address, or other public or frequent gathering or amusement, are, is, or may be held, given, performed, or take place, and the approach or approaches thereto, and appurtenances thereof.

Sec. 5. The word "physician" shall include every person who practices about the cure of the sick or injured, or who has the charge of, or professionally prescribes for, any person sick, injured, or diseased, and any person who pursues the business of or acts as midwife; and the phrase "infectious disease" shall be held to include all diseases of an infectious, contagious, or pestilential nature.

Sec. 6. The word "meat" whenever herein used, includes every part of any land animal and eggs (whether mixed or not with any other substance); and the word "fish" includes every part of any animal that lives in water, or the flesh of which is not meat; and the word "vegetable" includes every article of human consumption as food, which (not being meat, or fish, or milk) is held, or offered, or intended for sale or consumption as food for human beings, at any place in said city; and all



fish and meat found therein shall be deemed to be therein and held for such sale or consumption as such food, unless the contrary be distinctly proved.

Sec. 7. The word "cattle" shall be held to include all animals, except birds, fowl, and fish, of which any part of the body is used as food; the word "butcher" shall be held to include whoever is engaged in the business of keeping, driving, or slaughtering any cattle, or in selling any meat; the words "private market" shall include every store, cellar, stand, and place (not being a part of a public market) at which the business is the buying, selling, or keeping for sale, of meat, fish, or vegetables for human food.

#### Misfeasance and Nonfeasance.

Sec. 8. No person shall carelessly or negligently do or devise or contribute to the doing of any act or thing dangerous to the life, or detrimental to the health of any human being; nor shall any person knowingly do or advise or contribute to the doing of any such act or thing (not actually authorized by law), except with justifiable motives, and for adequate reasons; nor shall any person omit to do any act, or to take any precaution, reasonable and proper, to prevent or remove danger or detriment to the life or health of any human being.

#### Obedience to Ordinances and Regulations.

Sec. 9. Every contractor in these ordinances referred to, and every person who has contracted or undertakes, or is bound to do, or is engaged in doing any one of the things, in respect of which these ordinances contain provisions or regulations, shall comply with these ordi-



nances, to the extent that any contract, obligation, or duty requires or permits; and no direction of any contractors or persons shall excuse him for a non-compliance with any of said ordinances.

Sec. 10. It is hereby declared to be the duty of every owner and part owner and person interested, and of every lessee, tenant, and occupant of or in any place, water, ground, room, stall, apartment, building, erection, vessel, vehicle, matter, and thing in the City of New York, and of every person conducting or interested in business therein or thereat, and of every person who has undertaken to clean any place, ground or street therein, and of every person, public officer and department having charge of any ground, place, building or erection therein, to keep, place and preserve the same and the sewerage, drainage and ventilation thereof in such condition, and to conduct the same in such manner, that it shall not be a nuisance or be dangerous or prejudicial to life or health. The term "building" as used in this section, includes a railway car, booth, tent, shop or other erection or enclosure.

Sec. 11. Every person shall observe and obey each and every special regulation and every order of this Board, that is or may be made, for carrying into effect any of the ordinances or powers hereinbefore or hereinafter contained, or any law of this State or otherwise, whether issued directly by the Board, or promulgated by any Bureau charged therewith, as if the same had been herein inserted at length.

Sec. 12. No person shall omit or refuse to comply with, or resist any of the provisions of the Sanitary



Code, or any of the rules, orders, sanitary regulations, or ordinances established or declared by this Board under or pursuant to any of the provisions of the seventy-fourth chapter of the Laws of 1866; or of chapter six hundred and eighty-six of the Laws of 1866; or of chapter nine hundred and fifty-six of the Laws of 1867; or of chapter three hundred and thirty-five of the Laws of 1873; or of chapter seven hundred and fifty-seven of the Laws of 1873; or of chapter six hundred and thirty-six of the Laws of 1874; or of chapter three hundred and seventy-eight of the Laws of 1897; or of chapter four hundred and sixty-six of the Laws of 1901; nor shall any person refuse or neglect to comply with any of the provisions of the said laws in so far as the same are now in force and applicable to the City of New York; or omit or refuse or neglect the execution of any order or special regulation of this Department; no person shall interfere with or obstruct any Inspector of this Department when making the inspections or examinations ordered by this Board, or when executing its orders.

Sec. 13. The owner, lessee, tenant, and occupant of any building or premises, or of any part thereof, where there shall be a nuisance, or a violation of any ordinance or section of the Sanitary Code, shall be jointly and severally liable therefor, and each of them may be required to abate the nuisance, or comply with the order of the Board of Health in respect to the premises, or the part thereof, of which such person is owner, lessee, tenant or occupant.

Sec. 14. Whenever a nuisance in any place or upon any premises in the City of New York shall have been found or declared by resolution of the Board of



Health to exist, and an order shall have been made directing the owner, lessee, tenant or occupant of such premises to make suitable and necessary repairs or improvements, or to abate the said nuisance, such repairs or improvements shall be made, and such nuisance shall be fully abated within the time specified in and by said order.

### False Statements.

Sec. 15. No person shall make any false or untruthful statement in any application for a permit from the Board of Health.

### Dwellings, Lodging-Houses and Other Buildings, Ventilation, Drainage and Plumbing.

Sec. 16. No person shall hereafter erect, or cause to be erected, or converted to a new purpose by alteration, any building or structure, or change the construction of any part of any building by addition or otherwise, so that it, or any part thereof, shall be inadequate or defective in respect to strength, ventilation, light, sewerage, or any other usual, proper, or necessary provision or precaution for the security of life and health; and no person shall make or use a smoke house or room, or apparatus for smoking meat, without a permit from the Board of Health, and subject to the conditions thereof; nor shall the builder, owner, lessee, tenant or occupant of any such, or of any other building or structure, cause or allow any matter or thing to be or to be done in or about any such building or structure dangerous or prejudicial to life or health.

Sec. 17. No owner or lessee of any building, or any part thereof, shall lease or let or hire out or



allow the same or any portion thereof to be occupied by any person, or allow any one to dwell or lodge therein, except when said building or such parts thereof are sufficiently lighted, ventilated, provided and accommodated, and are in all respects in that condition of cleanliness and wholesomeness for which this Code or any law of this State provides, or in which they or either of them require any such premises to be kept. Nor shall any such person rent, let, hire out, or allow, having power to prevent the same, to be used as or for a place of sleeping or residence, any portion or apartment of any building, which apartment or portion has not at least two feet of its height and space above the level of every part of the sidewalk and curbstone of any adjacent street, nor of which the floor is damp by reason of water from the ground, or which is impregnated or penetrated by any offensive gas, smell, or exhalation prejudicial to health. But this section shall not prevent the leasing, renting, or occupancy of cellars or rooms less elevated than aforesaid, and as a part of any building rented or let, when they are not let or intended to be occupied or used by any person as a sleeping apartment, or as a principal or sole dwelling apartment.

Sec. 18. 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 bathroom, or in any room where there is a water-closet, or in any place dangerous or prejudicial to life or health, by reason of a want of ventilation or drainage, or by reason of the presence of any poisonous, noxious, or offensive odors or substance, or otherwise.



Sec. 19. 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 life or health.

Sec. 20. 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 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 life or 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 into such house or any part thereof, or into any other house or building.

Sec. 21. For all lodging-houses in the City of New York containing rooms in which there are more than three beds for the use of lodgers or in which more than six persons are allowed to sleep, a permit from the Board of Health shall be required, and no person shall have, lease, let or keep any such lodging-house or the lodgings therein, or assist in the keeping, hire, or assist in hiring, or conduct the business of any such lodging-house, or the lodgings therein, except pursuant to the terms and conditions of such permit. The beds in all lodging-houses and in every room in which beds are let



for lodgers shall be separated by a passageway of not less than two feet, horizontally, and all the beds shall be so arranged that under each of them the air shall freely circulate and there shall be adequate ventilation. Four hundred cubic feet of air space shall be provided and allowed for each bed or lodger.

Sec. 22. Every owner, lessee, 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 cleanly and wholesome condition, and shall cause every room 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 reason of the want thereof, or of anything about the condition of such manufactory or its appurtenances, to cause any unnecessary danger or detriment to the life or health of any person being properly therein or thereat.

Sec. 23. All filthy and dirty walls and ceilings of any building, including the walls and ceiling of the cellar thereof, shall be thoroughly cleaned and whitewashed whenever required by the Board of Health.

Sec. 24. The roofs and skylights of all buildings shall be kept in a condition of good repair so that rain water shall not enter the building.

Sec. 25. No master or teacher, or manager of or in any school, public or private, or of or in any Sunday-



school or gymnasium, or the officers or managers thereof, or officers or managers or 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 anything appurtenant thereto, as that by reason of such neglect or omission, the life or health of any person shall suffer or incur any avoidable peril or detriment, and no day nursery shall be conducted in the City of New York without a permit from the Board of Health.

Sec. 26. Every keeper or proprietor of a hotel or boarding-house, and every other person having for use a bathing-house upon any beach or shore of the ocean, for the accommodation of his guests or other persons for pay, shall provide for the safety of such bathers two lines of sound, serviceable and strong manila or hemp rope, not less than one inch in diameter, anchored at some point above high water, at the same distance apart as the line of bathing-houses, or space fronting on such beach occupied by him is in width; and from the two points at which such life lines are so anchored, such line shall be made to extend as far into the surf as bathing is ordinarily safe and free from danger of drowning to persons not expert in swimming, and at such points of safety such lines shall be anchored and buoyed. From the two points of such lines so extended, anchored and buoyed, a third line shall be extended, connecting the two extremities, and buoyed at such points as to be principally above the surface of the water, thereby inclosing a space within such lines and the beach within which bathing is believed to be safe. Every such keeper



or proprietor or other such person shall cause to be painted and put up in some prominent place upon the beach, near such bathing-houses, the following words: "Bathing beyond the lines dangerous." Such lines so placed, anchored and buoyed, and such notice so put up, shall continue and be so maintained by every such keeper, proprietor or other person during the entire season of surf bathing. The owner of a bathing-house shall not be subject to the provisions of this section where it is used, occupied or maintained by a lessee for hire, but such lessee shall be deemed the keeper or proprietor thereof. No bathing establishment shall be maintained in the City of New York or along the water front of said city without a permit from the Board of Health.

### **Sewerage and Drainage.**

Sec. 27. Every person using, making, or having any drain, soil-pipe, passage or connection between any sewer (or with any river or other body of water) and any ground, building, erection, or place of business, and in like manner every owner or tenant of any grounds, buildings or erections, and every person interested in such place of business or the business thereat, and in like manner every board, department, officer, and person (to the extent of the right and authority of each), shall cause and require such drain, soil-pipe, passage and connection to be at all times adequate for its purpose, and to convey and allow, freely and entirely, to pass whatever enters or should enter the same; and no change shall be made of the drainage, sewerage, or the sewer connection of any house or premises, involving changes in the drainage, sewerage, or sewer connection of any other house or premises, unless at least 30 days notice



thereof in writing shall have been previously given to this Department, and to the owner or occupant of the premises affected by such change.

Sec. 28. It shall be the duty of all boards, departments, officers, and persons having power and authority so to do or require (and to the extent thereof) to cause sufficient water to be used, 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 into some water or proper reservoir, that no accumulations shall take place, and no exhalations proceed therefrom, dangerous or prejudicial to life or health.

Sec. 29. No brick, sheet metal, or earthenware material or chimney flue shall be used as a sewer ventilator, or to ventilate any trap, drain, soil or waste pipe.

Sec. 30. The soil, waste and vent pipes in an extension to any building must be extended above the roof of the main building if within thirty feet of the front or rear windows of the main building or of an adjoining building, or if so located as to cause a nuisance.

Sec. 31. All joints in iron drain pipes, soil and waste pipes, must be filled with oakum and lead and hand caulked so as to make them gas-tight. All connections of lead with iron pipes must be made with a brass sleeve or ferrule of the same size as the lead pipe, put in the hub of the branch of the iron pipe, and caulked with lead. The lead pipe must be attached to the ferrule by a wiped or overcast joint. All connections of lead waste and vent pipes shall be made by means of wiped joints.



Sec. 32. All house drains, waste, soil and vent pipes, traps, and water pipes in any building and premises shall at all times be kept in good order and repair so that no gases or odors shall escape therefrom and so that the same shall not leak.

Sec. 33. Every water-closet, urinal, sink, basin, wash-tray, bath and every tub or set of tubs and hydrant waste pipe must be separately and effectively trapped; except where a sink and wash tubs immediately adjoin each other, in which case the waste pipe from the tubs may be connected with the inlet side of the sink trap. Traps must be placed as near the fixtures as practicable, and in no case shall a trap be more than two feet from the fixture. In no case shall the waste from a bath tub or other fixture be connected with a water-closet trap. No trap vent pipe shall be used as a waste or soil pipe.

Sec. 34. No drain pipe from a refrigerator shall be connected with the soil or waste pipe, but it shall discharge into a properly trapped, sewer-connected, water-supplied, open sink. No overflow pipe from a tank shall discharge into any soil or waste pipe, or water-closet trap or into the drain or sewer, but it may discharge upon the roof or into an open water-supplied tank.

Sec. 35. Rain water leaders shall be sound, tight and adequate for their purpose and shall not be used as soil, waste or vent pipes, or be connected therewith; nor shall any soil, waste or vent pipe be used as a leader. When within the house, the leader must be of cast iron, with leaded joints; when outside of the house and connected with the house drain it must be trapped beneath



the ground or just inside of the wall, the trap being arranged in either case so as to prevent freezing. In every case where a leader opens near a window or a lightshaft, it must be properly trapped at its base. The joint between a cast iron leader and the roof must be made gas and water tight by means of a brass ferrule and lead or copper pipe properly connected.

Sec. 36. The waste or soil pipe in every lodging-house, or other dwelling in the City of New York shall be ventilated by extending the same by means of a pipe of the same size to the height of not less than two feet above the roof of the building.

Sec. 37. No privy vault, or cesspool, shall be allowed to remain on any premises, or shall be built in the City of New York, unless when unavoidable. The sides and bottom of every privy vault, cesspool, or school-sink in the City of New York must be impermeable, and secure against any saturation of the walls or the ground above the same. No water-closet or privy shall be constructed without adequate provision for the effectual and proper ventilation and cleansing thereof.

Sec. 38. No person, persons, company or corporation shall cause, permit or allow any sewage, drainage, factory refuse or any foul or offensive liquid or other material to flow, leak, escape or be emptied or discharged into the waters of any river, stream, canal, harbor, bay or estuary, or into the sea within the city limits, excepting under low-water mark, and in such manner and under such conditions that no nuisance can or shall be caused thereby or as a result thereof.



### Street Drainage.

Sec. 39. Every person, when cleaning any street, shall clean, and every contractor shall cause to be cleaned, the gutters and parts of the street along which the water will run, before using any water to wash the same; and no substance that could be before scraped away shall be washed or allowed to be carried or be put into the sewer, or into any receptacle therewith connected.

Sec. 40. No person being owner, lessee, tenant or occupant of any building or premises, shall allow any water or other liquid to run from or out of such building or premises upon or across any sidewalk or curb-stone, and if such substance is allowed to pass into any street, it must reach the same by a passage, to be kept at all times adequate and in repair, under or through such flag-stone or curb-stone; and no water or other liquid, or ice therefrom, shall be allowed to gather or remain on the upper surface of such curb, flag-stone, or passage; nor shall such person allow any accumulation of such water or liquid, or the ice therefrom, upon any street or place, but shall at all times cause the same to be removed or to pass along the gutter or some proper passage to one of the rivers or into a sewer.

Sec. 41. Every owner, tenant, lessee and occupant of any building or lot (whether vacant or occupied) within or near the built-up portions of said city, shall keep and cause to be kept the sidewalk and flagging, and curb-stone in front thereof, free from obstructions and nuisances of every kind, and shall not allow anything in the area or yard or on or about his premises to become a nuisance, or dangerous or prejudicial to life or health.



### Food and Drink.

Sec. 42. No meat, fish, birds, fowl, fruit, vegetables, or 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 into the City of New York, or offered or held for sale as such food anywhere in said city, nor shall any such articles be kept or stored therein.

Sec. 43. No calf, or the meat thereof, shall be brought into the City of New York or held, sold or offered for sale for human food, which, when killed, was less than four weeks old, or when killed and dressed weighs less than forty-five (45) pounds. No pig, or the meat thereof, shall be brought into the City of New York or held, sold, or offered for sale for human food, which, when killed, was less than five weeks old. No lamb, or the meat thereof, shall be brought into the City of New York or held, sold or offered for sale for human food, which, when killed, was less than eight weeks old. Nor shall any meagre, sickly, or unwholesome fish, birds or fowl be brought into said city or held, sold or offered for sale for human food.

Sec. 44. 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 New York, and the place where found, and their disease, shall be at once reported to this Department by the owner or custodian thereof, that the proper order may be made relative thereto, or for the removal thereof from said city.



Sec. 45. The body of any animal or any part thereof, which is to be used as human food, shall not be carted or carried through the streets or avenues, unless it be so covered as to protect it from dust and dirt; and no meat, poultry, game or fish shall be hung or exposed for sale in any street or outside of any shop or store, or in the open windows or doorways thereof, in the City of New York. No meat or dead animal above the size of a rabbit shall be taken to any public or private market to be sold for human food until the same shall have been fully cooled after killing, nor until the entrails, head and feet (except of poultry and game, and except the heads and feet of swine) shall have been removed.

Sec. 46. No breadstuffs, cake, pastry, dried or preserved fruits, candies or confectionery shall be kept, sold or offered for sale outside of a building in the City of New York, or in any street or public place, unless they be kept properly covered so that they shall be protected from dust and dirt.

Sec. 47. 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 drunk, any poisonous, deleterious, or unwholesome substance, nor allow anything therein to be done or to occur, dangerous to life or prejudicial to health.

Sec. 48. No meat, fish, fruit, vegetables or milk, or unwholesome liquid shall knowingly be bought, sold, held, offered for sale, labeled, 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.

Sec. 49. Every person, being the owner, lessee, or occupant of any room, stall or place where any meat, fish, fruit 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 cleanly and wholesome condition; and every person having charge, or interested or engaged, whether as principal or agent, in the care or in respect to the custody or sale of any meat, fish, fruit, birds, fowl or vegetables, designed for human food, shall put and preserve the same in a cleanly 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.

Sec. 50. No butcher or dealer shall keep in any market any refrigerator or ice-box, unless the same shall be lined with some proper metallic substance, so as to be water-tight.

Sec. 51. In the sale, or keeping for sale, of any beverage or drink, no person shall keep or use any tap, faucet, tank, fountain or vessel, or any pipe or conduit in connection therewith, which shall be composed or made, either wholly or in part, of brass, lead, copper, or other metal or metallic substances that are or will be affected by liquids so that dangerous, unwholesome or deleterious compounds are formed therein or thereby, or such that beer, soda water, syrups or other liquids, or any beverage, drink or flavoring material drawn therefrom shall be unwholesome, dangerous or detrimental to health.



Sec. 52. No person shall have at any place where milk, butter or cheese is kept for sale, nor shall at any place sell, 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 in whole or in part 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.

Sec. 53. No milk which is watered, adulterated, reduced or changed in any respect by the addition of water or other substance, or by the removal of cream, shall be brought into the City of New York or held, kept, sold or offered for sale at any place in said city; nor shall any one keep, have, sell or offer for sale in the said city any such milk.

The term "adulterated milk," when so used in this code means:

First—Milk containing more than eighty-eight per centum of water or fluids.

Second—Milk containing less than twelve per centum of milk solids.

Third—Milk containing less than three per centum of fats.

Fourth—Milk drawn from animals within fifteen days before or five days after parturition.



Fifth—Milk drawn from animals fed on distillery waste, or any substance in a state of fermentation or putrefaction, or on any unwholesome food.

Sixth—Milk drawn from cows kept in a crowded or unhealthy condition.

Seventh—Milk from which any part of the cream has been removed.

Eighth—Milk which has been diluted with water or any other fluid, or to which has been added, or into which has been introduced, any foreign substance whatever.

Ninth—Milk the temperature of which is higher than 50 degrees Fahrenheit.

Sec. 54. Any milk found to be adulterated, either by the addition of water or other substance, or by the removal of cream, which has been brought into the City of New York or is held or offered for sale in said city, may be seized and destroyed by any inspector, or other officer of this Department authorized to inspect milk.

Sec. 55. No condensed milk which is adulterated shall be brought into the City of New York or held, kept, sold or offered for sale at any place in said city, nor shall any one have, keep, sell or offer for sale in said city any such condensed milk. The words "condensed milk" mean pure milk from which any part of the water has been removed, or pure milk from which any part of the water has been removed and to which sugars have been added. The term "adulterated," when used in this section, refers to condensed milk in which the amount of fat is less than twenty-five per cent. of the milk solids.



contained therein, or to which any foreign substance whatever has been added, excepting sugars, as in preserved milks.

Sec. 56. No milk shall be received, held, kept, offered for sale or delivered in the City of New York without a permit from the Board of Health and subject to the conditions thereof.

Sec. 57. No cream which is adulterated shall be brought into the City of New York or held, kept, sold or offered for sale in said city, nor shall any one keep, have, sell or offer for sale in said city any such cream. The term "cream" means the fatty portions of pure milk which rise to the surface when the milk is left at rest, or which are separated by other means. The term "adulterated," when used in this section, refers to cream to which any foreign substance whatever has been added.

Sec. 58. Upon any cattle, milk, meat, birds, fowl, fish or vegetables being found by any inspector or other officer of this Department in a condition which renders them, in his opinion, unwholesome and unfit for use as human food, or in a condition or of a weight or quality in this code condemned or forbidden, he is empowered, authorized and directed to immediately condemn the same and cause it to be removed to the offal or garbage dock for destruction, and report his action to the Department without delay.

And the owner or person in charge thereof, when so directed by the said inspector or by an order of the Sanitary Superintendent, or an Assistant Sanitary Superintendent, shall remove, or cause the same to be removed, to the place designated by the said inspectors



or the order of said Sanitary Superintendent or Assistant Sanitary Superintendent, or to the offal dock, and shall not sell, or offer to sell, or dispose of the same for human food. And when, in the opinion of the Sanitary Superintendent, or an Assistant Sanitary Superintendent, any such meat, fish, fruits, or vegetables shall be unfit for human food, or any such animal, cattle, sheep, swine, or fowls, by reason of disease, or exposure to contagious disease, shall be unfit for human food, and improper or unfit to remain near other animals or to be kept alive, the Board of Health may direct the same to be destroyed, as dangerous to life and health, and may order any such animals, cattle, sheep, swine, or fowls, to be removed by any inspector, police officer, officer or agent of this Department, to be killed, and taken to the offal dock.

Sec. 59. It shall be the duty of every manufacturer, importer or other person who manufactures or imports, in the City of New York, any artificial or natural mineral, spring or other water for drinking purposes, to file, under oath, with the Department of Health, the name of such water and the exact location from which it is obtained, together with the chemical and bacteriological analysis thereof, and, when manufactured, the exact formula used in its production, giving qualitatively and quantitatively each and every item entering into its composition. No person shall manufacture or bottle mineral, carbonated or table waters, in the City of New York without a permit from the Board of Health.

Sec. 60. Every butcher or milk dealer, and their agents, shall allow the parties authorized by this Department to freely and fully inspect the cattle, meats, fish,



vegetables and milk held or kept by them, 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.

### Water.

Sec. 61. No person shall throw or allow to run or pass into any public reservoir, water-pipe or aqueduct, or into or upon any border or margin thereof, or excavation or stream therewith connected, any animal, vegetable, or mineral substance whatever; nor shall any person (having power or right to prevent the same) do or permit any act or thing that will impair or peril the purity or wholesomeness of any water or other fluid used or designed as a drink, in any part of said city; nor shall any person bathe nor (except in the discharge of a public duty) put any part of his person into such water; nor shall any unauthorized person open any erection or unscrew any hydrant holding such water.

Sec. 62. It shall be the duty of every person, officer, department, and board, 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.

Sec. 63. Water from wells in the Borough of Manhattan shall not be used for drink; nor shall such water be used for any purpose in any tenement or lodging-house, hotel, manufactory or buildings in which persons are living or employed, or in which there are offices, or a



restaurant or saloon, without a permit from the Board of Health. Water from wells in the other Boroughs of said city, other than the public water supply, shall not be used in any tenement or lodging-house, hotel, manufactory or buildings in which persons are living or employed, or in which there are offices or a restaurant or saloon, without a permit from the Board of Health.

Sec. 64. No person shall destroy or in anywise injure or impair any drinking hydrant, or part thereof, in the said city; nor shall any person interfere with the use or enjoyment of the water therein, or therefrom, or interrupt the flow thereof, nor shall any person put any dirty, poisonous, medicinal, or noxious substance into or near said water or hydrant, whereby such water is made or may be regarded as dangerous or unwholesome as a drink.

#### Drugs, Medicines, Adulterations and Poisons.

Sec. 65. No person shall make, prepare, put up, administer or dispense any prescription, decoction, or medicine under any deceptive or fraudulent name, direction or pretence; nor shall any ingredient be substituted for another in any prescription; nor shall any false or deceptive representation be made by any person to any other, as to the kind, quality, purpose, or effect of any such drug, medicine, decoction, drink, or other article offered or intended to be taken as food or medicine.

Sec. 66. No poison shall be sold at retail by any person in the City of New York without having affixed to the bottle, box, parcel or receptacle containing such poison, a label bearing the word "Poison" distinctly shown, printed or written in red ink, together with the name and



place of business of the seller and the name of the poison printed or written upon such bottle, box, parcel or receptacle in plain legible characters.

Sec. 67. No person shall have, sell or offer for sale in the City of New York any food which is adulterated. The term food, as herein used, shall include every article of food and every beverage used by man, and all confectionery. Food, as herein defined, shall be deemed adulterated:

(a). If any substance or substances has or have been mixed with it so as to reduce or lower or injuriously affect its quality or strength.

(b). If any inferior or cheaper substance or substances have been substituted wholly or in part for the article.

(c). If any valuable constituent of the article has been wholly or in part abstracted.

(d). If it be an imitation or be sold under the name of another article.

(e). If it consists wholly or in part of diseased or decomposed or putrid or rotten animal or vegetable substance whether manufactured or not, or in the case of milk, if it is the produce of a diseased animal.

(f). If it be colored, or coated or polished, or powdered, whereby damage is concealed, or it is made to appear better than it really is, or of greater value.

(g). If it contains any added poisonous ingredient, or any ingredient which may render such article injurious to the health of the person consuming it; or if it con-



tains any antiseptic or preservative not evident and not known to the purchaser or consumer.

An article of food which does not contain any ingredient injurious to health, shall not be deemed adulterated, in the case of mixtures or compounds which may be now, or from time to time, known as articles of food under their own distinctive names, or which shall be labeled so as to plainly indicate that they are mixtures, combinations, compounds or blends.

Spirituos, fermented and malt liquors shall be deemed adulterated if they contain any substance or ingredient not normal or healthful to exist in spirituous, fermented or malt liquors, or which may be deleterious or detrimental to health when such liquors are used as a beverage.

Confectionery shall be deemed adulterated if it contains terra alba, barytes, talc or other mineral substance or poisonous colors or flavors, or other ingredients deleterious or detrimental to health.

Sec. 68. No person shall manufacture, produce, compound, brew, distill, have, sell or offer for sale in the City of New York any drug which is adulterated. The term drug, as herein used, shall include all medicines for external or internal use, or both. Drugs, as herein defined, shall be deemed adulterated:

(a). If, when sold by or under a name recognized in the United States pharmacopeia, it differs from the standard of strength, quality or purity laid down therein.

(b). If, when sold by or under a name not recognized in the United States pharmacopeia, but which is found in some other pharmacopeia, or other standard work on materia medica, it differs materially from the standard of strength, quality or purity laid down in such work.



(c). If its strength or purity fall below the professed standard under which it is sold.

### Cattle, Horses, Etc.

Sec. 69. No cattle, sheep, swine, horse, goat, goose, or mule, or any dangerous or offensive animal, shall be allowed by any owner, or by any person having charge of the same, to go at large in any street or public place in the City of New York.

No pigs, swine or cattle shall be unloaded from any cars upon any street or public place in the City of New York, except pursuant to a permit from the Board of Health.

No cattle, pigs, swine or sheep shall be driven to any slaughter-house in the Borough of Brooklyn, except between the hours of eight of the evening and one hour after sunrise of the next morning; nor shall more than twenty cattle, or more than one hundred pigs or swine, or more than one hundred and fifty sheep, be driven together; and they shall be driven in streets and avenues (leading toward their destination) where they will least endanger the lives of human beings, as the Department of Health may designate, provided, that when the landing or transportation of cattle shall have been delayed or prevented by ice, fog or unavoidable accident, the Board of Health may, at its discretion, give a permit to land and drive such cattle at other hours than those designated herein, but in no case shall cattle be driven past any school or church.

Sec. 70. No cattle shall be kept in any place where the ventilation is not adequate and the water and food are not of such quality and in such condition as to pre-



serve their health, safe condition, and wholesomeness for food.

Sec. 71. No cows shall be kept in the City of New York without a permit from the Board of Health. Every stable and place where any cows, horses, or other animals may be, shall be kept at all times in a cleanly and wholesome condition, and properly ventilated, and no person shall allow any animal to be therein, which is infected with any contagious or pestilential disease.

Sec. 72. No horses shall be yarded and no cattle, swine, or sheep, geese or goats, shall be kept or yarded within or adjacent to the built-up portions of the City of New York, without a permit from the Board of Health.

Sec. 73. No cattle, with or without their young calves, shall be led through or along any of the streets of the City of New York without a permit from the Board of Health, and in strict accordance with the routes, hours, and conditions prescribed thereby; and no person shall lead, attempt to lead, or cause to be led, any cattle otherwise than singly, one person with each, nor upon any sidewalks; provided, however, that sheep may be driven on routes prescribed for them, pursuant to the terms and conditions of the permits issued by the Board of Health.

Sec. 74. No Texas, Colorado or other dangerous cattle shall be driven through or along the public streets, except in those cases only where the cattle shall be landed at the foot of the street leading to the slaughterhouse to which such cattle shall be destined, and where



the street shall be effectually barred or closed, so as to prevent the escape of such cattle during the transfer from the dock to such slaughter-house, and no such cattle shall be landed except in accordance with the provisions and restrictions of this ordinance.

Sec. 75. No cellar in the City of New York shall be occupied as a stable for horses, cattle or other animals, without a permit from the Board of Health.

Sec. 76. No cattle shall be placed or carried, while bound or tied by their legs, or bound down by their necks, in any vehicle in said city, but shall be allowed freely to stand in such vehicle when transported, and while being therein.

Sec. 77. No person shall take or drive or allow to go or be taken (having the right and ability to prevent the same), any horse or other animal, or any vehicle, upon any sidewalk or foot-path in front of any building, to the peril of any person; nor shall any person block up or obstruct any street or place, or contribute thereto.

#### Fowls and Small Animals.

Sec. 78. No live chickens, geese, ducks, or other fowls shall be brought into, or kept, or held, or offered for sale, or killed, in any yard, area, cellar, coop, building, premises, or part thereof, or in any public market, or on any sidewalk, street, or other place within the built-up portions of the City of New York, without a permit from the Board of Health and subject to the conditions thereof.



Sec. 79. No person shall sell or keep for sale at any place in the City of New York any dogs, cats, birds or other small animals, without a permit from the Board of Health.

Sec. 80. No live pigeons shall be kept within the built-up portion of the City of New York without a permit from the Board of Health and subject to the conditions thereof.

### Slaughtering and Slaughter-Houses.

Sec. 81. No person shall kill or dress any animal or meat in any market, and 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.

Sec. 82. The business of slaughtering cattle, sheep, swine, pigs or calves shall not be conducted in the City of New York without a permit from the Board of Health. Nor shall such business be conducted unless the same shall be in buildings located on or near the water front, and all buildings shall be constructed so as to receive all stock deliverable thereat from boats, cars, or transports, and to secure the proper care and disposition of all parts of the slaughtered animals upon the premises, or the immediate removal thereof by means of boats. It shall not be unlawful, however, to slaughter cattle, sheep, swine, pigs or calves in the Borough of Brooklyn, at such places where such business was established and carried on on January 3, 1898.



Sec. 83. The business of slaughtering cattle, sheep, swine, pigs or calves in the Borough of Manhattan shall be conducted on the west side of the Borough between the north of the middle line of the block between W. 38th and W. 39th streets and the south side of W. 41st street, 11th avenue and North River, inclusive; and the slaughtering of cattle, sheep or calves on the east side of the Borough shall be between the north of the middle line of the block between East 42d and East 43d streets and the south side of East 47th street, First avenue and East River, inclusive.

Sec. 84. No cattle, sheep, swine, pigs or calves shall be driven in the streets or avenues of the Borough of Manhattan. Cattle, sheep, swine, pigs or calves must be driven only in such streets and avenues as shall be set apart and designated by the Board of Health in the Boroughs of Brooklyn, The Bronx, Queens and Richmond.

Sec. 85. No building shall be erected or converted into, or used as a slaughter-house in the City of New York until the plans thereof have been duly submitted to the Board of Health and approved in writing by said Board; and no building occupied as a slaughter-house or any part thereof, or any building on the same lot, shall be occupied at any time as a dwelling or lodging place; and every such building shall at all times be kept adequately and thoroughly ventilated.

All floors where any meat, refuse, offal, fertilizer or any other materials, derived directly or indirectly from slaughtering of animals, are treated or handled must be made water tight, properly drained and sewer-connected, and the walls of the killing, meat dressing and cooling



rooms must be covered to the height of six feet above the floor with some non-absorbent material.

The yards, other than where cattle are kept, must be cemented or paved so as not to absorb liquid filth, and be so graded as to permit the same to flow into the sewer opening.

All woodwork, except floors and counters, must be painted or whitewashed.

Blood from slaughtered animals must not be allowed to flow into the sewer or river, but while still fresh must be treated so as not to become offensive. All offensive odors arising from the handling of meat and treating of and caring for offal, blood or any other material stored or manufactured, must be cared for by destruction or condensation, and not allowed to escape into the outside air.

Sec. 86. No horses shall be slaughtered in the City of New York without a permit from the Board of Health.

The bringing into the City of New York and the keeping or selling of horse flesh for food, and the slaughtering of horses for food in said city are prohibited.

Sec. 87. No offal or butcher's refuse shall be conveyed through any street or avenue or over any ferry in the City of New York without a permit from the Board of Health and when so conveyed must be in tight boxes, barrels or receptacles, and tightly covered so that no odor shall escape therefrom.

No offal or butcher's refuse shall be brought into the City of New York.

#### Offensive Trades.

Sec. 88. No person shall permit or have any offensive water or other liquid or substance on his prem-



ises 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, established or maintained in the City of New York, without a permit from the Board of Health. 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.

Sec. 89. No person or corporation being a manufacturer of gas, or engaged about the manufacture thereof, shall throw or deposit or allow to run, or shall permit to be thrown or deposited in any public waters, river or stream, or in any sewer therewith connected, or in any street, or public place, any gas, tar, or any refuse matter of or from any gas-house works, manufactory, mains or service pipes; or permit the escape of any offensive odors from their works, mains or pipes; nor shall any such person or corporation permit to escape from any of their works, mains, or pipes, any gas dangerous or prejudicial to life or health, or manufacture illuminating gas of such ingredients and quality that in the process of burning it any substance which may escape therefrom shall be dangerous or prejudicial to life or health; or fail to use the most approved or all reasonable means for preventing the escape of odors.

No buildings shall be erected or converted into, or used as a place for the manufacture of illuminating gas, until the plans of such buildings and the location thereof have been duly approved in writing by the Board of Health.



Sec. 90. It shall not be lawful for any person or persons, incorporated or unincorporated, to carry on, establish, prosecute, or continue, within the Borough of Manhattan, the occupation, or trade, or business of bone boiling, bone burning, bone grinding, horse skinning, cow skinning, or skinning of dead animals, or the boiling of offal; and any such establishment or establishments, or place of such business existing within said borough, shall be forthwith removed out of said borough, and such trade, occupation, or business shall be forthwith abated and discontinued, providing that nothing in this section contained shall apply to the slaughtering or dressing of animals for sale in said city.

Sec. 91. The business of bone crushing, bone boiling, bone grinding, bone or shell burning, lime making, horse skinning, cow skinning, glue making from any part of dead animals, gut cleaning, hide curing, fat rendering, boiling of fish, swill or offal, heating, drying, storing of blood, scrap, fat, grease or offensive animal or vegetable matter, or manufacturing materials for manure or fertilizer, shall not be carried on or continued within the Boroughs of Brooklyn, The Bronx, Queens or Richmond without a permit from the Board of Health.

Nor shall any buildings be erected or converted or used for the carrying on of any business above mentioned until the plans thereof have been duly submitted to the Board of Health and approved in writing by said Board.

Sec. 92. No occupation or business that is dangerous or detrimental to life or health shall be established or carried on in the City of New York.



Sec. 93. All persons engaged in the business of boiling or rendering fat, lard, or animal matter, shall cause the scrap or residuum to be dried or otherwise prepared so as to effectually 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.

Sec. 94. No person shall hereafter erect or establish in said city 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 lampblack, turpentine, or tar, or for the treating and refining of ores, metals or alloys of metals, with acids or heat, or for conducting any other business that will or does generate any offensive or deleterious gas, vapor, deposit or exhalation without a permit from the Board of Health.

Sec. 95. No fat, tallow or lard shall be melted or rendered, except when fresh from the slaughtered animal, and taken directly from the places of slaughter in the City of New York, and in a condition free from sourness and taint and all other causes of offense at the time of rendering, and all melting and rendering must be in steam-tight vessels, and the gases and odors therefrom must be destroyed by combustion or other means equally effective, and according to the best and most improved means and processes; and everything 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 into the City of New York to be rendered or melted, and none shall be rendered or



melted that has come from any place outside of said city.

Sec. 96. The owners, lessees, tenants, occupants and managers of every blacksmith or other shop, forge, coal-yard, foundry, manufactory, and premises where any business is done, or in or upon which an engine, or boilers, or locomotives are used, 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 owner, lessee, tenant, occupant, manager, engineer, fireman, or any other person, cause, suffer or allow any cinders, dust, gas, steam or offensive odor to escape or be discharged from any such building, place or premises, to the detriment or annoyance of any person not being therein or thereupon engaged.

Nor shall any such owner, lessee, tenant, occupant, superintendent, manager, engineer, fireman, or any other person, cause, suffer or allow smoke to escape or be discharged from any such building, place or premises or from any engine or locomotive used therein or thereon.

Sec. 97. Every owner, lessee, tenant, and occupant of any stall, stable, or apartment in the built-up portions of the City of New York, in which any horse, cattle, or other animal shall be kept, or of any place in which manure, stable refuse, or any liquid discharge of such animals shall collect or accumulate shall cause such manure, stable refuse, or liquid to be promptly and properly removed therefrom, and shall at all times keep or cause to be kept such stalls, stables or apartments, and the drains, yards, and appurtenances thereof, in a



clean and sanitary condition, so that no offensive odors shall be allowed to escape therefrom. Every such stable, and the yards and appurtenances thereof, shall be connected with the sewer in the street in front thereof. It shall be the duty of every such owner, lessee, tenant or occupant to cause all manure and stable refuse to be removed daily from such stable or stable premises, unless the same are pressed in bales, barrels or boxes, as hereinafter provided. It shall not be lawful to remove manure and stable refuse in carts or wagons, or to cart the same within the city without a permit from the Board of Health, and such carts and wagons shall be of a construction approved by said Board, and every such cart or wagon must have a permit from the Board, and be used in accordance with the terms of such permit and not otherwise. Manure carts and wagons shall be loaded within the stable premises and not upon the street or sidewalk, and the manure and stable refuse shall be removed from such premises in a manner not in any way offensive or so as to cause any nuisance. All manure and stable refuse when transported through the streets must be covered and secured so that no part of the same will fall upon the street, and so as to prevent the escape of offensive odors, and the same shall not be unloaded or deposited within the city limits, except upon the conditions of a permit from the Board of Health, and at such docks and places as shall be approved by the Board, and to which a permit in writing for such use shall have previously been granted by said Board. No manure or stable refuse shall be thrown upon or allowed to fall or remain upon any street or sidewalk or upon any ground near any stable. No manure vault shall be built or used on any premises within the built-up portions of the City of New York.



Every owner, lessee, tenant and occupant of any stall, stable or apartment, in the built-up portions of the City of New York, in which any horse, cattle or other animals shall be kept, and from which the manure and stable refuse are not removed daily as hereinbefore provided, shall cause the same to be pressed in bales, barrels or boxes, at least once in each day, and so pressed as to reduce the same to not more than one-third of the original bulk. Manure and stable refuse pressed in bales, barrels or boxes, shall be removed to such docks or places as shall be approved by the Board of Health, and to which a permit for such use shall have previously been granted by said Board, and such bales, barrels and boxes shall not be opened until delivered at such docks or places.

### Offensive Materials.

Sec. 98. No person shall fill in any land under or above water within the limits of the City of New York, or any of the islands situated within such limits, with garbage, dead animals, decaying matter or any offensive and unwholesome material, or with dirt, ashes, or other refuse, when mixed with such garbage, dead animals or portions thereof, decaying matter, or offensive and unwholesome material.

No street sweepings shall be deposited or used to fill up or raise the surface or level of any lot, grounds, dock, wharf, or pier in or adjacent to the built-up portions of the City of New York without a permit from the Board of Health.

Sec. 99. 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 dele-



terious exhalation, shall (adjacent to or within the built-up portion of said city) 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 a permit first obtained therefor from the Board of Health.

Sec. 100. No part of the contents of or substances from any sink, privy, or cesspool, nor any manure, or other offensive substance, shall be by any person deposited or allowed to run or drop into or remain in any street or public place; nor shall the same be thrown or allowed to fall or run into any river or other body of water, save through the proper underground sewers.

Sec. 101. No person shall gather, collect, accumulate, store, expose, carry, or transport in any manner through the streets and public places of this city, or in or to any cellar, or house in said city, any bones, refuse, or offensive material without a permit from the Board of Health.

Sec. 102. No swill, brine, urine of animals, or other offensive animal matter, nor any stinking, noxious liquid, or other filthy matter of any kind, shall by any person be allowed to run or fall into or upon any street or public place, or be taken or put therein.

Sec. 103. No blood, 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 into any street, place, sewer or receiving basin, or into any river or standing or running water or excava-



tion or into any ground or premises in the built-up portions of the city.

Sec. 104. No person shall draw off, or allow to run off into 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 permit said contents to become offensive; nor shall any vault, privy, cistern, cesspool or sink be filled or covered with dirt until it has been emptied of its filthy contents.

Sec. 105. No person shall throw into 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.

Sec. 106. Every tub or other receptacle in any 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 Code relative to emptying cesspools, and to throwing any substance therein, shall apply to said tubs and receptacles as if here repeated and applied thereto.



And no person shall throw, drop or allow to fall into the North or East river, or into 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.

Sec. 107. Neither the contents of any such tub, or of any receptacle, cesspool, privy, vault, sink, water-closet or cistern, nor anything 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 life or health.

Sec. 108. It shall be the duty of every owner, tenant, lessee, and occupant of any and every building, or place of business in the generally built-up portions of the City of New York, forthwith to provide or cause to be provided, and at all times thereafter to keep and cause to be kept and provided, within such building or place of business, and for the exclusive use of such building or place of business, separate receptacles for receiving and holding, without leakage, all the ashes, garbage, and liquid substances that may accumulate during thirty-six hours, from said building or place of business, or the portion thereof of which such person may be the owner, tenant, lessee, or occupant; and every such receptacle designed and used to hold ashes shall be made of or lined with some suitable metal.

All such materials and substances shall be separated and put into their respective receptacles, and such receptacles shall not be filled to within four inches of the top thereof.

Such receptacles, as well as any light refuse or rubbish to be removed, shall be kept within the premises



until the proper time for removal and shall then be placed in the area, or within the stoop-line only and shall there remain until such materials or substances are removed by the Department of Street Cleaning, but in no case shall such receptacles be placed where they shall be or become a nuisance.

All light refuse or rubbish, likely to be scattered or blown about, shall, before being placed outside of any building or premises for removal, be properly bundled, packed or otherwise secured.

Sec. 109. No person, not for that purpose authorized, shall interfere with such receptacles or with the contents thereof, nor shall such person in any way handle or disturb such contents.

Sec. 110. All occupants so preferring may deliver their ashes, garbage and rubbish directly to the proper carts, to be taken away at any hour of the day when said carts may be present; and said carts may take such articles from receptacles delivered at any such hour; provided that such garbage or rubbish be not highly filthy or offensive; and in the latter case, the same shall not be so delivered or received during the period from seven o'clock a. m. of any day till ten o'clock of the evening of the same day.

Sec. 111. No pile or deposit of manure, offal, dirt or garbage, or any accumulation of any offensive or nauseous substance, shall be made within the built-up portions of the City of New York, or upon the piers, docks or bulkheads adjacent thereto, or upon any vessel or scow lying at such pier, wharf or bulkhead; nor shall such deposit or accumulations be made anywhere in this



city within three hundred feet of any church or place of worship, or inhabited dwelling, without a permit from the Board of Health; and no person shall contribute to the making of any such accumulations; nor shall cars or floats 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 300 feet of any inhabited dwelling, nor elsewhere in said city without a permit from the Board of Health; and no manure, garbage or other material that is liable to emit an offensive exhalation, shall, in or adjacent to the built-up portions of the City of New York, be turned or stirred, except about its removal, in such a way as to increase such exhalations by reason thereof; nor shall any straw, hay or other substance which has been used as bedding for animals, be placed or dried upon any street, or sidewalk, or roof of any building; nor shall any straw, hay or other substance, or the contents of any mattress or bed, be deposited or burnt, without a permit from the Board of Health.

Sec. 112. 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.

Sec. 113. 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, pier, or bulkhead set apart for the use of any contractor or person engaged in removing any offal, garbage, rubbish, dirt, dead animal, night-soil, or other like substances, or with the proper performance of such contracts.

Sec. 114. It shall be the duty of every 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 any such substance, to do the same with dispatch, and in every particular in a manner as cleanly and little offensive, and with as little danger and prejudice to life and health as possible, and no matter or material shall lie 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 daytime, under any circumstances.

Sec. 115. No ship, boat, or other vessel, shall be taken or allowed by any person to come into or lay to, or at, or within any dock, pier, bulkhead, or slip, or be placed therein for the purpose of the shipment or removal of any offal, garbage, rubbish, blood or offensive animal or vegetable matter, 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 Board of Health.

Sec. 116. It shall be the duty of every owner, lessee, and tenant of any vacant, sunken, or excavated lot in the City of New York to keep the same at all times clean and inoffensive, and free from the accumulation of wa-



ter thereon, and to maintain around the same a proper fence, so as to effectually prevent the throwing or depositing therein or thereupon any garbage or offensive thing whatsoever, and so as to prevent persons passing from falling into such excavation.

Sec. 117. No person shall deposit upon any street or public place within the generally built-up portion of the City of New York, or upon any paved street, any dirt or brick, or other material, or dirt taken from any ground therein, in such manner as to occupy more than one hundred square feet of surface of any street or place (and the same shall be compact and at one side); nor shall any person allow the same to remain in said street or public place more than twelve hours, without a permit from the Board of Health, or unless such occupancy shall be otherwise duly authorized by paramount authority. Nor shall any such substance be so deposited or allowed to remain by any person, as to obstruct the free flowage along any gutter.

Sec. 118. 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, agitated or exposed, nor shall any mat, carpet or cloth be shaken or beaten, nor shall any cloth, yarn, garment, material, or substance be scoured, cleaned, or hung, nor shall any rags, damaged merchandise, barrels, boxes, or broken bales of merchandise or goods, be placed, kept, or exposed in any place where they or particles therefrom will pass into any street or public place, or into any occupied premises. Neither shall any usual nor any reasonable precautions be omitted by any person to prevent fragments or other substances from falling, to the



peril of life, or dust or light material flying into any street, place, or building, from any building or erection, while the same is being altered, repaired or demolished, or otherwise.

### Removal of Filth.

Sec. 119. No person shall engage in the business of transporting manure, swill, garbage, offal, or any offensive or noxious substance, or drive any cart for such purpose, in the City of New York, without a permit from the Board of Health.

Sec. 120. No cart or other vehicle for carrying any manure, swill, garbage, offal, or rubbish, or other nauseous or offensive substance, or the contents of any privy, vault, cesspool, or sink, shall, without necessity therefor, be allowed to stand or remain before or near any building, place of business, or other premises where any person may be; nor shall any such cart or vehicle be allowed to occupy an unreasonable length of time in loading or unloading, or in passing along any street or through any inhabited place or grounds. Such carts, vehicles, and all implements used in connection therewith must be kept in an inoffensive and sanitary condition, and, when not in use, shall be stored and kept in some place where no needless offense shall be given to any of the people of said city.

Sec. 121. All carts and vehicles for carrying any nauseous or offensive substances, boxes, tubs and receptacles in which any nauseous or offensive substance may be, or may be carried, shall be strong and tight, and the sides shall be so high above the load or contents, that no part of such contents or load shall fall, leak, or spill therefrom; and either the vehicle or vessel carried by it



shall be so covered as to be inoffensive; and all such material shall be loaded and removed in a sanitary manner, and according to the regulations of the Department of Health, and it shall be the duty of every person removing any offensive material to at once replace in said vehicle or vessel any material that may have fallen therefrom upon or in any place, street or premises.

Sec. 122. All putrid or offensive matter, and all night-soil, and the contents of sinks, privies, vaults and cess-pools, and all noxious substances, shall, before their removal or exposure, be disinfected and rendered inoffensive by the owner, lessee, or occupant of the premises where the same may be, or by the person or contractor who removes or is about to remove the same; and no part of the contents of any vault, privy, sink or cess-pool shall be removed without a permit from the Board of Health.

Sec. 123. No boat, scow or other receptacle used in transporting garbage to Barren Island or the place of disposal shall be permitted to remain moored or be at any dock, wharf or place within the limits of the City of New York for a longer period than twenty-four hours from the time garbage is first delivered or placed thereon. Garbage shall be received on such boat, scow or other receptacle, and transported, in a manner approved by the Board of Health.

#### **Diseased, Injured and Dead Animals.**

Sec. 124. No diseased cattle, swine, sheep, horses, dogs or cats, which are suffering from or have been exposed to any disease which is contagious among such animals, shall be brought into or kept in the City of



New York. All persons, corporations, or companies bringing milch cows into the City of New York shall furnish a certificate signed by a veterinarian who is a graduate of a recognized veterinary college, with the date of graduation and the name of the college from which the degree was received, to the effect that said cows are free from tuberculosis as far as may be determined by physical examination and the tuberculin test. Said certificate shall give a number which has been permanently attached to each cow, and a description sufficiently accurate for identification, stating the date (which must be not more than sixty days prior to the time they are brought into the city), the place of examination, the temperature of the cow or cows at intervals of three hours, for twelve hours before the subcutaneous injection of the tuberculin, the preparation of tuberculin used, the location of the injection, the quantity injected, the temperature at the tenth hour after the injection of the tuberculin and every three hours after the aforesaid tenth hour for twelve hours, or until the reaction is completed. No cow with a certificate which states that said cow gave a reaction of two degrees F. after the injection with 0.5 c. c. of the tuberculin prepared by the Department of Health of the City of New York (or its equivalent), diluted with ten times its volume of a 0.5 per cent. watery solution of carbolic acid, shall be brought into the City of New York.

Sec. 125. No person shall keep, or retain, or allow or cause to be kept or retained, at any place within the City of New York, any animal having the disease known as glanders, or farcy or any other contagious disease, but shall forthwith report the fact to the Department of Health of said city and under the direction of the Sani-



tary Superintendent or Assistant Sanitary Superintendent shall destroy or cause to be destroyed, remove or cause to be removed and dispose of such animal or animals in a manner designated by the Sanitary Superintendent or Assistant Sanitary Superintendent, and every person who destroys any such animal shall forthwith notify the Department of Health of such destruction, the place of destruction and the disposition of the body of such animal.

Sec. 126. All dead horses, before they are placed in the street, must have a tag attached giving the name and address of the owner and the stable from which the horse was removed.

Sec. 127. Every veterinary surgeon who is called to examine or professionally attend any animal within the City of New York having the glanders or farcy or any contagious disease shall report forthwith in writing to the Board of Health of said city the following facts, viz.: 1st, a statement of the location of such diseased animal; 2d, the name and address of the owner thereof; 3d, the type and character of the disease.

Sec. 128. No person shall leave in or throw into 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.

Sec. 129. Any animal, being in any street or public place, within or adjacent to the built-up portion of New



York City, and appearing in the estimation of any officer or inspector of this Department (and of two discreet citizens, called by such officer or inspector to view the same in his presence) injured or diseased past recovery, for any useful purpose, and not being attended and properly cared for by the owner or some proper person having charge thereof for such 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 person, be treated as any other animal found on a street or place.

Sec. 130. Any person having a dead animal or an animal past recovery, and not killed for and proper for use as food, or in any 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 notify the Department of Health, and under the direction of the Sanitary Superintendent or an Assistant Sanitary Superintendent or an officer of the Police Department, remove or cause the removal of such animal, dead or alive, to such place as may be designated by such official.

Sec. 131. No person other than the inspectors or officers of this Department or the Police Department, or persons thereto authorized, 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 this Department.

Sec. 132. Every animal which shows symptoms of rabies and every animal that has been exposed to such disease shall, by the person owning the same or having possession thereof, be at once confined in some secure place for such length of time as to determine whether such disease exists or to show that such exposure has not given such animal said disease, and so as to avoid all danger to life or health. And such person shall also forthwith notify the Department of Health thereof and of the place where such animal is confined. Every animal which is mad or has rabies shall at once be killed by the owner or person having possession thereof, or by the Department of Health, and the body of any animal that has died of such disease, or being suspected of such disease has been killed, shall be at once surrendered to the Department of Health to be by it disposed of.

Should a dog bite any person it shall be the duty of the owner, or person having the same in his possession or under his control, to at once notify said Department thereof, and surrender said dog to said Department for inspection and observation; and such dog shall be returned to the person from whom the same shall have been received if found not rabid, and if found to be rabid, it shall be destroyed by said Department.

When the police or other person or authorities destroy a dog for any of the causes herein mentioned, it shall



be his or their duty to immediately notify the said Department thereof and of the location of its body, so that the same may be obtained by the said Department; and it shall be unlawful to remove any such dog or the body of any such animal heretofore mentioned except as herein provided.

### Infectious Diseases.

Sec. 133. It shall be the duty of every physician to report to the Department of Health, in writing, the full name, age and address of every person suffering from any one of the infectious diseases included in the list appended, with the name of the disease, within twenty-four hours of the time when the case is first seen:

A.—*Contagious* (very readily communicable): Measles, rubella (rotheln), scarlet fever, small-pox, varicella (chicken-pox), typhus fever, relapsing fever.

B.—*Communicable*: Diphtheria (croup), typhoid fever, Asiatic cholera, tuberculosis (of any organ), plague, tetanus, anthrax, glanders, epidemic cerebro-spinal meningitis, leprosy, infectious diseases of the eye (trachoma, suppurative conjunctivitis), puerperal septicæmia, erysipelas, whooping cough.

C.—*Indirectly Communicable* (through intermediary host): Yellow fever, malarial fever.

NOTE.—In this provisional classification of the infectious diseases, arranged for practical purposes, the most readily communicable of these diseases, embracing the exanthemata and typhus fever, have been placed in a group by



themselves and called contagious. This has been done with a view to emphasizing a distinction, which is not only of scientific significance, but of practical importance, in dealing with the sanitary features of administration. This distinction is furthermore of importance because it avoids the misunderstanding and alarm frequently caused by including in the same class the very readily communicable diseases (such as small-pox), and the much less communicable diseases (such as tuberculosis), which require very different sanitary measures for their control.

Sec. 134. It shall be the duty of the Commissioners or managers or the principal, superintendent, or physician, of each and every public institution or dispensary, in this city, to report to the Department of Health, in writing, the full name, age and address of any person suffering from any one of the infectious diseases included in the list appended, with the name of the disease, within twenty-four hours of the time when the case is first seen:

A.—*Communicable*: Influenza, lobar pneumonia, broncho-pneumonia, infectious diseases of the gastro-intestinal canal (dysentery, cholera morbus, cholera infantum, summer diarrhoeas of infants).

B.—*Parasitic Diseases of the Skin*: Scabies, tinea tonsurans, impetigo (contagious), favus.

Note.—In this list of diseases reporting is required by the Department of Health in order that data may be obtained for general and special investigation of the modes and sources of infection and as to the prevalence and distribution of these diseases. The Department of Health does not purpose to exercise a sanitary surveillance in these cases, but desires information with a view to the ultimate removal or improvement in the conditions which now foster them. Notification is required in certain of these diseases because of the liability to their extension among the children in schools.



Sec. 135. It shall be the duty of every physician to report forthwith, in writing, to the Department of Health, the death of every person who dies from, or while suffering with, any infectious disease, and to state in such report the specific name and type of such disease.

Sec. 136. It shall be the duty of every keeper of any boarding house or lodging house, and the proprietor of every lodging house or hotel, to report forthwith to the Department of Health all the known facts in regard to any person ill, in any house or hotel under his or her charge, and suffering from any one of the following infectious diseases: measles, diphtheria (croup), scarlet fever, small-pox, chicken-pox, epidemic cholera, typhus fever, rubella (rötheln), plague and whooping cough.

Sec. 137. It shall be the duty of every person having knowledge of the existence of any person afflicted with any one of the following infectious diseases: measles, diphtheria (croup), scarlet fever, small-pox, chicken-pox, epidemic cholera, typhus fever, rubella (rötheln), plague and whooping cough, who he has reason to think requires the attention of the Department of Health, to at once report to the Department all facts in regard to the disease; and no person shall interfere with or obstruct the entrance, inspection or examination of any building or house, or the occupants thereof, by the inspectors and officers of this Department, when any case of one of the infectious diseases above specified has been reported as existing in such house or dwelling; nor shall any per-



son interfere with or obstruct, mutilate or tear down any notices of this Department posted in or on any premises in the City of New York.

Sec. 138. It shall be the duty of the commissioners or managers, or the principal, superintendent or physician of each and every public or private institution or dispensary in this city to report to the Department of Health, in writing, or to cause such report to be made by some proper and competent person, the name, age, sex, occupation and latest address of every person afflicted with tuberculosis, who is in their care or who has come under their observation, within one week of such time. It shall be the duty of every person sick with this disease and of every person in attendance upon any one sick with this disease, and of the authorities of public and private institutions or dispensaries, to observe and enforce all the sanitary rules and regulations of the Board of Health for preventing the spread of pulmonary tuberculosis.

Sec. 139. Whenever an Inspector of this Department shall report in writing that any person is sick of any infectious disease, under such circumstances that the continuance of such sick person in the place where he or she may be is dangerous to the lives of other persons residing in the neighborhood, the Sanitary Superintendent, an Assistant Sanitary Superintendent, or the Chief Inspector of the Division of Contagious Diseases, upon the report of a Medical Inspector of the Department, may cause the removal of such sick person to one of the hospitals under the charge of this Department or to a Hospital delegated by the Board of Health.



Sec. 140. In every public hospital and dispensary in the City of New York there shall be provided and maintained a suitable room or rooms for the temporary isolation of persons suffering from any of the following infectious diseases: measles, diphtheria (croup), scarlet fever, small-pox, chicken-pox, epidemic cholera, typhus fever, rubella (rötheln), plague and whooping cough; and such persons shall immediately be separated from other persons at such dispensary or hospital. It shall be the duty of the physician or physicians, and of the officers and managers of every hospital or dispensary, to cause a report to be immediately made to the Department of Health of the City of New York of every person afflicted with any one of the infectious diseases herein specified who comes to their knowledge, and to have such persons properly isolated from other persons.

Sec. 141. It shall be the duty of every undertaker having notice of the death of any person within the City of New York of small-pox, diphtheria (croup), scarlet fever, yellow fever, typhus fever, plague, Asiatic cholera, measles, or any other infectious disease dangerous to the general health of the community, or of the bringing of the dead body of any person who has died of any such disease into such city, to give immediate notice thereof to this Department. No person shall retain or expose, or assist in the retention or exposure of the dead body of any such person except in a coffin or casket properly sealed; nor shall he allow any such body to be placed in any coffin or casket unless the body has been wrapped in a sheet saturated with a proper disinfecting solution and the coffin or casket shall then be immediately and permanently sealed. No undertaker shall assist in the public or church funeral of any such person. No under-



taker shall use, or cause or allow to be used, at any funeral, or in any room where the dead body of any person shall be, any draperies, decorations, rugs or carpets, belonging to or furnished by him or under his direction.

Sec. 142. A public or church funeral shall not be held of any person who has died of small-pox, diphtheria (croup), scarlet fever, yellow fever, typhus fever, Asiatic cholera, measles or plague; but the funeral of such person shall be private, and it shall not be lawful to invite, or permit at the funeral of any person who has died of any one of the above diseases, or of any infectious disease, or at any services connected therewith, any person whose attendance is not necessary, or to whom there is danger of contagion thereby.

Sec. 143. No person shall within this city, without a permit from the Board of Health, carry, remove, or cause or permit to be carried or removed, any person sick with any infectious disease, or remove or cause to be removed, any such person from any building or vessel to any other building or vessel or to the shore, or to or from any vehicle in any part of the city. Nor shall any person, by any exposure of any individual sick of any infectious 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.

Sec. 144. Every owner, lessee, tenant and occupant of any dwelling or apartment in the City of New York shall forthwith report to the Department of Health in writing the removal of any person from such dwelling



or apartment who shall be suffering from any of the following infectious diseases: measles, diphtheria (croup), scarlet fever, small-pox, chicken-pox, epidemic cholera, typhus fever, rubella (rötheln), plague, whooping cough or tuberculosis (of any organ).

Sec. 145. No principal or superintendent of any school, and no parent, master or custodian of any child or minor (having the power and authority to prevent) shall permit any child or minor having scarlet fever, diphtheria, (croup), small-pox or any dangerous, infectious or contagious disease, or any child in any family in which any such disease exists or has recently existed, to attend any public or private school until the Board of Health shall have given its permission therefor, nor in any manner to be unnecessarily exposed, or to needlessly expose any other person to the taking or to the infection of any contagious disease.

### Disinfection.

Sec. 146. Adequate disinfection or cleansing and renovation of premises, furniture and belongings, deemed by the Department of Health to be infected by contagious or communicable diseases, shall immediately follow the recovery, death or removal of the person suffering from such disease, and such disinfection or cleansing and renovation shall be performed by the owner or occupant of said premises when ordered by the Board of Health.

### Vaccination, Antitoxin.

Sec. 147. 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.

Sec. 148. That no preparation of diphtheria antitoxin shall be offered or exposed for sale in this city unless the receptacle containing such preparation bear a label on which is placed the name and the address of the producer, and upon such label, or upon a circular accompanying such receptacle and inclosed with it in a sealed package, shall be printed or written the date of production and the value of the contents in antitoxin, as measured by some generally recognized standard.

### Vessels and Seamen.

Sec. 149. The master, chief officer, and consignee, of every vessel not being in quarantine, or within quarantine limits, but being within one-fourth of a mile of any dock, wharf, pier, or building of said city, shall daily report to the Department 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 infectious disease.

Sec. 150. The keepers, lessees, tenants, and owners of every boarding house and lodging house shall forthwith notify the Department of Health 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.

Sec. 151. Every master and chief officer of any vessel, and every physician of, or who practiced on, any vessel which shall arrive in the port of New York from any other port, shall at once report to this Department any facts connected with any person or thing on said vessel, or that came thereon, which he has reason to think may endanger the public health of this city; and he shall report the facts as to any person being or having been sick thereon, of an infectious disease, and as to there being or having been, during the voyage or since her arrival, any infected person or articles thereon.

Sec. 152. No master, charterer, owner, part owner or consignee of any vessel, or any other person, shall bring to any dock, pier, 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 built-up portions of said city, any skins, hides, rags, or similar articles or materials having been brought from any foreign country or any infected place, or from any points south of Norfolk, Virginia, without or otherwise than according to a permit from the Board of Health, and no person shall sell, exchange, remove, or in any way expose any straw, bedding or other articles used by immigrants upon any vessel bringing immigrants to this port, until it has been adequately and properly cleansed or disinfected; and all straw, bedding or other articles that have been exposed on any vessel to contagion or infection of any contagious disease, or have been or are liable to communicate such disease, shall be destroyed by fire on said vessel.



Sec. 153. No owner, agent, or consignee of any vessel, or cargo, and no officer of any vessel (in respect of either of which vessel or cargo a permit, according to any law, ordinance, or regulation shall or should have been obtained to pass quarantine, or to come up to the water-front of the City of New York) shall unload, or land, or cause to be unladen or landed, such cargo, or any part thereof, in said city, without having first received a permit from the Board of Health so to do.

Sec. 154. No captain, officer, consignee, owner or other person in charge of any vessel (or 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 Health Officer of the port of New York, and into quarantine grounds and buildings only) any person sick of, or person that has been exposed to, and is liable very soon to develop any infectious disease, or so remove or aid in removing any articles that may have been exposed to the contagion of any such disease, except in accordance with a permit from the Board of Health.

Sec. 155. No master, charterer, consignee, or other person shall order, bring or allow (having power and authority to prevent the same) any vessel or person, or article therefrom, from any infected port, or any vessel, or person or article therefrom, liable to quarantine, according to the ninth section of the three hundred and fifty-eighth chapter of the Laws of 1863 (or under any other laws, and whether such quarantine has been made or suffered or not), to come or be brought to any point nearer than three hundred yards from any dock or pier, or to any building in said city without or otherwise than



according to a permit from the Board of Health. Nor shall any vessel, or person or thing therein or therefrom, having been in quarantine, come or be brought within the last-named distance of any last-named place, without the permit or assent of this Board.

Sec. 156. No person shall bring into this city from any infected place, or land, or take therein, from any vessel lately from an infected port, or from any vessel or building in which had lately been any person sick of an infectious disease, any article or person whatsoever, nor shall any such person land or come into said city, without a permit from the Board 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 this Board.

Sec. 157. No owner, part owner, charterer, agent, or consignee of any vessel, or any officer or person having charge or control of the same, shall allow to be cast therefrom, and no person shall cast therefrom, into any public waters of the City of New York, any straw, bedding, clothing, or other substance.

### Marriages, Births and Deaths.

Sec. 158. It shall be the duty of the clergymen, magistrates and other persons who perform the marriage ceremony in the City of New York, to keep a registry of the marriages celebrated by them, which shall contain, as near as the same can be ascertained, the place and date of marriage, age, color, name and surname of the parties married, birthplace, residence, number of mar-



riage and condition of each, whether single, widowed, or divorced, the occupation of the groom, maiden name of the bride if a widow, the names of the parents of each and the maiden name of the mother of each. And every person authorized by law to perform the ceremony of marriage shall register his or her name and address in the office of the Bureau of Records.

Sec. 159. It shall be the duty of the parents of any child born in said city (and if there be no parent alive that has made such report, then of the next of kin of said child born), and of every person present at such birth, within ten days after such birth, to report to the Department of Health, in writing, as far as known, the date, borough and street number of said birth, and the name, sex and color of such child born, and the names, residence, birthplace and age of the parents, the occupation of the father and the maiden name of the mother. It shall also be the duty of physicians and professional midwives to keep a registry of the several births in which they have assisted professionally, which shall contain, as near as the same can be ascertained, the time and place of such birth, name, sex and color of the child, the name, residence, birthplace, and age of the parents, the occupation of the father and the maiden name of the mother, and to report the same within ten days to the Department of Health.

Sec. 160. It shall be the duty of the next of kin of any person deceased, and of each person being with such deceased person at his or her death, to report, in writing, to the Department of Health, within five days after such death, the age, color, nativity, last



occupation and cause of death of such deceased person and the place of such person's death and last residence. Physicians who have attended deceased persons in their last illness shall make and preserve a registry of such death, stating the cause thereof and specifying the date, hour, place and street number of such death, and shall, in the report of the death of such persons, specify, as near as the same can be ascertained, the date of death, sex, name and surname, age, occupation, term of residence in said city, place of nativity, condition of life, whether single, married, widowed or divorced, color, last place of residence, the names and birthplaces of the parents, the maiden name of the mother, and the cause of death of such deceased persons and the coroners of the city, in such cases as an inquest may have been held, shall, in their certificates, conform to the requirements of this section.

Every physician in said city shall register his or her name and address in the office of the Bureau of Records of said Department.

Sec. 161. It shall be the duty of every person required to make or keep a registry of births, marriages or deaths, to present to the Bureau of Records, a copy of such registry signed by such person, within ten days after the birth or marriage, 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 in the said Bureau.

Sec. 162. No person shall make, prepare, deliver or issue any false certificate, statement or report of a birth, marriage or death, or any such certificate, statement or



report, which is not in accordance with the facts of the birth, marriage or death; all certificates, statements and reports of births, marriages or deaths, shall be signed by the person purporting to make the same, and no person shall sign or forge the name of another to any such certificate, statement or report.

### Transportation of Dead Bodies.

Sec. 163. That no captain, agent, or person having charge of or attached to any ferry-boat, sailing, or other vessel, nor any person in charge of any car, stage, or other vehicle, or public or private conveyance, shall convey or allow to be conveyed thereon or by any means aforesaid, nor shall any person convey or allow to be carried or conveyed, in any manner, from, through, into or within the City of New York, the dead body of any human being, or any part thereof, without a permit therefor from the Board of Health. And the proper coupon for that purpose attached to any such permit, when issued, shall be preserved and returned to this Department, as its regulations may require, by the proper officer or person on each boat or vessel, and by the proper person in charge of any train of cars or vehicle on which any such body may be carried from said city. Provided, however, that the same effect shall be given, under this section, to transit permits issued severally by Boards of Health of cities, towns or villages in the State of New York, or by Boards of Health that may be hereafter organized, pursuant to Laws of the State of New York, or when issued by the Health Officer of any such city, town or village, as to a transit permit issued from this Board, when the death of the person named in the permit shall have occurred in the city, town or village, from which such permit shall have been issued.



And provided that the same effect shall be given, under this section, to a transit permit issued under the laws of the State of New Jersey, as to a transit permit issued from this Board; subject, nevertheless, in every case to all the care, precautions and diligence prescribed by the rules and regulations of this Department. And provided, that the same effect be given, under this section, to a transit permit issued under the laws of the State of Connecticut, as to a transit permit from this Board; subject, nevertheless, in every case, to all the care, precautions and diligence prescribed by the rules and regulations of this Department.

Sec. 164. 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.

Sec. 165. No person shall allow to be retained unburied the dead body of any human being for a longer time than four days or where death has resulted from small-pox, diphtheria (croup), scarlet fever, yellow fever, typhus fever, plague, Asiatic cholera or measles, for a longer time than twenty-four hours, after death of such person, without a permit from the Sanitary Superintendent or an Assistant Sanitary Superintendent, which permit shall specify the length of time during which such body may be retained unburied. This ordinance shall not apply to bodies retained in any public morgue in the City of New York.

Sec. 166. 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 Bureau of Records 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.

### Cemeteries.

Sec. 167. No interment of the dead body of any human being, or disposition thereof in any tomb, vault, crematory, or cemetery, shall be made within the City of New York, without a permit therefor granted by the Board of Health, nor otherwise than in accordance therewith, and said dead body shall be placed in a metallic or tin-lined box, or a box so constructed as to prevent the issuance of any liquids therefrom; and no sexton or other person shall assist in, or assent to, or allow any such interment, or aid or assist about preparing any grave or place of deposit for any such body, or assist in the cremation of the same, for which such permit has not been given authorizing the same. And it shall be the duty of every person who shall receive any such permit, to preserve and to return the same to this Department, as its regulations may require.

Sec. 168. No new crematory, burying-ground, cemetery, tomb, or vault for dead human bodies shall be established, nor shall the remains of any dead body be placed in any existing burying-ground, vault, tomb, or cemetery in the City of New York, nor any of said receptacles be opened, exposed, or disturbed, except according to the terms of a permit therefor given by the



Board of Health, and every body buried in any such place shall be buried to the depth of six feet below the surface of the ground, and four feet below any closely adjacent street, except that in the Borough of Queens a body may be buried to the depth of three feet below the surface of the ground.

No food, beverage or other article for human consumption shall be sold, exposed or offered for sale in any cemetery or burying-ground within the City of New York.

Sec. 169. Every person who acts as a sexton or undertaker in the City of New York, or has the charge or care of any crematory, vault, tomb, burying-ground, or cemetery for the reception of the dead, or where the bodies of any human beings are deposited, shall cause his or her name and residence, and the nature of his or her charge and duties, to be registered with this Department.

Sec. 170. Every sexton and other person having charge of any crematory, burying-ground, cemetery, tomb or vault in the City of New York, shall, before twelve o'clock on Monday of each week, make return to this Department of the bodies and persons buried or cremated since their last return, and in such form, and specifying such particulars, as the special regulations of this Department shall require.

### Coroners.

Sec. 171. At least two hours before the holding of any inquest within the City of New York upon a dead body, the coroner who has been notified of any death, or who may propose or intend to hold such inquest, shall transmit and cause to be delivered to the Bureau of



Records written notice containing the following facts so far as known or reported to any such coroner:

1. The fact of any such call for the holding of an inquest, and by whom made, and when and from whom received by the coroner.

2. The place (giving the street and street number, and if there be none, then other particulars) where the body is.

3. What is reported to be the cause of the death.

4. When and where the death took place, and where the body has since been.

5. When and where he proposes to hold the inquest, giving the street, the street number (or otherwise sufficiently designating such place), and the hour.

6. What physician, or physicians, or other professional person last attended such deceased person, or attended such person within forty-eight hours of such decease.

At any time after the commencement of any inquest, the coroner holding or who should hold, or who held such inquest, shall within twelve hours after the receipt of a written request so to do from the Sanitary Superintendent, answer in writing such of the following or such other questions as may be propounded to him by the said Sanitary Superintendent to the best of his knowledge, information, and belief.

Report of Coroner (here insert Coroner's name) upon the body of (here fill in name or description of deceased), on the (here fill in year, month, and day), at (here mention street and number).

1. What was the age, sex, and last occupation, residence, and nativity of such deceased person?



2. At what house or place, and in or near what street or avenue, at what number therein did such deceased person die?

3. If such deceased person died of any poison, when and where was the same administered, and what was the kind of poison?

4. If such deceased person died of violence, when and where was the same committed, and upon what part of the body and organs, and of what did it consist?

5. If such deceased person died of any other cause, state such cause, and when and where the cause took effect upon or was received by the deceased?

6. Who was last in care of or with such deceased person, and at what place and at what time before death, and when, giving the full name and residence of each such person?

7. What were the name and residence of the physician and persons who last attended, and of each physician and person who within forty-eight hours of such death attended upon such deceased person, and where did he so attend; and whether said physician was notified of or attended and was examined at such inquest?

8. The times, places, and dates of holding the inquest, and the names and residences by street number of the jurors and witnesses that attended, and dates of their attendance, and when and where the body of the deceased was present at such inquest?

9. Was any post-mortem examination made, and if so, when, where, and by whom, and who was present thereat?



It shall be the duty of all coroners in said city to make return to the Bureau of Records of all inquisitions by them taken, except when by law such inquests are required to be filed elsewhere, and such return shall include the evidence taken on such inquest, and the verdict of the jury, and the full names and residences of the several jurymen.

And in all cases where the inquest may be required by law to be filed elsewhere such coroner shall make return to said Bureau of a copy of such inquest, including a copy of such evidence and verdict; and all such returns shall be made within forty-eight hours after the holding of any and every inquest.

### Railroad Cars.

Sec. 172. No railroad car constructed for or used in carrying passengers for hire on any line of railroad, either surface or elevated, in the City of New York, except cars run in trains and entering the City of New York from without the limits of said city, shall be used with cloth or cloth cushions on the seats or on the backs of seats, or with textile fabrics on the floor thereof.

Sec. 173. Each and every car used upon any railroad in the City of New York for the carrying of passengers shall, on each and every day on which it may be used, be carefully and thoroughly cleaned, so that all refuse, dirt and filth are removed from the inside of said car.

Sec. 174. No person shall at any time carry or convey in or upon any passenger railroad car, nor shall any conductor or person in charge of any such railroad car



permit or allow to be carried or conveyed in or upon such car, except on the front platform thereof, any soiled or dirty articles of clothing or bedding.

Sec. 175. Every car used for the carrying of passengers in the City of New York shall be constructed so as to provide and secure at all times good, adequate and sufficient ventilation.

Sec 176. Every company, corporation or person operating a line of railroad cars for the carriage of passengers for hire in the City of New York shall, in connection with the running and operation of cars as aforesaid, have and provide closed cars to be run on said railroad; and at all times shall have, provide and operate at least one closed car in every four cars so operated and run for the carriage of passengers as aforesaid.

Sec. 177. No conductor, driver, gripman or motorman of any railroad car or other vehicle running on tracks in the City of New York shall permit, allow or cause the same to be run, pulled, drawn or propelled on or around any curve on the surface of any public street or avenue of said city unless the means and appliances by which said car is operated and controlled are of such character and efficiency that the movement of said car is entirely and at all times under absolute control, so that the car can be stopped at will at any point of said curve, and be held motionless upon it or be moved upon it or around it at any desired rate of speed less than the maximum speed of operation; and no person, corporation, superintendent, or other person who is interested in or who owns or has the management and control of any such



car or vehicle, shall permit it to be so run, pulled, drawn or propelled, or placed in service, unless properly provided with means and appliances as aforesaid. No conductor, driver, gripman or motorman of any railroad car or other vehicle running on tracks in the City of New York, shall permit, allow or cause the same to be run, pulled, drawn or propelled on or around any curve on the surface of any public street or avenue at a rate of speed which is dangerous or detrimental to life; and no person, corporation, superintendent or other person who is interested in or who owns or has the management and control of any such car or vehicle shall permit it to be so run, pulled, drawn or propelled.

### Spitting.

Sec. 178. Spitting upon the sidewalk of any public street, avenue, park, public square or place, in the City of New York, or upon the floor of any hall in any tenement house which is used in common by the tenants thereof, or upon the floor of any hall or office in any hotel or lodging-house which is used in common by the guests thereof, or upon the floor of any theatre, store, factory, or of any building which is used in common by the public, or upon the floor of any ferryboat, railroad car or other public conveyance, or upon the floor of any ferry house, depot or station, or upon the station platform or stairs of any elevated railroad or other common carrier, is hereby forbidden.

The corporations or persons owning or having the management or control of any such building, store, factory, ferryboat, railroad car or other public conveyance, ferry house, depot or station, station platform or stairs of any elevated railroad or other common carrier,



are hereby required to keep permanently posted in each of said places a sufficient number of notices forbidding spitting upon the floors and calling attention to the provisions of this section.

The corporations or persons owning or having the management or control of such buildings, stores, factories, ferryboats, ferry houses, depots, stations, station platforms or stairs of any elevated railroad or other common carrier are hereby required to provide sufficient and proper receptacles for expectoration, and also to provide for the cleansing and disinfection of said receptacles at least once every twenty-four hours; and spitting into the street from the cars, stairs, or platforms of the elevated railroads is hereby forbidden.

It is hereby made the duty of every corporation or person engaged in the manufacture of cigars, cigarettes or tobacco, or conducting the business of printing in the City of New York, where ten or more persons are employed on the premises, to provide proper receptacles for expectoration. Such receptacles are to be in proportion of one for every two persons so employed, and they are to be cleansed and disinfected at least once every twenty-four hours.

A copy of the preceding paragraph must be kept posted in a conspicuous place in every factory or printing office mentioned therein.

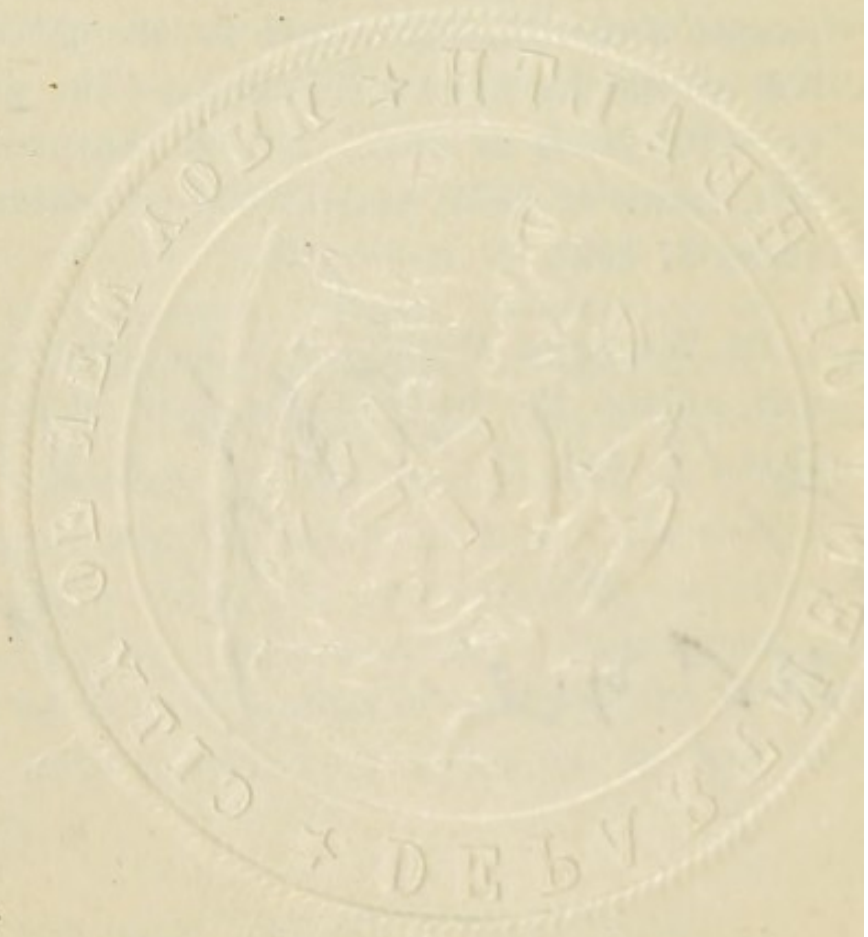
### Barber Shops.

Sec. 179. Every barber shop in the City of New York shall be conducted in accordance with regulations adopted from time to time by the Board of Health. A copy of such regulations must be posted in a conspicuous place in every such barber shop.



**Noise.**

Sec. 180. No person owning, occupying, or having charge of any building or premises, shall keep or allow thereon or therein any animal or bird, which shall by noise disturb the quiet or repose of any person therein or in the vicinity, to the detriment of the life or health of any human being.





I, EUGENE W. SCHEFFER, Secretary of the Board of Health of the Department of Health of the City of New York, do hereby certify that the foregoing printed "Sanitary Code," viz.: from page 1 to 77, inclusive, consisting of 180 sections, is a true transcript from the minutes and from the record of the proceedings of the said Board of Health, and is a true Copy of the Sanitary Code and of the original ordinances thereof, now in force, and of the amendments thereto, and of the whole thereof, and that the same are now in full force and entitled to full credence as such ordinances, and were duly adopted, enacted, published and confirmed by said Board of Health agreeably to the provisions of the law of the State of New York, entitled, "An act to reorganize the local government of the City of New York," passed April 30, 1873, as amended by an act entitled, "An act to amend chapter 335 of the Laws of 1873," passed June 13, 1873, and to the provisions of chapter 636 of the Laws of 1874, and to the provisions of chapter 410, Laws of 1882, and to the provisions of chapter 378, Laws of 1897, and to the provisions of chapter 466, Laws of 1901.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the said Department of Health this 11 day of *Sept*, A. D. 190*3*

*Eugene W. Scheffer*  
SECRETARY.



## CHAPTER 135.

An Act to Simplify the Proof of the Sanitary Code in the City of New York.

Passed April 19, 1880; three-fifths being present.

*The People of the State of New York, represented in Senate and Assembly, do enact as follows:*

Sec. 1. The Sanitary Code adopted and declared as such at a meeting of the Board of Health of the Health Department of the City of New York, held in the city on the second day of June, one thousand eight hundred and seventy-three, is hereby declared to be the Sanitary Code mentioned and described in section eighty-two of an act entitled, "An act to reorganize the local government of the City of New York," passed April thirtieth, eighteen hundred and seventy-three, and in all courts of justice or judicial proceedings proof of the said Sanitary Code, and of the proceedings of such Board of Health, in relation thereto, by the production of the book of minutes of such meeting held as aforesaid, or a transcript of the record of such proceedings duly authenticated by the secretary of the said Board of Health, shall be held and taken as complete and valid evidence of the said Sanitary Code, its due adoption, enactment and publication; and such Sanitary Code shall be deemed in full force and operative in the City of New York, save as duly modified or repealed by the said Board of Health.

Sec. 2. This act shall take effect immediately.



## CHAPTER 378, LAWS OF 1897.

## SANITARY CODE.

Sec. 1172. The sanitary code adopted and declared as such at the meeting of the Board of Health of the Health Department of the City of New York, held in the city as formerly constituted and bounded on the second day of June, eighteen hundred and seventy-three, as amended in accordance with law, is hereby declared to be binding and in force in the city constituted by this act, and shall continue to be so binding and in force, except as the same may, from time to time, be revised, altered, amended and annulled by the Board of Health as herein provided. And it shall be the duty of said board, immediately upon organization under this act, to cause to be conformed to this title the sanitary code of ordinances, adopted by the existing Department of Health, and the Departments and Boards of Health existing in the several parts of The City of New York before the passage of this act, which shall be called the "sanitary code." Said Board of Health is hereby authorized and empowered from time to time to add to or to alter, amend or annul any part of the said sanitary code, and may therein publish additional provisions for the security of life and health in the City of New York, and distribute appropriate powers and duties to the members and employes of the Department of Health, not inconsistent with the constitution or laws of this State. The Board of Health may embrace therein all matters and subjects to which, and so far as, the power and authority of said Department of Health extends, not limiting their application to the subject of health only. But no such revision, alteration or amendment shall take effect, or be binding or in force, until



the same has been published once a week for two successive weeks in the "City Record." The publication of additional provisions in, and of additional ordinances of the sanitary code once a week for two successive weeks in the "City Record" shall be sufficient, and render any further publication of the same in any other newspaper unnecessary. Any violation of said code or its amendments shall be treated and punished as a misdemeanor, and the offender shall also be liable to pay a penalty of fifty dollars, to be recovered in a civil action in the name of the Department of Health of the City of New York, before any justice or tribunal in said city, having jurisdiction of civil actions; and all such justices and tribunals shall take jurisdiction of such action. Copies of the record of the proceedings of said board, of its rules, regulations, ordinances, by-laws and books and papers constituting part of its archives, and the sanitary code, now or hereafter in force in said city, and the ordinances of the sanitary code added thereto and adopted by said Board of Health, when authenticated by its secretary, or secretary *pro tempore*, shall be presumptive evidence, and the authentication taken as presumptively correct in any court of justice, or judicial proceeding, when they may be relevant to the point or matter in controversy, of the facts, statements and recitals, therein contained.

## CHAPTER 466, LAWS OF 1901.

### SANITARY CODE.

Sec. 1172. The sanitary code which shall be in force in the City of New York the first day of January, nineteen hundred and two, and all existing provisions of law for fixing penalties for violations of said code are

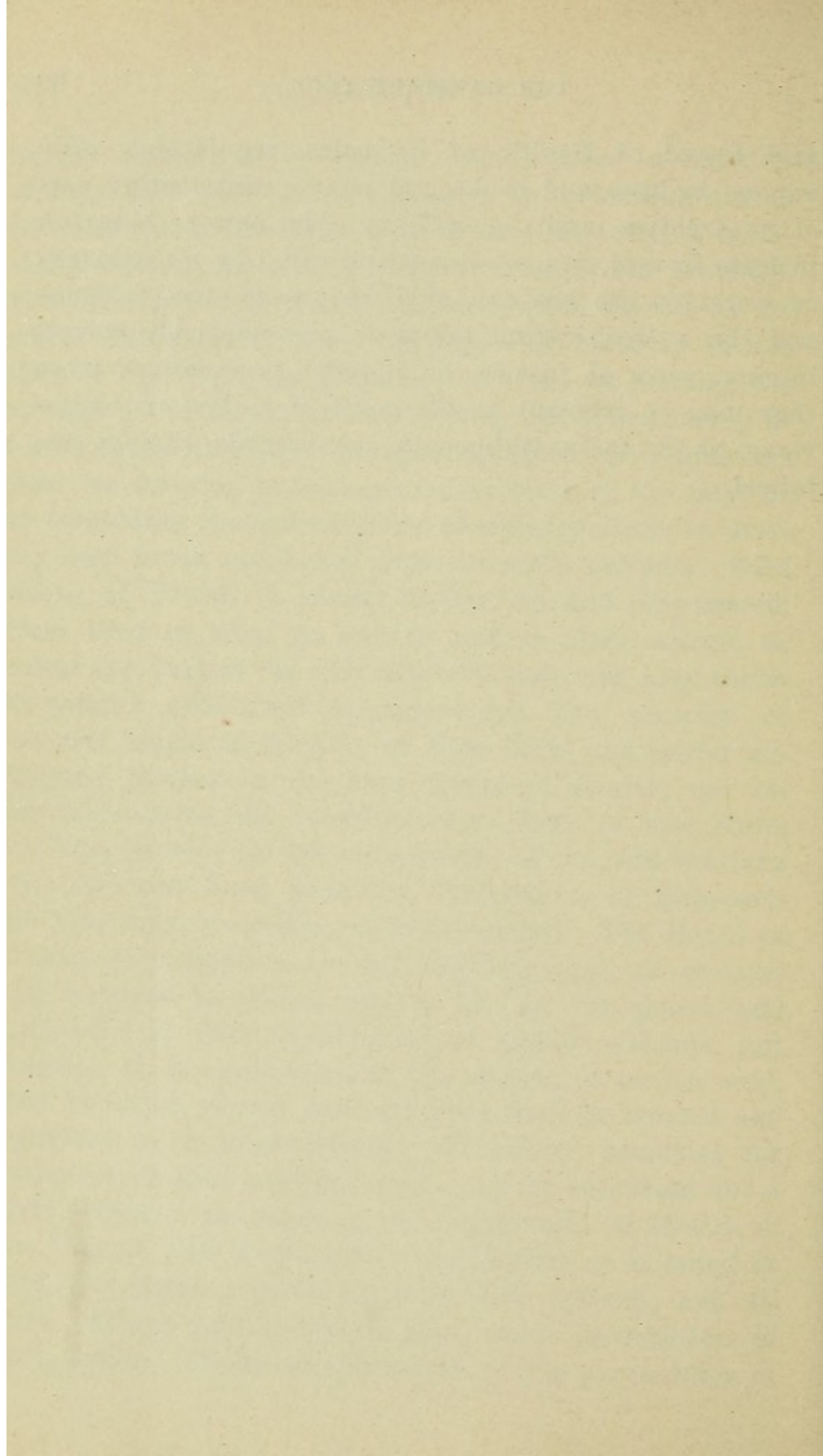


hereby declared to be binding and in force in the City of New York, and shall continue to be so binding and in force, except as the same may, from time to time, be revised, altered, amended or annulled as herein provided. Provided, however, that so much of this section as declares the sanitary code binding, and in force in the City of New York shall not be construed as limiting the storage of fertilizers or the keeping and slaughtering of fowls, cattle and other domestic animals upon premises used for farming in unimproved sections of the city, or as forbidding the ordinary use of country roads in driving such fowls, cattle and other domestic animals. Said Board of Health is hereby authorized and empowered, from time to time, to add to and to alter, amend or annul any part of the said sanitary code, and may therein publish additional provisions for the security of life and health in the City of New York, and confer additional powers on the Department of Health, not inconsistent with the constitution or laws of this state, and may provide for the enforcement of the said sanitary code by such fines, penalties, forfeitures, or imprisonment as may by ordinance be prescribed. The Board of Health may embrace in said sanitary code all matters and subjects to which, and so far as, the power and authority of said Department of Health extends, not limiting their application to the subject of health only. Any violation of said sanitary code shall be treated and punished as a misdemeanor. Pecuniary penalties for violation of said sanitary code may be recovered in a civil action in the name of the Department of Health of the City of New York, before any justice or tribunal in said city, having jurisdiction of civil actions; and all such justices and tribunals shall take jurisdiction of such action. Copies of the record of the proceedings of



said Board of Health, of its rules, regulations, ordinances, by-laws and books and papers constituting part of its archives, and the sanitary code, now or hereafter in force in said city, when authenticated by its secretary or secretary *pro tempore*, shall be presumptive evidence, and the authentication taken as presumptively correct in any court of justice, or judicial proceedings, when they may be relevant to the point or matter in controversy, of the facts, statements, and recitals, therein contained.







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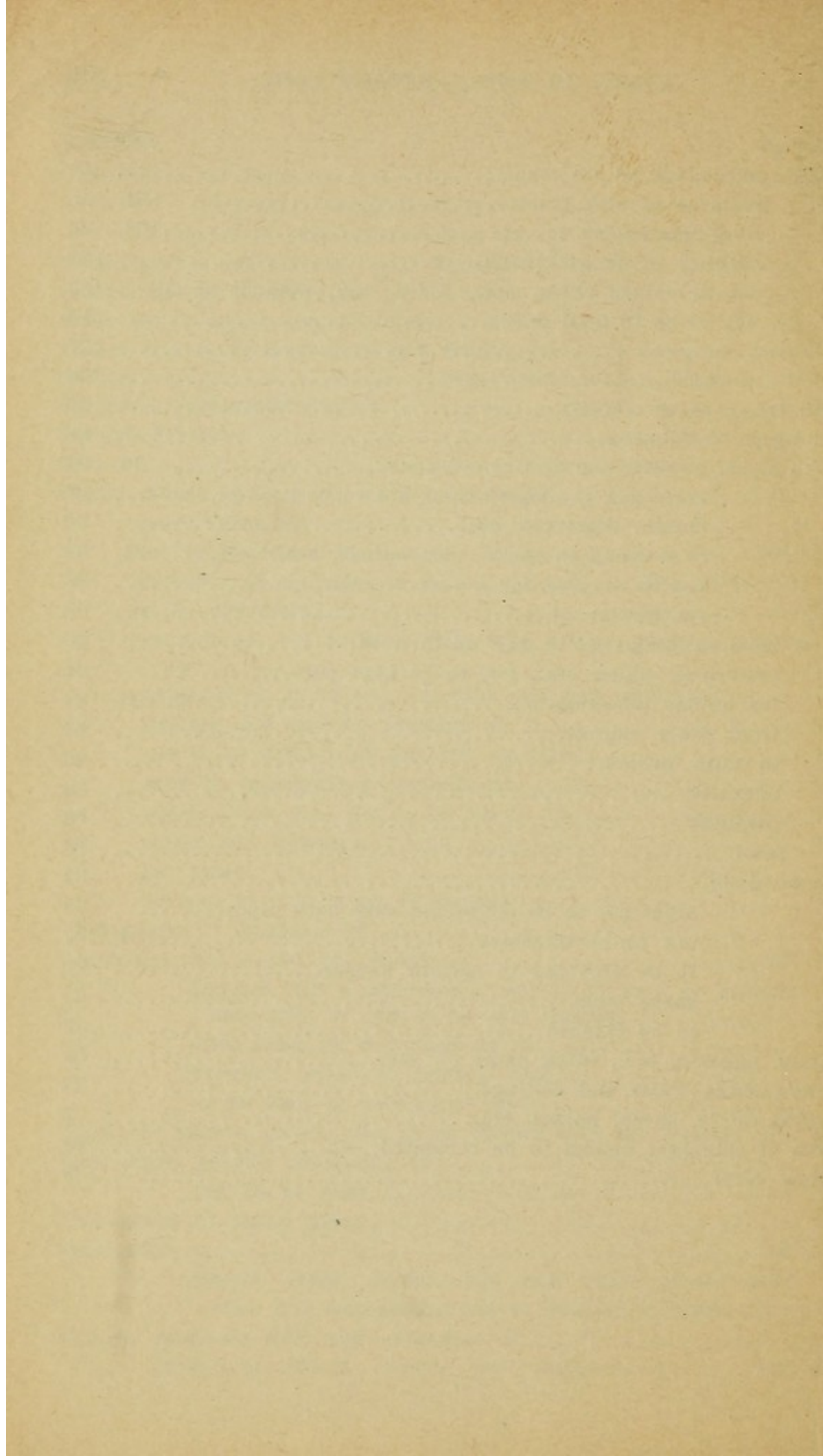


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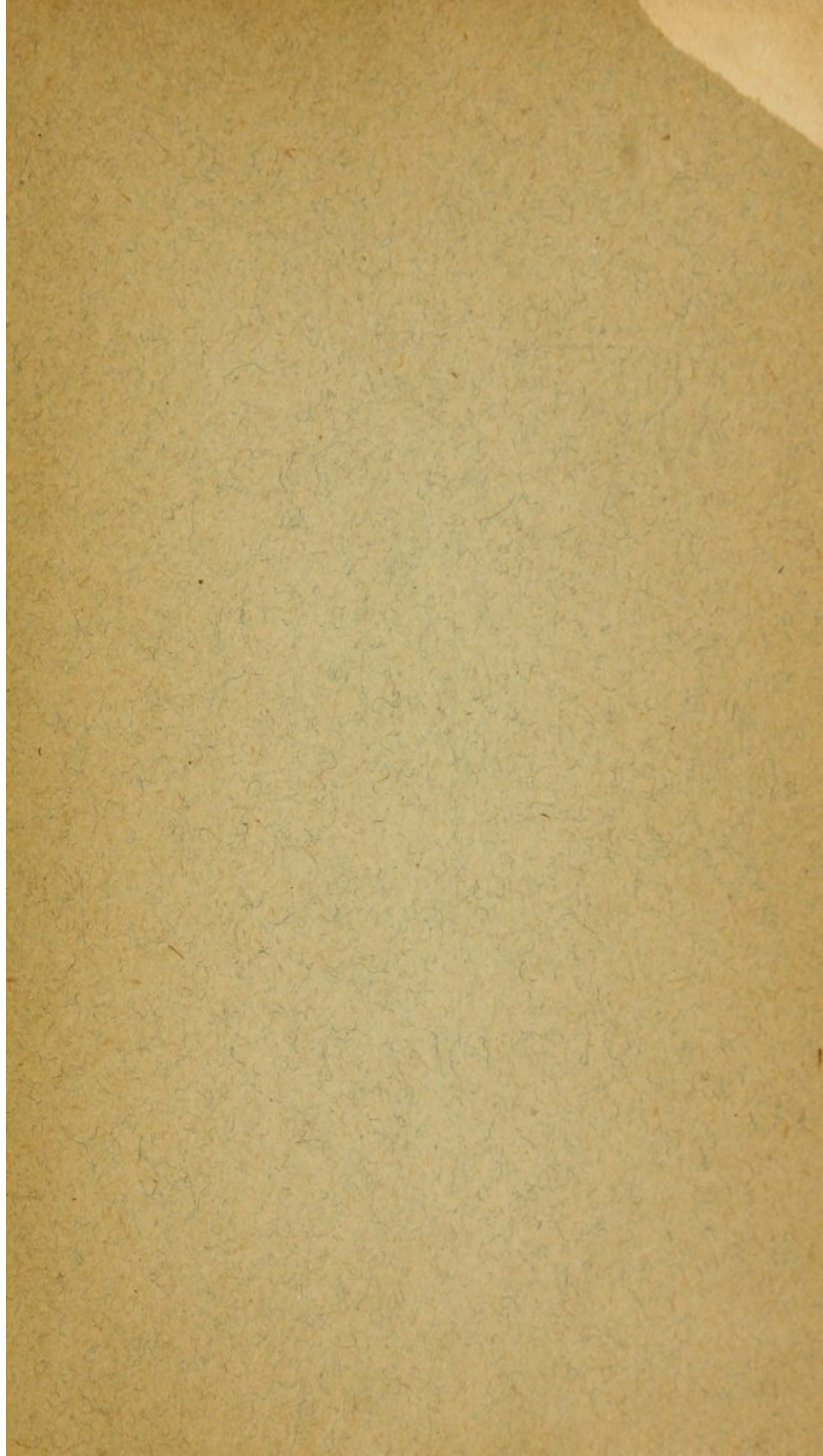


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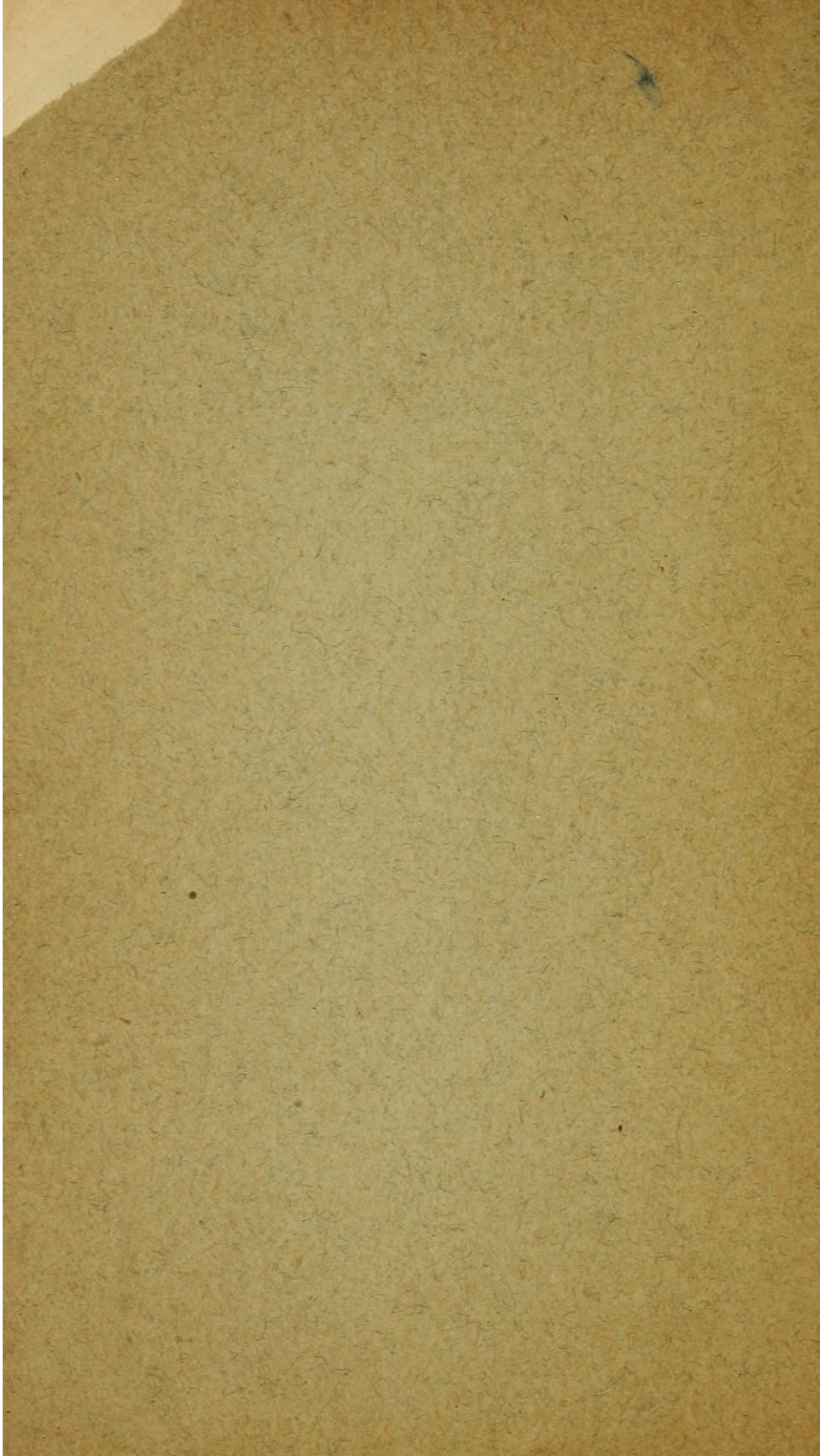




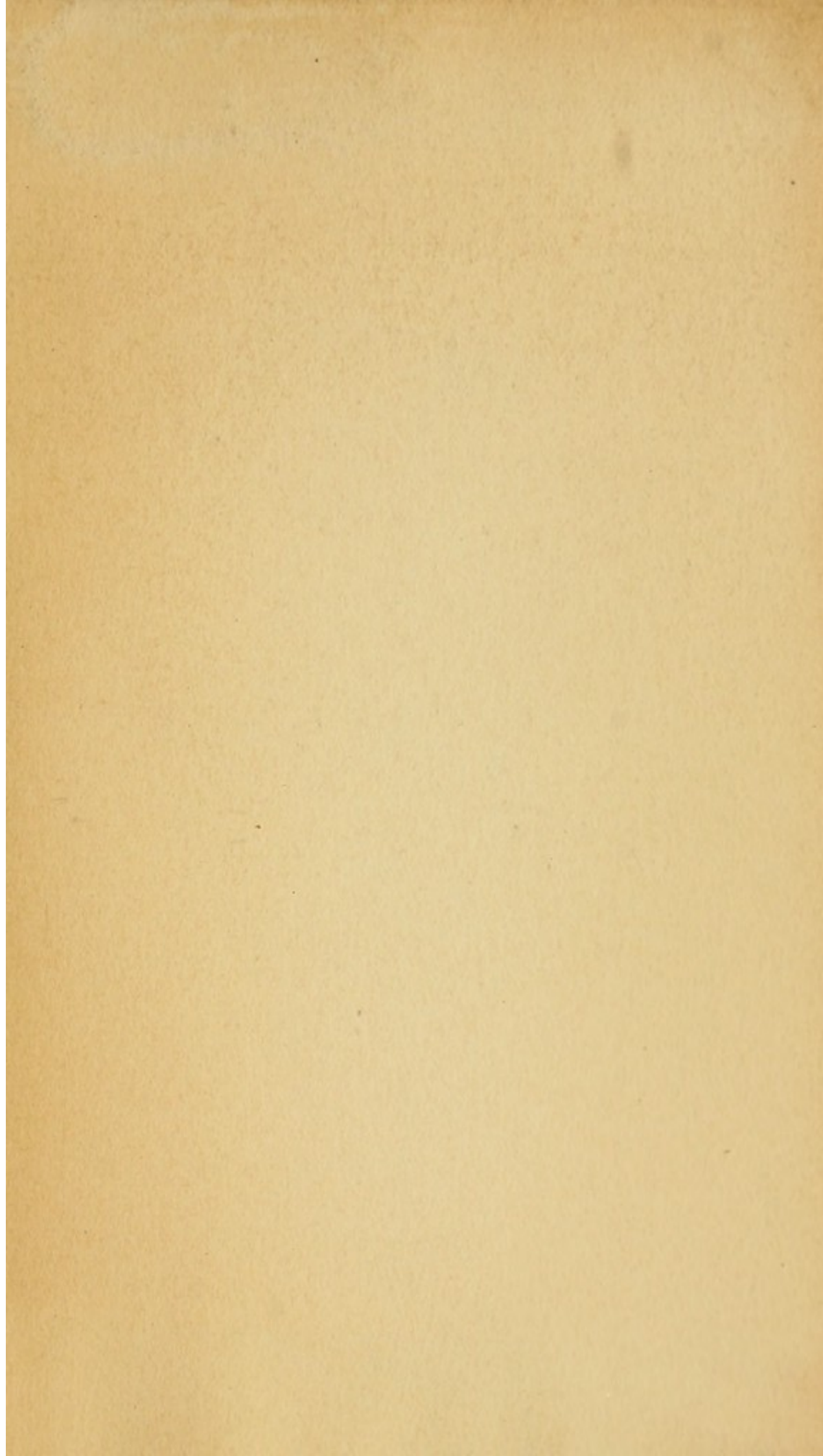














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