

1940 Municipal Code - Linton, Indiana

## PREFACE

The Code following herein contains the ordinances of the City of Linton which are effective at the present time. Ordinances for levying taxes, making appropriations, floating bonds, ordering street, sidewalk, sewer, or other improvements and other ordinances of a temporary nature whose purposes have been served are omitted from this volume.

Through the splendid efforts of the City attorney and the co-operation of the Mayor and Common Council it has been possible to detect and repeal many obsolete and contradictory ordinances or parts thereof, and thus to clarify and make more certain the applicable laws of the City.

The titles to all ordinances found in the ordinance books were first copied. An examination of the titles, or in doubtful cases of the ordinances themselves, indicated whether an ordinance was of temporary or permanent nature. Those of a permanent nature were copied in full and the contents classified and assembled.

The Municipal Ordinance Project was financed by a grant of federal WPA funds. The greater part of the routine work necessary to accomplish this codification was done by persons employed by the Professional and Service Division of the WPA. The Bureau of Governmental Research of Indiana University, as the sponsor of the state-wide Project, furnished the necessary technical and supervisory assistance. To the officials of the City, however, must be given the credit for the will to have the City's ordinances clarified and codified and to have such completed work published in this volume where it will be easily accessible to all interested persons.

P. S. Sikes  
Director, Bureau of  
Governmental Research

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MUNICIPAL CODE  
CITY OF LINTON, INDIANA

\* \* \* \* \*

OFFICERS, 1940

DR. EARL V. BULL, Mayor

L. B. FLEETWOOD,  
City Clerk-Treasurer

ALFRED M. BEASLEY,  
City Attorney

Councilmen

FLOYD McCULLOUGH

WILLIAM WILSON

PHIL BENNET

MARSHALL ROBERTSON

TROY KELLER



Be it ordained by the Common Council of the City of Linton, Indiana  
that the Municipal Code of Linton, Indiana of 1940 is hereby  
adopted as the official Code of this City.

## TITLE 1. ADMINISTRATION

### CHAPTER 1 - RULES OF COMMON COUNCIL

### CHAPTER 2 - OFFICERS AND BOARDS

### CHAPTER 3 - MUNICIPAL UTILITIES - RATES

### CHAPTER 1 - RULES OF COMMON COUNCIL.

- 1-101. Meetings.
- 1-102. Presiding Officer.
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- 1-122. Proceedings of Council.
- 1-123. Organization.
- 1-124. Order of Business.
- 1-125. Absence.
- 1-126. Wards and Councilmanic Districts.

1-101. MEETINGS. - There shall be held twelve (12) regular meetings of this Common Council in each calendar year; said regular meetings shall be held in the Council room in the City Hall of said City, shall be open to the public, and shall be held at the hour of seven-thirty (7:30) P.M. on the second Tuesday of each month.

1-102. PRESIDING OFFICER. - The Mayor shall maintain strict order in the Council; he shall decide all questions of order and his decision shall be final unless an appeal is taken to the Council.

1-103. IMPEACHING MOTIVES OF MEMBERS. - No member shall impeach the motive of any member's vote or argument.

1-104. TRANSGRESSION OF RULES. - If any member in any wise transgress the rules of the Council any other member may call him to order, in which case the alleged offender shall immediately take his seat, unless permitted to explain. If the question of order be decided against him he shall be liable, if the case requires it, to the censure of the Council. If the decision be in his favor he shall be at liberty to proceed.

1-105. LIMITATION ON SPEAKING. - No member shall speak longer than five minutes at a time nor more than twice on the same question except by the unanimous consent of Council. When the Mayor or presiding officer is putting a question or addressing the Council, or when any member is speaking, no member shall engage in any private discourse nor walk across nor leave the room unnecessarily.

1-106. MOTION MADE AND SECONDED. - When any motion is made and seconded it shall be stated by the presiding officer, or, being in writing it shall be handed to the Clerk and read aloud before debate.

1-107. MOTIONS IN WRITING. - Every motion or proposition shall, if the presiding officer or any member of the Council demands it, be reduced to writing.

1-108. MOTION WHEN QUESTION UNDER DEBATE. - When any question is under debate no motion shall be received but to amend, lay on the table, the previous question, to postpone or to commit, which motion shall have preference in the order in which they are here arranged.

1-109. MOTION TO RE-CONSIDER - RESOLUTION - ORDINANCE. - When any question has once been decided in the affirmative or the negative, any member voting with the majority may move a reconsideration thereof, on the same or next subsequent meeting. A resolution once adopted may be reconsidered by subsequent resolution. An ordinance passed may be repealed by subsequent ordinance.

1-110. PAPER CALLED FOR - DECISION BY COUNCIL. - When the reading of any paper is called for, if objection be made, it shall be decided by the Council.

1-111. THREE READINGS AT ONE MEETING. - No ordinance shall be passed or read a third time at the same meeting it is introduced unless the same shall be voted for by a vote of two-thirds of all the members of the Council.

1-112. VOTING - ROLL CALL. - The vote on the ordinance and resolutions must be decided by a call of the roll, but any two members may call the yeas and nays upon any motion or question.

1-113. ADDRESS BY NON-MEMBER. - No one not a member of the Council shall be permitted to address the same except by an affirmative vote of two-thirds of all the members elected; provided however, that any City officer may, when called upon, make a verbal report.

1-114. DUTY OF POLICE CHIEF. - The Chief of Police shall preserve order and shall prohibit smoking and loud talking. He shall act as messenger for the Council and shall deliver all papers to the chairmen of the committees that may be placed in his hands by the City Clerk within two days after the adjournment of any meeting of the Council, at which such papers have been referred.

1-115. PARLIAMENTARY RULES - DUTIES OF COMMITTEES. - The general rules of the parliamentary law, so far as applicable are to be considered the rules of this Council, unless the same conflict with any herein provided. The duties of standing committees shall be as in legislative bodies, except as hereinafter modified or changed.

1-116. SUSPENSION OF RULES. - No rule shall be suspended except by an affirmative vote of two-thirds of all the members of the Council.

1-117. REMARKS DURING ROLL CALL. - After the call of the yeas and nays shall have commenced upon any question it shall not be in order for any member to offer any remarks, except in explanation of his vote.

1-118. STANDING COMMITTEES. - The standing Committees of the Council shall consist of three members each, except committees on streets, water and lights, which shall consist of one member from each ward, all of said committees to be appointed annually. They shall be as follows:

- First---Finances.
- Second---Accounts and Claims.
- Third---Fire Department and Public Cisterns.
- Fourth---Printing and Stationery.
- Fifth---Streets.
- Sixth---Lights and Water.
- Seventh---Police.
- Eight---Permits.

1-119. COMMITTEE ON FINANCE. - It shall be the duty of the Committee on Finance to report ordinances making the annual tax levies and making appropriations, other than for the allowance of accounts and claims.

1-120. COMMITTEE ON ACCOUNTS AND CLAIMS. - It shall be the duty of the Common Council as a committee of the whole on Accounts and Claims to examine and report upon the correctness of all accounts and claims of a discretionary character referred to them.

1-121. COMMITTEE ON PRINTING AND STATIONERY. - It shall be the duty of the Committee on Printing and Stationery to determine what matter shall be printed or advertised, of a discretionary character, at the expense of the City, and to contract for all necessary stationery, office furniture and fuel for the use of the City offices and Council Chamber.

1-122. PROCEEDINGS OF COUNCIL. - The proceedings of the Council shall be written in a book to be kept for that purpose by the Clerk, and he or she shall enter therein, at length, all petitions and remonstrances with the names of all the signers thereto; all motions or resolutions of instructions or direction to the officers of the City shall be copied by the Clerk, who shall cause the same to be delivered to the respective officers within two days.



1-123. ORGANIZATION. - The Mayor shall, at the hour fixed, call the Council to order. If the Mayor be absent at the time appointed the President protem shall perform the duties of Mayor and, if the latter be absent, any member of the Council may, upon motion, be called to the chair, and such chairman shall act as presiding officer until the arrival of one entitled to preside.

1-124. ORDER OF BUSINESS. - The following order of business shall be observed by the Common Council at each meeting thereof:

- First --- Calling the roll.
- Second --- Reading of the journal.
- Third --- Presentation and allowing accounts.
- Fourth --- Receiving and passing upon petitions and remonstrances.
- Fifth --- Report of standing committee in their regular order.
- Sixth --- Report of special committee.
- Seventh --- Report of officers.
- Eighth --- Resolutions and ordinances.
- Ninth --- Miscellaneous business.

1-125. ABSENCE. - If any member of the Common Council shall absent himself from any regular meeting thereof without being able to render a satisfactory excuse therefor, such member shall forfeit and pay the sum of one dollar for each offense, to be deducted and kept out of the allowance made to him for his services.

1-126. WARDS AND COUNCILMANIC DISTRICTS. - The City of Linton shall be divided into four councilmanic districts, to be known as the First, Second, Third and Fourth Councilmanic Districts of said City, and the boundaries of said councilmanic districts shall be as follows:

First Councilmanic District: Commencing at a point in the center of the intersection of "A" and Second Streets, northeast; thence north along the center of said Second Street, northeast, to the north corporation line; thence east to Sixth Street, northeast; thence south to the alley north of "H" Street, northeast; thence east on said alley north of "H" Street, northeast, to a point due north of Twelfth Street, east; thence due south to the intersection of Twelfth Street and "A" Street, northeast; thence westerly in center of said "A" Street, northeast to the point of beginning.

Second Councilmanic District: Beginning in the center of "B" and Second Streets, northeast, running thence due north on the center line of said Second Street, northeast, to the north corporation line; thence west on north corporation line to west corporation line; thence south on west corporation line to the center of "B" Street, northwest; thence east in center of said "B" Street to point of beginning.

Third Councilmanic District: Beginning in the center of the intersection of "B" and Second Streets, northeast; thence south in the center of "A" Street, northeast; thence east to center of alley between First and Third Streets, southeast; thence due south on center line of said alley to a point on the north side of C.M.STP; & P. railroad right-of-way; thence southeasterly along said railroad right-of-way to south corporation line; thence west on south corporation line to west corporation line; thence north on west corporation line to the center of "B" Street, northwest; thence east in center of "B" Street, to the place of beginning.

Fourth Councilmanic District: Beginning in the center of the intersection of "A" and Second Streets, northeast running thence east and northeasterly in center of said "A" Street, northeast to the east corporation line; thence south on Twelfth Street, east, to the north side of the I.C. railroad right-of-way; thence west with said railroad right-of-way to the east side of Eighth Street, southeast; thence due south to the south line of Hubbard's fifth addition; thence west to north line of right-of-way of C.M.St.P. & P. railroad; thence northwesterly along said right-of-way to a point due south of the center of the alley between First and Third Streets, southeast; thence north on the center of said alley to place of beginning.

There shall be four wards in the City of Linton. The number and boundary of each ward shall coincide with the number and boundary of the corresponding councilmanic district.

## CHAPTER 2 - OFFICERS AND BOARDS

- 1-201. Building Inspector.
- 1-202. --- Record of Applicants for Permits.
- 1-203. --- Inspect When Notified.
- 1-204. --- Duty.
- 1-205. --- Power.
- 1-206. --- Examine Buildings Being Erected.
- 1-207. --- Examine Dangerous Buildings.
- 1-208. --- Plans and Specifications.
- 1-209. --- Bases of Approval and Disapproval.
- 1-210. --- Enforcement.
- 1-211. City Merchant Police.
- 1-212. --- Record of Subscribers to Salary.
- 1-213. Fire Chief - Fire Inspector.
- 1-214. --- Service of Order.
- 1-215. --- Public Hall, Crowded or Obstructed.
- 1-216. Health Officer - Sanitary Sewer - Abate, Nuisance.
- 1-217. --- Contagious Diseases - Deputies.
- 1-218. --- Police.
- 1-219. Superintendent of Electric Light Works.
- 1-220. --- Duties - Bond.
- 1-221. Board of Park Trustees.
- 1-222. --- Election.
- 1-223. --- Duties.
- 1-224. --- Organization.
- 1-225. --- Powers.
- 1-226. Preferment of Charges against Officers.
- 1-227. --- Reference to Committee.
- 1-228. --- Committee Report.
- 1-229. Notice to Accused.
- 1-230. --- Trial.
- 1-231. --- Vote of Council.
- 1-232. --- General Provisions.
- 1-233. --- Adjournment during Trial.

1-201. BUILDING INSPECTOR. - There be and is hereby created in said city the office of Building Inspector, which officer shall be appointed by the Common Council, subject to removal at their pleasure.

1-202. RECORD OF APPLICANTS FOR PERMITS. - It shall be the duty of said Inspector of Buildings to keep a record of all applicants for building permits, which shall be regularly numbered in the order of their issue, also a record, showing the number, description and size of all buildings erected in the section hereinafter described in the said City during his term of office.

1-203. INSPECT WHEN NOTIFIED. - It shall be the duty of the said Inspector, upon being served with a notice requiring him to visit and inspect any building upon or in which work is being done, under any of the provisions of this code to do so.



1-204. DUTY. - It shall be the duty of the Building Inspector to sign all certifications and notices required to be issued under this code, to make complaint of all violations thereof to the Common Council, of the City of Linton, to keep in proper books for the purpose, a register of all transactions of the office, and to enforce all of the conditions of this code relating to the construction, alteration, repair or removal of buildings and structures within the City.

1-205. POWER. - The Building Inspector shall have full power to pass upon any question rising under the provisions of this code, relative to the manner of construction or material to be used in the erection, alteration, or repair of any building. Provided however, that should any question arise between the Building Inspector and the owner and architect of any building, or should the owner or architect object to any order or decision of said Inspector, the matter shall be referred to a committee of three persons one of whom shall be chosen by the Building Inspector, one by the owner or other interested party, and the third shall be the Chairman of the Committee of the City Council on Ordinances and decision of these referees submitted in writing to the Common Council shall be final and conclusive. The referees thus chosen shall be entitled to five dollars (\$5.00) for each and every day or fractional part thereof for each service, to be borne equally by the two parties interested therein.

1-206. EXAMINE BUILDING BEING ERECTED. - The Inspector shall examine all buildings or cause the same to be examined upon or in which work is being done under the provisions of this code, as often as practicable and make a record of all violations found, the name of the owner, lessee, occupant, architect, and builder and all other matters relating thereto.

1-207. EXAMINE DANGEROUS BUILDINGS. - It shall be the duty of the Inspector to examine or cause to be examined all buildings reported to be dangerous or damaged by fire or accident, and to make a record of such examinations including the nature of the same and nature of the damage, with the name of the street and the number of the building and the name of the owner and to examine all buildings under application to be removed, raised, altered, enlarged, or built upon, if necessary, and to make a record of the condition of the same and such record shall always be open to the inspection of the public. The Inspector and his regular authorized assistants are hereby given authority to enter any building of the City of Linton in the performance of their duties and to order and compel the suspension of any work being done in violation of provisions of this code, or violation of any ordinance of the City of Linton, or to condemn any dangerous or unsecure buildings and to require such building to be taken down, and in case the owner does not remove or take such building down, then said Inspector may order the same removed or destroyed at the expense of said City. No person shall continue the construction of any building or use any material in or about any building, or use any machinery in or about any building after said Building Inspector or his regular authorized assistants, have directed in writing, the suspension of the use thereof.

The Building Inspector and his regular authorized assistants are hereby given authority to make such tests as may be necessary to determine the safety and condition of any building or machinery, which it becomes their duty under the provisions of this code to inspect.

1-208. PLANS AND SPECIFICATIONS. - The Building Inspector shall be entitled to demand plans and specifications of all structural work submitted to him. In case plans and specifications do not clearly represent the character of material and work intended, he shall demand additional plans, specifications and details.

1-209. BASES OF APPROVAL AND DISAPPROVAL. - The bases of approval and disapproval of plans and specifications or of condemnation of structure by the Building Inspector shall be the conditions of this code and shall not be the opinion or judgement of the Building Inspector unless sustained by this code.

1-210. ENFORCEMENT. - The Building Inspector is hereby charged with the enforcement of the provisions of this code relating to the construction, alteration, repair or removal of buildings and structures, and he shall see that its provisions are observed and enforced, and for this purpose he or his assistants shall have free access at all reasonable hours to all buildings embraced herein, and the City Attorney shall render all necessary legal assistance as may be required by said Inspector of Buildings in enforcing these provisions.

1-211. CITY MERCHANT POLICE. - The office of City merchant police is hereby created and the Common Council of the said City shall employ a merchant police whose compensation shall be the amount paid him by the merchants and business men of said City, provided that said merchant police shall be selected on the recommendation of the merchants and business men subscribing to his salary, and such subscription shall be the only compensation paid to him.

1-212. RECORD OF SUBSCRIBERS TO SALARY. - The said merchant police shall keep an accurate account of the persons, firms and corporations subscribing to his salary and the amount paid by each, and make a report to the Mayor of said City each and every month, in order that the City can be advised as to whether said merchant police shall have received sufficient salary for his services or otherwise.

1-213. FIRE CHIEF - FIRE INSPECTOR. - It shall be the duty of the Chief of the Fire Department to inspect or cause to be inspected by fire department officers or members, as often as may be necessary, but not less than twice a year in outlying districts and four times a year in the closely built portions of the City, all buildings, premises and public thoroughfares, except the interiors of private dwellings, for the purpose of ascertaining and causing to be corrected, any conditions liable to cause fire, or any violations of the provisions or intent of any ordinance of the City affecting the fire hazard, and for the purpose of making such inspections the Chief of the Fire Department or any member thereof is hereby empowered and authorized at any and all reasonable times to enter upon and into any of the afore-said buildings and premises except private dwellings. Whenever the Chief of the Fire Department or any officer or member thereof shall find any building or other structure which for want of repairs, or by reason of age or dilapidated condition or for any other cause, is especially liable to fire, and which is so situated as to endanger other property, and whenever any officer or member shall find in any building or upon any premises or other place, combustible or explosive matter or dangerous accumulations of rubbish or of unnecessary accumulations of waste paper, boxes, shavings or any other highly inflammable materials, especially liable to fire, and which is so situated as to endanger property

or shall find obstruction to or on fire-escapes, stairs, passageways, doors, windows, etc., liable to interfere with the operation of the fire department, or egress of occupants, in case of fire, he or they shall order the same to be removed or remedied and such order shall forthwith be complied with by the owner or occupant of such premises or buildings subject to appeal within twenty-four hours to the Mayor, who shall within ten days review such order and file his decision thereon, and unless the order is revoked or modified it shall remain in full force and be obeyed by such owner or occupant. Any owner or occupant failing to comply with such order within ten days after said appeal shall have been determined, or, if no appeal is taken, then within ten days after the service of said order, shall be fined in any sum not less than ten dollars (\$10.00) nor more than one hundred dollars (\$100.00).

1-214. SERVICE OF ORDER. - The service of any such order shall be made to the occupant of the premises to whom it is directed by either delivering a true copy of the same to such occupant personally or by delivering the same to and leaving it with any person in charge of the premises, or in case no such person is found upon the premises, by affixing a copy thereof in a conspicuous place on the door to the entrance of the said premises; whenever it may be necessary to serve such order upon the owner of premises, such order may be served by delivering to and leaving with said person a true copy of the said order, or, if such owner is absent from the jurisdiction of the officer making the order, by mailing such copy to the owner's last known postoffice address.

1-215. PUBLIC HALL, CROWDED OR OBSTRUCTED. - Whenever the Chief of the Fire Department or any officer or a member thereof, shall find the entrances, exits, aisles, fire-escapes, stairs, passageways, doors, windows, etc., of any theater, moving picture house, or any hall where the public is accustomed to congregating, crowded or obstructed with people in such a manner as to be liable to interfere with the operation of the Fire Department, or egress of the occupants thereof, in case of fire, he or they shall order the same to be dispersed or the situation remedied, and such order shall forthwith be complied with by the owner or occupant of such premises or buildings.

1-216. HEALTH OFFICER - SANITARY SEWER - ABATE, NUISANCE. - The secretary of the City Board of Health, who is also Health Officer, all deputy health officers and the City police shall have full power and authority to enter into or upon any street, lot, alley, premises, or ground, for the purpose of making a sanitary survey of the same, and if a nuisance or any insanitary conditions are found, it shall be the duty of the City Health Officer, when informed of the existance of the same, to immediately notify the person or persons so offending, in writing, fixing a time limit to abate the nuisance. If such person shall fail or refuse to abate the nuisance within the time specified, it shall be the duty of the Street Commissioner, upon notice of the Health Officer, to cause the same to be abated, keeping an accurate account of the expense thereof, which shall be paid from the City Treasury, upon the sworn voucher of the Street Commissioner and said expense shall be a lien on the property and collected as taxes are collected and turned into the City Treasury.

1-217. CONTAGIOUS DISEASES - DEPUTIES. - If at any time the work of prevention of the spread of infectious or contagious diseases is more than can be reasonably expected of the City Health Officer, he may with the consent of the Mayor, employ one or more intelligent men to act as deputies to



establish quarantine, remove patients to the special hospital and conduct disinfections. All houses wherein infectious and contagious diseases may exist or have existed, shall at the proper time be thoroughly disinfected with formaldehyde by the Health Officer or his deputies at the expense of the City, as the work is obviously for the benefit of the people. A complete record of all disinfections, and all vaccinations and all other health work done shall be kept by the City Health Officer in the minute book of the City Board of Health.

1-218. POLICE. - It shall be the duty of the City Police at all times to aid the City Health Officer in the work of enforcing the health and sanitary provisions of this code, upon demand of said Health Officer.

1-219. SUPERINTENDENT OF ELECTRIC LIGHT WORKS. - A superintendent for the Electric Light Works of Linton shall be employed by said City at and for any salary agreed upon by the said Common Council, payable monthly at the end of each month by warrant duly executed by the City Clerk of said City and the said City Clerk is hereby authorized and directed to issue such warrants out of the Light Fund of said City.

1-220. DUTIES - BOND. - The said Superintendent shall have full charge and control of the operation of said Electric Light Works including the collection of all moneys and funds of every kind accruing through such operation and shall turn over all such moneys and funds, as collected, to the City Treasurer and shall give bond in the sum of five thousand dollars said bond to be approved by the Mayor of said City for the faithful performance of his contract with the said City, and that he shall turn over such money as above provided, and will, upon termination of such employment turn over to his successor all books, papers, money on hand, and all other matters and things in his possession pertaining to said Electric Light Works.

1-221. BOARD OF PARK TRUSTEES. - The City Park or parks shall be under the control and management of a Board of Trustees consisting of the Mayor, who shall be exofficio chairman, and four citizens, to be chosen as hereinafter provided. One to serve one year; one, two years; one, three years; and one, four years, and at the expiration of their term of service their successor shall be appointed for a term of four years.

1-222. ELECTION. - The Common Council shall elect four voters of the City to serve as said Park Trustees, not more than two of whom shall belong to the same political party; and in case a vacancy occurs in said board from death, resignation, removal or failure to serve, the same shall be filled by the Common Council at the first regular meeting thereafter; and the members of said Park Board shall serve without pay or emolument.

1-223. DUTIES. - Said Trustees are hereby authorized to take charge of said Park or parks and receive and supply all revenue that may accrue to them by appropriation, donation or otherwise; but when appropriations have not been made they shall not contract liabilities for more than two hundred dollars in the aggregate. The City Treasurer shall keep a separate account of all Park funds and shall pay any money appropriated for parks or which has otherwise accrued to the credit of Park funds on the order of the Board of Trustees signed by the presiding officer, and the Clerk shall keep an account of the same in the manner already provided for keeping such accounts, and the said Trustees are authorized to take charge of improvement and

maintenance of said Park or parks and to preserve them, and to that end they are clothed with all power necessary for that purpose, and may appoint and compensate such officer or officers, engineer or engineers, gardner or gardeners and employ such laborer or laborers as they may deem proper and necessary for their preservation and maintenance of order within the limits thereof.

1-224. ORGANIZATION. - Said Trustees shall meet within ten days after their election and organize, and they shall thereafter meet regularly on the first Monday in October, January, April and July of each year. In the absence of a chairman the Board may choose a chairman pro tem, whose certificate while acting as such shall have the same force and effect as that of the regular chairman. Three members shall constitute a quorum and the Board shall appoint one of its members as its secretary who shall keep a record of all proceedings, showing the character and quantity of work done and the money paid therefor and persons in their employment, their duties and compensation, and the Board shall report the same to the Council together with their plans proposed for operations during the coming three months, at the first regular meeting in the month of October, January, April and July of each year, and the Chairman or any three members of said Board shall call a special meeting thereof when, in their judgement, it is deemed necessary.

1-225. POWERS. - Said Trustees shall have full power and authority to dispose of by sale or otherwise any crop, wood, trees or other property that may be severable from the freehold, should it become necessary for the improvement and maintenance of said parks so to do in their judgement and to make use of the avails thereof for the said Park or parks. Said Trustees shall have full power to make all arrangements with proprietors in regard to division lines and enclosures, and the adjusting thereof and exchanging the property for that purpose, and in like manner said Trustees shall have full power to agree for the closing of public roads, should any be found to run through said site or sites, or to make such arrangements thereof as shall enable them to have entire control of said Park or parks, the exclusion of improper parties and the general police thereof.

1-226. PREFERMENT OF CHARGE AGAINST OFFICERS. - Any voter of said City may prefer charges against any member of the Common Council, or any other officer or employee of said City. The charges shall be in writing, and they shall be verified and signed by the voter preferring the same and be filed with the City Clerk, who shall lay them before the Council at its next meeting.

1-227. REFERENCE TO COMMITTEE. - Such charges shall be referred to a committee of three members of the Council, who shall examine into the same; and they shall report in writing at the next meeting of the Council, unless further time be given by the Council, if, in their opinion, there be good grounds for the accusations contained therein.

1-228. COMMITTEE REPORT. - If said committee report that there are good grounds for such accusations, the Council shall at once refer such charges to the City Attorney, who shall redraft and present in due form, numbering each specific charge, the same forthwith to the Council, or at the next meeting thereof, at the option of the Council; and the same shall be marked "filed" by the Clerk. But if such committee report that there are no grounds for such accusations, then no further steps shall be taken, unless the Council refuse to accept such report and refer such charges to the City Attorney for presentation in due form, as aforesaid.

1-229. NOTICE TO ACCUSED. - When such formal charges shall have been filed with the City Clerk by the City Attorney, the Clerk shall serve notice on the accused, requiring him to appear before said Council, at a certain hour named, to answer such accusation, on a day therein named, not less than five nor more than ten days from the date of issuing the same; which notice shall be served upon the accused by reading the same to him, or by leaving a copy thereof at his last and usual place of residence. Such Clerk shall also furnish the accused a copy of said charges or accusation.

1-230. TRIAL. - At the hour set for the trial the Council if not in regular session, shall be called together in special session, by the Mayor, as a trial court. Evidence shall be taken in said cause, the attendance of witnesses enforced by subpoena or attachment; and all proceedings generally shall be the same as in actions or suits of law. The accused shall be required to answer such charges, and shall have the right to call witnesses, produce evidence, and be heard either in person or by council.

1-231. VOTE OF COUNCIL. - At the conclusion of the evidence and argument, a vote viva voce shall be taken on each separate charge; and if two-thirds of the whole number of the councilmen elected shall determine that the accused is guilty of any one of such charges, he shall be deemed removed from his office. Sentence of removal shall at once be pronounced by the presiding officer of the Council.

1-232. GENERAL PROVISIONS. - When a charge is preferred against a member of the Council he shall have no vote in any of the proceedings instituted against him.

When a charge is preferred against the Mayor, the duties herein prescribed to be discharged by him shall be discharged by the City Clerk. When a charge is preferred against the City Clerk, the duties herein prescribed to be discharged by him shall be discharged by the Mayor. When a charge is preferred against the City Attorney, the duties herein prescribed to be discharged by him shall be discharged by some attorney appointed by the Common Council for that purpose.

1-233. ADJOURNMENT DURING TRIAL. - During the trial the Council may adjourn from day to day or from one day to any other, until the same is complete.



## CHAPTER 3 - MUNICIPAL UTILITIES - RATES

- 1-301. Electric Rates and Charges.
- 1-302. Gas Rates.
- 1-303. ——— Penalty.
- 1-304. ——— Meter Deposit.
- 1-305. Sewage Disposal Rates.
- 1-306. ——— Billed Monthly.
- 1-307. ——— Persons Billed.
- 1-308. ——— Additional Premises Served - Failure to Comply.

1-301. ELECTRIC RATES AND CHARGES. - The following rates and charges shall be made and collected by the Municipal Electric Company of Linton, Indiana, for electric energy furnished and delivered by said Municipal Electric Company, to consumers of said Municipal Electric Company and upon the terms and conditions as hereinafter set out, to-wit:

CLASS A: For electric energy furnished and delivered for lighting purposes to consumers outside the corporate limits of the City of Linton. For the first twenty-five (25) kilo-watt hours nine cents per kilo-watt hour. For the second or next twenty-five (25) kilo-watt hours eight and one-half ( $8\frac{1}{2}$ ) cents per kilo-watt hour.

CLASS B: For electric energy furnished and delivered to consumers within the corporate limits of the City of Linton, Indiana. For the first twenty-five (25) kilo-watt hours, the sum of eight (8) cents per kilo-watt hour. For the second or next twenty-five (25) kilo-watt hours, the sum of seven and one-half ( $7\frac{1}{2}$ ) cents per kilo-watt hour.

For all electric energy in excess of fifty kilo-watt hours the sum of seven (7) cents per kilo-watt hour.

CLASS C: For electric energy furnished and delivered for power purpose exclusively:

For the first two hundred (200) kilowatt hours, the sum of four (4) cents per kilowatt hour.

For the next or second two hundred (200) kilowatt hours, the sum of three and one-half ( $3\frac{1}{2}$ ) cents per kilowatt hour.

For all electric energy furnished and delivered in excess of four hundred (400) kilowatt hours, the sum of three (3) cents per kilowatt hour.

CLASS D: For electric energy furnished and delivered for cooking and heating purposes exclusively.

For the first one hundred (100) kilowatt hours, the sum of three and one-half ( $3\frac{1}{2}$ ) cents.

For all excess energy over said one hundred kilowatt hours, the sum of three (3) cents.

The minimum charge per month to be made by said Municipal Electric Light Company of Linton, to consumers, shall be as follows to-wit:



To those included in CLASS A aforesaid, the sum of seventy-five (75) cents per month, to those included in CLASS B aforesaid, the sum of seventy (70) cents per month, to those included in CLASS C aforesaid, the sum of fifty (50) cents per horse power, and to those included in CLASS D aforesaid, the sum of one (\$1.00) dollar per month.

All accounts and bills due and collectable from consumers included in all classes aforesaid shall be discounted a sum of money equal to ten per cent (10%) of the total amount due, if said bill and account be paid in full on or before the fifteenth day of the calendar month immediately following the rendition of said account.

1-302. GAS RATES. - The gas rates for the Linton Gas Plant, unless modified, shall be as follows:

\$1.50 for the first thousand cubic feet;  
 \$1.00 for the second thousand cubic feet;  
 \$ .50 for the third, fourth, and fifth thousand cubic feet;  
 \$ .40 per thousand cubic feet for all in excess of five thousand cubic feet.  
 Said rates shall apply for all gas used in any calendar month.  
 The minimum rate for any metered or unmetered service shall be \$1.50 (one and one-half dollars.)

1-303. -- PENALTY. - If any account for gas remains unpaid on the 16th day of the month following its incurrance, there shall be added a penalty of ten per cent (10%) and if any account remains unpaid for a period of two months, no further gas shall be furnished until said bill is paid, in the discretion of the Superintendent of said Gas Plant.

1-304. -- METER DEPOSIT. - A meter deposit of three dollars (\$3.00) for all small meters and one-half of the expected monthly billing, for all large meters shall be made by the customer at the time gas connection is made, except that owners of the property served by said meter shall not be required to make such deposit.

1-305. SEWAGE DISPOSAL RATES. - Rates and charges shall be collected for the use of and the service rendered by said sewage works, from the owners of each and every lot, parcel or real estate, or building that is connected with and uses such works by or through any part of the sewage system of the City of Linton, or that in any way uses or is served by such works, which rates and charges shall be payable as hereinafter provided and shall be in an amount determinable as follows:

(a) Such rates and charges shall be based on the quantity of water used on or in the property or premises subject to such rates or charges, as the same is measured by the water meter there in use, except as herein otherwise provided.

(b) The water usage schedule on which the amount of such rates and charges shall be determined shall be as follows:

First: 30,000 gallons ... 20¢ per 1,000 gallons.  
 Next: 90,000 gallons ... 15¢ per 1,000 gallons.  
 Next: 180,000 gallons ... 12¢ per 1,000 gallons.  
 All over 300,000 gallons ... 10¢ per 1,000 gallons.

(c) The minimum rate or charge on a volume basis for any service where the water user is a metered water consumer, shall be 60¢ per month. The minimum rate or charge on a volume basis for any service where the user is not a metered water consumer, shall be \$1.00 per month.

(d) Water which is used in process of manufacture or for any other purpose, which does not discharge into the sanitary sewers shall be exempted provided however, that the property owner shall install the necessary meters to indicate the amount of water used which does not discharge into the sanitary sewers.

(e) In the event a lot, parcel of real estate, or building discharging sanitary sewage, water or other liquids into the sanitary sewer system of the City, either directly or indirectly, is not a user of water obtained from the public water supply, and the water used thereon or therein is not measured by a meter acceptable to the City, then the amount of water used shall be otherwise measured and determined by the City in order to determine the rate or charge provided for in this ordinance, or the owner or other interested party, at his expense, may install and maintain a meter acceptable to the City for said purpose.

(f) In the event a lot, parcel of real estate or building discharges sewage in the form of industrial waste either directly or indirectly into the City's sanitary system, and then City finds it is not practicable to attempt to measure such wastes by water usage or meter, it shall measure the same in such manner and by such method as it may find practicable in the light of the conditions and attendant circumstances of the case, in order to determine the rate or charge according to the corresponding rates provided in this ordinance.

(g) In order that the rates and charges may be justly and equitably adjusted to the services rendered, the City shall have the right to base its charges not only on volume but also on the strength and character of the sewage and waste which it is required to treat and dispose of. The City shall have the right to measure and determine the strength of all sewage and wastes discharges, either directly or indirectly, into the City's sanitary sewage system, in such manner and by such method as it may find practicable, in the light of the conditions and attending circumstances of the case, in order to determine the proper charge.

(h) For the service rendered to the City of Linton, said City shall be subject to the same rates and charges hereinabove provided for, or to charges and rates established in harmony therewith.

1-306. -- BILLED MONTHLY. - Such rates and charges shall be billed monthly, and shall be due and payable on or before the 16th day of the calendar month next succeeding the day of billing; provided, however, that the first billing may be for a period of more or less than a full month in order to make the monthly collection periods correspond with the meter readings of the public water supply, depending on the date on which the sewage works are placed in operation.

1-307. -- PERSONS BILLED. - The rates and charges may be billed to the tenant or tenants occupying the properties served, unless otherwise requested in writing by the owners, but such billing shall in no wise relieve the owner from liability in the event payment is not made as herein required. The owners of properties served which are occupied by tenants shall have the right to examine the collection records of the City for the purpose of determining whether such rates and charges have been paid by such tenants, provided that such examination shall be made at the office at which said records are kept and during the hours that such office is open for business.

1-308. -- ADDITIONAL PREMISES SERVED - FAILURE TO PAY. - The rates and charges fixed herein shall be extended to and cover any additional premises hereafter served, without the necessity of any hearing or notice. If any service rate or charge hereby established shall not be paid within thirty (30) days after the same is due, a statement therefor shall be placed in the hands of the City Attorney, and it shall be the duty of the City Attorney to institute a civil action in the name of the City to recover the amount thereof, together with a penalty of ten per cent (10%) and a reasonable attorney's fee, as provided by statute.

## TITLE 2. ANIMALS AND FOWLS

## CHAPTER 1.

- 2-101. Animals - Hitching to Fountain.
- 2-102. --- Speed limit.
- 2-103. Dogs -- Hydrophobia.
- 2-104. --- Duty to Kill.
- 2-105. Fowls or Poultry.
- 2-106. Hogs.
- 2-199. Penalty.

2-101. ANIMALS - HITCHING TO FOUNTAIN. - It shall be unlawful for any person or persons, firm or corporation to hitch, fasten, or tie any horse, mare, mule or any other animal to any public water fountain in the City of Linton.

2-102. --- SPEED LIMIT. - It shall be unlawful for any person to ride or drive any horse, mare, mule, or ass along or upon any street or highway within the limits of this City at a greater rate of speed than eight miles per hour, provided that nothing herein shall be so construed as to apply to cases of emergency.

2-103. DOGS - HYDROPHOBIA. - Whenever the Mayor of said City may apprehend that there is danger of the existence or spread of hydrophobia within or near said City, he may issue a proclamation ordering and requiring all persons owning, possessing or harboring or having the care of any dog or bitch or any animal of the dog kind, either to confine or muzzle such animal for a term of not less than thirty nor more than sixty days ensuing of such proclamation. It shall be the duty of all persons owning, possessing, harboring, or having the care and control of any animal of the dog kind during the period of time specified in such proclamation to confine such animals securely in or to his or her house, outhouse, store house, or premises so as to prevent such animals from biting any other animal or being bitten thereby, or to cause such animals to be securely and effectually muzzled in such a way and manner as to make it impossible for such animals to bite any person or any animal and no muzzle shall be lawful under this section unless it be of such a form, material and strength and so attached and fastened as to effectually prevent such animal from biting, and any animal of the dog kind which may be found running at large within the City without being muzzled during the time specified in such proclamation, is hereby declared a nuisance and as such, it shall be lawful to kill the same. It shall be unlawful for any person owning, possessing or harboring or having the care and control of any animal of the dog kind to fail or refuse to muzzle or confine the same as herein required, during the time specified by the Mayor in such proclamation and upon conviction thereof before the Mayor, shall be deemed guilty of violating this chapter. The proclamation of the Mayor provided herein shall be published in one issue of one of the newspapers published in the City and printed copy thereof, of said proclamation shall be posted by the Chief of Police in at least three public places in each of the wards of the said City of Linton.



2-104. --- DUTY TO KILL. - Upon the issuing and publishing of such proclamation of the Mayor as provided for in this chapter it shall be the duty of the police of said City, to kill any animal of the dog kind found running at large within the City limits, during the time specified in such proclamation without being securely and effectually muzzled as required by the section 103 of this chapter, and it shall be lawful for any person or persons to kill any and all animals of the dog kind which are running at large unmuzzled during such time.

2-105. FOWLS OR POULTRY. - It shall be unlawful for the owner, possessor or keeper of fowls and poultry of any kind to allow, permit or suffer the same to go or be upon the premises of any other person, persons or corporation, within the corporate limits of the City of Linton, in the County of Greene and State of Indiana; and it shall be the duty of every such owner, possessor or keeper, of any fowls or poultry in said City to keep the same securely upon their own premises. Provided that nothing herein shall prevent the taking of fowls or poultry to market for the purpose of sale, or to poultry shows and fairs for the purpose of exhibition.

2-106. HOGS. - It shall be unlawful for any person or persons to keep, own, or harbor any hog or hogs within the corporate limits of this City, during the months or any part thereof of April, May, June, July, August, September or October, in any year; provided, however, that nothing in any part of this section shall be so construed as to interfere with or prevent the moving of hog or hogs through or into said City in transit or to market or prevent or interfere with the penning of a hog or hogs in any stockyard or stockyards of any railway company or companies, in this City for a reasonable time preparatory to the shipment of the same over the tract or tracks of said company, but in no case shall reasonable length of time as heretofore referred to be so construed as to include a greater length of time than twenty-four hours. Nothing in the foregoing part of this section shall be so construed as to prevent any person owning by himself or jointly with others, five acres or more of land set apart and used for farm or pasture purposes from keeping not to exceed twenty hogs on such pasture or farm land.

2-199. PENALTY. - Any person violating any of the provisions of this chapter shall, upon conviction, be fined in any sum not less than one dollar (\$1.00) nor more than twenty-five dollars (\$25.00) together with costs of prosecution. Each and every day that such violation shall continue shall constitute a separate offense.

## TITLE 3 - BUILDING

## CHAPTER 1

- 3-101. Conformity to Code.
- 3-102. Fire Limits.
- 3-103. Exterior Walls - Construction.
- 3-104. Frame Dwellings - Repaired or Altered.
- 3-105. Roofs.
- 3-106. Stairs of Wood.
- 3-107. Temporary Sheds.
- 3-108. Appendages above the First Story.
- 3-109. Cornices.
- 3-110. Chimneys, Flues, Smoke Stacks - Specifications.
- 3-111. Fire Escapes.
- 3-199. Penalty.

3-101. CONFORMITY TO CODE. - No building already erected, or hereafter built shall be raised or built upon in any manner so that were such buildings wholly built or constructed, it would be a violation of any provision of this code.

3-102. FIRE LIMITS. - The fire limits of the City of Linton shall be and include the territory bounded and described as follows:  
Beginning at the intersection of First Street east and B Street north, running thence west along the center of B Street to the intersection of First Street west; thence south along the center of First Street west to the intersection of C Street south; thence east along the center of C Street south to its intersections with First Street east thence north along the center of First Street east to the place of beginning. Beginning at the center of the intersection of First Street east with the alley running east and west between "A" Street north and Vincennes Street, and running thence east along the center of said alley to the center of east Third Street, thence north along the center of east Third Street to the center of "A" Street north, thence west along the center of "A" Street north to the center of First Street east, thence south along the center of First Street east to the place of beginning.

3-103. EXTERIOR WALLS - CONSTRUCTION. - The walls of every building hereafter erected or enlarged within the fire limits, except as hereinafter provided, shall be built of brick, stone, iron, or any other incombustible material, except by permission granted by the Common Council by a resolution.

3-104. FRAME DWELLINGS - REPAIRED OR ALTERED. - It shall be unlawful to repair or alter any frame dwelling within the fire limits of the City of Linton if in the opinion of the Inspector of Buildings such dwelling has been damaged from any cause to the extent of sixty per cent of the cost of a similar building, and any such dwelling shall be torn down and removed, if in a dangerous condition, when so ordered by the Inspector of Buildings. Repairs on frame buildings within the fire limits may be made involving the substitution of material or work made necessary by ordinary wear and tear, but no alteration or change in plan or size of such structure shall be made or other changes, which may involve the use or uses other than that for which the structure was originally intended.

3-105. ROOFS. - The weather covering of all roofs, cornices, gutters, eaves, and parapets, within the fire limits shall be made of incombustible materials. No uncovered tar, tar paper, composition rosin, felt, or wood work shall in any way be exposed on any roof or its appendage. Every composition roof of whatever kind shall be protected with a permanent covering of some fireproof material, such as gravel, crushed granite or slag subject to the approval of the Inspector of Buildings, provided, however, that for the purpose of a photographer's printing room or a roof extension of an elevator shaft, a frame addition properly supported and over ten (10) feet high may be erected on the roof of any building, the sides and roof of such addition to be erected with fireproof material and its total floor area not to exceed twelve and one-half ( $12\frac{1}{2}$ ) per cent of the area of the roof on which it is erected.

3-106. STAIRS OF WOOD. - Outside stairs constructed of wood and in a substantial manner, if approved by the Building Inspector may be erected in connection of porches in the rear of flat buildings and dwellings within the fire limits.

3-107. TEMPORARY SHEDS. - Temporary one-story sheds may be erected within the fire limits, for the use of builders adjacent to buildings in course of erection, but shall be demolished or removed upon the completion of said building.

3-108. APPENDAGES ABOVE THE FIRST STORY. - Appendages to any business building above the first story and above thirty (30) feet from grade of sidewalk on any other building, if not wholly of incombustible material, shall be enveloped with metal. Dormer windows, cornices, mouldings, balconies, bay-windows, towers, spires, ventilators, etc., shall be considered as appendages.

3-109. CORNICES. - Incombustible cornices shall be well secured to walls by brackets, and in all cases shall be carried up to the planking of the roof behind the cornice, and where the cornice projects above the roof, the walls shall be behind, carried up to the top of the cornice, and all exterior wooden cornices in brick, stone, or iron buildings, that shall hereafter require to be replaced, shall be constructed of some non-combustible material as required for new buildings.

3-110. CHIMNEYS, FLUES, SMOKE STACKS - SPECIFICATIONS. - It shall be unlawful to erect and maintain any chimney, flue, or smoke stack within the corporate limits of said City as now established or as they may hereafter be established, which chimneys, flues, or smoke stacks do not conform to the following details and specifications, to-wit:

1. All chimneys shall be built of brick, stone or other incombustible material, and whether built inside or outside of building or whether connected with the same or isolated, shall have the foundations designed and built in conformity with the provisions relative to foundations or buildings herein given.

2. All chimneys or flues hereafter built must be lined throughout with burnt clay flue lining, unless they are built with an 8 inch wall on all four sides.



3. All walls or chimneys and flues shall have a clearance of at least one-half ( $\frac{1}{2}$ ) inch between flue and flue lining.
4. Smoke pipe holes in chimneys and flues must be at least eighteen (18) inches between the ceiling of the room in which the hole is cut.
5. No chimney or flue shall be leaned more than one-half ( $\frac{1}{2}$ ) its width in any direction.
6. No chimney or flue will be permitted to be turned on its foundation.
7. Chimneys must be started from the ground and no bracket flues shall be allowed or permitted.
8. Every chimney not forming a part of a wall shall rest upon the ground or other sufficient fireproof foundation.
9. All chimneys or smoke flues occurring in masonry shall have a wall eight (8) inches thick at the back and when corbeled out shall be supported by at least five courses of brick, but shall not be corbeled over a wall more than one-half ( $\frac{1}{2}$ ) of the thickness of the wall and if supported by piers, the same shall start from the foundation on the same face with the chimney above. All chimneys occurring in brick walls shall be bonded to the walls at every fifth course from the bottom to the top in regular bond.
10. Sheet metal smoke flues enclosed in vent flues are prohibited.
11. All chimneys shall be topped out at least (4) feet above the top of the roof at the point of contact, if a flat roof, and at least eight (8) feet above the eaves of a pitched roof.
12. No chimney flue shall be less than sixty-four (64) inches in area when used as a smoke flue.
13. Timber of any kind shall not rest on chimney walls, but in all cases framing timbers shall be kept at least two (2) inches away from the outer face of chimney walls; provided that corbeled brick fire stops shall be used between chimneys and joists as in case of walls.
14. All smoke flues, stacks or chimneys hereafter erected, having a sectional area greater than two-hundred (200) square inches and less than five hundred (500) square inches shall be surrounded with wall not less than eight (8) inches thick, and shall comply in all respect to the requirements of this code relative to flues in brick walls.
15. Smoke flues, chimneys or stacks having a sectional area greater than five hundred (500) square inches shall have hollow walls in which the combined thickness of the enclosing walls shall be at least twelve (12) inches and the air space between the inner and outer walls shall not be less than two (2) inches.
16. For a distance of two feet (2) below the smoke outlet and at least ten (10) above it, such flue chimney or stack shall be lined with fire bricks laid in fire clay, mortar together with the opening for smoke pipe.
17. The top of all smoke flues, chimneys or stacks which may hereafter be erected exceeding a sectional area of one hundred and seventy (170) square inches, shall extend to a height of not less than twelve (12) feet above the roof of the building.
18. Where there are other buildings within a radius of fifty (50) feet, any smoke flue which exceeds five hundred (500) square inches in area shall be carried to a height sufficient to protect such building from smoke and gasses or suitable and approved smoke consuming devices may be used to serve the same purpose.
19. All flues in party walls shall be kept at least two (2) inches from the party line of said wall; except joist flues, which shall be separated by a four (4) inch width of brick work the entire length.

3-111. FIRE ESCAPES. - It is further provided that nothing within this code shall in any way conflict with the conditions required by general laws of Indiana, and all fire escapes shall be constructed and maintained subject to the conditions and special requirements as indicated and required by state laws.

3-199. PENALTY. - The owners of any building designated in this chapter whether individual, firm or corporation or the lessee or occupant thereof, or any officer having charge of public property, who neglects or refuses to comply with any of the provisions of this chapter, shall upon conviction be fined not exceeding two hundred dollars (\$200.00), and be deemed guilty of a misdemeanor punishable by imprisonment for not less than one month nor more than two months; provided that nothing in this chapter shall interfere with fire escapes now in use approved by the Building Inspector. Each and every day that such violation shall continue shall constitute a separate offense.

## TITLE 4 - HEALTH AND SANITATION

## CHAPTER 1

- 4-101. Filth, Rubbish Deposited.
- 4-102. Garbage Receptacles - Order to Clean Premises.
- 4-103. Scavengers.
- 4-104. Fly - Producing Conditions.
- 4-105. Spitting in Public Places.
- 4-106. Small Pox - Isolation.
- 4-107. Human Excrement, Deposited.
- 4-108. --- Water-flush Toilets - Sanitary Privies.
- 4-109. --- Order to Provide Sanitary Privy.
- 4-110. --- Construction of Privy.
- 4-111. --- Refusal to Obey Order.
- 4-112. Privies - Dilapidated.
- 4-113. Filling Abandoned Vaults.
- 4-199. Penalty.

4-101. FILTH RUBBISH DEPOSITED. - It shall be unlawful for any person or persons, company or corporation to throw or deposit or suffer to be thrown or deposited, or suffer or permit any child, servant, member of the family, or any other person, under his, her or their control to throw or deposit any manure, rubbish, old tin cans, boiler, empty cartons, containers, broken glass or debris of any kind, slop, putrid, or unsound animal or vegetable matter or any filthy, noisome or unwholesome liquid or slop, or substances that are likely to become slop, unwholesome, in or into or upon any street, lane, alley, sidewalk, gutter, crossing, lot, cellar or roof, any building premises, or common, and it shall also be unlawful for any rank weeds to be allowed to grow on any ground within the corporation of the City of Linton.

4-102. GARBAGE RECEPTACLES - ORDER TO CLEAN PREMISES. - All kitchens, including those in hotels, cafes, and restaurants shall be provided with garbage receptacles and said receptacles shall be made of metal, shall be tightly covered and emptied frequently to prevent fermentation and bad odors; the garbage receptacles and vaults shall be emptied, cleaned and disinfected, and weeds shall be cut and hauled away at any time upon the written order of the Health Officer; said Officer to fix a reasonable time limit of not more than five days in his order when said garbage receptacles or vaults shall be emptied, cleaned and disinfected and when weeds shall be cut and hauled away; and if any owner or lessee, being duly ordered as herein provided shall fail or refuse to obey said order, it shall be the duty of the Street Commissioner, upon written notice from the Health Officer to cause the garbage receptacles or vaults to be cleaned and disinfected and any weeds cut and hauled away, and said Commissioner shall keep an accurate account of the expenses thereof, which shall be paid from the City Treasury upon the sworn voucher of the Commissioner, and said expense shall be a lien upon the property and collected by law and turned into the City Treasury.



4-103. SCAVENGERS. - It shall be unlawful to fill up old privy vaults or sinks without first emptying the same. All vehicles or conveyances used to carry away filth and garbage and used by scavengers in their work shall be water tight and air tight and shall be provided with cover with which to prevent the escape of any of the substances therein carried and conveyed and at all times while in use shall be tightly and securely covered to prevent the escape of foul, offensive and noisome odors and the outside of the same shall be kept clean and free, at all times from the substances which are carried and have been carried on the inside thereof.

4-104. FLY - PRODUCING CONDITIONS. - It shall be unlawful for any person, firm or corporation to suffer or permit or have upon their premises, whether owned or leased by them, any one or more of the following insanitary fly-producing, disease-causing conditions, to-wit:

1. Animal manure in any quantity which is not securely protected from flies.
2. Privies, vaults, cess pools, pits, or like places which are not securely protected from flies.
3. Garbage in any quantities which is not securely protected from flies.
4. Trash, litter, rags, tin cans, containers or anything whatsoever in which flies may breed or multiply.

4-105. SPITTING IN PUBLIC PLACES. - It shall be unlawful for any person to spit upon any sidewalk within the limits of the City of Linton, or upon the floor, steps or entrance of any public building within said City, or upon the floor or platform of any railroad station therein.

4-106. SMALL POX - ISOLATION. - In case of small pox it shall be the duty of the City Health Officer to isolate the patient in the house in which he or she is found, or in case this is not practicable, in an isolation hospital established by the City Council, and where the patient is unable to compensate the physician or nurse, or provide all necessary attendance or food, the expenses, and those who have been exposed to small pox shall be vaccinated and disinfected in body and in apparel and given their freedom for ten days, provided they will faithfully promise to report to the City Health Officer at the end of ten days from the first exposure, to be placed in quarantine until fifteen days from the first exposure have elapsed, or until such time as the Health Officer may designate.

4-107. HUMAN EXCREMENT, DEPOSITED. - It shall be unlawful for any person, persons, firm, or corporation, to place or deposit any human excrement upon the premises in any insanitary manner, or to erect, construct, maintain or permit, upon their premises, privies, vaults, cesspools, pits, or like places, which are insanitary, or which are foul or malodorous; and such condition shall be deemed to constitute a public nuisance.

4-108. --- WATER-FLUSH TOILETS - SANITARY PRIVIES. - Every inhabitable dwelling, business house, boarding house, lodging house, eating place, tenement, shop, factory, public hall, place of amusement, and public buildings, in the City of Linton, Indiana, shall be provided with sanitary inside or outside water-flush toilet; except that where sewers are not available, sanitary privy, or privies shall be provided. For the purpose of this chapter a sanitary privy shall be deemed to be a privy so constructed and maintained: (1) that flies, insects, rats or small domestic animals cannot gain access to the waste materials; (2) that the surface or ground water cannot enter the pit or vault; (3) so located that waste material in the privy cannot contaminate a water supply by underground or surface drainage.

4-109. — ORDER TO PROVIDE SANITARY PRIVY. — Within a period of ten days after receiving an official order, in writing, from the Secretary of the Board of Health, it shall be the duty of the owner of the premises to provide said sanitary privy or privies which in their opinion shall comply with the requirements of a sanitary privy as defined in Section 108 above. Such official notice shall be served upon the tenant and owner, or upon the owner's rental agent for the premises, but may be served upon any person who may have by contract with the owner assumed the duty of doing those things which the order may specify.

4-110. — CONSTRUCTION OF PRIVY. — It shall be the duty of a occupany or the owner of the premises to erect and maintain said privy in accordance with the rules and regulations prescribed by the Indiana Division of Public Health.

4-111. — REFUSAL TO OBEY ORDER. — Upon refusal or neglect of any owner, agent, person, firm or corporation having ownership, lease, rental, or control over any property, either in full, or part, to obey said order then the City Attorney of the City of Linton, Greene County, Indiana, upon receiving the information from said Secretary of the Board of Health shall attend to all legal proceedings for the enforcement pursuant to the terms of this chapter.

4-112. PRIVIES — DILAPIATED. — It shall be unlawful for insanitary privies to be or exist within the corporation boundaries of the City of Linton, and an insanitary privy is defined to be a privy that is dilapiated, unsightly, out of repair, malodorous, not effectively screened against flies, not rat proof, which may or does pollute the ground or the air and which is not so situated and constructed that it can be easily cleaned and disinfected.

4-113. FILLING ABANDONED VAULTS. — It shall be unlawful for any person, company, firm or corporation to fill up an abandoned privy vault, or pit without first cleaning the same to the bottom and treating liberally with quick lime or other disinfectant approved by the City Health Officer, and all privy vault contents here designated night-soil, shall be transported to a place where said night-soil can not become a nuisance and buried in the ground, or it may be cremated or made into compost.

4-199. PENALTY. — Any person violating any of the provisions of this chapter shall, upon conviction, be fined in any sum not less than two dollars (\$2.00) nor more than one hundred dollars (\$100.00) together with the costs of prosecution and to which may be added imprisonment to exceed ten (10) days.

## TITLE 5 - LICENSES, PERMITS AND COMMERCIAL REGULATIONS.

## CHAPTER 1

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5-101. ITINERANT MERCHANT OR SOLICITOR - LICENSE. - It shall be unlawful for any person, firm or corporation to engage in the business of itinerant merchant or in the business of solicitor as defined by this chapter, within the City of Linton, Indiana, until the provisions of this chapter have been complied with.

5-102. -- DEFINITIONS. - The term "Itinerant Merchant" is hereby defined to be any transient person who shall engage temporarily in the making or selling of any kind of goods, wares, or merchandise within said City of Linton, regardless of whether such goods, wares, or merchandise are peddled from house to house, sold upon the streets or other public places, or sold from any room, building, structure or lot rented or leased for the purpose of carrying on such business.

A "Solicitor" is hereby defined to be any person who goes from house to house or from place to place in the said City of Linton, selling or taking orders for, or offering to sell or take orders for goods, wares, or merchandise or any article for future delivery.

5-103. -- APPLICABILITY. - The provisions of these sections shall not apply to sales to dealers by commercial travelers, nor to sales by producers or farm or dairy products, nor to merchants or solicitors who are bona fide residents of Linton, nor to soldiers or sailors and their families now exempted by law.

5-104. -- BOND - FEE. - Any person, firm or corporation desiring to engage in the business of itinerant merchant, as herein defined within said City, shall make an application in writing to the Clerk of said City, for a license so to do, which application shall be filed with said Clerk at least seven days before such applicant shall be authorized to begin such business. Such application shall state the name and residence of the applicant, the place where such business is to be conducted, the kind of goods to be sold and the length of time for which license is desired. Such application shall be accompanied by a bond in the penal sum of five hundred dollars (\$500.00), executed by a surety company or two responsible freeholders residing within the City of Linton, or in lieu thereof a cash bond of equal amount, conditioned that all goods, wares, merchandise or articles sold by such applicant will be represented by him and that he will refund the purchase price of any goods, wares, merchandise or articles sold by him which are not as represented. Any person aggrieved by the action of any such itinerant merchant shall have the right of action on the bond for the recovery of money or damages or both. In the event a cash bond is deposited, the same shall be retained by said City for ninety (90) days after the expiration of any such license. Upon the filing of such application and bond, and the approval of such bond by the Clerk of said City, a license shall be issued by the Clerk of said City, to such applicant to begin business not less than seven days after the date of filing such application and bond, upon the payment of the following fees: For one day fifteen dollars (\$15.00); for one week, fifty dollars (\$50.00) for one month two hundred dollars (\$200.00). All such license fees must be paid in advance and if any such licensee desires to continue in business after the expiration of such license, a new license must be secured in the same manner and upon the same terms as the original license.



Any person exempted by the laws of this state, from the payment of said license fees shall, before beginning such business, present to the Clerk of said city his credentials showing that he is entitled to such exemption, and shall execute and file a bond as above provided, and upon the approval of said bond he shall then receive a certificate from said City Clerk authorizing him to engage in the business of itinerant merchant within the City of Linton, for any period not longer than one month. If at the end of a month such person desires to continue in such business, another certificate must be procured from said City Clerk.

5-105. -- BOND. - Any person desiring to engage in the business of solicitor as defined in this chapter, within the City of Linton, for any period, shall before engaging in said business, file with the clerk of said city an application containing his name and address the firm or corporation which he represents and the kind of goods to be offered for sale, and the length of time during which he desires to engage in such business. Such application shall be accompanied by a bond in the penal sum of five hundred dollars (\$500.00) executed by a surety company or by two responsible free holders residing in the City of Linton, or in lieu of a cash bond of equal amount, conditioned upon the making of a final delivery of the goods ordered in accordance with the terms of such order, or failing therein that the advance payment on such order be refunded. Any person aggrieved by the action of any such solicitor shall have a right of action on the bond for the recovery of money or damages or both. In the event a cash bond is deposited such deposit shall be retained by the City of Linton for a period of ninety (90) days after the expiration of the time such solicitor is authorized to engage in such business. Upon the filing of such statement and bond, and the approval of said bond by the City Clerk, said City Clerk shall issue to such applicant a certificate authorizing him to engage in the business of solicitor within said City during the time requested in said application.

5-106. -- ORDER IN WRITING. - All orders taken by solicitors in the City of Linton, shall be in writing, in duplicates, stating the terms thereof and the amount paid in advance, and one copy of such order shall be given to the purchaser.

5-107. ITINERANT PHYSICIAN, DENTIST, VENDOR OF MEDICINE - LICENSE. - It shall be unlawful for any person, or corporation to practice as an itinerant physician or dentist within the corporation limits of said City or to engage as an itinerant vendor of medicines or remedy before any public audience in said City, without having first procured from said City a license so to do, and have paid to said City such license the sum of money hereinafter set out, all in accordance with the conditions hereinafter set out.

5-108. -- FEES. - Any person, firm or corporation desiring a license to do anything above set out, shall make application to the City Clerk for such license and shall pay to said Clerk the sum of five (\$5.00) dollars for each day where the license is taken out by the day, or twenty-five (\$25.00) dollars for each week, when the license is taken out by the week, and fifty (\$50.00) dollars for each month where the license is taken out by the month.

5-109. JUNK DEALER - LICENSE. - No person or persons, firm, partnership or corporation shall carry on the business of junk dealer within the City of Linton, without first having obtained a license to do so as hereinafter provided.

5-110. -- DEFINITION. - Any person, firm, partnership or corporation who keeps a place of business for the purchase or sale of junk, old rags, old canvas, old rope, old papers, or the like, shall be deemed a junk dealer.

5-111. -- FEE. - Any person, firm, partnership or corporation desiring to deal in junk, shall first pay into the City Treasury the sum of three hundred dollars (\$300.00) as a license fee therefor, and shall file an application in writing, signed by the applicant, particularly, describing the place where said business is to be carried on, and giving the full name of the person or persons, firm or corporation making the application.

5-112. -- ISSUANCE. - It shall be the duty of the City Clerk, whenever such receipt and application shall be filed with him, as above provided, to issue a license to such applicant or applicants, for the period of one year from the date of issuing the same, to carry on the business in the place specified in such application; which license shall not be transferable. The Clerk shall receive out of the Treasury, the sum of one dollar for issuing such license.

5-113. -- RECORD OF PURCHASES AND SALES. - Every junk dealer shall keep at his place of business substantial and well bound books in which shall be entered in writing with ink, which writing shall at all times be kept plain and legible, a minute description of all property received in purchase, the date on which it was received, and particularly mentioning any prominent or descriptive marks that may be on any such property, together with the name, age and residence of the person or persons by whom it was sold; which book shall be kept clean and legible, and no entry therein shall be blurred or obliterated or defaced. Every junk dealer, at the time of making the purchase, shall deliver to the person from whom he obtains the property, a written memorandum signed by himself, containing the substance of the entry made in the book aforesaid.

5-114. -- RECORD EXAMINED. - Every junk dealer shall during the regular hours of business, submit and exhibit the book as provided in section 113 above, to the Mayor or any police officer of the City.

5-115. -- UNLAWFUL PURCHASE. - No person, persons, partnership, firm or corporation licensed under this chapter shall receive by way of purchase or otherwise, any property whatever from a minor under the age of twenty-one years, at any time, without the consent of the parents or guardian of such minor, nor from any person between the hours of eight o'clock P.M. and seven o'clock A.M., nor at any time from any intoxicated person; nor from any person known to the purchaser to be a thief, or to have been convicted of burglary or larceny.

5-116. MINATURE GOLF COURSE - LICENSE FEES. - The license fee for operating miniature golf courses in the City of Linton, Indiana, shall be eight (\$8.00) per month while in operation.

5-117. — PAYMENT. — The license fee provided in section 116 shall be paid to the Clerk of said City on the first of each and every month in advance.

5-118. — STARTING GOLF COURSE. — If any person, firm or corporation shall commence the business of operating any such golf course within said City during any one month, the license fee shall be paid in advance for the remaining proportional part of said month.

5-119. — PAYMENT IN ADVANCE. — It shall be unlawful for any person, firm or corporation to operate any public miniature golf course without having first paid in advance for such privilege, the fees prescribed in this chapter, and anyone failing to pay such fee in advance shall upon conviction, be deemed guilty of violating this chapter.

5-120. — PEOPLE CONGREGATING - HOURS. — It shall be unlawful for any person, firm or corporation to operate such miniature golf course or to allow persons to congregate or loiter in and about the same before seven o'clock A.M. and after eleven o'clock P.M.; each violation of this provision, upon conviction, shall be deemed a violation of this chapter.

5-121. MISCELLANEOUS LICENSES. — It shall be unlawful for any person, or persons, corporation or company, without having procured and taken out a city license to directly or indirectly, run, operate, perform, show, exhibit or do, within the corporate limits of this City, any of the following things for hire, profit, or gain to-wit:

To exhibit or operate any Graph-phone, Phonograph, Zonophone, or any other instrument to conduct any theatrical performance; to give acrobatic or gymnastic performance or entertainment, to give a musical or lecture entertainment; to conduct any circus, menagerie or trained animal show, side show, or any show under tent or canvas; to give any legerdemain, ventriloquist hypnotic or magic lantern exhibition or entertainment; to exhibit any natural or artificial curiosities or work of science, art, nature, or skill; or erect or maintain any kniferack, cane rack, doll rack, bowling alley, billiard table, pool table, shooting gallery, or engage in any or become employed in the work of art, science or profession, of a street fakir, hawker, auctioneer or salesman, at public outcry.

5-122. — FEES. — It shall be the duty of the City Clerk of this City to issue a license to any person, persons, corporation, or company to do, transact, exhibit or perform any of these things mentioned in section 121 of this chapter upon the payment of the license fee named and specified in the following schedule to-wit:

1. Each exhibition or entertainment with phonograph, graphophone, or zonophone, per day, three dollars (\$3.00). Any and all other talking or musical instruments, per day, three dollars (\$3.00).
2. Theatrical performances or entertainments under tent, five dollars (\$5.00) per day or fifteen dollars (\$15.00) per week.
3. Theatrical performances in opera house, per day two dollars (\$2.00) or ten dollars (\$10.00) per week.
4. Acrobatic or gymnastic performances or entertainments, five dollars (\$5.00) per day.
5. Moving pictures without vaudeville, fifty dollars (\$50.00) per year. Moving Pictures with vaudeville, Sixty-five dollars (\$65.00) per year.



6. Carnivals, including all concessions, one Hundred Dollars (\$100.00) per week.
7. Musical or lecture entertainments, five dollars (\$5.00) per day.
8. Circus or menagerie show, traveling by railway or truck, thirty dollars (\$30.00) per day.
9. Trained animal show, fifteen dollars (\$15.00) per day.
10. Any show under tent or canvas not above mentioned five dollars (\$5.00) per day or fifteen dollars (\$15.00) per week.
11. Legerdemain, two dollars (\$2.00) for each performance or entertainment.
12. Ventriloquist, two dollars (\$2.00) for each performance or entertainment.
13. Hypnotic performance or entertainment, each, two dollars (\$2.00).
14. Moving picture or magic lantern, for each exhibition or entertainment, two dollars (\$2.00) per day; two dollars and fifty cents (\$2.50) per week; ten dollars (\$10.00) per month; twenty-five dollars (\$25.00) per six months and fifty dollars (\$50.00) per year.
15. Natural curiosities, for each exhibition, five dollars (\$5.00).
16. Artificial curiosities, for each exhibition, five dollars (\$5.00).
17. Work of science, exhibition of, two dollars (\$2.00) per day.
18. Work of art, exhibition of, two dollars (\$2.00) per day.
19. Work of skill, exhibition of, two dollars (\$2.00) per day.
20. Doll rack, two dollars (\$2.00) per day.
21. Cane rack, two dollars (\$2.00) per day.
22. Knife rack, two dollars (\$2.00) per day.
23. Bowling alley or box alley, ten dollars per year for each Alley.
24. Street fakir, in or with wagon, five dollars (\$5.00) per day.
25. Street fakir, on foot, three dollars (\$3.00) per day.
26. To sell at public outcry any medicine, remedies, goods, wares, or chattels, five dollars (\$5.00) per day.
27. Pool tables, per year, five dollars (\$5.00) for each table used.
28. Billiard tables, per year, five dollars (\$5.00) for each table used.
29. To sell at public auction any goods, wares, chattels, remedies or medicines, ten dollars (\$10.00) per day.
30. Shooting gallery, one dollar (\$1.00) per day; four dollars (\$4.00) per week; seven dollars and fifty cents (\$7.50) per month; fifteen dollars (\$15.00) for three months; twenty-two dollars (\$22.00) for six months and thirty dollars (\$30.00) per year.
31. Skating rink, fifty cents (50¢) per day; three dollars (\$3.00) per week; five dollars (\$5.00) per month; ten dollars (\$10.00) for three months, fifteen dollars (\$15.00) for six months; and twenty-five dollars (\$25.00) per year.

Provided, however, that nothing in the foregoing sections shall be construed so as to hinder or prevent any person or persons or corporation from doing exhibiting or performing anything mentioned therein in said foregoing sections for charitable purposes, or for the benefits of any church or churches or public schools, of the City of Linton, nor shall it be so construed as to interfere with, hinder or prevent any sale, or other thing, the same being the order or decree of any court of record of this state or of the United States, nor shall it prevent any person, persons, corporation or company from marketing their own products.



5-123. OPEN AIR THEATER - LICENSE. - It shall be unlawful for any person, persons, corporation or company, without having procured and taken out a City license to directly or indirectly run, operate, show, exhibit or do within the corporate limits of the said City the following to-wit: To operate or conduct any airdrome theatrical performance or any airdrome theater, or any other open air theatrical performance.

5-124. -- FEES. - It shall be the duty of the City Clerk to issue a license to any person, persons, corporation or company to operate and conduct the said airdrome or open air theatrical performance or theater upon the payment of the following license fees to-wit:

Each exhibition or performance two (\$2.00) dollars per day, ten (\$10.00) dollars per week; one hundred dollars (\$100.00) per six (6) months, and one hundred fifty (\$150.00) per year.

5-125. PLUMBERS LICENSE. - Any person desiring to be a plumber or to do plumbing, including heating of every kind including water, air or gas, in the City of Linton, Indiana, shall first secure a license from the Common Council of the City of Linton, Indiana, and pass an examination as to his competency. Said examination to be given by an Examination Board of Licensed Plumbers and Heaters, which said Board shall consist of a Superintendent of the Water Works, the Street Commissioner and one licensed plumber of the City of Linton to be appointed by the City Council.

5-126. -- FEES. - Every person applying for license as plumber shall first pay a fee of twenty-five dollars (\$25.00) which shall be in full of all fees due the City for said license so as said license is unrevoked.

5-127. -- PETITION - BOND. - Any person, firm or corporation desiring to do business as a plumber or plumbers in connection with the sanitary sewer system, or to make any connection to said system, shall file in the office of the City Clerk a petition giving the name of the individual, firm and place of business and give satisfactory evidence that the applicant is a citizen of the United States and declares that he will be governed in all respects by the rules and regulations which are or may be adopted by the Common Council; that he will pay all fines and penalties imposed upon him for violations of any of said rules and regulations. The petition must be verified by the oath of the petitioner and recommended by two responsible citizens of the City of Linton. Each applicant for license shall execute and deposit in the office of the City Clerk, with his application a bond, with two or more resident sureties or responsible surety companies, to be approved by said Common Council, in the sum of five thousand dollars (\$5,000.00) conditioned that he will indemnify and save harmless the City of Linton from all accidents and damages caused by any negligence in protecting his work, or by any unfaithful, imperfect or inadequate work done by virtue of his license.

5-128. -- BOND - RENEWAL. - Plumbers will be required to have their bond renewed on or before the 1st of January of each year, otherwise the license will become inoperative.

5-129. — GENERAL PROVISIONS. - On receiving his license he shall have recorded in the office of the City Clerk his actual place of business, the name under which the business is transacted, and shall immediately notify the City of any change thereafter of either. No license will be granted for more than one year, and if at any time the Common Council shall so require, the said applicant shall furnish additional or other sureties to the said bond, or furnish a new bond. Removal of resident from said City shall act as forfeiture of license. A license cannot be transferred.

5-130. TRANSIENT PHOTOGRAPHER - LICENSE. - No person shall set upon the street or in the public places of said City any apparatus, tent or temporary room or place containing portable photograph gallery for the taking of pictures of persons, or shall operate any portable photograph apparatus in said City for the purpose of taking and making for sale or hire views of the interiors or exteriors of buildings, street scenes or pictures of homes, without first having obtained a license therefor as provided in this chapter.

5-131. — APPLICATION. - Application for licenses under the preceding section shall be made to the City Clerk, and no licenses shall be transferable, and all licenses shall be revocable by the Common Council of said City by resolution. The amount paid for licenses issued shall be paid to the City Clerk, and his receipt shall be taken as evidence of the payment of same.

5-132. — FEES. - The rate of license under these sections is hereby established at the following sum to-wit: For each portable photograph gallery and camera outfit to be used upon the streets of said City for the taking of pictures of persons or scenes where the operator does not use a tent or gallery in a building or permanent location, but takes, completes and sells the photographs or pictures upon said street, the sum of ten dollars (\$10.00) for the first day, and the further sum of four dollars (\$4.00) for each day thereafter. For each portable photograph or picture gallery installed in a tent, building or other place where the owner takes, completes or sells the photographs or pictures in said tent, building or other place and is not a resident of said City but a transient photographer the sum of ten dollars (\$10.00) for the first day and the further sum of four dollars (\$4.00) for each day thereafter. For transient photographer who canvases the City taking flashlight or other view of the interior of stores; offices and buildings, and the exteriors of house and buildings for the purpose of selling the views and scenes so taken, who are not residents of or permanently in the business, in said City, the sum of fifteen dollars (\$15.00) for the first day and five dollars (\$5.00) for each day thereafter.

5-133. WHOLESALE PEDDLER - LICENSE. - It shall be unlawful for any wholesale peddler, subject to the exception mention herein, to peddle any commodity or personal property within the City of Linton, unless said wholesale peddler has procured license as hereinafter provided.

5-134. — DEFINITION. — The term "Wholesale Peddler" as used in these sections shall be taken to mean any person who travels from place to place in a vehicle and conducts a business from said vehicle, or has a stand upon any public street or alley within the corporate limits of the City of Linton, Indiana, and who sells or offers for sale any commodity or personal property for the purpose of resale, except, any grower or producer shall be permitted to dispose of products grown or produced by him as he shall desire.

5-135. — APPLICATION - FEE. — Any person desiring a wholesale peddler's license, shall make written application to the City Clerk-Treasurer, giving his name, and whether he is to peddle by vehicle or from a stand, and upon filing said application, said applicant shall pay to said City Clerk-Treasurer, a fee of ten dollars (\$10.00) per day for each day said license is desired.

5-136. — ISSUANCE - TRANSFERABLE. — The City Clerk-Treasurer shall furnish each peddler with a license upon payment of the fees as provided for in section 135 of this chapter. All such license shall not be transferable.

5-137. BUILDING PERMIT. — No work or repairs shall be done upon any structure, building, or shed in the City of Linton, except as hereinafter mentioned without a permit from the City Clerk. Before proceeding with the erection, enlargement, alteration, repair or removal of any building in the City of Linton a permit for such erection, enlargement, alteration, repair or removal shall first be obtained by the owner or owners or his or their heirs from the City Clerk and it will be unlawful to commence or proceed with the erection, alteration, enlargement, repair or removal of any building or structural part thereof, within the City of Linton unless such permit, shall have first been obtained from the City Clerk. The City Clerk is hereby authorized to issue building permits only upon the presentation of application properly signed and approved by the Building Inspector. These applications must be returned to the Inspector after said permits shall have been issued.

5-138. — REVOCATION. — Should the Building Inspector become convinced that the work under such permit is not proceeding according to the detailed statement, plans and specifications upon which such permit was issued, but is proceeding in violation of the law or ordinance it shall be his duty to notify the owner or owners, or his or their agents, in writing, that the work is being constructed in violation of the permit and ordinance and that the same must be immediately rectified to conform with the building laws. If the owner or owners, or his or their agents neglect to comply with the said laws or fails to make correction it shall be the further duty of the Building Inspector to revoke said permit, and notice thereof shall be immediately served upon the owner, agent, superintendent or contractor in charge of the work, and posted on the property. Said notice shall be in writing, signed by the Building Inspector, and after such revocation of permits, any contractor or workman, performing any work in or about said structure, buildings, or premises, shall be guilty of a misdemeanor and upon conviction thereof, shall be deemed guilty of violating this chapter.

5-139. — LIMIT. — Every permit shall be considered canceled if active work, is not commenced within six (6) months of the date of the issue.



5-140. -- FEES. - For new buildings, hollow sidewalks, additions and underpinnings of old buildings with brick or tile or cement basements the permit fee shall be one cent for every hundred cubic feet of contents of such building. The cubic contents to be measured to include every part of the building from basement to highest part of roof. Additions and alterations to such buildings shall figure in the same manner, provided, however, that no permit fee shall be less than one dollar (\$1.00). Permits for interior alterations, water tanks on roof, permanent grand-stands to which the one hundred feet rate above mentioned cannot be properly applied, shall cost fifty cents for every five hundred dollars of the cost of the alteration or erection of such building, provided, however that no permit shall be less than one dollar (\$1.00). Temporary grand-stands, reviewing stands, platforms and all special temporary permits, the fees therefor shall be one dollar (\$1.00). The fees for permits shall be paid to the City Clerk, who shall not issue any permit until the said fee shall have been paid.

5-141. HOUSE MOVING - PERMIT. - No building shall be removed to a new location within the City limits without a permit be first issued therefor by the authority of the Common Council. The person desiring such removal shall file with the Building Inspector his written application therefor setting forth the kind of building to be removed, its original cost, its dimensions in extreme length, height and width, its present location, and the particular lot or site to which it is proposed to be moved.

5-142. -- BOND. - Said Council as a condition precedent to the issuance of such permit, shall require a bond to be executed by the person desiring such work, with surety to the satisfaction of such Council, which shall be in terms and for such amount as said Council may prescribe, conditioned upon the strict compliance with the terms of said permit as to route to be taken and limit of time in which to effect such removal, and to repair or to compensate for the repair, and to pay all damages whatsoever occasioned by or incident to such removal and to pay to said City of Linton as liquidated damages on account not exceeding fifty dollars, (\$50.00) to be prescribed by said Council for each and every day's delay in completing such removal, or in repairing any damages to property or public improvements or in clearing public highways of all debris, occasioned thereby. With the issuance of said permit the said Common Council shall cause written notice thereof to be given to superintendent of fire alarm and of telephone, electric light and others whose property may be affected by such removal. Damages above mentioned relate to shade trees, pavements, curbs, and other property which may in any way be affected by the removal of house or structures as above described.

5-143. PLUMBING OR SEWER CONNECTIONS - PERMIT. - No person, firm, or corporation shall lay, alter or repair any sewer, house drain or plumbing work or make any connections whatever with any sewer or drain belonging to the sanitary sewer system, or do any kind of work connected with the laying of house sewers or drains, or plumbing or making any repairs addition to or altering of any sewer or plumbing connected to or designed to be connected with the sanitary sewer system, unless a permit therefor is first obtained from the said City of Linton.



5-144. -- APPLICATION. - Applications for permits to connect with the water line or do plumbing work to be connected therewith, must be made in writing by the owner of the property, to be connected, or his authorized agent. Such application shall give the precise location of the property, the name of the owner and the name of the person or firm employed to do the work, and shall be made on blanks furnished for the purpose. No permit shall be deemed to authorize anything not stated in the application. Permits to make connections will be issued only when the plumbing in the house or building to be connected is in accordance with the rules for plumbing hereinafter described and has been inspected and approved by the City Plumbing Inspector or other person appointed by the Council.

5-145. -- PLANS. - Before a permit will be issued for doing plumbing work in a building, or before any additions are made except necessary repairs, a description of the work to be done must be made in writing and of old work already done signed by a licensed plumber on blanks furnished for the purpose, shall be filed in the office of the City Clerk, together with a plan consisting of such floor plans and cross sections as may be necessary to show clearly all plumbing work to be done, and must show partitions, position, size and kind of all drains, pipes and traps. Plans must be drawn to scale in ink on cloth or they must be cloth prints of such scale drawings.

Description blanks must be filled in with ink naming kind and style of all fixtures and traps.

All work done under such plans shall be subject to the inspection of the City Plumbing Inspector, or someone selected by the Common Council and no alterations shall be made in plan, or in the work, without a permit in writing from him.

Repairs or alterations of plumbing may be made without the filing and approval of the drawings and descriptions in the water department but said repairs or alterations shall not be construed to include cases where new lines of soil, waste or vent pipes are proposed to be used.

5-146. -- EXPERIENCED PLUMBER. - No one shall be given a permit to do any plumbing in any dwelling house, store room, or any other building, except, outside water closets, except an experienced plumber, who shall furnish satisfactory evidence that he is a master of his trade.

5-147. -- TAKING UP STREET. - In case the permit to be granted requires the taking up of improved streets, sidewalks, or alleys, the City Street Commissioner, shall prior to the granting of the permit, inspect the street, sidewalk, or alleys to be taken up and set a price per square yard of relaying the same, which said amount shall be collected before the permit to do said work is granted. As soon as said work is completed the person to whom said permit has been granted will immediately notify the said City Street Commissioner and it is hereby made his duty to relay said street, sidewalk, or alley, which shall have been disturbed using the funds paid for said purpose by the person to whom the said permit was granted.

5-148. TRENCHES - PERMITS. - No person or firm shall be allowed to open any trench in the street or public grounds of the City for the purpose of laying any sewer or water pipe without first obtaining a permit in writing from the City Clerk of said City.

In the opening of a street or public grounds for the introduction of any sewer or water pipe or connection under the authority of a permit from the City, the owner and plumber will each be held responsible for the trench opening by them. Whenever any street or public ground is opened for making any connection with or laying any sewer or water pipe fixtures, public safety and convenience shall be duly regarded and conserved by the construction of such bridges across open trenches as may be required to accommodate business and to insure safety to the public. Red signal lights and all such other means of protection against accidents as may be necessary must be provided.

The plumber designated and employed by the owner of the premises will be considered the agent of such owner while employed in the prosecution of work of introducing the water line into said premises and in no sense as the agent of the City, neither will the City be responsible for the acts of such plumber.

5-149. STREET EXCAVATIONS - PERMIT. - No person or persons, firm, or corporation shall be allowed to dig in any street, alley, or public place or in any way injure, disturb or make holes in the surface of any such street, alley, or public places without first obtaining a permit so to do from the said Common Council of the said City of Linton.

5-199. PENALTY. - Any person violating any of the provisions of this chapter shall upon conviction, be fined in any sum not less than five dollars (\$5.00) nor more than three hundred dollars (\$300.00) together with costs of prosecution and to which may be added imprisonment not to exceed ninety (90) days.

## TITLE 6 - MISCELLANEOUS OFFENSES.

## CHAPTER 1

- 6-101. Ashes.
- 6-102. Burning Rubbish.
- 6-103. Burning Materials in Streets.
- 6-104. Curfew - Children.
- 6-105. --- Parent or Guardian.
- 6-106. --- Police.
- 6-107. --- Mayor.
- 6-108. Explosives - Gun Powder.
- 6-109. --- Loaded Shells.
- 6-110. --- Dynamite or Nitro-glycerine.
- 6-111. Loitering.
- 6-112. --- Disperse.
- 6-113. --- Failure to Disperse.
- 6-114. Obey Order of Fire Chief.
- 6-115. Railroads - Speed of Trains.
- 6-116. --- Water Ways Kept Unobstructed.
- 6-117. Utility Poles - Painted.
- 6-118. --- Protected.
- 6-119. --- Duty of Police.
- 6-120. War Loafer - Defined.
- 6-121. --- Persons Included - Exception.
- 6-122. --- Suspension of Sentence.
- 6-123. --- Prima Facie Evidence.
- 6-199. Penalty.

6-101. ASHES. - The occupant of any building within the fire limits of said City, shall place all ashes removed from such buildings in a suitable metal container and to be there kept until removed from the City.

6-102. BURNING RUBBISH. - All papers, rubbish or other combustible matter burned within the fire limits of said City shall be burned in metal containers suitable for such purpose.

6-103. BURNING MATERIALS IN STREETS. - It shall be unlawful for any person, firm or corporation to burn or cause to be burned any waste paper or combustible material sought to be destroyed on any improved street in the City of Linton, and it shall be unlawful for said materials to be burned unless confined in some brick, metallic or other noncombustible container, so that the same while burning shall be prevented from spreading or blowing away, or being carried by the wind to other premises.

6-104. CURFEW - CHILDREN. - It is hereby made unlawful for any person under the age of sixteen (16) years to be or remain upon the streets, alleys, or public places in the City of Linton, at night after the hour of nine o'clock P.M. from March 1st, to August 31st, inclusive, of each year; and from September 1st to the last day of February, inclusive of each year; after the hour of eight o'clock P.M. unless such person is accompanied by a parent, guardian, or other person having the legal custody of such minor person, or is in performance of an errand or duty directed by such parent, guardian, or other person having the care and custody of such minor person, or whose employment makes it necessary to be upon said streets, alleys, or public places during the night time after said specified hours.

6-105. --- PARENT OR GUARDIAN. - It is hereby made unlawful for any parent, guardian, or other person having the legal care and custody of any person under the age of sixteen (16) years, to allow or permit any such child, ward, or other person under such age, while in his legal custody, to go or be in or upon any of the streets, alleys, or public places in said City within the time prohibited in section 104 of this chapter, unless there exists a reasonable necessity therefor.

6-106. --- POLICE. - Each member of the police force, while on duty is authorized to arrest, without warrant, any person, wilfully violating the provisions of section 104 of this chapter, and retain such person for a reasonable time in which complaint can be made and a warrant issued and served. No child, or minor person arrested under the provisions of these sections shall be placed in confinement until he has first been taken home to ascertain the parents' wishes, and the parents shall have refused to be held responsible for the observances of the provisions of these sections by said minor person.

6-107. --- MAYOR. - It shall be the duty of the Mayor, upon the arrest of any child or minor person, where the parents or guardians have refused to become responsible for said minor person for violation of the provisions of section 104 of this chapter, to inquire into the facts of said arrest and the condition and circumstances of such child or minor person and if it shall appear that the child or minor person, for the want of proper parental care, is growing up in mendicancy or vagrancy or is incorrigible, and to cause the proper proceedings to be had and taken as authorized and provided by law in such cases.

6-108. EXPLOSIVES - GUN POWDER. - It shall be unlawful for any person or persons, to have, keep, or store in his or her house or building or in or on his or her premises, at any one time within the City, more than twenty-five (25) pounds of gun blasting powder. And every person keeping to retail, shall keep the same in a tin metallic canister securely closed and protected.

6-109. --- LOADED SHELLS. - It shall be unlawful for any person, persons or corporation to have or keep in his or their possession or on his, its, or their premises more than twenty-five (25) pounds of loaded shells, loaded with any explosive substances or material without and unless the same be kept in an iron safe or box of sufficient thickness and strength to prevent an explosion in case of fire at the building or place where so kept.

6-110. --- DYNAMITE OR NITRO-GLYCERINE. - It shall be unlawful for any person, persons or corporations to keep or store or cause to be kept or stored within the City of Linton, any dynamite or nitro-glycerine.

6-111. LOITERING. - It shall be unlawful for any person or persons to be found loitering, idling, or congregating on the streets, alleys, side walks, corners of streets, or any other places in said City.

6-112. ---DISPERSE. - The police force of said City shall have the right to cause any person or persons found loitering, idling, or congregating in the streets, alleys, sidewalks, corners of streets or other place in said City, to disperse or move away.



6-113. --- FAILURE TO DISPERSE. - Any person or persons who shall violate section 111 of this chapter or who shall fail or refuse to disperse or move away from any street, alley, side walk, corner of street, or any other place in said City, when ordered so to do by any police officer, shall, upon conviction, be deemed guilty of violating this chapter.

6-114. OBEY ORDER OF FIRE CHIEF. - It shall be unlawful for any person to fail or neglect to discharge the duties imposed by this code for the purposes of fire inspection and prevention or the orders, relating thereto given by the Chief of the Fire Department on any member detailed by the Chief.

6-115. RAILROADS - SPEED OF TRAINS. - It shall be unlawful for any railway company to run directly or indirectly any locomotive, car, engine, train, or rolling stock of any kind or description, over its tracks within the limits of this City at a greater rate of speed than six (6) miles an hour.

6-116. --- WATER WAYS KEPT UNOBSTRUCTED. - It shall be the duty of any railway company running trains through or into this City to keep within the City limits, all sewers, tiles, ditches, pipes and waterways along and under the said tracks, cleaned and in good condition and opened to and for, the unobstructed flow of water in and along said water way or water ways.

6-117. UTILITY POLES - PAINTED. - It shall be unlawful for any person to erect or maintain any telegraph pole, electric light pole, telephone pole, to maintain any trolley wire for street railway, or any other pole, unless the same be neatly painted before so used.

6-118. --- PROTECTED. - It shall be unlawful for any person to paste, tack, or in any wise attach to any telegraph pole, telephone pole, electric light pole, or pole used to maintain trolley wires for street railways any sign, bill, poster card or other substance or device to cut or in any way deface such pole.

6-119. --- DUTY OF POLICE. - It shall be the duty of the Chief of Police and City Policemen or any of them to tear down and remove all cards, posters, and advertisements when he finds them and prosecute any person guilty of putting them on.

6-120. WAR LOAFER - DEFINED. - For the purpose of this chapter the words "War Loafer", shall be construed to mean a person, who, while the United States of America is at war with any other Nation, Government or Power, is not engaged continuously in a lawful employment, or who spends the day light hours loitering on the streets, alleys or public places and appears to have no visible means of support, and who apparently does not perform manual labor sufficient that the remuneration therefor would equal the probable cost of the food consumed by said person.

6-121. --- PERSONS INCLUDED - EXCEPTION. - Whoever being more than eighteen (18) and not more than sixty (60) years of age, and physically fit to perform manual labor, is found within the corporate limits of the City of Linton, Greene County, Indiana, while the United States of America, is engaged in war with any nation or power, without visible means of support, and is not continuously employed in a lawful occupation, business, trade, calling or profession, and who in the six (6) months last past has made no reasonable effort to procure employment, or who has refused to labor for compensation where employment is offered or who spends a major portion of the daylight hours on the streets or alleys or the public places of the said City, idling, loitering or gossiping, and who in the last preceding six (6) months has not performed manual labor sufficient that the remuneration therefor has equalled the probable cost of food consumed by said person shall be deemed guilty of being a "War Loafer".

Provided that the following persons or classes shall be excluded from the provisions of this section.

- (a) Students or persons fitting themselves in an educational way to engage in trade or industrial pursuits;
- (b) Persons temporarily unemployed by reason of difference with their employers;
- (c) Persons engaged in any seasonable business, trade or occupation.

6-122. --- SUSPENSION OF SENTENCE. - Provided, that, after conviction of a person of being a "War Loafer" the court may use its power, as conferred in similar cases by statute, to suspend sentence, if upon the representation of two reputable citizens that they will furnish the defendant with employment at a reasonable remuneration, and upon defendants representation that he will report weekly to the Court as to his employment; which period of employment and reporting shall be equal to the term of imprisonment rendered by the Court and if said defendant shall fail to continue in said employment, or fail to make report to the Court, he shall be taken in custody and the original sentence enforced.

6-123. --- PRIMA FACIE EVIDENCE. - Evidence produced that the defendant appears to be within age limits as fixed in this chapter, that he is seen frequently on the street, alleys or public places within the corporate limits of this City not engaged in any form of employment and seems not to be continuously engaged in any occupation, trade, or profession and that he is seemingly healthy fit for labor, shall be deemed prima facie evidence that the defendant is a "War Loafer" within the meaning of this chapter.

6-199. PENALTY. - Any person violating any of the provisions of this chapter shall, upon conviction, be fined in any sum not less than one dollar (\$1.00) nor more than one hundred dollars (\$100.00) together with the costs of prosecution and to which may be added imprisonment not to exceed six (6) months.

## TITLE 7 - SEWERS AND PLUMBING.

## CHAPTER 1

- 7-101. Sanitary Sewer System.
- 7-102. Plumbing, Sewer Connection - Conformity to Rules.
- 7-103. Plumbing Rules - Applicability.
- 7-104. Permit Required.
- 7-105. Inspection.
- 7-106. --- Fee.
- 7-107. --- Test.
- 7-108. --- Before Fixtures Connected.
- 7-109. Statement of Work Done.
- 7-110. House Sewers.
- 7-111. House Drains.
- 7-112. Soil and Waste Pipe Lines.
- 7-113. Safes.
- 7-114. Overflows.
- 7-115. Openings not in Use.
- 7-116. Fixtures Trapped.
- 7-117. Fixtures.
- 7-118. Closets in Outside Vaults.
- 7-119. Obstructing Sewers.
- 7-120. Sewer System - Protected.
- 7-121. Foreign Matter Deposited in Sewer Openings.
- 7-122. Toilet Paper.
- 7-199. Penalties.

7-101. SANITARY SEWER SYSTEM. - The sanitary system of the City of Linton Indiana, shall consist of:

Main and lateral conduits of salt-glazed, vitrified earthenware or brick with necessary accessories. They are designed to carry off all liquid house wastes, and are known herein as sanitary sewers. The sewers leading from the main or lateral sewers to the property on either side are called house sewers. Porous drains laid for removing subsurface water are called subsoil drains.

7-102. PLUMBING, SEWER CONNECTIONS - CONFORMITY TO RULES. - All connections of private sewers, house sewers, drain or plumbing work with the sewer system of the City of Linton shall be made in accordance with these rules and regulations.

7-103. PLUMBING RULES - APPLICABILITY. - The rules for plumbers apply to all extensions, alterations, or other work done in connection with plumbing or house drains in old buildings as in new buildings, except minor repairs. By minor repair are meant repair for leaks in pipes, traps, etc., opening waste pipes traps or drains or supply pipes, and repairing or replacing damaged or defective fixtures, pipes etc., or repair of any like nature but does not include cases where new soil or waste pipe lines are run.

The regulations established a standard of general excellence to which all plumbers must conform. The standard thus fixed is the lowest that will be tolerated, or that the public safety will permit. It is not the highest standard attainable. The plumbers should carefully consider the arrangements in every case, and should aim to supply the most perfect system of drainage and water supply that he can devise. He should limit himself to the specific requirements of the law, but should do as much better as possible.



Provided, however that the above section shall not refer to the construction of water closets in outside closets, which are governed by section 118 of this chapter.

7-104. PERMIT REQUIRED. - Any person who shall work or attempt to work upon the sewer system of the City of Linton or make any connection therewith, or do any plumbing work connected with the sewer system, before he shall have first obtained a permit to do said work as prescribed by this code, unless such person is in the employ of some other person or firm having such license shall be deemed guilty of violating this chapter.

7-105. INSPECTION. - The City Plumbing Inspector or someone selected by the City Council is to be given notice when any work is ready for examination and all work must be left uncovered and convenient for examination until it is inspected and approved. Each inspection shall be made within twenty-four hours after such notification or as soon as practicable thereafter.

7-106. --- FEE. - A plumbing inspection fee of fifty cents (50¢) per fixture shall be paid by the plumber installing the sink to the City Clerk for a permit, payable at the time of Application.

7-107. --- TEST. - The plumber shall apply either the peppermint, water, or smoke test as directed by the inspector in the presence of the Inspector and shall remove all repair when defective material or labor when so ordered by the City Plumbing Inspector and the work re-tested.

7-108. --- BEFORE FIXTURES CONNECTED. - Before the fixtures are placed in connection with the plumbing of any house or building and before the house drain and all openings of soil waste and vent pipes below the top shall be hermetically sealed, the entire system must be filled with water to the top and all joints, fittings, and pipes carefully examined for leaks; work already in place may be examined by smoke or other test. Defective pipes or fittings discovered must be removed and replaced with sound ones and all defective joints made tight, and every part of the work made to conform to these rules and regulations and subject to the approval of the City Plumbing Inspector. If the soil or waste pipes are placed in a building for further use the necessary waste and vent pipes must also be put in and the work tested and inspected as if for immediate use.

7-109. STATEMENT OF WORK DONE. - The plumbers shall, on completion of the work, file in the office of the City Clerk, on blanks furnished for the purpose, a correct statement of the work done under permit, giving date when such work was completed and giving name and location of owner. This shall be done in every case where any change is made in connection with the City Sewers.

7-110. HOUSE SEWERS. - The house sewers from a point four feet outside the house to the street sewer, shall be of first quality, salt-glazed earthen pipe, cement joined and laid not less than twenty-four inches deep. The interior diameter shall not be less than four inches and laid on an even grade of not less than one-eighth to the foot unless by special permission of the City. Curved pipe shall be used for every deflection from a straight



line of more than six inches in two feet. The earthenware pipe shall be made with mortar composed of pure cement of first quality mixed with equal quality of building sand, and a swab of proper size shall be passed through the entire length of the pipe cemented. The cover of the Y branch of the main sewer shall be carefully removed, so as not to injure the socket. The ends of all private sewers not immediately connected with the plumbing fixtures shall be securely closed by water-tight, imperishable material. Where house sewer is laid less than twenty-four inches deep or where laid in made or filled earth it shall be standard cast-iron soil pipe the same size earthen pipe; the joints shall be made as for house drain and soil pipes.

Where house, or private sewer passes within ten feet of any well, it shall be of standard cast-iron soil pipe as above. The entire plumbing system and drainage system of every building must be entirely separate and independent of that of any other building.

Every building must have its sewer connections directly in front of the building or premises unless permission is otherwise granted by the City. Where there is not a sewer in the street or alley and it is possible to construct, a private sewer may be constructed.

It must be laid outside the curb, under the roadway of the street and constructed under the direction of the Common Council of the City of Linton, or the City Plumbing Inspector.

7-111. HOUSE DRAINS. - The house drain and its branches must be of standard cast-iron soil pipe in building of three stories and less. In building of more than three stories, extra heavy cast-iron soil pipe must be used.

The house drain must properly connect with the house sewer at a point four feet outside the area of the wall of the building. An arched or other proper openings must be provided for the drain in the wall where drain passes through solid walls, to prevent damage by settlement. The house drain and sewer must run as direct as possible, with a fall of at least one-quarter of an inch per foot, all changes in direction made with proper fittings and all connections made with Y branch and one-sixteenth bends. It possible the house drain must be above any cellar floor, the house drain must be supported at intervals of ten feet by eight inch brick or stone piers, or supported by heavy iron pipe hangers at intervals of not more than ten feet. The use of pipe hooks for supporting drain is prohibited. Where drain is on or in the grounds supports may be omitted except at base of vertical soil pipe connection which must have a substantial support. The joints of the house drain must be made same as for soil pipe. Full size Y or T branch fittings for hand holes, clean outs, etc., must be provided where required on house drain and its branches.

7-112. SOIL AND WASTE PIPE LINES. - All main soil or waste pipes must be of cast-iron, lead, brass or wrought iron, with drum fittings. All vent lines must be of cast-iron, wrought iron, steel, or brass. All materials must be of the best quality, free from defects, and all work must be executed in a thorough and workman like manner. All cast-iron pipes and fittings must be sound, cylindrical and smooth, free from cracks, and sand holes, and other defects, and of uniform thickness and of the grade known in commerce as standard. In all buildings more than three stories high, all cast-iron pipe and fittings used for soil or waste must be of the grade known in commerce as extra heavy except from highest fixture up through the roof, and all vent pipes, which may be standard. All joints in cast-iron must be made with picked oakum and molten lead and must be made gas tight. At least twelve ounces of fine soft lead must be used at each joint for each inch in diameter of the pipe. All wrought-iron ends steel must be equal in quality to "standard".

Fittings for vent pipes or wrought-iron pipes may be the ordinary cast of maleable steam or water fittings.

All joints to be screwed joints must be made up with red lead or some suitable compound, and the burr formed in cutting must be carefully reamed out.

All brass pipe or soil, waste and vent pipes must be thoroughly annealed, seamless, drawn brass tubing.

All solder nipples and brass ferrules must be of cast or wrought brass.

Threaded connections on brass pipes and nipples must be of the same size of the pipe to be taped.

Connections between brass pipe or traps and lead must be wiped solder joints.

Slip joints will only be permitted on exposed traps and connections that are visible at all times and easily gotten to. Brass screw caps for clean outs must be heavy and have an engaging part of not less than three threads of iron pipe size and tapered and closed with a gasket gas tight.

Clean outs must be of the same size as the trap or pipe up to four inches, and not smaller than four inches for larger traps or pipe.

The use of lead pipe is restricted to the short branches of the soil, waste and vent pipes, bends, traps, ferrules, roof flanges and flush pipes.

All lead, waste, soil, vent and flush pipes must be of the best quality of drawn pipe and not less than the following weights per foot.

1¼ inches (for flush pipes only) 2 lbs.

1¼ inches 2½ lbs.

1½ inches 3½ lbs.

2 inches 4 lbs.

3 inches 5 pounds.

4 inches 5 pounds.

All leads, traps and ferrules must be of the same weight and thickness as their corresponding pipe branches. Sheet lead for roof flashings must be not lighter than four pounds lead and must extend not less than six inches away from the pipe and the joint made water tight. All soil waste, or vent pipes must extend a full caliber at least one foot above the roof and well away from all shafts, windows or other ventilating openings.

No caps, cowles or bends shall be affixed to the top of such pipe.

All pipes issuing from extension or elsewhere, which would otherwise open within twenty feet of the window of any building, must be extended above the highest roof and all away from all windows.

The arrangement of all pipe lines must be as straight and direct as possible.

Off sets will be permitted only when unavoidable. All pipe lines must be supported at the base on brick piers, or by heavy iron hangers from the floor beams or joists and along the line by heavy iron hangers at intervals of not more than ten feet.

The sizes of all soil and waste pipes must not be less than the following dimensions: Main soil pipe, four inches; waste pipe, two inches; branch soil pipe, four inches; branch waste pipe for laundry tubs, 1½ inches; branch waste pipe for kitchen sinks, 1½ inches; branch waste pipe for bath tubs, 1½ inches; branch waste pipe for urinals, 1½ inches; branch waste pipes for slop sinks, three inches; branch waste pipes for lavatories, 1¼ inches.

All pipes and traps where practicable should be exposed to view.

They should always be accessible for inspection and repairing.

Branch, soil and waste pipes have a fall of at least 1/4 inch per foot.

No trap or any manner of obstruction to the free flow of air through the whole course of the main soil or waste pipe and their branches will be allowed. This may be secured by an untrapped main house sewer and soil pipe or if a trap is placed in the main house drain, a ventilating pipe leading to the roof from the lower side of the trap and a fresh air inlet connecting with the roof of the main house drain just above the trap. All traps must be protected from syphonage and back pressure and the drainage system ventilated by special lines of vent pipes. Where syphon action closets are used and the closet is placed within thirty inches from the main soil pipe and empty into it more than twelve inches below the floor line the vent pipe may be omitted except where two or more closets are placed one over the other on the same vertical pipe. In such cases the back vent shall be taken from near the top of the lead ferrule under the floor on all closets except those on the top floor. The vent pipe may be omitted where any drum of P trap runs horizontally into the main soil or waste pipe the fixture being not more than thirty inches from the soil or waste pipe except where two or more fixtures discharge into the same pipe above it. Trap vents must not connect less than one foot above the top of such trap. All connections to vent pipes must be made with lead pipe and solder nipples or lead or brass ferrules or with brass union. Unions will only be permitted where they are accessible to repairs. Each vent shall have a trap screw siped into it not more than six inches above the connection with the trap and where easily accessible to for cleaning out purposes. The trap screw may be dispensed with if the back vent is connected with a brass union.

All vent connections with lead pipe must have wiped soldered joints. All vent connection pipe lines must extend one foot above the roof and be flashed with lead flashing or they may be connected with the adjoining soil or waste pipe well above the highest fixture.

Branch vent pipes must be kept above the connecting fixtures to prevent the use of vent pipes as soil or waste pipes. Branch vent pipes should be connected as near the crown of the trap as possible.

The size of vent pipes throughout must not be less than the following diameters: Main vents and long branches 2 inches; for water closets and slop hoppers  $1\frac{1}{2}$  inches for hotel or restaurant sinks,  $1\frac{1}{4}$  inches; for other fixtures,  $1\frac{1}{4}$  inches, except where the vertical vent pipe is more than twenty feet long, when they shall be for water closets, 2 inches and for other fixtures,  $1\frac{1}{2}$  inches.

All vent pipes running horizontal must have a continuous slope to avoid collecting water condensation.

No sheet metal, brick or other flue will be permitted as a vent pipe.

7-113. SAFES. - Every lead pipe, if under a wash tray, urinal, refrigerator or water closet must not be connected directly with the sewer system but may be drained by a special pipe to waste outside or it may waste into a regularly used sink or slop hopper that is supplied with a water trap.

7-114. OVERFLOWS. - Overflows from fixtures must, in all cases, be connected with the inlet side of the trap. No sediment from any range boiler or waste tubes shall be connected directly with any soil or waste pipe. Rain water pipes conducting water from roofs may be connected with the sewer upon permission from the Common Council or City Plumbing Inspector.



7-115. OPENINGS NOT IN USE. - All openings not in use must be closed by the screw plugs, soldered, or caulked joints, according to the nature of the pipe.

7-116. FIXTURES TRAPPED. - Every fixture must be separately trapped by water sealing trap placed as close to the fixture outlet as possible. A set of wash trays, laundry tubs, or lavatories may connect with a single trap if not more than ten inches from the trap. Where a drum trap is used two fixtures may be connected to the same trap, but in no case will a bath tub or lavatory be connected with a water closet or urinal trap. Water closets in all cases must be separately trapped. All sinks in packing houses, butcher shops, lard rendering establishments, hotels, and boarding houses must be provided with suitable grease traps. Grease traps must be constructed of cement, earthenware or brick, not less than eighteen inches in diameter, when placed outside the building. When placed under the traps, grease traps must be constructed of cast-iron lead or brass, with an air tight screw cover not less than four inches in diameter for cleaning. All grease traps must be approved by the City Engineer.

Traps for bath tubs or fixtures of like nature where traps is placed under the floor, lead or brass drum traps provided with screw covers for cleaning, flush with the floor.

Other fixtures may use the ordinary S or P traps constructed of lead, brass or cast-iron.

All traps must be approved by the City Engineer. The discharge from any fixture must not pass through more than one trap before reaching the house drain.

All traps must be well supported and set true with respect to their water levels.

All traps must have a water seal of at least three-quarter inch.

Traps or floor closets, except where the trap is made in the stool must not be less than four inches in diameter; traps for slop sinks must not be less than two inches in diameter; traps for other fixtures must not be less than their waste pipes.

7-117. FIXTURES. - Water closets must be of an approved pattern, pan, valves plunger, and other water closets having an unventilated space or whose walls are not thoroughly washed at each discharge will not be permitted.

All water closets must have flushing rim bowls.

Long hopper closet will be permitted only when there is an exposure to frost.

Where closets or other fixtures are of iron they must be or porcelain lined. Each water closet must be supplied with water from separate septical tank placed over them. The waste or overflow pipe from the tank must discharge into the open air of the closet bowl. Direct connection to the water service of a water closet is prohibited. All interior water closet apartments should be ventilated into air shafts or have an outside window where possible. Iron troughs or urinals must be enameled or galvanized. Exit pipes to all fixtures except to water closets shall be furnished with suitable permanently attached strainers. No open gutters, cess pools or privy vaults shall be connected to the sewer system.

7-118. CLOSETS IN OUTSIDE VAULTS. - The rules and regulations contained in this chapter in regard to plumbers, plumbing, and connections shall apply to the construction and connection of closets in outside vaults except that any person who shall furnish a bond in the sum of five hundred dollars (\$500.00) with the same conditions as stated in the License and permit title of this code, whether such person be a regular plumber or not.



All closets and vaults in outside closets shall be made of concrete, brick, or masonry, to be water and gas tight, with sloping bottom and connected with not less than six inch sewer pipe; a water trap shall be placed inside the property line, between vault and main sewer; also a meer Hoof valve or one equally as good shall be placed on bottom of vault, to protect the sewer system from debris.

Drains from roofs, kitchen sink or bath room may be connected and empty into the vault, provided, the kitchen drain be properly screened; all work done in connection with outside vaults as above described to be subject to inspection of the City Plumbing Inspector or a person appointed by the Common Council and must be approved by him before work is covered up.

7-119. OBSTRUCTING SEWERS. - It shall be unlawful for any person or persons to place or suffer to be placed, any bulky substance in any sewer opening, or in the house connections or private drain connecting with any public or main lateral sewer, or any substance having a tendency to obstruct the free flow of said sewer or damage them in any way.

7-120. SEWER SYSTEM - PROTECTED. - It shall be unlawful for any person, firm, or corporation to injure, break, or remove any portion of a man hole, lamphole, flush tank, or any part of the sewer system.

7-121. FOREIGN MATTER DEPOSITED IN SEWER OPENINGS. - It shall be unlawful for any person to throw or deposit in any sewer opening or receptacle connecting with the sewer system, any coffee grounds, garbage, offal, dead animals, vegetable parings, corn cobs, ashes, cinders, rags, or any other material or things whatsoever, except faeces, urine, and the necessary toilet paper and liquid house waste.

7-122. TOILET PAPER. - The use of any paper or substance other than toilet paper that is suitable for passage through the sanitary sewer, is prohibited.

7-199. PENALTIES. - Every person who shall omit or refuse to comply with, or who wilfully violates any section of this chapter shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than five dollars (\$5.00) nor more than one hundred dollars (\$100.00) for each offense. Any plumber licensed under and by virtue of this code who shall violate any of the rules and regulations contained in this chapter shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than ten dollars (\$10.00) nor more than one hundred dollars (\$100.00) for each offense. In addition to a criminal prosecution for violation of said rules and regulations, the Common Council may hear evidence of said violation of these rules and regulations and if said Common Council is satisfied that any plumber is guilty of violating the same, the Common Council, may by a majority vote, revoke the license of any person or firm thus offending.

Any plumber working or attempting to work on the sewer system, of the City of Linton, or any plumbing connected with the said sewer system, after his license had been revoked, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum not less than five dollars (\$5.00) nor more than one hundred dollars (\$100.00) for each day he works or attempts to work upon the same.

8-106. GOODS STORED OR DISPLAYED ON PUBLIC PLACES. - No person, firm or corporation shall place or pile any goods, boxes, or other material, or permit the same to be placed or piled, or display any goods, wares or merchandise, on any street, alley, sidewalk, or public place in the said City of Linton.

8-107. TREES EXTENDING OVER PUBLIC PLACES. - No person, firm or corporation shall permit or allow any limb on any tree on any property belonging to or owned by them or occupied by them, which said tree or trees extend over or upon any such said street, alley, sidewalk, or other public places in the said City at a distance less than seven feet in height over said street, alley, sidewalk, or other public place.

8-199. PENALTY. - Any person, firm or corporation violating any of the terms of the provisions or conditions of this chapter shall upon conviction be fined for each violation thereof in any sum not less than five dollars (\$5.00) nor more than one hundred dollars (\$100.00) with the cost of prosecution added thereto.

## TITLE 9 - TRAFFIC.

## CHAPTER 1.

- 9-101. Bicycles or Motor Cycles - Riding on Sidewalks.
- 9-102. --- Speed Limit.
- 9-103. Interference with Fire Truck.
- 9-104. Parking Manner.
- 9-105. Under Control of Police - Turning.
- 9-106. Pedestrian Crossing Streets.
- 9-107. Preferential Streets.
- 9-108. Stop Signs.
- 9-199. Penalty.

9-101. BICYCLES OR MOTOR CYCLES - RIDING ON SIDEWALKS. - It shall be unlawful for any person or persons to ride any bicycle or motor cycle along or upon any sidewalk within the corporate limits of this City; provided that nothing in this chapter shall be constructed to prohibit any person from crossing a sidewalk with his bicycle or motor cycle when going to and from his dwelling house, or place of business; nor shall it apply to the necessary crossing of sidewalk at street crossing.

9-102. -- SPEED LIMIT. - It shall be unlawful for any one to ride a bicycle or motor cycle on any street, or highway within this city at greater rate of speed than ten miles per hour.

9-103. INTERFERENCE WITH FIRE TRUCK. - It shall be unlawful for any person to in any manner interfere with or obstruct the passage of any fire wagon or motor-truck used by the Fire Department of the City of Linton, on its way to and from fires.

9-104. PARKING MANNER. - All automobiles, motor-trucks, motor-cycles, or motor-driven vehicles, and all animal-drawn vehicles, if stopped or parked on any street in said City shall be stopped or parked on the side of the street to the right of the vehicle, determined by the direction in which said vehicle is headed.

9-105. UNDER CONTROL OF POLICE - TURNING. - All automobiles, motor-trucks, motor-driven vehicles and all animal drawn vehicles when crossing a street shall be under the direction and control, of the City Police and shall obey their reasonable orders and commands, and shall when turning a corner in said City, drive to the right of the center of the intersection of the streets at the corner said turn is to be made.

9-106. PEDISTRIAN CROSSING STREET. - No pedestrian shall cross any street and any street crossing while any policeman is in charge of said street crossing except by going straight across and no pedestrian shall cross a street crossing at said times by crossing diagonally from corner to corner.

9-107. PREFERENTIAL STREETS. - Main Street, "A" Street Northeast and Vincennes Street in their entirety, are hereby designated as through or preferential streets and it shall be unlawful for any person to operate, drive or propel any vehicle onto any of said streets from any direction without first coming to a full stop immediately prior to such entry onto said street.

9-108. STOP SIGNS. - It shall be unlawful for any person to enter any street where a stop sign has been located without obeying said sign.

9-199. PENALTY. - Any person violating any of the provisions of this chapter shall, upon conviction, be fined in any sum not less than one dollar (\$1.00) nor more than one hundred dollars (\$100.00) together with the cost of prosecution.



## TITLE 99 GENERAL PROVISIONS.

## CHAPTER 1.

- 99-101. Limitations of Code.
- 99-102. Severability of Code.
- 99-103. Time of Taking Effect.
- 99-104. Pending Litigation.
- 99-105. Specific Repealer.
- 99-106. General Repealer.

99-101. LIMITATIONS OF CODE. - Nothing in the Linton Code of 1940 shall be construed to effect any existing contract, franchise or appropriation ordinance, or any matter not expressly mentioned in this Code.

99-102. SEVERABILITY OF CODE. If any provision, section, chapter, or part of this Code shall be held void or unconstitutional, it is the intent of the Common Council that all the remaining provisions, sections, chapters, and all the other parts of this Code which are not expressly held to be void and unconstitutional shall be valid and shall continue in full force and effect.

99-103. TIME OF TAKING EFFECT. - The provisions of this Code shall be in full force and effect after the \_\_\_\_\_ day of \_\_\_\_\_, 1940. Until the provisions of this Code shall take effect, the existing ordinances of the City of Linton, Indiana, shall remain in full force and effect.

99-104. PENDING LITIGATION. - Any litigation pending at the time of the taking effect of this Code shall not be effected by this Code but such litigation shall proceed as though this Code had not been passed.

99-105. SPECIFIC REPEALER. - The following ordinances are hereby specifically repealed:

Ordinance, Vol 4, P. 69, 1922;  
 Ordinance, No. 202, 1934;  
 Ordinance, No. 197, 1933;  
 Ordinance, No. 108, 1915;  
 Ordinance, No. 73, 1911;  
 Ordinance, Vol. 3, p. 481, 1920;  
 Ordinance, No. 171, 1925;  
 Ordinance, No. 242, 1938;  
 Ordinance, Vol. 3, p. 477, 1920;  
 Ordinance, No. 229, 1935;  
 Ordinance, No. 38, 1908;  
 Ordinance, No. 95, 1914;  
 Ordinance, No. 34, 1908;  
 Ordinance, Vol. 3, p. 429, 1919;  
 Ordinance, No. 29, 1908;  
 Ordinance, No. 228, 1936;  
 Ordinance, No. 178, 1926;

Ordinance, No. 1, 1900;  
 Ordinance, No. 16, 1908;  
 Ordinance, No. 102, 1914;  
 Ordinance, Vol. 3, p. 487, 1920;  
 Ordinance, No. 175, 1926;  
 Ordinance, No. 227, 1935;  
 Ordinance, No. 226, 1933;  
 Ordinance, Vol. 3, p. 436, 1919;  
 Ordinance, No. 118, 1916;  
 Ordinance, No. 76, 1912;  
 Ordinance, No. 15, 1906;  
 Ordinance, No. 28, 1901;  
 Ordinance, Vol. 3, p. 577, 1921;  
 Ordinance, No. 99, 1914;  
 Ordinance, No. 33, 1908;  
 Ordinance, No. 30, 1908;  
 Ordinance, No. 85, 1912;

Ordinance, No. 180, 1927;  
 Ordinance, No. 194, 1933;  
 Ordinance, No. 105, 1907;  
 Ordinance, No. 221, 1935;  
 Ordinance, Vol. 3, p. 423, 1919;  
 Ordinance, Vol. 3, p. 421, 1919;  
 Ordinance, No. 23, 1908;  
 Ordinance, No. 21, 1908;  
 Ordinance, Vol. 3, p. 348, 1918;  
 Ordinance, No. 18, 1908;  
 Ordinance, No. 20, 1908;  
 Ordinance, No. 110, 1915;  
 Ordinance, No. 109, 1915;

Ordinance, No. 189, 1930;  
 Ordinance, No. 239, 1937;  
 Ordinance, Vol. 4, p. 32, 1921;  
 Ordinance, No. 219, 1935;  
 Ordinance, No. 210, 1934;  
 Ordinance, No. 26, 1908;  
 Ordinance, No. 32, 1908;  
 Ordinance, No. 9, 1900;  
 Ordinance, No. 19, 1908;  
 Ordinance, No. 17, 1908;  
 Ordinance, No. 27, 1908;  
 Ordinance, No. 78, 1912;  
 Ordinance, No. 22, 1904;

99-106. GENERAL REPEALER. - All ordinances or parts of ordinances in conflict with the Linton Code of 1940 are hereby repealed.

\_\_\_\_\_  
 President

Attest:

\_\_\_\_\_  
 City Clerk-Treasurer

Approved by the Mayor on the \_\_\_\_\_ day of \_\_\_\_\_, 1940.

\_\_\_\_\_  
 Mayor

Passed by the Common Council of the City of Linton, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 1940 and presented to the Mayor for his approval or rejection and approved by the Mayor on the \_\_\_\_\_ day of \_\_\_\_\_, 1940.

\_\_\_\_\_  
 City Clerk-Treasurer

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