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

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MAY, 1880.

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SEC. 82, CHAP. 335, LAWS OF 1873.

NEW YORK:  
JOHN F. HAHN, PRINTER,  
89 BOWERY.

1880.





## THE SANITARY CODE.

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The Sanitary Ordinances adopted by the Department of Health, called the Sanitary Code, and conformed to Article XI. of Chapter 335, of the Laws of 1873, by the Board of Health, June 2, 1873, with the amendments and additional provisions pursuant to Section 82 of said article, added and published to

### DEFINITIONS OF TERMS.

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

## THE SANITARY CODE.

lation ; that every order, ordinance, or regulation declared applicable to the built-up portion of New York, shall, so far as the subject matter thereof is applicable (save as to interments), and so far as this Board has authority to make the same, be held to include and apply to the built-up portions of said city ; that every word or phrase anywhere herein defined shall be held to include the same sense whenever used ; that the words " city," or " this city," or " said city," whenever used herein, shall be held to mean the City of New York ; that the word " regulations" shall be held to include " special regulations" (which latter will be from time to time issued, and will contain more detailed provisions than can be herein conveniently set forth) ; that the word " permit" shall be construed to mean the permission in writing of this Board, issued according to its by-laws, rules, regulations, and Sanitary Code ; and that every " report" herein required shall be held to be a report in writing, signed by the person (and indicating his official position) who makes the same ; that the word " light" or " lighted," shall be held to refer to natural, external light ; and that all words and phrases herein defined shall also include their usual and natural meanings, as well as those herein especially given.

SEC. 2. That the word " street," when used in the Sanitary Code, shall be held to include avenues, sidewalks, gutters, and public alleys ; and the words " public place" shall be held to include parks, piers, docks, and wharves, and water and open spaces thereto adjacent, and also public yards grounds, and areas, and all open spaces between buildings and streets, and in view of such streets ; the word " ashes" shall be held to include cinders, coal, and everything that usually remains after

fires; the word "rubbish" shall be held to include all the loose and decayed material and dirt-like substance that attends use or decay, or which accumulates from building, storing, or cleaning; the word "garbage" shall be held to include every accumulation of both animal and vegetable matter, liquid or otherwise, that attends the preparation, decay, and dealing in, or storage of meats, fish, fowls, birds, or vegetables; and the word "dirt" shall be held to mean natural soil, earth, and stone.

SEC. 3. That a "tenement-house" shall be taken to mean and include every house, building, or portion thereof which is rented, leased, let, or hired out to be occupied, or is occupied as the house, home, or residence of more than three families living independently of one another, and doing their cooking upon the premises, or by more than two families upon a floor, so living and cooking, but having a common right in the halls, stairways, yards, water-closets or privies, or some of them. A "lodging-house" shall be taken to mean and include any house or building, or portion thereof, in which persons are harbored or received, or lodged for hire for a single night, or for less than one week at a time, or any part of which is let for any persons to sleep in for any term less than a week. A "cellar" shall be taken to mean and include every basement or lower story of any building or house of which one-half or more of the height from the floor to the ceiling is below the level of the street adjoining. The phrase "boarding-house" shall be held to include every building and every story and portion thereof, which is at any time or usually used, leased, or occupied, or intended so to be, by any number of persons exceeding ten, as boarders thereat. The word

“manufactory” shall be held to include every building, and every story and portion thereof, in which any sort of labor or work is done, which calls for the continual or usual presence of several persons during several hours of the day or night engaged about said work or labor; and the word “saloon” shall be held to include every portion of any building in which the business of selling meals, liquors, drinks, or refreshments of any kind, shall be conducted, and includes “concert saloons.”

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

SEC. 5. That the word “physician” shall include dentists, and every other person who practises about the cure of the sick or injured, or who has the charge of, or professionally prescribes for, any person sick, injured, or diseased, and any person who pursues the business of or acts as midwife; that the phrase “contagious disease” shall be held to include all persons sick, affected, or attacked by or of a disease of an infectious, contagious, or pestilential nature (more especially, however, referring to cholera, yellow fever, small-pox, diphtheria, ship or typhus, typhoid, spotted, relapsing, and scarlet fevers), and also including any new disease of an infectious, contagious, or pestilential nature, and also any other disease publicly declared by this Board dangerous to the public health;

## THE SANITARY CODE.

and every physician in said city shall at all times cause his or her name, office, and residence, and also his or her kind and class of practice, to be registered within the Bureau of Vital Statistics, and in a manner according to the regulations prescribed by this Board.

SEC. 6. That the word "meat," whenever herein used, includes every part of any land animal and eggs (whether mixed or not with any other substance); and the word "fish," includes every part of any animal that lives in water, or the flesh of which is not meat; and the word "vegetable" includes every article of human consumption as food, which (not being meat, or fish, or milk) is held, or offered, or intended for sale or consumption, as food for human beings, at any place in said city; and all fish and meat found therein shall be deemed to be therein, and held for such sale or consumption as such food, unless the contrary be distinctly proved.

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

### MISFEASANCE AND NONFEASANCE.

SEC. 8. That no person shall carelessly or negligently do or advise or contribute to the doing of any act or thing

dangerous to the life, or detrimental to the health of any human being; nor shall any person knowingly do or advise or contribute to the doing of any such act or thing (not actually authorized by law), except with justifiable motives and for adequate reasons; nor shall any person omit to do any act, or to take any precaution, reasonable and proper, to prevent or remove danger or detriment to the life or health of any human being.

#### OBEDIENCE TO ORDINANCES AND REGULATIONS.

SEC. 9. That every contractor in these ordinances referred to, and every person who has contracted, or undertakes, or is bound to do, or is engaged in doing any one of these things, in respect of which these ordinances contain provisions or regulations, shall comply with these ordinances, to the extent that any contract, obligation, or duty requires or permits; and no direction of any contractors or persons shall excuse him for a non-compliance with any of said ordinances.

SEC. 10. That every person shall observe and obey each and every special regulation and every order of this Board that is or may be made, for carrying into effect any of the ordinances or powers hereinbefore or hereinafter contained, or any law of this State, or otherwise, whether issued directly by the Board, or promulgated by any Bureau charged therewith, as if the same had been herein inserted at length.

#### ENFORCEMENT OF ORDINANCES.

SEC. 11. That the Inspectors of this Department, and its proper officers and agents, shall make the inspections and examinations required by law; that the Board of Police of



the City of New York do execute and cause to be executed all the orders of this Board when so specially ordered; and, all persons are hereby forbidden to interfere with or obstruct such inspection, examination, or execution.

SEC. 12. That except as herein specially or otherwise provided, or may be hereafter provided, or as is otherwise made necessary by the laws of the State, the Board of Police of the Police Department shall, through its proper officers and men, and as near as may be according to existing regulations, or amendments to be made thereto, on advice of this Department, and subject to the supervision of this Department, carry into effect and exercise the sanitary powers heretofore exercised by the Board of Police; and that said Board of Police shall keep this Department regularly advised of its action in that behalf, and shall conform to these and all future ordinances, and to all special regulations of this Department.

#### BILLS OF HEALTH.

SEC. 13. That no person, officer, or board within said city (except this Board or its proper officers, or proper officers of any bureau of this Department, and as the regulations prescribed by this Board shall provide), shall grant, sign, or deliver any Certificate or "Bill of Health."

#### MEDICINES, ADULTERATIONS AND POISONS.

SEC. 14. That no doctor, druggist or other person shall make, sell, put up, prepare, or administer any prescription, decoction, or medicine under any deceptive or fraudulent name, direction, or pretence; nor shall any

false or deceptive representation be made by any person to any other, as to the kind, quality, purpose, or effect of any such other drug, medicine, decoction, drink, or other article offered or intended to be taken as food or medicine.

SEC. 15. That no poisonous medicine, decoction, or substance shall be held for sale or sold, except for lawful purposes and with proper motives, and by persons competent to give the proper directions and precautions as to the use thereof; nor shall any bottle, box, parcel, or receptacle thereof be delivered to any person unless the same is marked "Poison," nor to any person who the party delivering the same has reason to think intends it for any illegal or improper use or purpose.

SEC. 16. That no person shall make, offer, or have for sale, or keep at any place of sale any "poisonous, unwholesome, deleterious, or adulterated drugs, medicines, or food," or in respect thereto omit any act or thing required, or do any act forbidden by any law or health regulation of this State applicable in any part of said city.

#### CONSTRUCTION OF BUILDINGS, VENTILATION AND DRAINAGE.

SEC. 17. That no person shall hereafter erect, or cause to be erected, or converted to a new purpose by alteration, any building or structure which, or any part of which, shall be inadequate or defective in respect to strength, ventilation, light, sewerage, or of any other usual, proper, or necessary provision or precaution; nor shall the builder, lessee, tenant, or occupant of any such, or of any other building or structure (within the right or ability of either

to remedy or prevent the same), cause or allow any matter or thing to be or to be done in or about any such building or structure dangerous or prejudicial to life or health.

SEC. 18. That no owner or lessee of any building, or any part thereof, shall lease or let, or hire out the same or any portion thereof, to be occupied by any person, or allow the same to be occupied as a place in which, or for any one, to dwell or lodge, except when said buildings or such parts thereof are sufficiently lighted, ventilated, provided, and accommodated, and are in all respects in that condition of cleanliness and wholesomeness, for which this Code or any law of this State provides, or in which they or either of them require any such premises to be kept. Nor shall any such person rent, let, hire out, or allow, having power to prevent the same to be used as or for a place of sleeping or residence, any portion or apartment of any building, which apartment or portion has not at least two feet of its height and space above the level of every part of the sidewalk and curbstone of any adjacent street, nor of which the floor is damp by reason of water from the ground, or which is impregnated or penetrated by any offensive gas, smell, or exhalation prejudicial to health. But this section shall not prevent the leasing, renting, or occupancy of cellars or rooms less elevated than aforesaid, and as a part of any building rented or let, when they are not let or intended to be occupied or used by any person as a sleeping apartment, or as a principal or sole dwelling apartment.

SEC. 19. That no person having the right and power to prevent the same, shall knowingly cause or permit

any person to sleep or remain in any cellar, or in any place dangerous or prejudicial to life or health, by reason of a want of ventilation or drainage, or by reason of the presence of any poisonous, noxious, or offensive substance, or otherwise.

SEC. 20. That no owner, lessee, or keeper of any tenement-house, lodging-house, boarding-house, or manufactory, shall cause or allow the same to be overcrowded, or cause or allow so great a number of persons to dwell, be, or sleep in any such house, or any portion thereof, as thereby to cause any danger or detriment to life or health.

SEC. 21. That no person, being the lessee, manager, conductor, or owner of any theatre, shall cause, or permit, or allow the same, or any part or appurtenance thereof, to be so far overcrowded, or inadequate, faulty, or insufficient, in respect of strength, ingress or egress, cleanliness, ventilation, or in any other particular, as that thereby, or by reason thereof, any avoidable peril shall come or happen to, or be incurred or suffered by any person being properly at or in any such theatre.

SEC. 22. That every person who shall be the owner, lessee, or keeper or manager of any tenement-house, boarding-house, lodging-house, or manufactory, shall provide, or cause to be provided, for the accommodation thereof, and for the use of the tenants, lodgers, boarders, and workers thereat, adequate privies or water-closets, and the same shall be so adequately ventilated, and shall at all times be kept in such cleanly and wholesome condition as not to be offensive, or be dangerous or detrimental to life or health. And no offensive smell or gases, from or through any outlet or sewer, or through

any such privy or water-closet, shall be allowed by any person aforesaid to pass into such house or any part thereof, or into any other house or building.

SEC. 23. That every owner, lessee, and tenant and manager of any boarding-house or manufactory, shall cause every part thereof and its appurtenances to be put, and shall thereafter cause the same to be kept, in a cleanly and wholesome condition, and shall speedily cause every department thereof in which any person may sleep, dwell, or work, to be adequately lighted and ventilated; and, if the same be a manufactory, shall cause every part thereof in which any person may work, to be maintained at such temperature, and be provided with such accommodations and safeguards as not, by reason of the want thereof, or of anything about the condition of any such manufactory or its appurtenances, to cause unnecessary danger or detriment to the life or health of any person being properly therein or thereat.

SEC. 24. That no keeper, or other officer or person having control or authority in any jail, prison, or other place where any person may be kept or confined, shall needlessly or illegally cause or allow any peril or detriment to the life or health of any such person, by reason of too little or too much heat, or of a want of food, drink, or ventilation, or from the want or neglect of any other reasonable care, protection, or precaution.

SEC. 25. That every person, when cleaning any street, shall clean, and every contractor shall cause to be cleaned, the gutters and parts of the streets along which the water will run, before using any water to wash the same; and no substance that could be before scraped

away shall be washed or allowed to be carried or be put into the sewer, or into any receptacle therewith connected.

SEC. 26. That it shall be the duty of every person using, making, or having any drain, soil-pipe, passage, or connection between any sewer (or with either the North or East River) and any ground, building, erection, or place of business, and in like manner the duty of the owner and tenant of all grounds, buildings, and erections, and of the parties interested in such place of business or the business thereat, and in like manner the duty of all boards, departments, officers, and persons (to the extent of the right and authority of each), to cause and require that such drain, soil-pipe, passage, and connection shall at all times be adequate for its purpose, and shall convey and allow freely and entirely to pass whatever enters or should enter the same.

SEC. 27. That it shall be the duty of all boards, departments, officers, and persons having power and authority so to do or require (and to the extent thereof), to cause to be used sufficient water, and other adequate means to be taken, so that whatever substances may enter any sewer shall pass speedily along and from the same, and sufficiently far into some water or proper reservoir, so that no accumulations shall take place, and no exhalations from thence proceed, dangerous or prejudicial to life or health.

SEC. 28. That the proper officers and authorities shall, to the extent of their power and ability, cause the sewers and drainage of said city to be so well located and constructed, so adequate in size, and to be so kept in repair

and cleaned, and so adequately supplied with water, and with such proper arrangements and constructions in every particular, that life and health shall not be needlessly exposed, or suffer unnecessary peril or detriment by their neglect, or by reason of the defects or deficiencies of any sewers or drainage, or the want thereof.

## FOOD AND DRINK.

SEC. 29.\* That no meat, fish, birds or fowl, fruit, or vegetables, nor any milk, not being then healthy, fresh, sound, wholesome, and safe for human food, nor any meat or fish that died by disease or accident, shall be brought within said city, or offered or held for sale in any public or private market, as such food, anywhere in said city.

SEC. 30 That no calf, pig, or lamb, or the meat thereof, shall be brought, held, or offered for sale, as such food, in said city, which at the date of its death (being a calf) was less than four weeks old; or (being a pig) was, when killed, not more than five weeks old; or (being a lamb) was, when killed, not more than eight weeks old. Nor shall any meagre, sickly, or unwholesome fish, birds, or fowl be brought, held, sold, or offered for sale, as such food, in said city.

SEC. 31. That no cattle shall be killed for human food, while in an overheated, feverish, or diseased condition; and all such diseased cattle, in the city of New York, and the place where found, and their disease, shall be at once reported to this Department by the owner or custodian thereof, that the proper order may be made relative thereto, or for the removal thereof from said city.

\* As amended, July 16, 1875.

SEC. 32. That no meat, or dead animal above the size of a rabbit, shall be taken to any public or private market for food until the same shall have fully cooled (and all blood shall have ceased dripping therefrom) after its killing, nor until the entrails, head (unless the same be skinned), hide, horns, and feet shall have been removed. Nor shall gut fat, or any unwholesome or offensive matter or thing, be brought to or near any such market.

SEC. 33. Annulled February 8, 1878.

SEC. 34.\* That no decayed or unwholesome fruit or vegetables shall knowingly be brought into said city to be consumed or offered for sale for human food, nor shall any such articles be kept or stored therein.

SEC. 35. That no person being the manager or keeper of any saloon, boarding-house, or lodging-house, or being employed as a clerk, servant, or agent thereat, shall therein or thereat offer or have for food or drink, or to be eaten or drank, any poisonous, deleterious, or unwholesome substance, nor allow anything therein to be done or to occur, dangerous to life or prejudicial to health.

SEC. 36. That no cased, blown, plaited, raised, stuffed, putrid, impure, or unhealthy or unwholesome meat or fish, birds, or fowl, shall be held, bought, or sold, or offered for sale for human food, or held or kept in any market, public or private, or in any public place in said city.

SEC. 37.† That no meat, fish, fruit, vegetables, or milk, or unwholesome liquid shall knowingly be brought, sold,

\* As amended, July 16, 1875.

† As amended, July 16, 1875



held, offered for sale, labelled, or any representation made in respect thereof, under a false name or quality, or as being what the same is not, as respects wholesomeness, soundness, or safety for food or drink.

SEC. 38.\* That every person, being the owner, lessee or occupant of any room, stall or place where any meat, fish, fruit, or vegetables designed or held for human food, shall be stored or kept, or shall be held or offered for sale, shall put and keep such room, stall, and place, and its appurtenances, in a cleanly and wholesome condition; and every person having charge, or interested or engaged, whether as principal or agent, in the care or in respect to the custody or sale of any meat, fish, fruit, birds, fowl, or vegetables, designed for human food, shall put and preserve the same in a cleanly and wholesome condition, and shall not allow the same, or any part thereof, to be poisoned, infected, or rendered unsafe or unwholesome, for human food.

SEC. 39. That no butcher or dealer shall keep in any market any refrigerator or ice-box, unless the same shall be lined with lead or some proper metallic substance, so as to be water-tight, nor unless the same be provided with a pipe of lead, zinc, or copper, leading therefrom to the nearest gutter or proper waste-pipe.

SEC. 40.† That it shall be the duty of every person knowing any fish, meat, fowl, birds, fruit, or vegetables being bought, sold, or offered, or held for sale as food for human beings, or being in any market, public or private, in said city, and not being sound, healthy, or wholesome for such food, to forthwith report such facts,

\* As amended, July 16, 1875.

† As amended, July 16, 1875.

and the particulars relating thereto, to this Department, or to one of its officers or inspectors.

SEC. 41. That no person shall, without consent of this Department, bring into said city for use as a drink for human beings, or offer or have for sale in said city, as such drink, any poisonous or deleterious liquid.

SEC. 42.\* That upon any cattle, meat, birds, fowl, fish, fruit, or vegetables being found by any inspector or other officer of this Department, in a condition which is, in his opinion, unwholesome and unfit for use as human food, or in a condition or of a weight or quality in this code condemned or forbidden, he shall cause the same to be examined by two reputable persons, reasonably competent to judge in respect thereto, whom he may conveniently find; and if both said persons disagree with him in opinion in respect thereto, he shall take no action and give no order, relative to the same, till he has been instructed by the Sanitary Superintendent; and if one or both of said persons agree with him in respect to said articles, then such inspector or officer may forbid the same being offered or exposed for sale, or being sold, for human food, till the owner or party in charge or other proper person has obtained the consent of the Sanitary Superintendent, or of this Board, to their being so offered, used, or sold. And if both such persons agree with him in opinion, he may order the same to be removed; and thereupon, or if this Board shall have approved the judgment of said inspector, it shall be the duty of the owner and party in charge to speedily remove such article from any market, street, or public place, and not to sell or dispose or offer to sell or dispose

\* As amended, July 16, 1875.

thereof for the purpose of human food. And in default of such removal, and also in case of disobedience to such order, and also in all cases where, in his opinion, such articles, by reason of their being in a decayed or offensive condition, would, if allowed longer to remain, be dangerous to health, the same (as this Board may provide) may be caused to be removed by any inspector, police officer, or officer of this Department, to some suitable place, at the expense of the party who should have removed the same, and the owner and party in interest must take notice thereof.

SEC. 43. That no person shall sell or give to any other person, or permit such other persons to get (having the right and ability to prevent the same) any drink, when such first-named person may have reason to think or believe that such drink may cause danger or detriment to life.

SEC. 44. That no distiller or brewer, or other person, shall manufacture, or have or keep for sale, any liquid designed as a drink or beverage for human beings which would be, if used, needlessly dangerous or detrimental to life or health.

SEC. 45. That no person shall have at any place where milk, butter, or cheese is kept for sale, nor at any place offer or have for sale, nor shall any person bring or send to said city any unwholesome, watered, or adulterated milk, or milk known as swill-milk, or milk from cows or other animals that for the most part lived in stables or that feed on swill, garbage, or other like substances; nor any butter or cheese made from any such milk, nor any unwholesome butter or cheese.

SEC. 46. That no person shall throw or allow to run or pass into any public reservoir, water-pipe, or aqueduct, or into or upon any border or margin thereof, or excavation or stream therewith connected, any animal, vegetable, or mineral substance whatever; nor shall any person allow the same to be done (having power or right to prevent the same); nor shall any person do or permit to be done (having right or power to prevent the same) any act or thing that will impair or peril the purity or wholesomeness of any water or other fluid used or designed as a drink in any part of said city, nor shall any person bathe (nor, except in the discharge of a public duty put) any part of his person into such water; nor shall any unauthorized person open any erection or unscrew any hydrant holding such water.

SEC. 47. That it shall be the duty of every person, officer, department, and board, having any authority and control in regard to any water designed for human consumption (and within the proper sphere of the duty of each thereof), to take all usual and also all reasonable measures and precautions to secure and preserve the purity and wholesomeness of such water.

SEC. 48. That no person shall destroy nor in anywise injure or impair any drinking-hydrant, or part thereof, in the said city; nor shall any person interfere with the use or enjoyment of the water therein, or therefrom, or interrupt the flow thereof, for, or as a drink; nor shall any person put any dirty, poisonous, medicinal, or any noxious substance into or near said water or hydrant, whereby such water is made or may be regarded as dangerous or unwholesome as a drink.

## CATTLE, HORSES, ETC.

SEC. 49. That no cattle, sheep, horse, goat, goose, or mule, or any dangerous or offensive animal, shall be allowed by any owner, or by any person having charge of, or who shall have charge of the same, to go at large in any street or public place in the city of New York.

And no pigs, swine, or cattle shall be unloaded from any cars upon any street or public place in the city of New York, except pursuant to a written permit from this Department.

SEC. 50. That no person shall allow any swine or goat to run at large in said city, and no person shall, within the built-up portions of said city, or within one thousand feet of any residence or place of business or street thereof, keep any swine or goat, without a permit so to do from this Department.

SEC. 51. That no cattle shall be kept in any place to which the water, ventilation, and food are not sufficient and wholesome for the preservation of their health, safe condition, and wholesomeness for food.

SEC. 52. That no person shall keep or allow to be kept in any building, or on any premises, or on grounds of which he may be the owner, lessee, tenant, or occupant, more cows or other cattle than at the rate of fifteen to an acre (in or near the built-up portions of said city), without a permit from this Department. And every such person shall cause every stable and place where any cows, horses, or other animals may be, to be kept at all times in a cleanly and wholesome condition, and shall not allow any animal to be therein, while infected with any

disease contagious or pestilential among such animals, without a permit from this Department.

SEC. 53. That no cattle, swine, or sheep, geese, goats, or horses, shall be yarded within or adjacent to the built-up portions of the city of New York, without the permit of this Department, or otherwise than according to its regulations.

SEC. 54. That no cattle shall be placed or carried while bound or tied by their legs, or bound down by their necks, in any vehicle in said city, but shall be allowed freely to stand in such vehicle when transported, and while being therein.

SEC. 55.\* That on and after the fifth day of May, 1877, no cattle, swine, pigs, calves, or sheep shall be driven on or between Eleventh and Second Avenues south of Sixtieth Street, nor on any other streets or avenues, except as hereinafter mentioned.

1st. On First Avenue, and the cross streets east of First Avenue, between Forty-second and Forty-eighth Streets inclusive.

2d. On the cross streets west of Eleventh Avenue, between Thirty-ninth and Forty-third Streets, inclusive.

3d. On the cross streets west of Eleventh Avenue, between Forty-fifth and Forty-ninth Streets, inclusive.

4th. From the cattle-yards on Sixtieth Street to Tenth Avenue; thence through Tenth Avenue to Sixty-fourth Street, Sixty-fourth Street to Eighth Avenue, Eighth Avenue to Ninety-seventh Street, Ninety-seventh Street to Fifth Avenue, Fifth Avenue to One Hundred and Eighth Street, One Hundred and Eighth Street to Second Avenue,

\* As amended, April 24, 1877.

Second Avenue to One Hundred and Sixth Street, One Hundred and Sixth Street to the East River, between midnight and 6 o'clock, A. M.

5th. From the cattle-yards by the fourth route to Second Avenue, on Second Avenue to One Hundred and Twenty-ninth Street, on One Hundred and Twenty-ninth Street to Third Avenue, across Harlem Bridge, up Third Avenue to the slaughter-houses in Morrisania, between midnight and 6 o'clock, A. M.

6th. From the cattle-yards on Sixtieth Street to Tenth Avenue, on Tenth Avenue to Sixty-fourth Street, on Sixty-fourth Street to Eighth Avenue, on Eighth Avenue to One Hundred and Twenty-first Street, on St. Nicholas Avenue and the Kingsbridge Road to the slaughter-houses north of Spuyten Duyvil Creek, between midnight and 6 o'clock, A. M.

7th. From the cattle-yards on Sixtieth Street down Eleventh Avenue to Thirty-ninth Street, between mid-Eight and 6 A. M.

8th. From the cattle yards on Sixtieth Street to Tenth Avenue, on Tenth Avenue to Sixty-fourth Street, on Sixty-fourth Street to Eighth Avenue, on Eighth Avenue to Sixty-fifth Street, through Central Park by transverse road to Fifth Avenue, on Fifth Avenue to Sixty-Seventh Street, through Sixty-seventh Street to Fourth Avenue, on Fourth Avenue to Sixty-eight Street, through Sixty-eighth Street to First Avenue and down First Avenue to slaughter-houses upon the express condition, however, that the cattle shall not leave the yards before midnight, or after 5 o'clock A. M.; that the drivers shall be orderly and quiet, and that the cross-walks shall be cleaned each morning before 8 o'clock. Permits under this subdivision shall be revoked by the Sanitary Superintendent on violation of any of the foregoing conditions.

9th. The Sanitary Superintendent may, in special cases, with the approval of the Board, give temporary permits to drive animals on other routes than those herein designated.

#### SLAUGHTERING AND SLAUGHTER-HOUSES.

SEC. 56.\* That the keeping and slaughtering of all cattle, and the preparation and keeping of all meat and fish, birds and fowl, shall be in that manner which is, or is generally reputed or known to be best adapted to secure and continue their safety and wholesomeness as food. Neither the slaughtering nor the driving of cattle shall be permitted or conducted at any place in the city of New York south of Fortieth Street, nor shall the slaughtering of cattle be conducted at any place in the city of New York north of said street, without a special written permit from this Department; unless the same shall be done in buildings located directly upon the water front, each having a capacity sufficient for the yarding and slaughtering daily of one-half of the entire number of cattle or hogs, or small stock (all or separately, according to the particular object of each abattoir) slaughtered in this city, at the time the application for the permit for such abattoir shall be made; and so constructed as to receive all stock deliverable thereat, directly from cars or transports; and to discharge therefrom all liquid refuse below low-water mark, and to secure the proper care and disposition of all parts of the slaughtered animals upon the premises, or the immediate removal thereof by means of boats.

SEC. 57. That every butcher and every person owning,

\* As amended, Jan. 19, 1875.



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

SEC. 58. That no cattle shall be slaughtered, dressed, or hung, or the meat or any part thereof, within said city, wholly or partly within any street, avenue, or sidewalk, or public alley or place; nor shall any blood or dirty water, or other substance from such cattle, meat, or place of killing, or the appurtenances thereof, be allowed to run, fall, or to be in any such street, avenue, or side-walk, alley or place.

SEC. 59. That no building occupied wholly or partly as a slaughter-house, or any part thereof, or any building on the same lot, shall, without a special permit from this Department, be occupied for a dwelling or lodging place; that every such building shall at all times be kept adequately and thoroughly ventilated; that no blood shall be allowed to remain therein over night, that adequate underground connection shall be made from every such building with a public sewer, and the floor of such build-

ing on which such slaughtering is done, and the yard shall be cemented and paved so as not to absorb blood, and so as to carry all liquids into the sewers.

SEC. 60. That neither the business of slaughtering cattle, nor the keeping of any slaughter-house, nor the yarding of cattle, shall be begun or undertaken at any new or additional place within the city of New York, except pursuant to a permit from this Department; nor shall any person or corporation keep any slaughter-house or yard, or any cattle therein, hereafter, without a permit from this Department.

SEC. 61. That no person shall kill or dress any animal or meat in any market, nor have, or permit to escape therein, or within one hundred feet thereof, any poisonous, noxious, nauseous, or offensive substance.

SEC. 62. Annulled February 8, 1878.

SEC. 63. That every butcher or milk-dealer, and their agents, shall allow the parties authorized by this Department, to freely and fully inspect their cattle and meats, fish and vegetables, held, offered, or intended for sale, and will be expected to answer all reasonable and proper questions asked by such persons relative to the condition thereof, and of the places where such articles may be.

SEC. 64. That from and after the first day of December, 1870, the slaughtering of animals shall not be allowed or conducted at any place between Second (2d) Avenue and Tenth (10th) Avenue in the city of New York.

SEC. 65.\* That no offal or butchers' refuse shall be conveyed through any street or avenue of the city of New York between the hours of 10 o'clock, A. M. and 10 o'clock, P. M.; and that no offal, fat, or refuse shall, at any time, be brought into the city, or conveyed over any ferry except in accordance with the terms of a written permit, first obtained therefor from this Department; nor shall any such substance be conveyed through any street and avenue, unless the same be in tight boxes, barrels, or vessels, and covered over so that no odor therefrom shall escape.

## SIDEWALKS.

SEC. 66. Annulled February 8, 1878.

SEC. 67. That no person being owner, lessee, or tenant of any house or building, shall allow any water or other liquid to run from or out of his building or ground upon or across any sidewalk or curb-stone, and if such substance is allowed to pass upon any street it must reach the same by a passage, to be kept at all times adequate and in repair by such person, under or through such flag-stone or curb-stone; and no such water or other liquid, or ice therefrom, shall be allowed to gather or remain on the upper surface of such curb, flag-stone, or passage; nor shall such person allow any accumulation of such water or liquid, or the ice therefrom, upon any street or place, but shall at all times cause the same to be removed, or to pass along the gutter or some proper passage to one of the rivers or into a sewer.

SEC. 68. That every owner, lessee, tenant, and occupant of any building or lot in the built-up portions of

\* As amended, May 5, 1874.

the city of New York, shall, within two hours after the fall of any snow exceeding one inch in depth, and within two hours after the forming of any ice on the sidewalk or in the gutter, in front of or against the side of any such building or lot, remove or cause the same to be removed from such sidewalk and gutter, or in case of great difficulty in removing such ice, that every such person do sprinkle or cause to be sprinkled thereon, sand or ashes, so that travelling thereon shall not be perilous; but that where said snow falls or ice forms between the hours of eight o'clock of the evening and daylight in the morning, this ordinance will be complied with by removing or sprinkling the same within two hours after sunrise of the morning succeeding its fall or formation.

SEC. 69. That every owner, tenant, lessee, and occupant of any building or lot (whether vacant or occupied) within or near the built-up portions of said city, shall keep, and cause to be kept, the sidewalk, and flagging, and curb-stone in front thereof in good repair and condition; and that every such person shall keep and cause every such sidewalk to be kept free from obstructions, as well as also free from any incumbrance, and free from all substances of every kind.

SEC. 70. That no person shall take, or allow to go or be taken (having the right and ability to prevent the same), any horse or other animal, nor any vehicle, upon any sidewalk or foot-path in front of any building, to the peril of any person; nor shall any person block up or obstruct any street or place, or contribute thereto.

POUNDS.

SEC. 71. That no person shall act as or be a keeper

of any public pound in the city of New York, except pursuant to a permit from this Department.

SEC. 72. That no keeper of any such pound shall allow the same, or any animal therein, by reason of any want of care, food, ventilation, or cleanliness or otherwise, to be or become dangerous or detrimental to human life or health.

SEC. 73. That every such pound-keeper shall, from time to time, report to this Department, as its special regulations may require, and shall obey and conform to all such regulations; and that in the meantime such pounds shall, in the particulars not herein mentioned, be regulated by the rules heretofore enacted by the proper authorities of said city.

#### HYDROPHOBIA.

SEC. 74. Annulled June 16, 1874.

SEC. 75. That every animal which is mad or has the hydrophobia, or shows symptoms thereof, shall, by the person owning the same, or having the possession, charge or control thereof, be at once killed; and every animal that has been exposed to such disease shall be at once confined in some secure place for such length of time as to show that such exposure has not given such animal said disease, and so as to avoid all danger to life or health. And the dead body of any animal that died of such disease shall be at once, by such person, buried not less than three feet under ground, at some place not within one thousand feet of any residence.

#### OFFENSIVE ODORS AND LIQUIDS.

SEC. 76. That no person shall permit or have any of-

fensive water or other liquor or substance on his premises or grounds, to the prejudice of life or health, whether for use in any trade or otherwise; and no establishment or place of business for tanning, skinning, or scouring, or for dressing hides or leather, or for carrying on any offensive or noisome trade or business, shall hereafter be opened, started, or established in the city of New York, without a permit of this Board. And every such establishment now existing shall be kept cleanly and wholesome, and be so conducted in every particular as not to be offensive, or prejudicial to life or health.

SEC. 77. That no person or company being a manufacturer of gas, or engaged about the manufacture thereof, shall throw or deposit, or allow to run, or having the right or power to prevent the same, shall permit to be thrown or deposited into any public waters, river, or stream, or into any sewer therewith connected, or into any street or public place, any gas-tar, or any refuse matter of or from any gas house, works, or manufactory; nor shall any such person or company allow any substance or odor to escape from such house, works, or manufactory or make any gas of such ingredients or quality that any substance shall escape therefrom, or be formed in the process of burning any gas, which shall be offensive or dangerous, or prejudicial to life or health. Nor shall any such person or company fail to use the most approved or all reasonable means for preventing the escape of odors.

SEC. 78. That no water-closet, sink, tub, vat, or other structure shall hereafter be constructed within the city of New York, having connection with, or by any sewer or underground passage, unless the same is provided with adequate or the best generally approved construc-

tions and precautions for preventing gases and other offensive currents, substances, or smells from passing up or out through such connection from such sewer or passage; nor shall any such water-closet or privy be constructed without adequate provisions for the effectual and proper ventilation and cleansing thereof.

SEC. 79. That no person shall boil any offal, swill, bones, or fat in the built-up portions of said city, save in ordinary cooking, nor shall the business of bone crushing, bone boiling, bone grinding, bone burning, shell burning, fat burning, gut cleaning, nor the skinning or making of glue from any dead animals or parts thereof, nor any other occupation that is dangerous or detrimental to life or health, be hereafter established within said city; and no business or pursuit of the kind in this section named shall be carried on anywhere in said city, unless the same be allowed by a permit of this Board.

SEC. 80.\* That no person shall boil, heat, dry, keep, store, or manufacture any offal, swill, blood, bones, fat, tallow, or lard, or any decaying animal, or vegetable matter; nor shall the business of bone crushing, bone boiling, bone grinding, bone or shell burning, lime making, gut cleaning, skinning, or making glue from any part of dead animals, heating, drying, storing, shipping, or transporting any blood, scrap, fat, grease, or offensive animal or vegetable matter or manufacturing materials for manure, be allowed or conducted in the city of New York, or in its waters, without a special permit from this Board, to be applied for in writing, specifying the nature and precise location of the proposed business.

\* As amended, August 26, 1873.

SEC. 81. That all persons engaged in the business of boiling or rendering fat, lard, or animal matter, shall cause the fat or residuum to be so dried or otherwise prepared as effectually to deprive such material of all offensive odors, and to preserve the same entirely inoffensive immediately after the removal thereof from the receptacles in which the rendering process may be conducted.

SEC. 82. That no person shall hereafter erect, start, or establish in said city, without the consent of this Board, any manufactory or place of business for boiling any varnish or oil, or for the distilling of any ardent or alcoholic spirits, or for making any lamp-black, turpentine, or tar, or for conducting any other business that will or does generate any unwholesome, offensive, or deleterious gas, smoke, deposit or exhalation, or any business that is or would be dangerous to life or detrimental to health.

SEC. 83. That no animal or vegetable substance, nor street-sweepings, muck, or silt, nor dirt gathered in cleaning yards, building docks, or slips, nor waste of mills or factories, nor any materials which are offensive, or tend by decay to become putrid, or to render the atmosphere impure or unwholesome, shall be deposited or used to fill up or raise the surface or level of any lot, grounds, dock, wharf, or pier in or adjacent to the built-up portions of said city, or any ground filled for the purpose of building thereon, unless pursuant to a special permit from this Board.

SEC. 84. That no ground or material filled with offensive matter or substance, or that will emit or allow



to arise, through or from the same, any offensive smell or deleterious exhalation, shall (adjacent to or within the built-up portion of said city) be opened or turned up or the surface thereof removed, between the first day of May and the first day of October of any year, except according to permit first therefore obtained from this Board.

SEC. 85. That no petroleum oil, kerosene oil (or other liquid having like composition or qualities as a burning fluid as said oil) shall be kept or exposed or offered for sale as a burning fluid for lamps or any receptacle for the purpose of illumination, nor shall such oil or fluid or any description thereof be sold or kept or exposed or offered for sale, or given away for use, or be used as a burning fluid for any such lamp or receptacle, or be kept for such use, unless such oil or fluid shall be of such quality and ingredients that it shall stand and be equal to the following test and conditions, to wit :

It shall not evolve an inflammable vapor at a temperature below one hundred (100) degrees of the Fahrenheit thermometer.

SEC. 86.\* That no fat, tallow, or lard shall be melted or rendered, except when fresh from the slaughtered animal, and taken directly from the places of slaughter in the city of New York, and in a condition free from sourness and taint and all other cause of offence at the time of rendering, and that all melting and rendering are to be in steam-tight vessels, the gases and odors therefrom to be destroyed by combustion or other means equally effective, and according to the best and most

\* As amended, Oct. 9, 1877.

improved means and processes ; and everything preceding, following, and in connection with such melting and rendering, and the premises where the same shall be conducted, must be free from all offensive odor, and other cause of detriment to the public health. No fat, lard, or tallow shall be brought into the city of New York to be rendered or melted, and none is to be rendered or melted that has come from any place outside of said city, except as part of the living animal, unless in accordance with the terms of a special permit in writing from this Board.

#### FILTH—DIRT.

SEC. 87. That no part of the contents of or substances from any sink, privy, or cess-pool, nor any manure, ashes, garbage, rubbish, or dirt, shall be by any person flung or allowed to run or drop into or remain in any street or public place, except as herein elsewhere specified ; nor shall the same be thrown or allowed to fall or run into the North or East River, save through the proper underground connection.

SEC. 88. That no swill, brine, urine of animals or other offensive animal nuisance, nor any stinking, noxious liquid, or other filthy matter of any kind, shall by any person be allowed to run or fall from out of any building, vehicle, or erection into or upon any street or public place, or be taken or put therein, save as herein-elsewhere provided.

SEC. 89. That no butchers' offal or garbage, nor any dead animals, nor any putrid or stinking animal or vegetable matter, shall be thrown by any person or

allowed to go into any street, place, sewer, or receiving basin, or into any river or standing or running water or excavation, or upon any ground or premises in the built-up portions of said city.

SEC. 90. That no person shall draw off, or allow to run off into any ground, street, or place of said city, the contents (or any part thereof) of any vault, privy, cistern, cess-pool, or sink; nor shall any owner, tenant, or occupant of any building to which any vault, sink, privy, or cess-pool shall appertain, or be attached, permit the contents, or any part thereof, to flow therefrom, or to rise within two feet of any part of the top, or permit said contents to become offensive; nor shall any privy or other erection in this section mentioned be filled with or covered with dirt till its filthy contents shall be emptied.

SEC. 91. That no person shall throw into, or deposit in any vault, sink, privy, or cess-pool, any offal, ashes, meat, fish, garbage, or other substance, except that of which any such place is the appropriate receptacle.

SEC. 92. That neither the contents of any such tub, or of any receptacle, cess-pool, privy, vault, sink or water-closet, cistern, nor anything in any room, excavation, vat, building, premises, or place, shall be allowed to become a nuisance, or offensive, so as to be dangerous or prejudicial to life or health.

SEC. 93. That every tub or other receptacle in any necessary house, sink, or privy (or placed, or allowed to stand therein, by any owner, tenant, or occupant of any building or premises), and used to contain any liquid or partially liquid substance, shall be sufficiently strong,

perfectly tight, and adequately provided with a strong cover and with hoops and handles; shall not be allowed to be filled to within four inches of any part of the top and shall not be allowed (or its contents) to be offensive. And the provisions of this Code relative to emptying cess-pools, and to throwing any substance therein, shall apply to said tubs and receptacles as if here repeated and applied thereto.

And no person shall throw, drop, or allow to fall into the North or East River, or into any street or place, any substance being, or having been part of, the contents of any such vault, cess-pool, privy, sink, tub, or receptacle, or any offal.

SEC. 94. That no person shall deposit upon any street or public place within the generally built-up portion of the City of New York, or upon any paved street, any dirt or brick, or other material or dirt taken from any ground therein, in such manner as to occupy more than one hundred square feet of surface of any street or place (and the same shall be compact and at one side), nor allow the same to remain more than twelve hours, without a permit from this Department, or unless such occupancy shall be otherwise duly authorized by paramount authority. Nor shall any such substance be so deposited or allowed to remain, by any person, as to obstruct the free flowage along any gutter.

SEC. 95. That it shall be the duty of every owner, tenant, lessee, and occupant of any and every building, or place of business in the generally built-up portions of the City of New York, forthwith to provide or cause to be provided, and at all times thereafter to keep and cause to be kept and provided, within such building or place

of business, suitable and sufficient boxes, barrels, or tubs for receiving and holding without leakage, and without being filled to within four inches of the top thereof, all the ashes, rubbish, garbage, and liquid substances, of whatever kind, that may accumulate during thirty-six hours, from said building or place of business, or the portion thereof of which such person may be the owner, tenant, lessee, or occupant; and every such box, barrel, and tub designed to hold ashes shall be made of or lined with some suitable metal. That a separate vessel shall be provided for ashes and rubbish, and another for garbage and liquid substances; and ashes and rubbish shall not be placed or kept in the same vessels with garbage and liquid substances; and all ashes, rubbish, garbage, and liquid substances that should be removed from such building and place of business, or from that part for which said receptacles were provided, and none other (without the proper consent), shall be placed therein, and no such box, barrel, or tub shall remain on any sidewalk, or in any public place, longer than may be needful for the removal of the contents thereof.

SEC. 96. That such boxes, tubs, and barrels shall be placed and kept in such a position (unless kept within or upon private grounds, within the sidewalks) as the inspectors or agents of this Department shall provide or the police direct; and no person, not for that purpose authorized, shall interfere therewith, or with the contents thereof.

SEC. 97. That all occupants, so preferring, may deliver their ashes, garbage and rubbish directly to the proper carts, to be taken away at any hour of the day when said carts may be present; and said carts may take

such articles from receptacles delivered at any such hour; provided, that such garbage or rubbish be not highly filthy or offensive; and in the latter case, the same shall not be so delivered or received during the period from seven o'clock, A. M., of any day till ten o'clock of the evening of the same day.

SEC. 98.\* That no lime, ashes, coal, dry sand, hair, feathers, or other substance that is in a similar manner liable to be blown by the wind, shall be sieved or agitated or exposed, nor shall any mat, carpet, or cloth be shaken or beaten, nor any cloth, yarn garment, or material, or substance be scooped, cleaned, or hung, nor any business be conducted over, or any rags, damaged merchandise, wet, broken, or leaking casks, barrels, or boxes, or broken bales of merchandise or goods, be placed, kept, or exposed for sale in any street or public place, or where it, or particles therefrom, or set in motion thereby, will pass into any such street or public place, or into any occupied premises. That neither any usual nor any reasonable precaution shall be omitted by any person to prevent fragments or other substances from falling, to the peril of life, or dust or lighted material flying into any street, place, or building, from any building or erection, while the same is being altered, repaired, or demolished, or otherwise.

SEC. 99. That every person who shall have paved, or caused to be paved, any street or place, shall cause all rubbish, dirt, and whatsoever else he has deposited or allowed to be deposited on such pavement, to be removed from the several parts of such pavement within five days from the time of the same being deposited thereon.

\* As amended, May 5, 1874.

And every person who has removed any flag-stone, curb-stone, pavement stone, or other stone, or dirt, or iron, in or from any street, sidewalk, or place, for the purpose of repairs, or for the purpose of paving, flagging, or curbing, or repairing, recurbing, or reflagging, or making any repairs or changes, or otherwise, shall cause the same, or a proper substitute therefor, to be placed or replaced and completed as soon as the same can reasonably be done.

SEC. 100.\* That every owner, lessee, tenant, and occupant of any stall, stable, or apartment in which any horse, cattle, or swine, or any other animal shall be kept, or of any place in which manure or any liquid discharge of such animals shall collect or accumulate, within the built-up portion of said city, shall cause said liquid and manure to be at once removed to some proper place, and shall at all times keep or cause to be kept such stalls, stables, and apartments, and the drainage, yard, and appurtenances thereof, in a cleanly and wholesome condition, so that no offensive smell detrimental to health shall be allowed to escape therefrom; and when within three hundred feet from any occupied dwelling-house, or of any manufactory where more than five persons are employed, the removals from the stables shall not be made, nor shall the manure or refuse from the stable be allowed to remain on any street or place near such stable, any time between 10 o'clock A. M. and 6 o'clock P. M., without a permit from this Board. Every such stall, stable, or apartment, where horses or cattle are kept, shall have an underground and properly covered manure vault of not less than sixty-four cubic feet capacity. But the Sanitary Superintendent is authorized

\* As amended, Nov. 30, 1875.

to issue permits to be regularly reported to this Board, regulating such removal within said hours.

SEC. 101. That no person shall empty or attempt to empty any vault, sink, privy, or cess-pool in the city of New York, except pursuant to a permit therefor first received from this Department.

SEC. 102. That from and after the first day of September, 1872, no part of the contents of any privy, vault, sink, or cess-pool, except substances other than excrements, insoluble in water, or any accumulation of any offensive fluid, liquid, or semi-liquid substance or material, being in any excavation, cellar or place within the limits of the city of New York, shall be removed therefrom, nor shall the same be transported through any of the streets or avenues of said city, unless and except the same shall be removed and transported by means of an air-tight apparatus, or in such manner as shall prevent entirely the escape of any noxious or offensive odors therefrom, and by a permit from this Department.

SEC. 103. That the drivers of all carts for the removal of any garbage, offal, rubbish, or dirt from any building or premises, shall give adequate notice to those dwelling in any street whose buildings or premises such cart is about to or should approach for the removal of any substance aforesaid.

SEC. 104. That no person shall engage in the business of a scavenger, or of transporting manure, swill, ashes, offal, rubbish, or garbage, or any offensive or noxious substance, or in driving any cart for such purpose, in



the city of New York (except the persons acting under the street-cleaning commissioners, or the contractor for cleaning the streets, and as this Department may provide), until he shall have first received a permit from this Department of such form and effect as the regulations of the Board shall provide, authorizing such person so to engage.

SEC. 105. That every cart and other vehicle hereafter constructed for or engaged about any business, or intended to be loaded with any matter or substance in the last section mentioned, shall be constructed according to this Code, and to the regulations and orders of the Board of Health of the Health Department.

SEC. 106. That no cart or other vehicle for carrying any offal, swill, garbage, or rubbish, or the contents of any privy, vault, cess-pool, or sink, or having upon it or in anything on such cart, any manure, or other nauseous or offensive substance, shall, without necessity therefor, stand or remain, nor shall a needless number gather before or near any building, place of business, or other premises where any person may be; nor shall any such cart or vehicle occupy an unreasonable length of time in loading or unloading, or in passing along any street or through any inhabited place or ground; nor shall any such cart or vehicle, or the driver thereof, or anything thereto appertaining, be (or by any person having a right to control the same, be allowed to be) in a condition needlessly filthy or offensive; and when not in use, all such carts, vehicles, and all implements used in connection therewith, shall be stored and kept in some place where no needless offence shall be given to any of the people of said city.

SEC. 107. That all carts and vehicles in the last section mentioned, and boxes, tubs, and receptacles thereon, in which any substance in said section referred to may be or be carried, shall be strong and tight, and the sides shall be so high above the load or contents that no part of such contents or load shall fall, leak, or spill therefrom ; and that when, in the opinion of this Board, it is necessary to prevent the contents of such carts or vehicles, tubs or boxes, or receptacles from being offensive, each of such carts, tubs, or boxes, and receptacles shall be adequately and tightly covered, as the orders or regulations of this Department may provide or direct.

SEC. 108. That no driver of such cart or vehicle, nor any person having undertaken or being engaged about the loading or unloading thereof, nor person engaged about the cleaning or emptying, or having undertaken to empty or remove any manure, garbage, offal, or the contents of any vault, sink, privy, cess-pool, or any noxious or offensive substance, shall do or permit to be done about the same, or in connection therewith, that which shall be needlessly offensive or filthy in respect to any person, street, place, building, or premises.

SEC. 109. That no person shall allow (and it shall be the duty of every contractor and person who has ordered or procured, or is having any of the following articles carried, or who is driving the same, to prevent) any cart or vehicle to be so fully loaded, or being in such bad condition of repair, or of such faulty construction, or being so improperly driven or managed, that any offensive liquid, or any manure, garbage, rubbish, offal, dirt, or material thereon, shall fall upon or in any place,

street, or premises; and it shall be the duty of every such person to at once replace on such vehicle and remove what has so fallen.

SEC. 110. That all putrid or offensive matter, and all night-soil, and the contents of sinks, privies, vaults, and cess-pools, and all noxious substances, in the built-up portion of said city, shall, before their removal or exposure, be disinfected and rendered inoffensive by the owner, lessee, or occupant of the premises where the same may be, or (in default of the same being so done) by the person or contractor who removes or is about to remove the same; and for all such matter so disinfected and rendered inoffensive, the persons (not being such tenant, owner, or occupant) who shall so disinfect and remove the same, shall be entitled to demand and receive a compensation, to be fixed by the Board of Health of the Health Department, not exceeding twelve cents per cubic foot for making such disinfection and removal, to be paid by such tenant, owner, or occupant.

SEC. 111. That neither the owner, tenant, nor occupant of any building or premises, in the built-up portions of the city of New York, shall employ, cause, or permit any part of the contents of any vault, privy, sink, or cess-pool (being thereon, and of which he has control) to be removed, unless according to a permit or the regulations of the said Department.

SEC. 112.\* That no pile or deposit of manure, offal, dirt, or garbage, nor any accumulation of any offensive or nauseous substances, shall be made within the built-up portions of the city of New York, or upon any open

\* As amended, July 5, 1874.

space inclosed within any portions thereof, or upon the piers, docks, or bulkheads adjacent thereto, or upon any open grounds near (or upon any vessel or scow other than these to be speedily, and according to the duty of any person, removed, lying at) any such pier, wharf, or bulkhead, except according to a resolution of this Board specially authorizing the same, and a permit obtained from this Department, and according to its regulations. And no person shall contribute to the making of any such accumulations. Nor shall any straw, hay, or other substance which has been used as bedding for animals, be placed or dried upon any street, sidewalk, or roof of any building, nor shall any straw, hay, or other substance, or the contents of any mattress or bed, be deposited or burnt, nor shall accumulation thereof be made within two hundred feet of any street, without a permit from this Board.

SEC. 113. That no pile or deposit of manure, offal, or garbage, nor any accumulation of any offensive or nauseous substance, shall be made within three hundred feet of any church or place of worship, nor within the limits of said city within three hundred feet of any inhabited dwelling; nor shall any person or corporation unload, discharge, or put upon or along the line of any railroad, street, or highway, or public place within said city, any manure, offal, garbage, or other offensive or nauseous substance, within three hundred feet of any inhabited dwelling; nor shall cars or flats loaded with or having in or upon them any such substance or substances be allowed to remain or stand on or along any railroad, street, or highway within the limits of said city within three hundred feet of any inhabited dwelling.

SEC. 114. That no manure, garbage, or other material

that is liable to emit an offensive exhalation, shall, in or adjacent to the built-up portions of the city of New York, be turned or stirred (except about its removal), in such way as to be liable, by reasons thereof, to increase such exhalations.

SEC. 115. That every proprietor, lessee, tenant, and occupant of any oyster-house, oyster-saloon, or other premises where any oysters, clams, lobsters, or shell or other fish are consumed, used, or sold, or where any of the refuse matter or shells thereof accumulate, shall daily cause all such shells, offal, or refuse matter to be removed therefrom to some proper place, and shall keep his house, saloon, and premises at all times free from any offensive smells or accumulations.

SEC. 116. That no hotel or house swill or garbage or offensive material of a liquid nature, or partly liquid nature, not removed or required to be moved by the contractors for street cleaning, shall be transported through or along any street of the city of New York, except in tightly-covered iron-bound casks or boxes, and none of the contents of such casks or boxes shall be allowed to fall, or leak, or spill therefrom.

SEC. 117. That the owners, lessees, tenants, and managers of every blacksmith or other shop, forge, coal-yard, foundry, manufactory, and premises where any business is done, shall cause all ashes, cinders, rubbish, dirt, and refuse to be removed to some proper place, so that the same shall not accumulate at any of the above-mentioned premises, or in the appurtenances thereof, nor the same become filthy or offensive. Nor shall any smoke, cinders, dust, gas, or offensive odor be allowed to escape

from any such building, place, or premises to the detriment or annoyance of any person not being therein or thereupon engaged.

SEC. 118. That from and after the 1st day of June, 1870, every furnace employed in the working of engines by steam, or in any mill, factory, printing-house, dye-factory, iron foundry, glass-house, distillery, brew-house, sugar-refinery, bake-house, gas-works, or in any other buildings used for the purpose of trade or manufacture, shall be so constructed as to consume or burn the smoke arising therefrom, unless a permit to the contrary be obtained from this Department.

SEC. 119. That no vault, privy, sink, cistern, or cess-pool shall hereafter be made or rebuilt in the city of New York, except in accordance with the regulations, and pursuant to a permit first obtained from this Department; nor shall any erection or cover be made or put upon, or over the same, until the same has been inspected by the Sanitary Superintendent, or any officer detailed by him, and been found to correspond to such permit and regulations; and no privy shall be built within two feet of the line of any lot.

#### DISEASED ANIMALS.

SEC. 120. That no diseased or sickly horse, cattle, swine, sheep, dog, or cat, or other animals, nor any that have been exposed to any disease that is contagious among such animals, shall be brought into the city of New York.

SEC. 121.\* That no person shall keep, retain, or allow or employ to be kept or retained, at any place within or

\* As amended, August 20, 1873.

adjacent to the built-up portions of the city of New York, any horse, ass, or colt having the disease known as glanders or farcy, but shall at once report the fact to the Board of Health of said city, and under the direction of the Sanitary Superintendent shall remove such animal in the manner designated by such Sanitary Superintendent. No animal having glanders or farcy, or any contagious disease, or that shall die thereof, shall be removed, disposed of, or exposed in any street or public place in said city, without a written permit from said Board of Health, and then only in accordance with the terms of such permit.

#### DEAD, SICK, AND INJURED ANIMALS.

SEC. 122. That no person shall leave in or throw into any place or street, or public water, nor offensively expose or bury, the body (or any part thereof) of any dead or fatally sick or injured animal; nor shall any person keep any dead animal or any offensive meat, bird, fowl, or fish in a place where the same may be dangerous to the life or detrimental to the health of any person.

SEC. 123. That any animal, being in any street or public place, within or adjacent to the built-up portions of New York city, and appearing in the estimation of any officer or inspector of this Department (and of two discreet citizens, called by such officer or inspector to view the same in his presence), injured or diseased past recovery, for any useful purpose, and not being attended and properly cared for by the owner or some proper person to have charge thereof for such owner; or not having been removed to some private premises, or to some place designated by such officer or inspector within one

hour after being found, or left in such condition, may be deprived of life by such officer or inspector, or as he may direct; and shall hereafter, unless at once removed by the owner or person, be treated as any other animal found on a street or place.

SEC. 124. That any person having a dead animal or any animal past recovery, and not killed for and proper for use as meat or fish, or in any offensive condition, or sick with an infectious or contagious disease, on his premises in said city, and every person whose animal or any animal in his charge or under his control in any street or place, may die or become or be in a condition past recovery, shall at once remove or cause the removal of such animal, dead or alive, to some proper place, and when such place may be designated by the Sanitary Superintendent of this Department, to the place so designated.

SEC. 125. That it shall be the duty of the owner, and of the person that last had or then having charge of any animal, so dead or injured or diseased, and being in any street or public place, to at once give notice thereof, and of the nearest street and avenue where it may be, to some inspector or officer of this Department, or of the Sanitary Bureau, unless such animal is at once removed by some proper person.

SEC. 126. That no person other than the inspectors or officers of this Department or the Board of Police, or persons thereto authorized, shall in any way interfere with such dead, sick, or injured animal in any street or place, and no person shall skin or wound such animal in such street or public place, unless to terminate its life as



herein authorized, except that the owner or person having control of such animal may terminate the life thereof in the presence and by the consent of a policeman or an inspector or officer of this Department.

SEC. 127. That no person shall obstruct, delay, or interfere with the proper and free use, for the purposes for which they may be and should be set apart and devoted, of any dock, pier, or bulkhead set apart for the use of any contractor or person engaged in removing any offal, garbage, rubbish, dirt, dead animal, night-soil, or other like substances, or with the proper performance of such contracts.

SEC. 128. That it shall be the duty of every contractor and person (his agent and employees) who has contracted or undertaken to remove any diseased or dead animal, offal, rubbish, garbage, dirt, street-sweepings, night-soil, or other filthy, offensive, or noxious substance, or is engaged about any such removal, or in loading or unloading of any such substance, to do the same with dispatch, and in every particular in a manner as cleanly and little offensive, and with as little danger and prejudice to life and health as possible.

SEC. 129. That no matter or material in the section last mentioned shall lay piled up, or partially raked together, in any street or place before the removal thereof, more than a reasonable time, not for more than four hours in the day-time, under any circumstances.

SEC. 130.\* That no ship, boat, or other vessel or article, shall be taken or allowed by any person to come

\*As amended, August 26, 1873.

into or lay to, or at, or within any dock, pier, bulkhead, or slip, or to be placed thereon for the purpose of the shipment or removal of any offal, garbage, rubbish, blood, or offensive animal or vegetable matter, dirt, or dead animals, or for the use of any contractor about the removal of any of the foregoing substances, without a permit from this Department.

REPORTS AS TO CONTAGIOUS AND INFECTIOUS  
DISEASES.

SEC. 131. That every physician shall report to the Sanitary Bureau, in writing, every person having a contagious disease (and the state of his or her disease, and his or her place of dwelling and name, if known), which such physician has prescribed for or attended for the first time since having such a contagious disease, during any part of the preceding twenty-four hours; but not more than two reports shall be required in one week concerning the same person; but every attending or practising physician thereat must, at his peril, see that such report is or has been made by some attending physician.

SEC. 132. That it shall be the duty of each and every practising physician in the city of New York to report, in writing, to the Board of Health, the death of any of his patients who shall have died in said city of contagious or infectious disease, within twenty-four hours thereafter, and to state in such report the specific name and type of such disease.

SEC. 133. That every keeper of any boarding-house, or lodging-house, and every innkeeper and hotel-keeper,

shall, within twenty-four hours, report in writing to the Sanitary Bureau the same particulars in the last session required of any physician, concerning any person being at any of the aforesaid houses or hotels, and attacked with any contagious disease.

SEC. 134. That the commissioners, managers, principal, or other proper head officer of each and every public or private institution in said city, shall, twice in each week, report in writing (or cause such report by some proper or competent person to be made twice in each week) to the Sanitary Bureau, and state therein the name, if known, and condition and disease of any and every person being thereat, and sick of any contagious disease.

SEC. 135. That the master, chief officer, and consignee, or one of them, of every vessel not being in quarantine, or within quarantine limits, but being within one-fourth of a mile of any dock, wharf, pier, or building of said city, shall daily report to the Sanitary Bureau, or cause to be reported, in writing, the particulars, and shall therein state the name, disease, and condition of any person being in or on such vessel and sick of any contagious disease.

SEC. 136. That it shall be the duty of every person, knowing of any individual in said city sick of any contagious disease (where such person shall have reason to regard such individual as neglected or not properly cared for, and to avoid giving said disease to others), and the duty of every physician hearing of any such sick person, who he shall have reason to think requires the attention of this Department, to at once report the facts to the

Sanitary Bureau in regard to the disease, condition, and dwelling-place or condition of such sick person.

SEC. 137. That the keepers, lessees, tenants, and owners of every boarding-house and lodging-house shall, within six hours after the fact shall come to his or her or their knowledge, notify the Sanitary Bureau, in writing, of the fact of any seafaring man or person lately from any vessel being taken sick at such house, and shall in such notice state where such sick person may be found, and from what vessel, and when he came, to the best of the knowledge of the person or persons giving such notice.

SEC. 138. That every master and chief officer of any vessel, and every physician of, or who practised on, any vessel which shall arrive in the port of New York from any other port, shall at once report to this Department any facts connected with any person or thing on said vessel, or that came thereon, which he has reasons to think may endanger the public health of this city; and he shall report the facts as to any person being or having been sick thereon of a contagious disease, and as to there being, or having been during the voyage or since her arrival, and infected persons or articles thereon.

SEC. 139. That every master, charterer, owner, part-owner, and consignee of any vessel or of the cargo thereof which shall be in the water of said city, unless detained in quarantine, shall at once give, or cause to be given, to the Sanitary Superintendent, written notice of any infected article or person, and of every person sick of a contagious disease, being or having within ten days been on board said vessel; and also of each and every

fact and thing relative to said vessel, sick person, or cargo, or to the crew of such vessel, which any of the first-mentioned persons shall have reason to think may be useful for this Department to know, or be or become dangerous or prejudicial to life or health in said city.

REMOVALS FROM, AND UNLOADING OF, VESSELS.

SEC. 140. That every master, owner, charterer, part-owner, and consignee of any vessel that shall bring any cotton into the port of New York and within the limits of the city of New York, between the first day of May and the first day of November of each year, shall at once report to this Department, or cause to be made, in writing, a report to this Department of the fact of any such cotton being in a dangerous, infected, or unsound condition, or having been exposed to any infection.

SEC. 141. That no master, charterer, owner, part-owner, or consignee of any vessel, or any other person, shall bring to any dock, pier, wharf, or building within one thousand feet thereof, in said city, or unload at any dock, building, or pier therein, or have on storage in the built-up portions of said city, any skins, hides, rags, or similar articles or materials, having been brought from any foreign country or any infected place, or from any points south of Norfolk, Virginia, without or otherwise than according to written permit so to do from this Department; and no person shall sell, exchange, or in any way make exposure of any straw, bedding, or other articles that have been exposed to the contagion or infection of any contagious disease, or have been or are liable to communicate such disease, or have lately been on any emigrant vessel, till after the same has been adequately cleansed or disinfected.

SEC. 142. That no owner, agent, or consignee or any vessel or cargo, and no officer of any vessel (in respect of either of which vessel or cargo a permit, according to any law, ordinance, or regulation shall or should have been obtained to pass quarantine, or to come up to the water-front of the city of New York) shall unlade or land, or cause to be unladen or landed, such cargo, or any part thereof, in said city, without having first received the written permit of this Department so to do.

SEC. 143. That no captain, officer, consignee, owner, or other person in charge of any vessel (or having right and authority to prevent the same) shall remove or aid in removing from any vessel to the shore (save as legally authorized by the health officer of the port of New York, and into quarantine grounds or buildings only) any sick person of, or person that has been exposed to and is liable very soon to develop any contagious disease, nor to remove or aid in removing any articles that have been exposed to the contagion of any such disease, except in accordance with a permit of this Department, or with its special regulations.

SEC. 144. That no master, charterer, consignee, or other person shall order, bring, or allow (having power and authority to prevent) any vessel or person, or article therefrom, from any infected port, nor any vessel, or person, or article therefrom liable to quarantine, according to the ninth section of the three hundred and fifty-eighth chapter of the Laws of 1863 (or under any other laws, and whether such quarantine has been made or suffered, or not), to come or be brought to any point nearer than three hundred yards of any dock or pier, or to any building in said city without or otherwise than

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

SEC. 145. That no person shall bring into this city, from any infected place, or land, or take therein, from any vessel lately from any infected port, or from any vessel or building in which had lately been any person sick of a contagious disease, any article or person whatsoever, nor shall any such person land or come into said city without a permit of this Department; and it shall be no excuse that such person or article so offending, or the occasion of offence, has passed through quarantine, or has a permit from any other source than this Department.

SEC. 146. That no owner, part-owner, charterer, agent, or consignee of any vessel, nor any officer or person having charge or control of the same, shall allow to be cast therefrom, and no person shall cast therefrom, into any public waters of the city of New York, any straw, bedding, clothing, or other substance, from any incoming vessel, from any foreign port, or port south of Cape Henlopen, without a permit from this Board, except as allowed by the quarantine authorities.

#### HEALTH OFFICER.

SEC. 147. That the Health Officer of the Port of New York, his assistants and deputies, shall at all times keep this Department informed, by weekly written reports, of the number of vessels in quarantine, of the number of

persons sick in the floating or other hospitals thereat, and of the diseases with which they were severally afflicted ; he and they shall also receive into the floating hospital all cases of yellow fever found in this city and the port aforesaid ; he or they shall not send or allow to return to the vicinity of said city, without the permit of the Sanitary Superintendent, any person, vessel, or article which this Department has ordered to quarantine.

#### REMOVALS OF SICK PERSONS.

SEC. 148. That no person shall, within the built-up portion of this city, without a permit from this Department, carry or remove from one building to any other, or from any vessel to the shore, any person sick of any contagious disease. Nor shall any person, by any exposure of any individual sick of any contagious disease, or of the body of such person, or by any negligent act connected therewith, or in respect of the care or custody thereof, or by needless exposure of himself, cause or contribute to, or promote, the spread of disease from any such person, or from any dead body.

#### VACCINATION.

SEC. 149. That every person, being the parent or guardian, or having the care, custody, or control of any minor or other individual, shall (to the extent of any means, power, and authority of said parent, guardian, or other person, that could properly be used or exerted for such purpose) cause and procure such minor or individual to be so promptly, frequently, and effectually vaccinated, that such minor or individual shall not take, or be liable to take, the small-pox.



## EXPOSURE TO DISEASE.

SEC. 150. That no parent, master, or custodian of any child or minor (having power and authority to prevent) shall permit any such child or minor to be unnecessarily exposed, or to needlessly expose any other person, to the taking, or to the infection of, any contagious disease.

## DEAD BODIES—INTERMENTS—SEXTONS.

SEC. 151. That no interment of the dead body of any human being, or disposition thereof in any tomb, vault, or cemetery, shall be made within the city of New York, without a permit therefor granted by this Department, nor otherwise than in accordance therewith, and no sexton or other person shall assist in, or assent to, or allow any such interment, or aid or assist about preparing any grave or place of deposit for any such body, for which such permit has not been given authorizing the same. And it shall be the duty of every person who shall receive any such permit, to preserve and to return the same to this Department, as its regulations may require.

SEC. 152. That no new burying-ground, cemetery, tomb, or vault for dead human bodies shall be established, nor shall the remains of any dead body be placed in any existing burying-ground, vault, tomb, or cemetery, in the city of New York, nor any of said receptacle be opened, exposed, or disturbed, except according to the terms of a permit therefor given by this Department: and every body buried in any such place shall be buried to a depth of six feet below the surface of the ground, and four feet below any closely adjacent street.

SEC. 153. That every person who acts as a sexton or

undertaker in the city of New York, or has the charge or care of any vault, tomb, burying-ground, or cemetery for the reception of the dead, or where the bodies of any human beings are deposited shall cause his or her name and residence, and the nature of his or her charge and duties, to be registered with this Department.

SEC. 154. That every sexton and other person having charge of any burying-ground, cemetery, tomb, or vault in the city of New York, shall, before twelve o'clock of Monday of each week, make return to this Department of the bodies and persons buried since their last return, and in such form, and specifying such particulars, as the special regulations of this Department shall require.

SEC. 155.\* That no captain, agent, or person having charge of, or attached to any ferry-boat, sailing or other vessel, nor any person in charge of any car, stage, or other vehicle, or public or private conveyance, shall convey or allow to be conveyed thereon, or by any means aforesaid, nor shall any person convey or allow to be carried or conveyed, in any manner, from or in the city of New York, the dead body of any human being, or any part thereof, without a permit therefor from this Department. And the proper coupon for that purpose attached to any such permit, when issued, shall be preserved and returned to this Department, as its regulations may require, by the proper officer or person on such boat or vessel, and by the proper person in charge of any train of cars or vehicle on which any such body may be carried from said city. Provided, however, that the same effect shall be given, under this section, to a burial or transit permit issued by the health office, or

\* As amended, June 5, 1877, and June 25, 1878.

Board of health, of the city of Brooklyn, as to a burial or transit permit issued from this Department, when the death of the person named in the permit shall have occurred in the city of Brooklyn; and provided that the same effect shall be given, under this section, to a burial or transit permit issued by the Board of Health of the Vital Statistics of Richmond County, as to a burial permit from this Department, when the death of the person named in the permit shall have occurred in Richmond County; and provided that the same effect shall be given, under this section, to a burial or transit permit issued by the Board of Health, or health officer, of Long Island City as to a burial or transit permit issued from this Department, when the death of the person named in the permit shall have occurred in Long Island City; and provided that the same effect shall be given, under this section, to a burial or transit permit issued by the Board of Health, or health officer, of the city of Yonkers, as to a burial or transit permit issued from this Department, when the death of the person named in the permit shall have occurred in said city of Yonkers.

And provided that the same effect shall be given, under this section, to a burial or transit permit issued under the laws of the State of New Jersey, and especially pursuant to provisions of an act of said State, entitled "An act concerning the registry and returns of marriages, births, and deaths," passed April 5, 1878, as to a burial or transit permit issued from this Department; subject, nevertheless, in every case to all the care, precautions; and diligence prescribed by the rules and regulations of this Department.

SEC. 156. That no person shall retain, expose, or allow to be retained or exposed, the dead body of any

human being, to the peril or prejudice of the life or health of any person.

SEC. 157. That it shall be the duty of every person who has discovered or seen the body of a dead human being, or any part thereof (if there is reason for such person to think that the fact of the death, or the place of such body, or part thereof, is not publicly known), to immediately communicate to the Bureau of Vital Statistics the fact of such discovery of such body, the place where, and time when, the same was discovered or seen, and where the same is or may be found, and any facts known by which said body may be identified, or the cause of death ascertained.

SEC. 158. That no person shall retain or allow to be retained unburied the dead body of any human being for a longer time than four days after the death of such person, without a permit from this Department, which permit shall specify the length of time during which such body may be retained unburied. This ordinance shall not apply to bodies retained in the public Morgue at Bellevue Hospital during the time of such detention.

#### CORONERS.

SEC. 159. That at least two hours before the holding of any inquest within the city of New York upon a dead body, the coroner who has been notified of any death, or who may propose or intend to hold such inquest, shall transmit and cause to be delivered to the Bureau of Vital Statistics a written notice containing the following facts, so far as known or reported to any such coroner:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### MARRIAGES, BIRTHS, AND DEATHS.

SEC. 160. That every clergyman, magistrate, and other person who may perform a marriage ceremony, shall make and keep a registry of the marriage celebrated, therein enter the full names of the parties married, and the residence, age, and condition of each; and every physician, midwife, and other person who may professionally assist or advise at any birth, shall make and keep a registry of every such birth, and therein enter the time and place, ward, and street number of such birth, and the sex and color of every child born, and the names and residence of each of the parents (so far as the foregoing facts can be ascertained); and every physician and professional adviser who has attended any person at a last illness, or has been present by request at the death of any person, shall make and preserve a registry of such death, stating the cause thereof, and specifying the date, hour, place, and street number of such death.

SEC. 161. That it shall be the duty of every person mentioned in the last section, or required to make or keep any such register, to present to the Bureau of Vital Statistics a copy of such register, signed by such person, or a written statement, by him signed, of all the facts in said register required to be entered, within five days after the birth or marriage, and within thirty-six

hours after the death of any person to whom such registry may or should relate, which shall thereupon be placed on file in the said Bureau.

SEC. 162. That every clerk, officer, and person within said city, required by the one hundred and fifty-second chapter of the Laws of 1847, or by the three hundred and eightieth chapter of the Laws of 1864, to make or preserve any entry, registry record, or certificate, as to births, deaths, or marriages, shall send, or cause to be sent, to the Bureau of Vital Statistics of this Department, within five days after the knowledge of the birth, death, or marriage, a full and true statement in writing, containing all the particulars in respect thereto (so far as reasonably ascertainable), which, in any other section hereof, are required to be stated by any person relative to any birth, death, or marriage, which shall thereupon be placed on file in said Bureau.

SEC. 163. That every person therein referred to within the city of New York shall perform the acts required in the following provisions (so far as the same are applicable to said city) of section 13 of chapter 74 of the Laws of 1866, to wit :

“It shall be the duty of the next of kin of any person deceased, and of each person being with such deceased person at his or her death, and of the person occupying or living in any house or premises in or on which any person may die, and of the parents of any child born in said district (and if there be no parent alive that has made such report, then of the next of kin of such child born), and of every person present at such birth, within five days after such birth or death, to report to said Board, in writing, so far as known, the date, ward, and



street number of said birth, and the sex and color of such child born, and the names of the parents, and the age, color, nativity, last occupation, the cause of death of such deceased person, and the ward and street, and place of such person's death and last residence."

#### RAILROAD CARS.

SEC. 164. That no railroad car, or vehicle constructed for or engaged in the business of carrying passengers on any line of railroad in the city of New York, and which car is propelled by horse-power, and not by steam-power, shall be used with cushions on the seats, or on the backs of the seats thereof.

SEC. 165. That each and every car used upon any railroad in the city of New York for the carrying or transportation of passengers, shall on each and every day on which it may be used for the carrying or transportation of passengers, be carefully and thoroughly washed and cleaned, so that all filth and dirt are removed from the inside of the car.

SEC. 166.\* That no straw or hay shall at any time be used or placed on the floor of any railroad car engaged or used in the business of carrying or transporting passengers within the city of New York, unless the whole of such material shall be entirely fresh, clean, and inoffensive in the morning of each day during which the same shall be used or placed on such railroad car, and such straw or hay, when used for the purposes hereinbefore mentioned, shall be wholly renewed at least once each day.

\* As amended, Jan. 16, 1877.

SEC. 167. That no person shall at any time carry or convey in or upon any passenger railroad car, nor shall any conductor or person in charge of any such railroad car allow to be carried or conveyed in or upon such car, except on the front platform, any soiled or dirty articles of clothing or bedding, in baskets or bundles.

SEC. 168.\* That every car used for the transportation of passengers in the city of New York, shall be so constructed as at all times to provide and secure good ventilation.

#### GENERAL SUBJECTS.

SEC. 169. That no master or teacher, or manager of or in any school, public or private, or of or in any Sunday-school or gymnasium, nor the officers or managers thereof, nor officers or managers, or persons having charge of any place of public worship, shall so far omit or neglect any duty or reasonable care or precaution respecting the safety or health of any scholar, pupil, or attendant, or respecting the temperature, ventilation, or cleanliness or strength of any church, hall of worship, school-house, school-room, or place of practice or exercise, or relative to anything appurtenant thereto, as that by reason of such neglect or omission, the life or health of any person shall suffer or incur any avoidable peril or detriment.

SEC. 170. That no owner, part-owner, tenant, or occupant of any building or erection shall allow any part thereof, or any substance therein, or anything thereto attached, and which any such person can control or remove, to continue or remain in a position or condition

\* As amended, Feb. 8, 1878.

that shall imperil the life or safety of any person thereat or therein; or who is or may properly be in any street or place.

SEC. 171. That no person shall take, carry, expose, or place (or induce any other person so to do) in or upon any street or public place, any substance, animal, or thing, which shall imperil the life or health of any person who is or may properly be in such street or place.

SEC. 172. That no person owning, occupying, or having charge of any stable or other premises, shall keep or allow thereon or therein any dog or other animal which shall by noise disturb the quiet or repose of those or any one therein or in the vicinity, to the detriment of the life or health of any human being.

SEC. 173. That no person shall race or run or rapidly drive any horse or other animal in a public street or place, or allow the same so to move, or throw or send up any kite, stone, or other substance, or burn or set off any fireworks, fire-crackers, or other substance, whereby, or by reason of which, any human life may be put in danger or peril.

SEC. 174. That no person shall engage in or encourage any fight, or the dealing of any blow by any human being, in said city, against any other human being; nor shall any person permit such fight, having power and authority to prevent the same.

SEC. 175. Annulled January 28, 1879.

SEC. 176. That no person shall sell, loan, or give to or allow to be taken by any other person, any fire-arm,

or other deadly or dangerous weapon, when there shall be any reason for such first-named person to think or believe that any danger to life may illegally result from the giving, loaning, selling, or from the use of such arm or weapon.

SEC. 177. That no large or church bell shall be rung or tolled at any funeral in said city, without a permit therefor from this Department, nor shall such bell be rung or tolled at any other time therein to the prejudice or peril of the life and health of any human being.

SEC. 178. That every person who omits or refuses to comply with, or who resists any of the provisions of the Sanitary Code, or any of the rules, orders, sanitary regulations, or ordinances established or declared by this Board, or any of the provisions of said seventy-fourth chapter of the Laws of 1866, or of chapter six hundred and eighty-six of the Laws of 1866, or of chapter nine hundred and fifty-six of the Laws of 1867, in so far as the same are now in force and applicable to the city of New York, or the execution of any order or special regulation of this Department, will be liable to the arrest, suit, penalty, fine, and punishment in said laws provided and declared; of all of which notice must be taken.

#### ADDITIONAL ORDINANCES OF THE SANITARY CODE.

SEC. 179.\* No adulterated or deleterious coffees, teas, or other preparations from which drinks are made shall be bought, sold, held, or offered for sale.

SEC. 180.† That no offal, blood, scrap, guts, gut-fat, or refuse of slaughter-houses shall be transported

\* As adopted, July 29, 1873.

† Adopted, August 1, 1873.

through, brought in, or allowed to be between Second Avenue and Tenth Avenue in the city of New York without a special written permit from this Department.

SEC. 181. Annulled Jan. 16, 1877.

SEC. 182.\* That the owners, lessees and occupants of any building in the city of New York, in which hatchways or well-holes exist, or shall hereafter be constructed, shall cause the same to be effectually barred or inclosed by railing, gates, or by other contrivances approved by the Board of Health, for the prevention of accidents therefrom.

SEC. 183.† That no person shall place or deposit garbage, rubbish, or liquid substance of any kind in any box, barrel, tub, cart, wagon, or any receptacle whatever, used for the reception, the holding, or the transportation of ashes; nor shall any one put ashes in or upon garbage, rubbish, or liquid substances, or in any way place together, mix, or have in the same receptacle ashes and garbage in the city of New York.

SEC. 184.‡ That on and after the fourth day of July, 1876, the business of slaughtering animals in the city of New York shall not be conducted south of One Hundred and Tenth Street, unless the same shall be done in buildings located directly upon the water front, each having a capacity sufficient for the yarding and slaughtering daily of one-half of the entire number of cattle, or hogs, or small stock (all or separately, according to the particular object of each abattoir) slaughtered in

\* Adopted October 14, 1873.

† Adopted April 28, 1874.

‡ Adopted October 13, 1874.

this city at the time this ordinance shall go into effect, and so constructed as to receive all stock deliverable thereat directly from cars or transports; and to discharge therefrom all liquid refuse below low-water mark; and to secure the proper care and disposition of all parts of the slaughtered animals upon the premises, or the immediate removal thereof by means of boats; and on and after the fourth day of July, 1876, no cattle, sheep, hogs, or calves shall be driven in the streets of such city below One Hundred and Tenth Street; nor shall any offensive business growing out of that slaughtering, as fat-melting, hide-curing, gut-cleaning, bone-boiling, glue-making, etc., etc., be conducted, except on the premises constructed and prepared as herein required, and devoted to the slaughtering and the disposing thereof of all parts of the slaughtered animals as aforesaid; nor shall any fat, hides, hoofs, or entrails, or other refuse parts of slaughtered animals (except fat or tallow attached to meat exposed for sale, or collected by licensed dealers) be transported in said streets; nor shall any buildings be erected or converted into or used as a slaughter-house until the plans thereof have been duly submitted to the Board of Health, and approved in writing by the said Board.

SEC. 185.\* That every veterinary surgeon who is called to examine or professionally attend any animal within the city of New York, having the glanders or farcy, or any contagious disease, shall, within twenty-four hours thereafter report in writing to the Board of Health of such city the following facts, viz.: 1st, a statement of the location of such diseased animal; 2d, the name and

\* Adopted August 20, 1875.

address of the owner thereof ; 3d, the type and character of the disease.

SEC. 186.\* No milk which has been watered, adulterated, reduced, or changed in any respect by the addition of water or other substance, or by the removal of cream, shall be brought into, held, kept, or offered for sale at any place in the city of New York ; nor shall any one keep, have, or offer for sale in the said city any such milk.

SEC. 187.† That every person who omits or refuses to comply with, or who resists any of the provisions of the Sanitary Code, or any of the rules, orders, sanitary regulations, or ordinances established or declared by this Board under or pursuant to any of the provisions of the seventy-fourth chapter of the Laws of 1866 ; or of chapter six hundred and eighty-six of the Laws of 1866 ; or of chapter nine hundred and fifty-six of the Laws of 1867 ; or of chapter three hundred and thirty-five of the Laws of 1873 ; or of chapter seven hundred and fifty-seven of the Laws of 1873 ; or of chapter six hundred and thirty-six of the Laws of 1874 ; or refuses or neglects to comply with any of the provisions of the said laws in so far as the same are now in force and applicable to the city of New York ; or omits or refuses or neglects the execution of any order or special regulation of this Department, will be liable to the arrest, suit, penalty, fine, and punishment in said laws provided and declared ; of all of which, notice must be taken.

SEC. 188.‡ That hereafter no Texas, Colorado, or other

\*Adopted February 23, 1876.

† Adopted June 12, 1877.

‡ Adopted September 4, 1877.

dangerous cattle shall be driven through or along the public streets, except in those cases only where the cattle shall be landed at the foot of the street leading to the slaughter-house to which such cattle shall be destined, and where the street shall be effectually barred or closed, so as to prevent the escape of such cattle during the transfer from the dock to such slaughter-house, and no such cattle shall be landed except in accordance with the provisions and restrictions of this ordinance.

SEC. 189.\* Whenever a nuisance in any place at or upon any premises in the city of New York shall have been found or declared by resolution of the Board of Health to exist, and an order shall have been made directing the owner or lessee of such premises to make suitable and necessary repairs or improvements, or to abate the said nuisance, such repairs or improvements shall be made, and such nuisance shall be fully abated in the manner directed by the Board of Health within five days after notice thereof.

SEC. 190.† All sinks, basins, and stationary tubs in every hotel, lodging, tenement, boarding-house, or other dwelling in the city of New York, shall be provided with proper stench traps directly under each sink, basin, or stationary tub, so connected with the waste or soil pipe, and so constructed as directed or approved by the Board of Health, and with the traps so adjusted as to prevent the escape therefrom of foul odors and gases.

SEC. 191.‡ All privy vaults in the yard of any house in the city of New York, within twenty feet of any

\* Adopted October 9, 1877.

† Adopted Oct. 9, 1877, and amended Nov. 27, 1877.

‡ Adopted Oct 9, 1877.



dwelling, shall be ventilated by means of an eight-inch earthenware pipe, laid at least six inches below the surface of the yard, from the said vault to the nearest wall of the building of the greatest altitude at or upon said premises, and there connected with a vertical metallic shaft of like diameter, extending not less than two feet above the roof of such building. And every privy vault in the city of New York shall be ventilated in this way, unless a permit in writing specially excepting such vault from the requirements of this ordinance be granted, and it be otherwise ordered by the Board of Health.

SEC. 192.\* Privy vaults shall be ventilated and shall be constructed or repaired ; and manure vaults shall be covered, provided with drains, and built or repaired in the city of New York, in accordance with directions from and orders made therefor by the Board of Health.

SEC. 193.† The waste or soil pipe in every tenement, lodging-house, or other dwelling in the city of New York shall be ventilated by extending the same by means of a pipe of the same size to a height of not less than two feet above the roof of the building, or pursuant to the terms of a permit in writing from the Board of Health.

SEC. 194.‡ That no cattle shall be unloaded from boats, or shall be driven or allowed in the streets, avenues, or public places in said city, unless distinctly and legibly marked with a letter, sign, or symbol plainly representing the ownership of such animals, which letter, sign, or

\* Adopted Oct. 9, 1877.

† Adopted Oct. 9, 1877, and amended Nov. 27, 1877.

‡ Adopted Nov. 13, 1877.

symbol shall have been previously registered in the office of the Sanitary Superintendent, approved by him, and written upon the face of the permit for driving cattle, issued from time to time to the owner of such cattle, under the rules, regulations, and ordinances of this Board.

SEC. 195.\* That no permit for driving cattle in the city of New York shall be granted to any person, save upon the condition that all such cattle shall be distinctly and legibly marked with a mark, sign, or symbol, approved by the Sanitary Superintendent, so as clearly to indicate the ownership thereof, and it shall be the duty of every person applying for or using a permit to drive cattle in said city, to file with the Sanitary Superintendent a correct statement of the mark, sign, or symbol employed by him under the provisions of this ordinance.

SEC. 196.† That it shall be the duty of every owner, lessee, or tenant of any vacant, sunken, or excavated lot in the city of New York to keep the same at all times clean and inoffensive, and to provide around the same a proper fence, so as to effectually prevent the throwing or depositing therein or thereupon any garbage or offensive thing whatsoever, and also to prevent persons passing from falling into such excavation.

SEC. 197.‡ That no live geese, ducks, or other fowls shall be kept in any yard, area, cellar, coop, building, or other place within the built-up portion of the city of New York, excepting in the public markets, without a permit in writing from this Department.

\* Adopted Nov. 13, 1877.

† Adopted Nov. 20, 1877, and amended June 11, 1878.

‡ Adopted Nov. 20, 1877.

SEC. 198.\* That on and after the 10th day of May, 1878, no cows or cattle shall be led or driven through or along any of the streets of that portion of the city of New York bounded by Fifty-seventh and Sixty-fourth Streets, Tenth and First Avenues, exclusive of these boundary streets and avenues, without a permit in writing from this Department, and in strict accordance with the routes, hours, and terms prescribed and designated therein.

SEC. 199.† That no deposit of bones, decayed fish, or other animal substance, nor any accumulation of bones, offensive fish, or other animal substances, shall be made in any tenement or dwelling-house, or in the cellars thereof, in the city of New York.

SEC. 200.‡ No cow shall be kept within the built-up portions of the city of New York, without a permit in writing therefor from the Health Department.

SEC. 201.§ That for all lodging-houses in which beds are let for lodgers, containing four or more beds in any apartment therein for the use of lodgers, a permit in writing from this Department shall be required, and no person in the city of New York shall have, lease, let, or keep any such lodging-house or the lodgings therein, or assist in the keeping, hire or assist in hiring, or conduct the business of any such lodging-house, or the lodgings therein, except pursuant to the terms and conditions of a permit in writing previously obtained therefor from this Department, an application for which shall be made in accordance with the rules and regulations of the Board

\* Adopted April 23, 1878, and amended June 11, 1878.

† Adopted July 2, 1878.

‡ Adopted Oct. 15, 1878.

§ Adopted Jan. 14, 1879.

of Health by the person or persons who propose to use the same. The air space allotted to each person in such lodging-houses shall be not less than three hundred cubic feet, unless methods for free and adequate ventilation exist in such houses, approved by the said Board of Health.

SEC. 202.\* Any cattle, meat, birds, fowl, fish, fruits, or vegetables, found by any inspector or officer of this Department in a condition which is, in his opinion, unwholesome or unfit for use as human food, shall, upon the order of the Sanitary Superintendent, be removed from any market, street, or public place, and the owner or person in charge thereof, when so directed by the said inspector or by such order of the Sanitary Superintendent, shall remove, or cause the same to be removed, to the place designated by the Sanitary Superintendent, or to the offal dock, and shall not sell, or offer to sell, or dispose of the same, for human food. And when, in the opinion of the Sanitary Superintendent, any such meat, fish, fruits, or vegetables shall be unfit for human food, or any such animal, cattle, sheep, swine, or fowls, by reason of disease, or exposure to contagious disease, shall be unfit for human food, and improper or unfit to remain near other animals or to be kept alive, the Board of Health may direct the same to be destroyed, as dangerous to life and health, and may order any such animals, sheep, swine, or fowls to be removed by any inspector, police officer, officer, or agent of this Department and to be killed and taken to the offal dock.

SEC. 203.† That hereafter no person shall gather, collect, accumulate, store, expose, carry, or transport in any manner through the streets and public places of this

\*† Adopted March 4, 1879.

city or in or to any tenement-house, cellar, or house in said city, any bones, refuse, or offensive material, without a special permit in writing, from the Board of Health, in accordance with the conditions and subject to the limitations thereof, and in such manner as not to cause offensive odors or any nuisance whatsoever.

I, EMMONS CLARK, Secretary of the Board of Health of the Health Department of the city of New York do hereby certify that the foregoing printed "Sanitary Code," viz.: from pages 1 to 75, both inclusive, is a true copy of the original ordinances and amendments thereto on file in my office and the whole thereof, and that the same are now in full force and effect and entitled to full credence as such ordinances and amendments, and were duly adopted, enacted, published, and confirmed by said Board of Health, agreeably to the provisions of the Law of the State of New York entitled "An Act to reorganize the local government of the city of New York," passed April 30, 1873, as amended by an act entitled "An Act to amend chap. 335 of the Laws of 1873," passed June 13, 1873.

IN WITNESS whereof, I have hereto set my official hand and affixed the Great Seal of said Health Department this                    day of                    , A. D., 188 .

*Secretary.*

## CHAPTER 135.

AN ACT to simplify the proof of the Sanitary Code in the city of New York.

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

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

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

SEC. 2. This act shall take effect immediately.

# INDEX TO THE SANITARY CODE.

	SECTIONS
Adulterations, etc.....	14, 15, 16
Alcoholic spirits, distillery of.....	82
Animal matter, putrid, not to be thrown into streets, sewers, etc.....	89
Animal food, age of.....	30
Animals, dangerous or offensive.....	49, 202
“ slaughtering of.....	56, 184
“ slaughtering of, prohibited below Fortieth street..	56, 184
“ “ between Second & Tenth Avs.	64
“ not to be killed or dressed in market.....	61
“ dead, sick, and injured.....	120, 121, 122
“ “ entrails, etc., of.....	32
“ “ not taken to market till cool.....	32
“ “ not to be thrown into streets, sewers, etc....	89, 122
“ “ not to be skinned in street.....	126
“ “ glue-making from.....	79, 80, 184
“ “ duties of contractors for.....	9, 128
“ mad.....	75
“ noisy.....	172
“ age of, whose meat may be sold....	30
“ dead, piers and docks for.....	127, 130
“ “ skinning, business of.....	79, 80
“ diseased or injured, to be reported.....	125
“ diseased.....	120, 121
“ injured or diseased, how killed.....	123
“ “ who may interfere with.....	126
“ dead or past recovery to be removed.....	124, 129
“ with hydrophobia or exposed thereto.....	75
Animal substance, deposit of... ..	199, 203
Apartments, when not to be occupied.....	19

	SECTIONS
Ash-boxes .....	95, 96
Ash-carts, construction of.....	105, 107
"Ashes," meaning of.....	2
Ashes, delivery of, to carts.....	97
" removing of.....	95
" not to be mixed with garbage.....	95, 183
" not to be sifted in street.....	98
" not to be thrown into streets or rivers.....	87
" persons engaged in removing..	103, 104, 108, 109, 112
" from forges, etc.....	117
" sprinkled on walks.....	68
Asses.....	49, 53, 121
Basins to have proper traps.....	190
Bedding from vessels.....	141, 146
" " stables.....	112
Bells.....	177
Bill of Health, authority to give.....	13
Birds, unsound, to be reported.....	40, 202
" not sound and fresh.....	29, 36
" not sound, mode of treating.....	42
" mode of keeping.....	56
" offensive.....	122
" that died by disease or accident.....	29
Births, deaths, and marriages.....	160, 163
" assistants at, duties of.....	160
" registry of.....	160
" report of, to be made.....	161, 163
" who shall report.....	163
" statement of, by clerks and officers as to.....	162
Blasting.....	175
Blacksmiths.....	98, 117
Blood, transporting of.....	80, 180
"Board," meaning of.....	1
Board of Police, duties of.....	11
" " to enforce Code.....	12
"Boarding-house," meaning of... ..	3
" " keepers to report persons sick.....	133, 137
Boarding-houses, no poisonous or unwholesome food or drinks in .....	35
Boarding-houses, privies or water-closets for .....	22, 190
" " not to be overcrowded.....	20



## SECTIONS

Boarding-houses, to be ventilated, etc.....	23
"    "    owners of, to provide for health .....	23
"    "    tenants in, lessees and owners of, to report persons sick at.....	137
Bone-boiling forbidden without permit....	79, 80, 184
"    burning    "    "    "    .....	79, 80, 184
"    grinding    "    "    "    .....	79, 80, 184
Bones, deposit of.....	199, 203
Brick in streets.....	94
Brine not to escape into street.....	88
Brooklyn burial and transit permits.....	155
Building, precautions to be observed in.....	98
Buildings, construction of, etc.....	17
"    dangerous to occupants or passers.....	170
"    to be ventilated, sewered, etc.....	17, 193
"    when not to be let.....	18
"    when to contain nothing offensive.....	92
"    unfit for dwellings.....	20
" Built-up portions," meaning of.....	1
Burial, mode of.....	152
"    returns of, to be made.....	155
"    permits of Brooklyn Health officer.....	155
Burning-fluid, kept or sold.....	85
Burying-places.....	152
"    "    persons in charge of.....	151, 154, 156
Business, dangerous or detrimental to health.....	79
" Butcher," meaning of.....	7
Butchers require permits.....	60, 62
"    to allow inspection.....	63
"    to keep places clean.....	57
Butchers' ice-boxes, refrigerators, etc.....	39
"    offal and garbage.....	89, 116
"    refuse, manner of transporting.....	116
Butter, unwholesome.....	45
Calves, young, meat from.....	30
Carelessness, responsibility for.....	8
Cars, railroad, cushions.....	164
"    "    to be cleansed.....	165
"    "    no straw in.....	166
"    "    no dirty clothing on.....	167
"    "    ventilators.....	168

Cargo from quarantine.....	142
Carpets.....	98
Carts for night-soil, manure, etc., construction of.....	105, 107
"    "    "    "    not to stand in the street....	106
"    "    "    "    nothing to escape from.....	109
Carts for garbage, etc., to give notice..	103
Cats, diseased....	120
Cattle, horses, etc.....	49, 55
"Cattle," meaning of.....	7
Cattle, overheated, diseased, or feverish.....	31, 120
"    diseased, to be reported.....	31, 202
"    diseased, to be removed from city.....	31
"    Texas and Colorado, dangerous.....	188
"    in vehicles.....	30
"    not to run at large.....	49
"    number kept.....	52
"    yarding of.....	53, 60
"    diseased, not to be brought in.....	120
"    place of keeping.....	51
"    not to be slaughtered, dressed, or hung in street.....	58
"    not to be unloaded in street.....	49
"    unsound, mode of treating.....	42
"    how transported.....	54
"    driving, in street.....	55, 56, 188, 194, 195, 198
"    number of, that may be driven through streets.....	55
"    mode of keeping and slaughtering....	56
"    not to be slaughtered or driven south of Fortieth st.	55, 56
"    not to be slaughtered or driven between Second and Tenth Avenues.....	64
"    not slaughtered without permit.....	56
"    number of drovers to.....	55
"    when may be driven out of hours fixed by Code.....	55
"    to be marked.....	194, 195
Cattle-yards require permits.....	53, 60
"Cellar," meaning of.....	3
Cellars.....	18, 19
Cemeteries.....	152
"    persons in charge of.....	151, 154, 156
Cess-pools, price for cleaning.....	110
"    not to be emptied except by permit.....	101, 111
"    contents of, not to be put into streets or sewers,	87, 90, 93

	SECTIONS
Cess-pools, contents of, not to come within two feet of top.....	90
“ “ “ become offensive... ..	90, 92
“ “ removal of.....	93, 111
“ “ to be disinfected.....	110
“ building and inspection of.....	119
“ care in transporting contents of.....	106, 108, 116
“ turning and stirring contents of.....	114
“ offal, ashes, garbage, etc., not to be put into.....	91
“ not to be filled with dirt till filth is removed.....	90
Cheese, unwholesome.....	45
Chief officers of vessels to report person sick.....	135, 138
Cholera.....	5
Churches, duties of officers of.....	169
Church bells.....	177
Cinders.....	2, 87
“ from forges, factories, etc.....	117
Cisterns.....	90, 92, 115
“ City,” etc , meaning of.....	1
Clam shells.....	115
Clergymen to register marriages.....	160
“ to report marriages.....	161
Coal, included in term “ashes”.....	2
Coal-dust.....	98, 117
Coal-yards.....	117
Coffees, deleterious.....	179
Colts.....	49, 53, 121
Concert saloons.....	3
Consignees of vessels to report persons sick.....	135, 139
Contagious and infectious diseases, reports as to.....	131, 139
“ Contagious disease,” meaning of.....	5
“ “ to be reported.....	131, 139
“ “ persons sick with.....	143, 148
“ “ articles exposed to.....	143
“ “ needless exposure to.....	150
“ Contractor,” meaning of.....	1
Contractors for night-soil, offal, garbage, etc., duties of.....	9, 128
“ for cleaning streets.....	25
“ to comply with Code.....	9
Coroners.....	159
Corpses.....	151, 155, 157
Cotton, unsound or infected.....	140

	SECTIONS
Cows.....	52, 200
Curb-stones.....	69, 99
Decoctions.....	14, 15
Dead bodies, interments, sextons.....	151, 157
"    "    not to be buried without permit.....	151
"    "    to be reported.....	157
"    "    not to be transported without permit.....	155, 158
"    "    not to be unduly retained or exposed.....	156
Dead animals not to be thrown into streets, etc.....	113, 122
"    "    to be removed.....	124
"    "    to be reported.....	125
Deadly weapons.....	176
Deaths, marriages and births.....	160, 163
"    registry of.....	160
"    report of, to be made.....	161, 163
"    whose duty to report ..	163
"    statement of clerks and officers as to.....	162
Definitions.....	1-7
Dentist included in term "physician".....	5
"Department," meaning of.....	1
Diphtheria a contagious disease.....	5
Dirt and filth.....	87, 114, 116, 119
"Dirt," meaning of.....	2
Dirt, where not deposited.....	112
"    not to lie piled or raked up in street.....	129
"    not to be thrown into streets or rivers.....	87
"    docks for.....	127, 130
"    in street ..	94, 99
"    removal of.....	109
"    persons engaged in transporting.....	9, 128
"Disease," contagious, meaning of .....	5
"    infectious or pestilential.....	5
"    specific name and type of, to be reported.....	132
"    contagious, persons sick of a, to be reported....	131, 139
"    contagious, persons sick of a, not to be exposed or removed.....	148
"    contagious, articles exposed to.....	141, 143, 145
"    "    persons exposed to.....	143, 145
"    "    exposure to.....	148, 150
Diseased animals.....	120, 121
"    "    to be reported.....	125

	SECTIONS
Distilleries require permit.....	82
Docks for offal and night-soil....	127, 130
"          "          "      vessels not to go to.....	132
Dogs, noisy.....	172
Drainage, arrangement of.....	28
"      to be adequate.....	26
Drink and food.....	29-48
Drinks, poisonous, deleterious, or adulterated.....	41
"      dangerous or detrimental to life or health.....	43, 44
Drieking-hydrants.....	48
Driving fast.....	173
Drovers, number of, to accompany cattle.....	55
Drugs.....	14-16
"      poisonous, deleterious, or adulterated.....	16
"      how marked and sold.....	14, 15
Ducks.....	197
Dust from factories, etc.....	98, 117
Eggs.....	6
Emigrant vessels, bedding from.....	141
Enforcement of ordinances.....	11, 12
Entrails of dead animals.....	32
Excavations .. .. .	92, 196
Exposure to disease.....	148, 150
Farcy, animals sick with.....	121, 185
Fat.....	80
Fat, only fresh, to be boiled or rendered.....	96
Fat, not to be brought into city to be rendered... ..	86
Fat, rendering of.....	81, 86
Fat-boiling.....	78, 80, 81, 86, 184
"      to be in steam-tight vessels.....	86
"      odors in, to be destroyed.....	86
"      to be free from offence.....	86
Feathers.....	98
Feet of dead animals.....	32
Fevers.....	5
Fighting.....	174
Filth and dirt.....	87-119, 114, 116
Filth not to escape into street.....	88, 116
Filling grounds, etc.....	83
Fire-arms, use of.....	175, 176
Fire-crackers and fireworks.....	173

	SECTIONS
"Fish," meaning of .....	6
" when for sale.....	6
" not fresh or sound .....	29, 30, 36, 202
" that died by disease or accident.....	29
" mode of keeping.....	56
" unsound, to be reported....	40
"     " mode of treating.....	42
" false label or statement as to.....	37
" offensive.....	122, 202
" parts not used for food.....	33
" decayed, deposit of... ..	199
Flag-stones.....	69, 99
Food, unwholesome, meagre, or sickly.....	30
Food and drink.....	14, 16, 29-48
" not to be made and sold under false name.....	14
" not to be taken to market till cool.....	32
" unwholesome, deleterious, or adulterated.....	16
" false label or statement as to.....	37
" unsound, mode of treating .....	42
Forges.....	98, 117
Foundries. . . . .	98, 117
Fowls, not sound and fresh.....	29, 30, 36, 202
"     " mode of dealing with .....	42
"     " to be reported.....	40
" mode of keeping .....	56
" offensive.....	122, 202
" that died by disease or by accident.....	26
" permit to keep.....	197
Fruit.....	29, 34, 37, 38, 40, 42, 202
Furnaces to be smoke-consuming.....	118
"Garbage," meaning of.....	2
Garbage, not to fall or be thrown into streets, rivers, etc..	87, 89, 116
" where not deposited.....	112, 113
" docks for.....	127, 130
" not to lie heaped together in street.....	129
" boxes.....	95, 96, 107, 116
" not to be mixed with ashes, etc.....	95, 183
" how transported.....	116
" removal of... ..	95
" delivery to carts.....	97
" care in transporting.....	108, 109, 116

## SECTIONS.

Garbage, persons engaged in transporting. . . . .	103, 104, 108, 109, 128
"    duties of contractors for. . . . .	9, 128
"    loading and unloading. . . . .	113
"    turning and stirring. . . . .	114
Garbage-carts, notice to be given before. . . . .	103
"    construction of. . . . .	105, 107
"    how managed. . . . .	106
Gas. . . . .	77
"    from factories, etc. . . . .	77
"    offensive, dangerous, or prejudicial to life or health, not to be made. . . . .	77
Gas-tar not to escape. . . . .	77
Gas-works . . . . .	77
"    odors from, to be prevented . . . . .	77
Geese. . . . .	49, 53, 197
General subjects. . . . .	169, 197
Glanders. . . . .	121, 185
Glue-making. . . . .	79, 80
Goats. . . . .	49, 50, 53
Goods, damaged, not to be exposed for sale. . . . .	98
Graves . . . . .	152
Grease. . . . .	80
Ground, what, and when, may be opened. . . . .	84
Grounds, filling up. . . . .	83
Guns, firing off. . . . .	175
Guts . . . . .	180
Gut-fat. . . . .	32, 180
Gut-cleaning. . . . .	79, 80, 184
Gutters to be cleaned. . . . .	25, 167
"    how to be cleaned. . . . .	25
"    ice and snow removed from. . . . .	68
Gymnasiums. . . . .	169
Hair . . . . .	98
Halls. . . . .	21, 169
Hatchways to be inclosed. . . . .	182
Heads of dead animals . . . . .	32
Heads of institutions to report sick persons. . . . .	134
Health, bill of, authority to give. . . . .	13
Health, duties in respect to. . . . .	8
Health officer of port, duty of. . . . .	147
"    inspectors's duty. . . . .	11
Hide-tanning, skinning, etc., establishments. . . . .	76

Hides not to be unloaded without permit.....	141
" of dead animals .....	32
Hogs, driving, in street.....	55
" unloading in street .....	49
Horns of dead animals.....	32
Horses .....	49, 53
" with glanders or farcy.....	121
" sick.....	120
Horse-racing .....	173
Hotel-keepers, to report sick persons .....	133
Hotels, tenants, lessees, owners, etc., of, to report sick persons in.....	137
" House, tenement," meaning of.....	3
" boarding, " of.....	3
" lodging, " of.....	3
Hydrants .....	48
Hydrophobia.....	75
Ice, removal of.....	68
" ashes to be sprinkled on.....	68
Infected places or vessels .....	145
Infectious disease.....	5
Innkeepers to report sick persons.....	133
Inns, tenants, lessees, owners, etc., of, to report sick persons in.....	137
Inquests, coroners'.....	159
Inspection, obstructing.....	11
" to be permitted.....	63
Inspcetors, duties of .....	11
Institutions to report sick persons .....	134
Interments, sextons, dead bodies.....	151, 157
" require permits.....	151
Jails, ventilation of, and food, etc., for .....	24
Kerosene.....	85
Kite-flying forbidden.....	173
Lambs, young, meat from .....	30
Lamb-black manufactory.....	82
Lard, only fresh to be rendered or melted.....	86
" rendering, to be done in steam-tight vessels. ....	86
" " odors in, to be destroyed.....	86
" " to be inoffensive.....	86
" not to be brought to city for rendering, melting, etc.....	86



	SECTIONS
Lard-boiling .....	79, 80, 86
Leather-dressing establishments .....	76
" Lessee," meaning of .....	1
Life, duties in respect to .....	8
" Light," meaning of .....	1
Lime .....	86, 96
Lobster-shells .....	115
Liquid refuse not to be mixed with ashes or rubbish .....	95
"    "    receptacles for .....	116
"    "    removal of .....	108, 116
"    "    how transported .....	116
"    "    not to spill or leak into street .....	116
"    "    turning or stirring .....	114
Liquids, poisonous, deleterious, or adulterated .....	16, 41
"    offensive .....	76, 88, 190
"    false statement as to .....	37
"    dangerous or detrimental to life or health .....	43, 44
"    noxious or stinking .....	88
" Lodging-house," meaning of .....	3
Lodging-houses .....	20, 35, 201
"    "    food in .....	53
"    "    not to be overcrowded .....	20, 201
"    "    privies for .....	22
"    "    tenants, lessees, owners, etc., of, to report persons sick in .....	137
Lodging-house keepers to report sick persons .....	133, 137
Lots, vacant, to be provided with proper tight board fence .....	196
Mad animals .....	75
Magistrates to report, etc., marriages .....	160, 162
" Manager," meaning of .....	1
Managers of institutions to report sick persons .....	131
" Manufactory," meaning of .....	3
Manufactories .....	20, 22, 23, 98, 117
"    no overcrowding of .....	20
"    water-closets for, to be provided .....	22
"    temperature of .....	23
"    safeguards in .....	23
"    for certain purposes not to be established .....	82
"    refuse to be removed from .....	117
Manure not to be thrown into streets or rivers .....	87
"    persons engaged in transporting .....	104, 108, 109

Manure carts, boxes, etc.....	105, 107
"    to be removed.....	100
"    care in transporting....	108, 109, 116
"    where not to be deposited.....	112, 113
"    handling of.....	114
"    loading and unloading.....	113, 114
"    to have vaults for.....	100
"    turning and stirring.....	114
"    docks for.....	127, 130
"Market, private," meaning of.....	7
Markets, unsound and unwholesome articles not to be kept in.....	29, 36
"    to be kept cleanly... ..	38, 57
"    food in.....	29
"    refrigerators in . . . . .	39
"    animals not to be killed or dressed in.....	61
"    noxious substance not to be brought near.....	61
Marriages, births, and deaths.....	160, 163
"    report of, to be made.....	161, 162
"    registry of.....	160
"    statement of, by clerks and officers as to.....	162
Masters of vessels to report.....	135, 138, 141
Matter, offensive or unwholesome, not to be brought to markets, ..	32
"    filthy.....	88, 116
"Meat," meaning of.....	6
"    when for sale.....	6
"    unsound or unwholesome .....	29, 36
"    of animals that died by disease or accident.....	29
"    not to go to market till cool.....	32
"    cased, blown, plated, raised, etc.....	36
"    keeping, mode of.....	56
"    unsound, to be reported.....	40
"    not to be taken to market till certain things done.....	32
"    false statement or label as to.....	37
"    to be kept clean and wholesome.....	38
"    offensive.....	122
"    not to be hung, etc., in street.....	58
"    unsound, mode of dealing with.....	52
Medicines.....	14-16
"    not to be sold under false name .....	14
"    poisonous, unwholesome, or deleterious.....	16
Merchandise, damaged not to be exposed for sale.....	98

	SECTIONS
Midwives.....	160, 161
Milk, false label or statement as to.....	37
" unwholesome and impure.....	29, 45, 186
Milk dealers to allow inspection.....	63
Misfeasance and nonfeasance.....	8
Mulcs.....	49, 53, 121
Night-soil, docks and piers for.....	127, 130
" " contractors for.....	9, 128
" " handling of.....	114
" " care in removal of.....	108, 109, 116, 128
" " not to run into streets or grounds.....	90, 93
" " " come within two feet of top.....	90
" " not to lie in street ... ..	129
" " to be disinfected.....	110
" " carts .. .. .	107
" " mode of using carts for.....	106, 109
Nuisance, to be abated within five days after notice.....	189
Negligence.....	8
Nonfeasance and misfeasance. ....	8
Nurses .. .. .	5, 160, 161, 163
Obedience to ordinances .. .. .	9
"Occupant," meaning of .. .. .	1
Occupations detrimental to health, or dangerous.....	79
Odors and liquids, offensive .. .. .	76, 84, 114, 116
Offal, docks for.....	127, 130
" " " vessels not to go to .. .. .	129
" not to lie in streets.....	129
" contractors for .. .. .	9, 128
" loading and unloading.....	113
" handling of.....	114
" boiling .. .. .	79, 80
" not to be thrown into sewers, streets, rivers, etc....	87, 89, 93
" carts for, to give notice .. .. .	103
" " how managed .. .. .	106
" " construction of.....	105, 107
" where not to be deposited.....	112, 113
" care in transporting .. .. .	108, 109, 116
" persons engaged in transporting... ..	103, 104, 108, 109, 128, 180
" time for transporting.....	65
" to be conveyed in tight vessels .. .. .	56
Offensive material.....	203

Offensive matters and things not to be in markets.....	31
“Officer,” meaning of.....	1
Officers of vessels to report.....	135, 138, 141, 144
Oil-boiling.....	82, 86
Oil, petroleum, kerosene, and other.....	85
Oil test.....	85
Omissions.....	9, 187
Orders, by whom to be executed.....	11
“    to be observed.....	10
Ordinances, obedience to.....	9, 10
“    enforcement of.....	11, 12
Overcrowding.....	20
“Owner,” meaning of.....	1
Owners of vessels to report persons and articles from infected places.....	135, 138, 140
Owners of boarding and lodging houses to report persons sick.....	133, 137
Oyster-shells.....	115
“    saloons.....	115
“Party,” meaning of.....	1
Pavement .. .. .	66, 99
Penalty for disobedience of Code.....	178, 187
“Permit,” meaning of.....	1
Permit to remove persons sick of contagious disease.....	148
“    to remove articles exposed to contagion.....	143
“    for burial.....	151
“    “    by Brooklyn Health Officer.....	155
“    “    Long Island City.....	155
“    “    Richmond County.....	155
“    to remove bodies .....	155
“    to deposit manure, offal, etc.....	112
“    to keep swine and goats. ....	50, 53
“    to yard cattle, swine, sheep, geese, goats, and horses, ducks, geese, or fowls.....	52, 53, 197
“    to occupy offal or night-soil dock.....	130
“    to transact certain kinds of business.....	79, 82
“    to keep cows .....	52, 200
“    to ring bells .....	177
“    to blast or fire guns.....	175
“    to keep pounds .....	71
“    for vessels or things from quarantine.....	142, 144, 147

	SECTIONS
Permit for persons or articles from infected places.....	145
" to land rags, hides, etc.....	141
" to butchers and cattle-dealers.....	62
" to slaughter-houses.....	60
" to cattledealers.....	60
" to occupy streets or sidewalk.....	66, 94
" for scavengers.....	102, 104
" to persons engaged in transporting manure, swill, ashes, offal, rubbish, or garbage.....	104
" to empty vaults, sinks, privies, and cess-pools.....	101, 102, 111
" to unload cattle, etc., in streets.....	49, 194, 195
" Person," meaning of.....	1
Petroleum.....	85
" Physician," meaning of.....	5
Physicians to keep registry of births and deaths.....	160
" to report births and deaths.....	132, 161, 163
" " deaths by disease.....	132
" " name and type of disease.....	132
" what included in term.....	5
" to register name, office, and residence.....	5
" to report persons sick of contagious disease.....	131, 136
Piers, manure, etc., not to be deposited on.....	112
" for offal, etc., not to be obstructed.....	127, 130
" for night-soil.....	127
Pigs, young, meat of.....	30
Pig-pens.....	100, 106
Pigs not to run at large.....	49, 50
" driving in street.....	56
" unloading in street.....	49
Pipes, waste or soil, to be ventilated.....	193
Poisons.....	15, 16
Police, duties of.....	11, 12
" to execute ordinances.....	12
Pound-keepers require permit.....	71
Pounds.....	71, 73
" duties of keepers of.....	72, 73
Principals of institutions to report persons sick.....	134
Premises to have nothing offensive on them.....	92
Prisons, duties of keepers of.....	24
Privies, contents of, not to be left in streets or rivers.....	87, 90, 93
" contents of, to be removed by air-tight apparatus.....	102

	SECTIONS
Privies, not to be emptied, except by permit.....	101, 102, 111
"    construction of.....	119, 192
"    not to be filled with dirt till cleaned....	90
"    contents of, not to run into streets or on grounds...	90, 93
"    "    "    to come within two feet of top.....	90
"    "    "    to become offensive.....	90, 93
"    "    care in removing .....	108, 116
"    turning and stirring contents of.....	114
"    to be disinfected.....	110
"    price for cleaning.....	110
"    ashes, garbage, offal, etc., not to be put into .....	91
"    tubs, etc., in, to be tight.....	93
"    to be provided in certain buildings.....	22
"    gases from.....	22
" Public Place," meaning of.....	2
Quarantine, reports from... ..	147
"    vessels, persons and articles that have been in, re- quire permit.....	141, 142, 144, 145
Racing forbidden .....	173
Railroad cars, no cushions in.....	164
"    "    to be cleaned daily.....	164
"    "    no straw in.....	166
"    "    no dirty clothing to.....	167
"    "    ventilators.....	168
Rags not to be unloaded without permit. ....	141
Receptacles in privies, etc....	93
"    for ashes to be of metal.....	95
"    for garbage, ashes, etc.....	95, 96
"    "    "    "    not to remain on sidewalk..	95
Refuse material.....	203
Refrigerators of butchers, etc., construction of.....	39
Registry of births, marriages, and deaths.....	160
" Regulation," meaning of.....	1
Regulations, special. to be observed.....	10
Relapsing fever contagious.....	5
Rendering.....	79, 80, 86
"    to be of only fresh material..	86
"    to be in steam-tight vessels. ....	86
"    odors in, to be destroyed....	86
"    to be inoffensive .....	86
" Report," meaning of .....	1
Reservoirs.....	46

## SECTIONS

Rooms, when not occupied.....	19
Rooms, no offensive thing to be in.....	92
“ Rubbish,” meaning of.....	2
Rubbish not to be thrown into street or rivers.....	87
“ not to be piled or raked in street.....	129
“ not to be mixed with garbage, etc.....	95
“ removal of.....	95, 99, 109
“ turning and stirring.....	114
“ delivery of, to carts.....	97
“ carts for, to give notice.....	103
“     “ how managed.....	106
“     “ construction of.....	105, 107
“ contractors for.....	9, 128
“ docks for.....	127, 130
“ persons engaged in transporting....	103, 104, 108, 109, 128
“ boxes.....	95
“ Saloon,” meaning of....	3
Saloons, and persons connected therewith.....	35
Sand.....	98
Scarlet fever a contagious disease ..	5
Scavengers, permits of.....	104
Schools.....	169
Scouring establishments... ..	76
Scrap.....	80, 81
Sewers, solid matter not to pass into.....	25
“ private, gases from.....	22
“ connections.....	26
“ to be flushed.....	27, 28
“ construction and care of.....	28
Sextons—dead bodies—interments.....	151, 157
“ not to bury without permits.....	151
“ to make return.....	154
“ to register.....	153
Sheep, not to run at large.....	49
“ not to be yarded without permit.....	53
“ sick, not to be brought in.....	120
“ driving in streets.....	55
Shell-burning.....	79, 80
Shells, oyster and clam ..	115
Ship fever ..	5
Shops.....	98, 117
Sick persons, removal of.....	143, 144, 148

Sick persons, report of.....	131, 139
Sidewalks.....	66, 70
" dealers in meat, etc., not to occupy ..	66
" ashes sprinkled on.....	68
" ice and water not to be on.....	67
" not to be obstructed....	69, 79
" no animal or vehicle to be on.....	70
" to be kept in good condition.....	69
Sluiks, contents of, not to be put into streets or rivers....	87, 90, 93
" to have proper traps.....	190
" not to be emptied, except by permit.....	101, 111
" construction of.....	78, 119
" contents of, not to run into streets or grounds ...	87, 90
" " " come within two feet of top .....	90
" " " become offensive.....	90, 92
" " to be disinfected.....	110
" care in transporting contents of.....	108, 109, 116
" turning and stirring contents of.....	114
" price of cleaning.....	110
" not to be filled with dirt till emptied of filth.....	90
" to have traps... ..	190
" offal, ashes, garbage, etc., not to be put into.....	91
Skinning animals, business of.....	76, 79
Skins.....	141
Slaughtering and slaughter-houses.....	56, 63, 64, 184
Slaughter-houses.....	57, 59, 184
" " blood, etc., from.....	58
" " must be clean.....	57
" " wood-work in....	57
" " construction of ..	59
" " none south of Fortieth Street ...	56, 184
" " none between Second and Tenth Avenues....	64
" " not to be dwell ings.....	59
" " require permit.....	56, 60, 184
" " blood, offal, etc., in .....	57, 184
Slaughtering cattle, mode of.....	56, 184
" not to be done in street.....	58
" " " below Fortieth Street.....	56, 184
" " " bet. 2d and 10th Avenues.....	64
" requires permit.....	56, 60, 184
Small-pox. ....	5
Smoke from factories, etc.....	109



	SECTIONS
Snow to be removed from sidewalk.....	66
“ Special regulations,” meaning of.....	1
Special regulations to be observed.....	10
Spirits, alcoholic, distilleries of.....	82
Spotted fever a contagious disease.....	5
Stone throwing.....	173
Stables.....	100
“ to be kept clean.....	52, 57
“ animals in.....	172
Stalls, etc., in market to be clean.....	38
Straw from emigrant vessels.....	141
“ used as bedding not to be placed in street, or burnt.....	112
“ Street,” meaning of.....	2
Streets, certain articles not to be shaken or exposed in.....	98
“ persons in, not to be imperilled by buildings or erections.....	170
“ nothing to imperil life or health to be placed or carried in.....	171
“ mode of cleaning.....	25, 128
“ dirt, brick, etc., in.....	91
“ not to be obstructed.....	70
“ dirt or rubbish not to lie piled or raked up in.....	129
Swill not to escape into street.....	88, 116
“ persons engaged in transporting.....	104
“ of hotels and houses.....	116
“ in what kind of vessels removed.....	116
“ vessels with, not to leak or spill.....	116
“ removal of.....	108, 116
“ receptacles for.....	107, 115
“ how transported.....	116
“ turning and stirring of.....	114
“ carts, construction of.....	105, 107
“ “ mode of using.....	106
“ boiling.....	79, 80
“ milk.....	45
“ “ butter and cheese from.....	45
Swine not to go at large.....	49, 50
“ unloading in street.....	49
“ places where kept to be clean.....	51, 100
“ not to be yarded without permit.....	53
“ sick, not to brought in.....	120
Tallow not to be brought into the city to be rendered.....	86

Tallow, rendering of .....	86
"    only fresh, to be rendered.....	86
"    boiling.....	79, 80, 86
"    "    to be in steam-tight vessels.....	86
"    "    odors in, to be destroyed.....	86
"    "    to be inoffensive.....	86
Tanning establishments.....	76
Tar manufactory.....	82
Teas, deleterious.....	179
"Tenant," meaning of.....	1
"Tenement-house," meaning of.....	3
"    houses .....	20, 22
"    "    not to be overcrowded.....	20
"    "    ventilation, etc., of.....	28
"    "    water-closets for.....	22
"Theatres," meaning of.....	4
Theatres.....	21
Tombs used only by permit.....	152
"    person in charge of, to register.....	153
Transit permits of Brooklyn Health Officer and others.....	155
Tubs in privies.....	93
"    in privies, construction of.....	78
"    stationary, to have proper traps.....	190
Turpentine manufactory.....	82
Typhoid fever.....	5
Typhus " .....	5
Urine not to escape into the street.....	88
Undertakers to register.....	153
Unwholesome articles not to be brought to market.....	32
Vaccination.....	149
Varnish factories.....	82
Vacant lots to be fenced.....	196
Vats.....	78, 92
Vaults, not to be emptied, except by permit.....	101, 111
"    construction of.....	78, 119
"    not to be offensive.....	90, 92
"    contents of.....	90, 92, 93, 116
"    contents of to be disinfected.....	110
"    "    not to be thrown into sewers, streets, rivers, etc.....	87, 90, 93
"    to be ventilated.....	191
"    contents of, to be not less than two feet from top.....	90

SECTIONS

Vaults, turning and stirring contents of.....	114
" not to be filled with dirt till emptied.....	90
" care in transporting contents of .....	108, 116
" ashes, offal, etc., not to be put in.....	91
" prices for cleaning.....	110
" for burial.....	152
" for burial, persons in charge of, to register.....	153
" manure, to be covered and ventilated.....	192
" Vegetables," meaning of.....	6
Vegetables, not sound and fresh.....	29, 202
" unsound, to be reported .....	40
" decayed and unwholesome, not to be kept or brought into city, or offered for sale therein.....	34
" false label or statement as to.....	37
" unsonnd, mode of dealing with.....	42, 202
Vegetable matter, putrid, not to be thrown into the streets, etc.	89
Ventilating of waste-pipes.....	193
Ventilation, lodging-houses.....	201
Vessels, removals from, and unloading of.....	140 146
" reports of officers, owners, and consignees of, 135, 138,	140
" physicians on, to report.....	138
" removal of sick from.....	143, 145
" from quarantine.....	142, 144
" nothing to be cast from.....	146
" not to unload skins, rags, hides, etc., without permit..	141
" not to go to offal docks.....	130
Veterinary surgeons.....	185
Water from building not to pass on to walk.....	67
" reservoirs, pipes, etc., for, to be kept pure.....	46
" for human consumption.....	47
" to flush sewers.....	27
" offensive.....	76
" closets.....	78
" not to be offensive.....	90, 92
" to be provided in certain houses .....	22
" gases from.....	22
Water-closets to be ventilated, etc. ....	78
Waste-pipe ventilating.....	193
Weapons.....	176
Well-holes to be inclosed.....	182
Yarding cattle, sheep, horses, etc.....	60
Yellow fever.....	5
To simplify the proof of the Sanitary Code.....	Page 76





