

A BILL FOR AN ORDINANCE.

ORDINANCE NO. 174.

An Ordinance declaring certain drains, toilets, water closets, privies, vaults and cess-pools to constitute nuisances, providing for the abatement thereof, and prescribing penalties.

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THE PEOPLE OF THE CITY OF LEBANON DO ORDAIN AS FOLLOWS:

Section 1. That, whereas, on the 7th day of April, 1914, a resolution was adopted by the Common Council of said City requiring that all drains, toilets and water closets in certain parts of the City be connected with the sanitary sewer system within certain times in said resolution specified, to-wit:

(1). On all lots, parcels and tracts of land situated wholly or partly within the fire limits, within ninety (90) days from April 7th, 1914;

(2). On all lots, parcels and tracts of land within said City which are surrounded by or bordering upon streets within the limits of said City, the outside line of which lot, parcel or tract of land, or any part thereof, abuts upon an alley or street in or through which a public sewer extends, within six (6) months from April 7th, 1914;

(3). On all lots, parcels and tracts of land within said City which are not included in either of the foregoing descriptions, but which, or any part of which, are situated within 100 feet of a public sewer, within twelve (12) months from April 7th, 1914;

Now, therefore, all drains, toilets and water closets now or hereafter situated within any of the limits hereinbefore mentioned, and which shall not be so connected as by said resolution required, are hereby declared to be common nuisances, and it shall be unlawful to maintain the same or suffer the same to be maintained or to exist.

Section 2. It shall be unlawful to construct or

maintain, or suffer to be constructed or maintained or to exist, within the City of Lebanon, upon any lot, tract or parcel of land which, or any part of which, abuts upon or is within one hundred (100) feet of any alley or street in or through which a public sewer shall extend, any privy, privy vault or cess-pool, and any and all such privies, vaults and cess-pools are hereby declared to be common nuisances; Provided, however, that the owners of premises within the limits described in Section 1 of this ordinance shall be allowed until the expiration of the times therein mentioned, respectively, for the removal and abatement of the same.

Section 3. Any person, whether as owner or agent of the owner or owners, or as tenant or occupant, of the premises, who shall construct or maintain, or suffer to be constructed or maintained or to exist, contrary to any of the provisions of this ordinance, on any premises owned, controlled, leased or occupied by him or her, any nuisance as in this ordinance described, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by a fine of not less than ten dollars (\$10.) nor more than one hundred dollars (\$100), or by imprisonment for not less than five (5) days nor more than fifty (50) days, or both, and shall, further, be required to abate such nuisance within forty-eight (48) hours; and each day, after the expiration of said forty-eight hours, that the same shall be suffered to continue, shall constitute a separate offense.

Section 4. In case of refusal or neglect of the owner, agent, tenant or occupant of the premises where any such nuisance shall exist, to abate the same within forty-eight (48) hours after notice so to do, the City Marshal shall

proceed to abate the same, and the expense thereof, with ten per cent. (10%) added for cost of collection, shall be charged as a lien against the property, and collection shall be enforced in the same manner as in other cases of City liens.

Section 5. The notice mentioned in the preceding section may be given orally in open court by the Recorder, or may be served, either personally by delivery of a written or printed notice, or, if the person to be served cannot conveniently be found in the City, then by posting such written or printed notice in a conspicuous place on the premises.

Passed by the Council, by unanimous vote of all members elected thereto, this 1st day of September, 1914.

Approved by the Mayor this 1st day of September, 1914.



Mayor pro tem.

Attest:



Recorder.