

ORDINANCE NO. 5.

An Ordinance Entitled "An Ordinance Imposing Certain Duties and Prohibitions for the Better Protection of Property, Morals, Safety, Health and Convenience of The Town of Hood River".

Be it Ordained by the Common Council of the Town of Hood River:

Section 1. That it shall be the duty of every practicing physician in the town of Hood River to notify the marshal, in writing, of every case of contagious or infectious disease within the town limits, within twelve hours after the existence of such disease shall come to his knowledge.

Section 2. That it shall be the duty of the owner or occupant of every building in the town of Hood River, wherein any person shall have any contagious or infectious disease, to give notice in writing to the marshal of the same, within twelve hours after the existence of said disease shall come to his or her knowledge, and to give immediate notice to the public of the same, by placing a green flag, in case of diphtheria, a yellow flag, in case of small-pox or varioloid, and in all other cases, a red flag, in some conspicuous place on the premises, where it may be seen by persons passing on the street, near said premises. And it shall be the duty of the marshal as soon as he is informed of the existence of such disease, to see that such flag be placed as aforesaid, and such flag shall be kept in such place until no danger by infection remains.

Section 3. No person having contagious or infectious disease shall go into any public place, or pass from house to house, or building to building, or appear in any ~~public~~ street within the town, until he or she shall have so far recovered therefrom, as to preclude all danger of infection, and it shall be the duty of the marshal to cause any person violating this section to be taken forthwith to his or her place of residence, or to such place as the mayor may direct.

Section 4. The occupant of any building in the town, wherein any person shall have been sick of contagious or infectious disease, shall on the death or recovery of such person therefrom, forthwith destroy by burning or burying, the clothes worn by such person during such sickness, and shall forthwith cleanse, purify and fumigate such building.

Section 5. No person shall expose, offer for sale, or sell, within the town limits, any spoiled or tainted meat, fish, fruits or vegetables, or the flesh of any calf less than four weeks old, or cast, or leave, or keep in, or adjoining any street, road, square or public place, or in any yard, lot, block or premises within the town limits, any bones, putrid, unsound, unwholesome or refuse beef, meat, hides or skins of any kind, or any part of a dead animal, fish or bird, or any stagnant or impure water, or any putrid or unwholesome substance, or any offal, garbage, or the offensive part of any animal or animals, or any decayed or decaying substance or filth of any kind, or suffer any yard, lot, place or premises to be or remain in such a condition as to cause or create a noisome or offensive odor or thereby to become, cause or create a public nuisance.

Section 6. The owner, agent or occupant of any premises within the town limits, to which a privy, barn or other building belongs or appertains, who shall ~~use~~ use or keep, or shall permit the same to be used or kept in such a condition as to cause a noisome or offensive smell, so as to become a nuisance, shall remove or abate the same within twenty four hours after being so ordered by the marshal.

Section 7. Whenever the marshal shall be informed of the existence of any nuisance prohibited by this ordinance, he shall forthwith give, or cause to be given to the person or persons responsible therefor, a notice to remove or abate the same, and if such nuisance be not removed or abated within twenty four hours thereafter, the marshal shall cause the same to be removed or abated, and he shall be and is hereby authorized to remove any obstruction that it may be necessary to remove in order to reach and remove or abate the same. The expense of the removal of any nuisance by the marshal shall be paid by the town in the first instance, and the marshal shall receive a fee of two dollars in every such case, which fee, together with the expense of removing and abating such nuisance, may be recovered in a legal proceeding by the town against the person or persons notified as herein provided.

Section 8. When any of the conditions provided for by sections five and six of this ordinance shall actually exist to the annoyance, or inconvenience, detriment or injury of any person or persons, it shall be deemed a public nuisance.

Section 9. No person~~s~~ or persons shall deposit in any street or public *place* within the town limits, any boxes, cans, paper, dirt, trash, manure, straw, broken glass, bottles, crockery, nails or rubbish of any kind, and allow the same to remain for a longer time than twelve hours; or obstruct any street or highway; or squat upon, enter into possession of, occupy, use, cultivate or enjoy; or build, construct or maintain any building, corral, fence or other improvement upon; or remain on or continue to use, cultivate, occupy, enjoy, or maintain any building, corral, fence, or other improvement upon any street, road, or highway or any portion thereof within the town limits, or upon any land or real property belonging to the town of Hood River.

Section 10. No person or persons shall fire any species of fire arms except in cases of necessity, or fire or explode any fire-crackers, bombs, torpedoes or other explosive, within the town of Hood River, without a permit signed by the mayor and recorder, to be granted under the supervision of the marshal; or shall use, cause to be used or encourage the use of any bean shooter or other contrivance or invention used in shooting or throwing beans, stones, pebbles or other ~~any~~ substance or thing in any public place within the town limits; or shall throw any snow-ball, pebble or missile of any kind within the town limits, so as to strike, or be in danger of ~~striking~~ or likely to strike people attending to their usual business, or passing to and fro in any public place, or so as to strike, or be in danger of or likely to strike or come into contact with any glass door, window or other property susceptible to damage therefrom.

Section 11. No person or persons shall carry any ~~any~~ fire arms, or deadly or dangerous weapons of any kind in a concealed manner, within the corporate limits of Hood River, except on a permit signed by the mayor and recorder. Provided, That peace officers shall be exempt from ~~the~~ provisions of this section. And no person or persons shall resist any peace officer, or refuse to assist him in the discharge of his duties, or shall aid or assist any person in custody upon the charge of a violation of a town ordinance, & in his endeavors to escape from such custody, And no person or persons shall falsely assume or represent himself to be any officer of the town of Hood River, or shall falsely or maliciously take upon himself to act as such, or shall offer, give or deliver to any prisoner in the custody of a peace officer, or confined to imprisonment within the town limits, any wine,

spirituous or malt liquors, opium, morphine or any drug, except on the prescription of a practicing physician.

Section 12. No person or persons shall ride or drive any animal or animals within the corporate limits at a greater speed than eight miles per hour; or shall ride or drive any animal or animals over any bridge in the town at a greater speed than a walk; or shall leave any horse, or horses, or beast of burden attached to any vehicle or conveyance, standing in any public place within the corporate limits, without hitching or tying the same in some secure manner; and no person or persons shall hitch or tie any animal or animals in any street, or to any tree therein, where the owner or occupant of the property immediately adjacent thereto shall give notice prohibiting the same; or shall suffer or permit to go, or shall lead, drive or ride, or shall hitch any animal upon any sidewalk within the town of Hood River; or shall cruelly beat, torture, misuse, deprive of food or water, or otherwise treat any animal with cruelty within the ~~town~~ corporate limits.

Section 13. No parent or guardian shall permit or allow a minor under the age of sixteen years to go abroad or wander about the streets or roads of Hood River, after the hour of nine o'clock at night, except on necessary business, unless accompanied by his or her parent or guardian.

Section 14. No person or persons shall trespass upon, deface or damage any real or personal property belonging to the town of Hood River, or to any public or private corporation, or to any person or persons, *or shall pile, saw or split any wood upon any sidewalk within the town;* or shall congregate with others in any street, road or any sidewalk or crosswalk in the town, in such manner as to obstruct a free passage therein or thereon for vehicles or passengers.

Section 15. No person or persons shall conduct himself or themselves in any violent, riotous or disorderly manner; or shall use any profane, abusive or obscene language in any place whereby the peace and quiet of the town is disturbed, or shall fight, or become engaged in any riot or riotous assemblage; or shall commit an assault or assault and battery upon the person of another; or shall draw any species of fire-arms, or dirk, dagger or knife upon the person of another; or shall wilfully disturb, interrupt, disquiet or break up any public, social or religious meeting or assembly of people, lawfully met for a lawful purpose, whether in a building or open air, within the town of Hood River.

Section 16. No person or persons shall barter or sell in any manner, or bargain for or buy, directly or indirectly, any spirituous, malt or vinous liquors, or other intoxicant, within the corporate limits of Hood River. Provided, That a duly registered pharmacist under the laws of the state of Oregon, may purchase and sell or dispose of the same as medicine only, upon the prescription of a regular practicing physician; and no practicing physician shall prescribe the same except for medicinal purposes.

Section 17. No person or persons shall set up, open, keep or maintain any house or room within the town of Hood River, for the purpose of using spirituous, malt or vinous liquor or other intoxicant therein; or for the purpose of selling, or disposing of the same in any manner, *or for the purpose of selling, smoking, using or disposing of opium in any manner;* or for use as a house of ill fame, brothel, or bawdy house for the purposes of prostitution, fornication or lewdness; and no person or persons shall commit any act of prostitution, fornication or ~~lewdness~~ lewdness within the town of Hood River.

Section 18. No person or persons while in a drunken or intoxicated condition shall go into any public place, street or place of business. And no person or persons shall disturb the peace or quiet of any inhabitant of the town of Hood River, by loud talking, yelling, whooping or singing in a boisterous or rude manner. And no person or persons shall beg the means of support in any public place, on the streets, from house to house or elsewhere, or shall procure a child or children so to do, within the corporate limits.

Section 19. Any person or persons violating any provision of the sections of this ordinance, within the corporate limits of the town of Hood River, shall be deemed guilty of a misdemeanor, and on conviction thereof before the recorder's court, shall be fined not less than five nor more than fifty dollars, or imprisonment not less than two nor more than twenty days, or both, for each and every such offense, and the court shall adjudge the offender to pay the costs of prosecution. And it shall be the duty of the marshal to inform against and diligently prosecute any and all ~~such~~ persons whom he shall have reasonable cause to believe guilty of a violation of the provisions of this ordinance.

*Passed the Common Council of the town of Hood River  
March 4<sup>th</sup> 1845 and approved by me this 5<sup>th</sup> day of  
March 1845*  
*A. H. Wolfard Mayor*  
Attest:  
C. P. Heald Recorder.