

City of Rochester



Penal Ordinances

1897

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PENAL ORDINANCES

OF THE

CITY OF ROCHESTER

Rochester, N. Y. Ordinances, etc.

PUBLISHED BY AUTHORITY OF THE COMMON COUNCIL

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REVISED BY

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ROCHESTER, N. Y.

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PREFACE

The penal ordinances of the city of Rochester were last published fifteen years ago. Since that time all the ordinances then in existence have been amended or repealed. At the outset of the present revision, it was found necessary to collect the various amendments as scattered through the published volumes of Common Council proceedings since 1882. When brought together the ordinances proved to be in bad condition. Obsolete provisions, repetitions and verbiage characterized many, and the frequent amendment of particular sections had destroyed all claim to structural unity. It became necessary, therefore, to rewrite and rearrange this material upon a consistent plan and to draft some entirely new ordinances. In the accomplishment of this work, the ordinances of many other cities have been consulted, recent statutes and decisions considered and ordinances covering subjects regulated by existing laws have been repealed. The chief aim of the present revision has been to condense the ordinances to clearness and index them to availability.

Due acknowledgment should be made for assistance rendered by the members of the Law Department, especially Mr. Edward R. Foreman; by the Common Council, particularly its Law Committee, Henry G. Cook, Edward Englehardt, Thomas W. Ford, DeVillo W. Selye, Alvin H. Dewey, and Mahlon B. Adams, Chairman; and in drafting the ordinance relating to buildings

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PREFACE

by Hon. W. J. Fryer of New York City, and J. Foster Warner, J. Herbert Grant, George J. Otis, William H. Gorsline, Oscar Knebel and John Luther, of Rochester.

A. J. R.

Law Department, Sept. 1, 1897.

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PENAL ORDINANCES
OF THE
CITY OF ROCHESTER

AN ORDINANCE RELATING TO
AUCTIONEERS

(PASSED APRIL 14, 1896)

The Common Council of the City of Rochester do enact as follows :

SECTION 1. No person shall carry on the business of an auctioneer, or sell any personal property at public auction within the city of Rochester, except his own property, upon premises owned and occupied by him, or under and by virtue of legal process or of a mortgage, unless such person shall have procured a license, as required by the terms of this ordinance. (*As amended March 2, 1897.*)

AUCTIONEERS

Sec. 2. The Mayor of the city of Rochester may grant to any person a license to sell personal property at public auction, within said city, upon paying to the City Treasurer the sum of fifty dollars, and executing a bond to the city in the penal sum of five hundred dollars, with sureties to be approved by the Mayor, conditioned for the faithful observance of the laws of the State of New York, and the ordinances of the city of Rochester, now or hereafter enacted, relating to auctions and auctioneers. Such license shall expire one year from the date of its issue, and shall not be transferred without the written consent of the Mayor.

Sec. 3. No auctioneer or other person shall knowingly make any false representations as to the character, quality or ownership of any personal property offered for sale, or at public auction within said city.

Sec. 4. No auctioneer, or other person, shall substitute any other article for the article sold to a bidder.

Sec. 5. No auctioneer shall bid in any personal property offered for sale by himself, and no person shall act as accomplice or "capper" for the purpose of making mock bids at any auction.

Sec. 6. No person shall sell, or expose for sale, at public auction, within the city of Rochester, any property upon any sidewalk, or in any public street, without the written permission of the Mayor.

Sec. 7. No bellman or crier, or any instrument of music, or means of attracting the attention of passers-by, other than a sign or flag, shall be employed or be permitted to be used at or near any place of sale or auc-

AUCTIONEERS

tion, and such sign or flag shall bear the license number which shall be given when the license is issued.

Sec. 8. Any violation of this ordinance shall be punishable by a fine of not less than ten dollars, nor more than fifty dollars, and in default of the payment of such fine, any person so convicted shall be imprisoned in the Monroe County Penitentiary for a term not exceeding one hundred days. Upon such conviction the Mayor may revoke any license granted hereunder. (*As amended May 11, 1897.*)

Sec. 9. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Sec. 10. This ordinance shall take effect immediately.

AN ORDINANCE RELATING TO

BARBED WIRE FENCES

(PASSED MAY 26, 1896)

The Common Council of the City of Rochester do enact as follows :

SECTION 1. No fence of barbed wire, or of which barbed wire is a part, shall be constructed or maintained within the city of Rochester along the line of any public street or place in such a manner that any person passing along said street or place can come in contact with such barbed wire.

Sec. 2. Barbed wire shall not be used in the construction of any division fence built within the city of Rochester after July 1, 1896, unless the person or corporation desiring to use such material shall first obtain the written consent of the owner of the adjoining property that it may be used.

Sec. 3. Any violation of this ordinance shall be punishable by a fine of not less than five dollars nor more than twenty-five dollars, and in default of the payment of such fine any person so convicted shall be

BARBED WIRE FENCES

imprisoned in the Monroe County Penitentiary for a term not exceeding twenty days. (*As amended May 11, 1897.*)

Sec. 4. This ordinance shall take effect July 1, 1896.

AN ORDINANCE RELATING TO

BICYCLES

(PASSED JUNE 30, 1896)

The Common Council of the City of Rochester do enact as follows :

SECTION 1. No person shall ride any bicycle, tricycle, or other vehicle propelled by the hands or feet of the rider, along upon any public sidewalk or footpath intended for the use of pedestrians within the city of Rochester. This section shall not apply to persons who cannot walk by reason of being invalids or cripples.

Sec. 2. No person shall ride any bicycle or tricycle upon any public street or place within the city of Rochester at a greater rate of speed than eight miles an hour, and no person while riding such bicycle or tricycle shall ride with the hands off the handle bars, nor coast within said city.

Sec. 3. Any violation of this ordinance shall be punishable by a fine of not less than five dollars nor more than twenty-five dollars, and in default of the payment of such fine any person so convicted shall be

BICYCLES

imprisoned in the Monroe County Penitentiary for a term not exceeding twenty-five days.

Sec. 4. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Sec. 5. This ordinance shall take effect immediately.

AN ORDINANCE RELATING TO
BILL POSTING AND BILL BOARDS

(PASSED DEC. 22, 1896)

The Common Council of the City of Rochester do enact as follows :

SECTION 1. No person shall carry on the business of bill posting, bill distributing or sign advertising within the city of Rochester without having procured a license as required by the terms of this ordinance.

Sec. 2. The words " bill posting, bill distributing or sign advertising " contained in this ordinance shall be construed to cover the act of going upon any of the public streets or into residences or places of business in said city for the purpose of circulating pamphlets, circulars or advertisements of any kind, or posting or painting advertisements of any nature whatsoever, except notices required by law.

Sec. 3. The Mayor of the city of Rochester may grant to any person a license to carry on the business of bill posting, bill distributing and sign advertising within

BILL POSTING AND BILL BOARDS

said city upon payment to the City Treasurer of the sum of ten dollars and executing a bond to the city in the penal sum of five hundred dollars, with sureties to be approved by the Mayor, conditioned for the faithful observance of the ordinances of the city of Rochester now or hereafter enacted relating to said business. Such license shall expire one year from the date of its issue and shall not be transferred or sold. Any person licensed hereunder may act by employees. (*As amended May 11, 1897.*)

Sec. 4. Every person engaged in the act of bill posting, bill distributing and sign advertising shall wear conspicuously a metal badge of sufficient size to admit the number of the license to be engraved thereon together with the words "licensed advertiser."

Sec. 5. No person shall place any advertisement upon any sidewalk, hydrant, lamp-post, tree, telephone, telegraph or electric light pole or public building in any public street or place within the city of Rochester.

Sec. 6. The Mayor of the city of Rochester may grant to any religious organization permission in writing to advertise meetings called for divine worship, or permission in writing to any person residing and transacting business in said city to distribute advertisements from house to house, or store to store, advertising the business in which said person is directly engaged.

Sec. 7. No person shall distribute advertisements of any nature, except newspapers and periodical publications, to pedestrians in any public street within the city of Rochester.

BILL POSTING AND BILL BOARDS

Sec. 8. No person hereafter shall erect any bill board more than six feet in height within the city of Rochester without permission of the Common Council. Every applicant for permission to erect a bill board more than six feet in height within said city is required to give one week's notice in writing, personally or by mail, of such application to the owners, occupants or agents of all houses and lots within a distance of two hundred feet from where such bill board is to be erected. No such application shall be considered by the Common Council without verified proof of the service of the notice herein described, or the written consent of such owners, occupants or agents, to the erection of said bill board.

Sec. 9. No fence or other structure within said city shall be used as a bill board without the consent of the Common Council. The same notice and proof required by section eight of this ordinance shall be necessary to obtain the consent of the Common Council to use such fence or structure as a bill board.

Sec. 10. Any violation of this ordinance shall be punishable by a fine of not less than five dollars nor more than one hundred dollars, and in default of the payment of such fine any person so convicted shall be imprisoned in the Monroe County Penitentiary for a term not exceeding one hundred days. Upon such conviction the Mayor may revoke any license granted hereunder. (*As amended May 11, 1897.*)

Sec. 11. All ordinances and parts of ordinances inconsistent herewith are hereby repealed. (*As amended May 11, 1897.*)

Sec. 12. This ordinance shall take effect immediately.

AN ORDINANCE RELATING TO

BUILDINGS

(PASSED MAY 11, 1897)

The Common Council of the City of Rochester do enact as follows :

1. General regulations.
2. Definition of terms.
3. Classification of buildings.
4. Requirements as to style of buildings.
5. Requirements as to construction of buildings.
6. Miscellaneous provisions.
7. Penalties ; When in effect.

I. GENERAL REGULATIONS.

- (a) NO BUILDING WITHOUT PERMISSION OF THE COMMON COUNCIL.

SECTION 1. No building hereafter shall be erected, remodeled or moved within the city of Rochester without the permission of the Common Council and in accordance with the terms of this ordinance.

* BUILDINGS

(b) GRANTING OF PERMISSION.

Sec. 2. Every application to the Common Council for permission to erect a building, or part thereof, shall contain a statement of its character and use, its location on the premises, and the full name and address of the owner or owners of such proposed building. The plans and specifications of any building erected hereunder shall be open to the inspection of the Fire Marshal at all reasonable times. Any person who desires to obtain permission to erect, move or remodel a wooden building within said city shall serve one week's notice in writing, of his intended application, upon all owners, occupants or agents of houses and lots within the distance of two hundred feet from where such building is to be erected, except such as may have given written consent to the erection of such building, and such applicant shall furnish to the Common Council at the time said application is made a verified statement that the conditions of this section have been complied with.

Sec. 3. All permits for the erection, remodeling or moving of buildings within said city, when authorized by the Common Council, shall be issued by the Fire Marshal and signed by him, and he shall keep a correct record of the same. Such permit shall contain the name and address of the owner or owners of the building, the date of granting the permission, and the time when the same shall expire, together with the estimated cost of said building, its character and use, its dimensions and its location on the premises. No such permit shall be of force after the expiration of six months from the date the same was granted unless within that time the person to whom the permit was issued shall have commenced the erection, placing or remodeling authorized by said permit.

BUILDINGS

II. DEFINITION OF TERMS.

Sec. 4. The following terms in this ordinance shall have the meanings assigned to them respectively :

Areas, Outside of Building Line—Sub-surface excavations adjacent to building, line for light or ventilation of cellars or basements.

Cellar—The lower story of any building of which one-half or more of the height from the floor to the ceiling is below the highest level of the street or earth level adjoining.

Basement Story—One whose floor is more than twelve inches but less than half the height of the story below the highest level of the adjoining street.

First Story—The story, the floor of which is first above the basement story or cellar.

Second Story—The story, the floor of which is first above the ground story. Other stories to be numbered in regular succession, counting upwards.

Footing Course—Projecting course or courses under base of foundation wall.

Foundation, Basement or Cellar Walls—That part of the walls of a building that is below the floors or joists, which are on or next above the grade line.

Depth of Foundation Walls—The depth of foundation walls for any building shall be measured, in each case, from the surface of the earth abutting the walls at completion of building.

BUILDINGS

Height of Story—The perpendicular distance from the top of beams or joists in one story, to the corresponding point in next story, is to be considered in using the table of thickness of walls, as being eighteen feet each for basement and first story; fifteen feet for the second story, and thirteen feet each for all stories above the second story, except the top story may have an additional five feet in height.

Height of Building—The perpendicular distance of the highest point of the roof above the highest point of the sidewalk level of the principal adjoining or neighboring street.

Building Line—The line of demarkation between public and private space.

Bearing Walls—Those on which joists, beams, trusses or girders rest.

Party Wall—Every wall used, or built, in order to be used as a separation of two or more buildings. A wall built upon dividing line between adjoining premises for their common use.

External Walls—Every outer wall or vertical inclosure of a building other than a party wall.

Thickness of Wall—The minimum of thickness of such wall.

Common Hard Brick—Brick manufactured by pressure in separate moulds and burned almost to a point of vitrefaction, and giving out a clear, ringing sound when struck with metal.

Common Soft Brick—Called "salmon" brick, will not ring when struck with metal.

BUILDINGS

Pressed-front Brick—Brick manufactured by high pressure in separate moulds and burned to highest point of consolidation without vitrefaction.

Push-placed Brick—Brick which are laid in a bed of mortar, pushed or shoved into place in such a manner that all open space between the brick and the adjoining bricks at side, end or bottom, are completely filled with mortar.

Owner—Any person, firm, corporation or agent for the same, controlling property in the city of Rochester.

Public Hall—Every theater, opera house, hall, church, school or other building intended to be used for public assemblage.

Veneered Building—A frame structure, the walls covered above the foundation wall with brick or stone four inches in thickness.

Frame Construction—A frame or wooden building of which the external and division walls are constructed in whole or in part of wood, and having more wood on the exterior than that required for the door and window frames, doors, sash, shutters, verandas and steps; and all frame buildings and sheds, although the sides and ends are proposed to be covered with corrugated iron or other metal shall be deemed a wooden building under this ordinance.

Ordinary Construction—By the term "ordinary construction," as used in this ordinance, is meant the ordinary system of construction with wood joists and with wood or iron posts and beams.

BUILDINGS

Mill Construction—The term "mill construction" shall apply to all buildings in which all the wooden girders and joists supporting floors and roof have a sectional area of not less than sixty square inches, and above the joists of which there is laid a solid timber floor not less than two and five-eighths inches thick for spaces less than three feet six inches between joists, three and one-eighth inches thick for spaces up to four feet six inches between joists, and three and five-eighths inches thick for spaces up to five feet six inches between joists. All such floors shall be tongued and grooved. These thicknesses may be seven-eighths of an inch less where the said tongued and grooved floor is covered by a floor not less than seven-eighths of an inch thick.

Fire-proof Construction—The term "fire-proof construction" shall apply to all buildings in which all parts that carry weights or resist strains are constructed wholly of stone, burnt clay, iron, steel or concrete, and in which all stair and all elevator inclosures are made entirely of incombustible material, and in which all metallic structural members are protected against the effect of fire by coverings of a material which must be entirely incombustible and a slow heat conductor.

Skeleton Construction—The term "skeleton construction" shall apply to all buildings wherein all external and internal loads and strains are transmitted from the top of the building to the foundation by a skeleton or framework of rolled or cast metal.

III. CLASSIFICATION OF BUILDINGS.

Sec. 5. As a means of reference in this ordinance all buildings erected in the city of Rochester shall be divided into classes as follows :

BUILDINGS

Class I—This class shall include all buildings used for the sale, storage or manufacture of merchandise and all public livery, boarding or sale stables.

Class II—This class shall include office buildings, schools, churches and assembly halls.

Class III—This class shall include all brick dwellings or buildings used for residence purposes, whether called tenements, flats, apartments or hotels, and all asylums and hospitals.

Class IV—This class shall include frame dwellings and private stables.

Class V—This class shall include theaters and opera houses.

IV. REQUIREMENTS AS TO STYLE OF BUILDINGS.

Sec. 6. All buildings over seventy-seven feet in height, except churches and grain elevators, shall be fire-proof.

Sec. 7. All buildings hereafter erected to be used as hotels, hospitals, asylums or institutions for the care or treatment of persons, or used in whole or in part as a public school, the height of which exceeds thirty-five feet, shall be fire-proof.

Sec. 8. Boiler rooms, engine rooms and dynamo rooms, in all buildings of classes I, II and V, shall be fire-proof.

Sec. 9. All other buildings, except as above specified, may be of ordinary or of mill construction.

BUILDINGS

V. REQUIREMENTS AS TO CONSTRUCTION
OF BUILDINGS.

(a) EXCAVATIONS.

Sec. 10. Whenever an excavation is to be made for any building or other purpose, and there shall be any wall or other structure wholly or partly on adjoining land, or near the intended excavation, then the party causing such excavation to be made shall notify the owner of said adjoining premises of such intended excavation, and also of the depth to which it is proposed to be made.

Sec. 11. The owner of the adjoining premises shall have the right to enter upon the property of the party causing such excavation to be made for the purpose of securing his building, at such time as he is notified that such excavations are about to be made, and within three days after receiving such notice he shall proceed to make such building secure at his own expense.

Sec. 12. All excavations shall be properly guarded and protected by the person or persons causing the excavation to be made, so as to prevent the same from becoming dangerous to life or limb, and shall be sheet-piled where necessary to prevent the adjoining earth from caving in. The party making such excavations shall replace all damaged work, or material, in as good condition as it was before such excavations were made. Whenever an excavation of either earth or rock for building or other purposes shall be intended to be, or shall be, carried to the depth of more than ten feet below the street curb, the person or persons causing such excavation to be made shall at all times, from the commencement until the completion thereof, if afforded the

BUILDINGS

necessary license to enter on the adjoining land, and not otherwise, at his or their own expense, preserve any adjoining or contiguous wall or walls from injury, and support the same by proper foundations, so that the said wall or walls shall be and remain practically as safe as before such excavation was commenced, whether the said adjoining or contiguous wall or walls are down more or less than ten feet below the street curb. If such excavation shall not be intended to be, or shall not be, carried to a depth of more than ten feet below the street curb, the owner or owners of such adjoining or contiguous wall or walls shall preserve the same from injury and so support the same by proper foundations that it or they shall be and remain practically as safe as before such excavation was commenced, and said owner or owners shall be permitted to enter upon the premises where such excavation is being made for that purpose, when necessary.

(b) FOUNDATIONS.

Sec. 13. The foundations of every building erected within said city shall be laid on solid earth or level rock, except that when solid earth or rock are not obtainable such foundations may be laid upon piles or ranging timbers. Foundations upon solid earth or piles shall be laid not less than four feet below the surface of the ground.

Sec. 14. The soil under any building may be loaded from four tons per square foot for ordinary earth, to ten tons per square foot for hard pan, and between these limits the Fire Marshal shall determine the bearing power of the soil.

Sec. 15. Foundations and footings shall be proportioned to carry the weight of the completed building and the floor loads called for.

BUILDINGS

Sec. 16. Piles intended for the support of a wall, post or pier, shall not be less than five inches in diameter at the small, or less than twelve inches at the large end. They shall be spaced not more than three feet, or less than two feet on centers, and shall be driven to a solid bearing. No pile shall be loaded more than twenty tons.

Sec. 17. Footing courses shall be constructed either of cement, concrete, stone, iron or steel beams or rails.

Sec. 18. If steel or iron beams are used as part of foundations, they must be thoroughly imbedded in a concrete, the ingredients of which must be such that, after proper ramming, the interior of the mass will be free from cavities. The beams or rails must be entirely enveloped in cement mortar not less than one inch thick.

Sec. 19. If concrete footings are used by themselves and without the insertion of iron or steel beams or rails, the offsets on top of same shall not be more than one-half the height of the respective courses, and the narrowest course of such concrete foundation must not be loaded more than twenty thousand pounds per square foot. The first, or bottom course, must not be less than twelve inches thick. If reinforced by iron or steel rails or beams, the load and offsets in the same must be so adjusted that the fibre strain upon the metal, if wrought iron, shall not exceed twelve thousand pounds per square inch; or if steel, that the fibre strain shall not exceed sixteen thousand pounds per square inch.

Sec. 20. Dimension stones must have uniform beds, and the offsets in the same, where two or more lay-

BUILDINGS

ers are used, must not be more than three-quarters of the height of the individual stones. They must be set with full beds of cement mortar under their entire areas, and in such manner that they will not rock after being set.

Sec. 21. Rubble foundations and rubble walls must be built of approximately square and flat bedded stones, well and thoroughly bonded in both directions of the walls, each stone thoroughly bedded in mortar under its entire area in such manner that it will not rock, and all interstices between individual stones must be thoroughly filled with mortar, and if the spaces should be large, pieces of broken stone must be driven into the mortar. Whenever walls of any kind are used as curb walls, their exterior surfaces must be rendered approximately watertight.

Sec. 22. In all cases a connection with the street sewer, where the same exists, shall be established before beginning the work of laying foundations, and where foundations are built in wet soil it shall be unlawful to build the same unless the trenches in which the work is being executed are kept free from water by draining, bailing, pumping or otherwise, if such is possible, until after the completion of work upon the foundations.

Sec. 23. The cement to be used in concrete footings for all buildings over fifty-two feet in height shall be a standard cement. Cement mortar for concrete shall be made in the proportion of one of cement, quality equal to that before described, to three parts sand mixed dry and then tempered with water. Enough of this mortar shall be used to completely fill the interstices between the stones. The use of concrete or mortar of

BUILDINGS

all kinds, the ingredients of which are not thoroughly and completely mixed, and which are not free from lumps or other unmixed portions of the ingredients is prohibited, and also the use of cement mortar which has become partly or wholly set before use.

Sec. 24. Stone used for making concrete for foundations must be clean and free from dirt and dust, and must be broken to pass through a two-inch ring. All sand must be free from admixture of loam and must be otherwise clean and sharp.

Sec. 25. All foundation walls shall be built of stone or brick laid in mortar made of cement, or of lime and cement mixed, except foundations for buildings of Class IV, and for buildings not more than two stories in height, which may be built of lime mortar.

(c) HEIGHTS OF BUILDINGS.

Sec. 26. The limit of height of buildings herein given for non-fire-proof buildings, except churches, shall be from the sidewalk level to the highest point of roof thereof. The limit of height of fire-proof buildings shall be measured from the sidewalk level to the highest point of roof, in case said building has a flat roof, but if said building has a gable or hipped roof, then only half the height of said roof above the plates on which the feet of the rafters rest shall be taken into consideration in measuring the height of the building. No building shall be erected in the city of Rochester the height of which shall be more than four times the average of its least horizontal dimension.

(d) WIND PRESSURE.

Sec. 27. In the case of any building, the height of

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which is more than one and one-half times its least horizontal dimension, allowance shall be made for wind pressure, which shall be figured at not less than thirty pounds for each square foot of exposed surface. Where the dead weight of the structure is not sufficient to insure stability against wind pressure, the following precautions must be taken to give the required stability :

First. Wrought-iron or steel pillars must be constructed in such a manner as to pass through two stories, with joints breaking in alternate stories.

Second. Rigid connections must be made between vertical and horizontal members.

Third. A sufficient quantity of diagonal bracing must be included in the construction to insure absolute stability.

Fourth. Portal web bracing must be inserted where necessary.

In buildings deficient in initial stability, the use of cast-iron columns will not be allowed.

BUILDINGS

(c) THICKNESS OF WALLS.

Sec. 28. In buildings of Classes I, II and III, except as provided for in section thirty-seven, all surrounding walls shall be made as indicated in the following table, to wit :

Stories.	Basement.		Stories.											
	Stone.	Brick.	1	2	3	4	5	6	7	8	9	10	11	12
1	18	12	12											
2	18	16	12	12										
3	20	16	12	12	12									
4	22	20	16	12	12	12								
5	24	20	16	16	12	12	12							
6	28	24	20	16	16	12	12	12						
7	28	24	20	20	16	16	12	12	12					
8	28	24	20	20	20	16	16	12	12	12				
9	30	28	24	20	20	20	16	16	12	12	12			
10	30	28	24	24	20	20	20	16	16	12	12	12		
11	32	28	24	24	24	20	20	20	16	16	12	12	12	
12	32	28	24	24	24	24	20	20	20	16	16	12	12	12

In walls of these thicknesses, the widths of openings shall not exceed fifty-five per cent. of the length of the wall, but this percentage shall not apply to front and rear non-bearing walls which shall be proportioned to their loads.

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(f) DIVISION AND PARTY WALLS.

Sec. 29. Solid division or party walls may be made as indicated in the following table, to wit :

Stories.	Basement.		Stories.											
	Stone.	Brick.	1	2	3	4	5	6	7	8	9	10	11	12
1	18	12	12											
2	18	16	12	12										
3	18	16	12	12	12									
4	18	16	12	12	12	12								
5	20	20	16	12	12	12	12							
6	22	20	16	16	12	12	12	12						
7	22	20	16	16	16	12	12	12	12					
8	24	20	16 20	16	16	16	12	12	12	12				
9	24	20	16 20	16 20	16	16	16	12	12	12	12			
10	26	24	16 20	16 20	16 20	16	16	16	12	12	12	12		
11	26	24	20	16 20	16 20	16 20	16	16	16	12	12	12	12	
12	26	24	20	20	16 20	16 20	16 20	16	16	16	12	12	12	12

Where the number is double, the larger number is to be taken when fire-proof floors are used.

Sec. 30. The brick in these walls shall not be subjected to a compression of more than eight tons per square foot for a twelve-inch wall ; nine tons per square foot for a sixteen-inch wall ; ten and one-quarter tons for a twenty-inch wall ; and twelve tons per square foot

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for a twenty-four-inch wall, if laid in good lime mortar, but if laid in cement mortar the limit of compression may be increased twenty per cent.

Sec. 31. In isolated piers or divisions forming portions of walls, the least dimension shall be taken as the thickness in determining the loads which such piers may carry.

Sec. 32. If outside walls are of pier construction, the piers shall be graded in size according to weights to be carried ; but not less than sixteen inches for upper story, and shall increase four inches for each story below ; they shall also be graded as to width of face according to span of bays. Such piers shall have a width of twenty-four inches for an eight-foot bay, that is, measuring from center to center of pier, and shall increase four inches, in face width, for each two feet or fraction thereof, that the width of bay is increased ; thus, for a ten-foot bay the pier must be twenty-eight inches in width ; for twelve-foot bay, thirty-two inches, etc.

Sec. 33. Such piers must be full size and must not be reduced by encroachment of any window frame or other wood construction. Curtain walls or panels between piers shall be of brick and at least twelve inches thick. Fifteen tons per square foot for piers laid in lime mortar, or eighteen tons per square foot if laid in cement mortar, shall be the limit of compression allowed on any pier in this kind of construction ; within this limit the weight allowed on the various thicknesses of piers may be the same as that given for walls.

(g) MINIMUM THICKNESS OF WALLS.

Sec. 34. Walls surrounding stairways, elevator shafts,

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shaving pits and light shafts, shall not be less than eight inches thick, but no eight-inch wall shall be built more than eighteen feet high without lateral support or anchorage, and the total height of any eight-inch wall shall not exceed fifty feet.

Sec. 35. In the erection of buildings of masonry construction, no wall shall be carried up at any time more than one story above another wall of the same building. The walls and skeleton framework of all buildings must be kept securely braced and otherwise protected against the effects of the weather during all building operations. All walls must have proper protection against the effects of frost, and frozen cement mortar shall not be used in any mason work.

Sec. 36. Foundation walls shall be at least four inches thicker than the wall next above, to a depth of twelve feet below said wall, and they shall be increased four inches in thickness for every ten feet or fraction thereof below said twelve feet.

Sec. 37. One-story buildings in Class I, may be built of eight-inch walls above foundation if not more than fourteen feet in height, provided that no span of joist or roof shall exceed twenty feet. Detached or semi-detached dwellings and private stables may be built of eight-inch walls above foundation, if not more than two stories in height, with or without gables, provided also that no span of joists in such building shall exceed twenty feet. Detached or semi-detached dwellings may be built three stories high under the same conditions as the above, provided the walls are of brick twelve inches thick in first story.

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(h) DIVISION WALLS.

Sec. 38. In Class II, corridor walls that support joists on one side only, not exceeding a span of twelve feet, and the top stories where the joist spans do not exceed twenty-six feet, provided also in both cases the height of the wall does not exceed fourteen feet, may be eight inches in thickness.

Sec. 39. In all apartment houses, the dividing walls or partitions between the apartments provided for each family, where not separated by a hall or staircase, shall be made entirely of incombustible material, or of solid three-inch plank partitions plastered on metal lath. In the absence of definite subdivisions between the apartments of different families, eight rooms shall be counted as the equivalent of one apartment. In all buildings of Class II, not of fire-proof construction, there shall be for every eight rooms in any one story, dividing walls or partitions of incombustible material separating these rooms from the contiguous spaces.

(i) LIGHT SHAFTS.

Sec. 40. The inclosing walls of light shafts shall in all cases be built entirely of incombustible material, except in buildings three stories or less in height, where they may be covered on the inside with steel lath plastered full height and covered on out or shaft side with wood sheathing covered with sheet metal.

Sec. 41. In all cases where the weight of floors abutting upon light shafts is carried on a framing independent of the inclosing walls of such light shafts, the thickness of such inclosing walls may be eight inches, but no part thereof shall be so reduced in area that the

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load upon the same will be more than the maximum load herein prescribed for the materials of which such walls are built.

Sec. 42. The use of hollow tile for the walls inclosing light shafts is permitted, but such inclosing walls shall be firmly anchored to the framing of each successive floor.

Sec. 43. If the walls of light shafts begin at any point above the foundations of the building their means of support shall consist entirely of incombustible material.

(j) PARAPET AND FIRE WALLS.

Sec. 44. Fire walls of brick, not less than twelve inches thick, except for buildings allowed with eight-inch walls, shall be built extending above the roofs of all buildings if such roofs are flat, and also above the roofs of all buildings where the same abut against another building, or where the same stand upon any line of any lot, excepting street and alley lines. Such fire walls, where they stand upon lot lines, or where they are over the dividing walls between buildings or over the dividing walls in the interior of buildings where such are built, shall extend at least two feet above the roof of such building. Fire walls upon street and alley lines shall extend not less than twelve inches above the roofs of such buildings. Fire walls at street and alley lines may be dispensed with in all cases where the entire framing and material of the roof shall be made strictly fire-proof. The erection of parapet walls or of balustrades constructed entirely of incombustible material is permitted above the roof level of buildings of all classes, and in addition to the heights herein fixed for the same.

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Sec. 45. No soft brick shall be used in any part of a building exposed to the weather, or in any internal or external piers, nor in any part of a wall, where there is a greater height than forty feet of wall above said brick.

Sec. 46. The bond of brick work shall be formed by laying one course of headers for at least every seven courses of stretchers.

Sec. 47. Except in freezing weather all bricks shall be thoroughly wet before laying.

Sec. 48. No isolated brick pier shall be built whose height exceeds ten times its least dimensions, and all such piers shall be bonded every alternate course, and where receiving concentrated loads shall have suitable bearing blocks of stone or iron, so proportioned as to properly distribute the load to come upon it.

(k) HOLLOW WALLS AND HOLLOW TILE.

Sec. 49. Where hollow walls are used their solid parts shall be bonded together, either with solid brick headers, or with metallic bond plates or anchors, once in every foot of length, of such wall, in every seventh course. If one of the solid parts of the wall is less than eight inches thick, such wall shall not be used for supports for any building over two stories in height. But if each of the solid parts of a hollow wall are eight inches or more in thickness, such wall may be used as a bearing wall of four inches less thickness than the aggregate thickness of the parts of the hollow wall exclusive of air space.

Sec. 50. Where hollow bricks or hollow tile are used as lining or furring for bearing walls, they shall not

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be included in the measurement of the thickness of such walls.

Sec. 51. The limits of stress to which the various kinds of stone used in buildings may be subjected shall be one-thirtieth of the ultimate strength developed by tests. If, however, the beds of stone used are not dressed to uniform bearing over their entire surface, then the ultimate load to which they may be subjected shall not exceed one fiftieth of the ultimate strength of the stone as indicated by said tests. Stones with undressed beds shall be fully bedded in Portland cement mortar, over their entire surface, for all stress exceeding one-seventieth of the ultimate strength of the stone up to the limit allowed, and if the beds are dressed they shall be bedded over their entire surface in the same manner for all stress exceeding one-fortieth of the ultimate strength of the stone. It shall be permitted to leave a space of one inch all around the outer edge of stones without mortar bedding. In walls built of brick and faced with ashlar, if used as bearing walls, the bricks must be laid in cement mortar. The ashlar facing shall not be less than four inches thick nor more than six times its thickness in height. Each stone must be backed off to a reasonably uniform thickness, but all the stones not necessarily to the same thickness. In such bearing walls, each stone must be anchored to backing with metallic anchors, one to each running foot of each course. When stone faced walls are used as bearing walls, they shall be four inches thicker than required for solid brick walls under the same conditions.

Sec. 52. The backing of stone ashlar in fire-proof construction shall not be less than twelve inches thick.

Sec. 53. Sills and lintels for doors, windows and

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other openings in masonry shall be made of incombustible material, except in buildings of Class III, three stories or less in height, and all buildings of Class IV. Oak timber used for door sills and not less than eight inches thick, the full width of the wall in which such sills occur, shall for the purpose of this ordinance be considered incombustible, but no other form or use of wood construction shall be considered incombustible. Wooden pillars and lintels shall not be used to support masonry in store front.

(l) ALTERATIONS OF EXISTING BUILDINGS AND WALLS.

Sec. 54. Excepting in cases where the immediate safety of the occupants of buildings is concerned, nothing in this ordinance shall be construed as requiring alterations in the construction or equipment of buildings existing at the time of the passage of this ordinance, and at that time complying with the ordinances then in force. If, however, it is desired to enlarge, or in any manner materially modify the construction of any existing building, or to make any change in its use or occupation which will transfer it from one class as recognized by this ordinance to another, then before such enlargement, modification, structural change, or change in use or occupation above mentioned may be made, the entire building shall be reconstructed or modified in such manner as shall conform substantially with this ordinance and be approved by the Fire Marshal.

(m) FLOORS.

Sec. 55. For buildings of all classes, the floors shall be designed and constructed in such a manner as to be capable of bearing in all their parts in addition to the weight of partitions, and permanent fixtures and mechan-

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ism that may be set upon same, live loads for every square foot of surface of such floors as follows :

For buildings of Class I, used for stores and light manufacturing, one hundred pounds per square foot.

For buildings used for warehouses, one hundred and fifty pounds per square foot.

For buildings of Class II, seventy pounds per square foot.

For buildings of Class III, forty pounds per square foot.

For buildings of Class IV, forty pounds per square foot.

For buildings of Class V, eighty pounds per square foot.

Sec. 56. Hollow tile and porous terra-cotta may be used in the form of flat arches for the support of floors ; such floor arches having a height of at least one inch for each foot of span. The arches must be so constructed that the joints of the same point to a common center ; the butts of the arches shall be carefully fitted to the beams supporting them, and there shall be a cross rib for every six inches or fractional part thereof in height. Such arches, whether flat or curved, shall have their beds well filled with mortar and the centers shall not be stuck until the mortar has set.

(n) WOODEN FLOOR CONSTRUCTION.

Sec. 57. All wooden beams and other timbers in the party wall of every building built of stone, brick or iron shall be separated from the beam or timber entering the opposite side of the wall by at least four inches of mason work. All trimmer and header beams shall be

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of sufficient size to sustain their loads within the limits of strains allowed by this ordinance. The ends of all wooden floor and roof beams, where they rest in brick walls, shall be cut to a bevel of three inches on their depth. Wooden beams shall be trimmed away from all flues of every kind, the header and trimmer beams to be kept at least one inch from the outside of any chimney breast.

Sec. 58. Each tier of beams shall be anchored to the side, front, rear or party walls at intervals of not more than six feet apart, with approved iron anchors. Where the beams are supported by girders, the girders shall be anchored to the walls and fastened to each other by suitable iron straps. The ends of beams resting upon girders shall be butted together end to end and fastened by approved methods.

Sec. 59. Every pier and wall, front or rear, shall be well anchored to the beams of each story with approved anchors. Each tier of beams front and rear, opposite each pier, shall be properly anchored. All timber and wooden beams used in any building shall be of good, sound material, free from rot, large and loose knots, shakes or any imperfections whereby the strength may be impaired, and shall be of such size and dimensions as the purposes for which the building is intended require.

Sec. 60. No piping or conduits of any kind whatever shall be cut down into floor beams unless they are located, or sufficient and proper provision is made, so that the strength of such beams shall not be less than the provisions of this ordinance for similar uncut beams.

(o) ROOFS.

Sec. 61. An incombustible roof, or one covered with

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incombustible material, within the meaning of this ordinance, shall be :

First. A roof covered with not less than four-ply, tarred or asphalted felt, each single ply weighing not less than fifteen pounds per one hundred square feet, the whole to be well nailed and swabbed with pitch or asphalt composition and covered with gravel. No pitch or asphalt roofs shall be allowed without a covering of gravel.

Second. A covering of slate, iron, tin, or burnt clay shall be considered incombustible.

Sec. 62. It shall be permitted to erect on the roofs of all buildings, skylights and inclosures for elevator machinery, all of which inclosures shall be constructed of incombustible material, as above defined.

Sec. 63. The roofs of all buildings of every kind and class shall be designed and constructed in such manner that they will bear a load in addition to their structure and coverings of at least forty pounds for each square foot of horizontal surface, without straining the materials of construction beyond a point twenty per cent. less than the limits elsewhere fixed in this ordinance.

(p) CHIMNEYS.

Sec. 64. In buildings hereafter erected, all chimneys shall be built of brick, stone or incombustible material. Brick chimneys shall have walls at least eight inches in thickness, unless they have tile flue lining. Stone chimneys shall have walls at least eight inches thick and shall also have such flue linings. Joists or timbers are not to rest on chimney walls and are, in all cases, to be kept at least one inch distant from outer face of such

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chimney walls. No fire-place shall be built with less than eight inches of solid brick-work at its back, unless said fire-place has a cast-iron lining, with a one-inch air space between it and the brick-work, then four-inch walls may be used.

Sec. 65. All smoke flues of steam boilers, smelting furnaces or other apparatus that heat flues to a high temperature, shall not be less than eight inches in thickness and for twenty-five feet above the inlet shall be formed of double walls, with an air space between. The inner or flue wall shall be not less than eight inches in thickness and in all cases the thickness of walls shall be sufficient to bring the stresses within the limits provided in this ordinance.

Sec. 66. Isolated chimneys shall be built with hollow walls and shall be so designed and constructed that the stress upon any part thereof, due to the weight of the stack itself and to wind pressure, shall not exceed the limits elsewhere fixed, in this ordinance, as the maximum stress for brick masonry.

Sec. 67. Metallic chimneys or smoke pipes over twelve inches in diameter, shall not be used inside any building in such manner as to pass through the roofs of the same, unless such pipes or chimneys are inclosed in brick or tile walls with an air space between the inclosing walls and the smoke pipe, its entire height through the building, except in one story buildings, in which case the metal smoke pipe may pass through the roof, if the wood-work is kept at least six inches away from such pipe and is properly protected by sheet metal.

Sec. 68. Where metallic smoke pipes of a diameter of twelve inches or less pass through a wood or plas-

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tered stud partition, they shall be surrounded, either by a body of brick, hollow tile, or porous terra cotta, or other incombustible substance, measuring at least four inches all around such smoke pipe; or they shall be surrounded by a thimble, made of two concentric rings of sheet metal, at least four inches apart, and the entire thimble so constructed that there may be a free circulation of air between the two rings forming the same. Six-inch pipes from ordinary stoves may have such thimbles with two-inch air space.

Sec. 69. All horizontal smoke pipes must be kept from any wood-work a distance equal to their diameter, and, if nearer than twelve inches, the wood-work must be protected by sheet metal, porous terra cotta, or hollow tile or plaster, for a distance of one foot on each side of said pipes.

(9) BUILDINGS OF CLASS V.

Sec. 70. The outside walls of all buildings of Class V, in which the roofs or ceilings are carried on trusses or girders of a span of fifty feet or more, shall be as follows:

If the walls are of brick masonry, over fifteen and not over twenty-five feet high, they are to be not less than sixteen inches thick. If more than twenty-five feet high and not more than fifty feet, they are to be not less than the following thickness: Twenty-two inches for the first half, and sixteen inches thick for the remainder of the height. If more than fifty feet high and not more than seventy-five feet high, they shall be not less than the following thickness: Twenty-four inches for the first one-third of their height, twenty inches for the second one-third, and sixteen inches for the remainder

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of the height. For any increase in height over seventy-five feet the thickness in walls shall be increased in the above ratio. The heights of the walls shall be measured from the ground floor of the main auditorium at its lowest point. An increase of four inches in the thickness of walls shall be made in all cases where walls are over one hundred feet long without cross walls of equal height. In case there shall be one or more stories built above the room devoted to the uses of Class V, such stories being carried on trusses or girders, the thickness of walls shall be increased by four inches for each two stories or part thereof, above every such room.

Sec. 71. If solid masonry buttresses are employed, and placed sixteen feet or less apart, and extended to the foot of the trusses or girders carrying the ceiling and roof, or if iron or steel pillars are inserted in such walls for the support of the superstructure, and at distances not more than eighteen feet between centers, such pillars extending to and carrying the superimposed trusses or girders, the thickness of such walls may be reduced in proportion to the increase of strength afforded by such buttresses or pillars, but in no case shall any such wall be less than twelve inches thick in the top story, four inches being added going downward, for each twenty-five feet in height of wall.

Sec. 72. If iron or steel pillars are introduced in said walls, the brick-work around the same shall be bonded into that of the connecting walls, and each of such pillars shall have not less than eight inches of solid brick-work around it, the brick being measured from the extreme outer dimensions of such iron or steel pillars.

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Sec. 73. If a building of Class V, is of skeleton construction, and the steel frame-work carries the entire superimposed load of floors, roof and walls, then the inclosing walls shall consist of twelve inches of solid masonry, with two inches of hollow tile or four inches of hollow brick, on the inside, properly bonded together ; and the other fire-proofing shall be as required for buildings of Class I.

Sec. 74. Buildings of Class V, shall have a frontage on at least one highway or street, and in such front or fronts there shall be means of entrance and exit.

Sec. 75. In addition to the aforesaid entrances and exits on the public highway, there shall be reserved for service, in case of an emergency, an open court or space, open to the sky, on the side not bordering on the street, where such building is located on a corner lot, and on both sides of said building, where there is but one frontage on the street. The width of such open court or courts shall not be less than six feet, and said open court or courts shall begin on a line with, or near, the proscenium wall, and shall extend the length of the auditorium proper, to or near the wall separating the same from the lobby, foyer or vestibule, or may extend to the street. A separate and distinct corridor shall be built to the street from each open court, with continuous walls, floors and ceilings of brick, or other fire-proof material, the entire length of said corridor or corridors, where such open courts do not extend to the street.

Sec. 76. Said corridor or corridors shall not be reduced in width more than one foot less than the width of the open court or courts, and there shall be no pro-

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jection into the same ; the outer openings to be provided with doors or gates, opening toward the street.

Sec. 77. During the performance the doors or gates in the corridor shall be kept open by proper fastenings ; at other times they may be closed and fastened by movable bolts or locks.

Sec. 78. The said open courts and corridors shall not be used for storage purposes or for any purpose whatsoever, except for exit and entrance from and to the auditorium and stage, and must be kept free and clear during performances. The level of said corridors at the front entrance to the building shall not be greater than one step or eight inches above the level of the sidewalk, where they begin at the street entrance, and there shall not be more than one step or eight inches from the floor of court to the ground floor of auditorium.

Sec. 79. To overcome any difference of level existing between exits from the ground floor auditorium into courts, and the level of the said streets, gradients may be employed in the corridors and courts of not over one foot in ten feet, with no perpendicular rises. From the auditorium opening into said open courts or on the side street, where a building is placed on a corner lot, there shall not be less than two exits, on each side, from the ground floor auditorium, balcony, and each and every gallery.

Sec. 80. Each exit shall be at least five feet in width in the clear, and provided with doors of iron or wood. If of wood, the doors shall be constructed according to existing rules of said underwriters' association. All of said doors shall open outwardly and must be fastened

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with movable bolts, the bolts to be kept drawn during performances.

Sec. 81. There shall be balconies not less than four feet in width each side of the auditorium, of sufficient length to embrace the two exits, and from said balconies there shall be staircases extending to the ground level, with a rise of not over eight and one-half inches to a step, and not less than nine inches tread, exclusive of the nosing. The staircase from the upper balcony to the next below shall not be less than two and one-half feet wide in the clear, and from the first balcony to the ground floor, three feet wide in the clear.

Sec. 82. All the before mentioned balconies and staircases shall be constructed of iron throughout, including the floors, and of ample strength to sustain the load to be carried by them.

Sec. 83. Where one side of the building borders on a street, there shall be fire-escapes, balconies and staircases erected as required by the Fire Marshal.

Sec. 84. The following limitations of floor levels in buildings of Class V, shall be observed in all cases of new construction, or reconstruction, or alteration, or improvement of existing buildings :

The ground floor of auditorium in buildings of class V, where it connects with the lobby or foyer, shall not be a greater height above vestibule than five feet ; said street vestibule to be not more than one foot above the grade of sidewalk at its central entrance point.

Sec. 85. The only exception to the foregoing shall be the case of rooms containing less than five hundred

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seats, which, in fire-proof buildings, may be located in any story thereof, but in such case there shall be at least two flights of stairs from the floor in which such auditorium is located, to the ground, and the width of such stairs shall not be less than four feet in the clear for each.

Sec. 86. In buildings of Class V, no auditorium containing more than one thousand seats shall have the highest part of its main floor at a greater distance than eight feet above the adjacent sidewalk grade.

Sec. 87. Stairs in Class V, shall have a width equivalent to eighteen inches for every one hundred seats in such building, fractional parts of one hundred being in each case counted as a full one hundred seats, but no stairway in such building shall be less than four feet wide in the clear. All stairways shall have railings on each side thereof. No stairway shall ascend to a greater height than eleven feet without a level landing, which, if its width is in the direction of the run of the stairs, shall not be less than three feet wide, or which, if at a turn of the stairs, shall not be of less width than that of the stairs.

Sec. 88. Distinct and separate places of exit and entrance shall be provided for each gallery above the first. A common place of exit and entrance may serve for the main floor of the auditorium and the first balcony, provided its capacity be equal to the aggregate capacity of the outlets from the main floor and the said gallery as hereafter required.

Sec. 89. Aisles in buildings of Class V, shall be in width equal to eighteen inches for every one hun-

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dred seats or fractional part thereof, the occupants of which will be required to use such aisles, but no aisle is to be less than two feet three inches wide in its narrowest part.

Sec. 90. Steps shall be permitted in aisles only as extending from back to back of seats, and wherever the rise from back to back of seats is less than six inches, the floor of the aisle shall be made as an inclined plane, and where steps occur in outside aisles or corridors they shall not be isolated, but shall be grouped together.

Sec. 91. The width of corridors, passages, hallways and doors shall be computed in the same manner as that herein provided for stairways and aisles, excepting, however, that no corridor shall be anywhere less than five feet in width, and no door less than three feet wide.

Sec. 92. All doors in buildings of Class V, shall open outward.

Sec. 93. In buildings of Class V, there shall be a solid brick wall not less than sixteen inches thick between the auditorium and the stage; this wall shall extend to a height of four feet above the roof, and above roof the thickness may be twelve inches. The main curtain opening shall have an iron or asbestos curtain, and all other openings in this wall shall have fire-proof doors.

Sec. 94. Each building of Class V, shall have a water stand-pipe and water plug, to be placed on the stage or platform, or in its immediate vicinity, which shall be connected with the water pipes or street water mains of the city, and shall be put in under the direction and to the satisfaction of the Executive Board or the Fire Marshal.

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Sec. 95. Hose shall be attached to such stand-pipe of such size as may be directed by said Executive Board, to have nozzle and stop-cock attached thereto; such hose shall be of sufficient length to extend to the farthest limits of such building or place of amusement, and shall at all times be kept in good order and repair, filled with water under pressure, and ready for immediate use.

Sec. 96. All buildings of Class V, with accommodations for one thousand or more persons, shall have at least one three-inch stand-pipe and metallic ladder combined in the street or alley, with hose attachments close to a window or door at each floor or gallery.

Sec. 97. Such buildings shall also be provided with a fire alarm telegraph apparatus connected by the necessary wires with the headquarters of the city fire alarm telegraph, or such other place or places as the Executive Board shall direct.

Sec. 98. It shall be the duty of all owners, agents, lessees and occupants of such buildings of Class V, to provide such other fire-extinguishing apparatus at such points about the building as the Executive Board shall direct.

Sec. 99. All gas or electric lights in the halls, corridors, lobby or other part, of said building used by the audience, except the auditorium, must be controlled by a separate shut-off located in the lobby and controlled only in that particular place. Gas mains supplying the building shall have independent connections for the auditorium and the stage, and provision shall be made for shutting off the gas from the outside of the building. All suspended or bracket lights surrounded

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by glass in the auditorium, or in any part of the building devoted to the public, shall be provided with proper wire netting underneath. No gas or electric lights shall be inserted in the walls, wood-work, ceiling, or in any part of the building, unless protected by fire-proof materials, in all buildings of Class V. All lights in passages and corridors in said buildings, and whenever deemed necessary by the Fire Marshal, shall be protected with proper wire net-work. The foot-lights, in addition to the wire net-work, shall be protected by a strong wire guard, not less than two feet distant from said foot-lights, and the trough containing said foot-lights shall be formed of, and surrounded by, fire-proof materials.

Sec. 100. All border-lights shall be constructed according to the best known methods, and subject to the approval of the Fire Marshal, and shall be suspended for ten feet by wire rope. All ducts or shafts used for conducting heated air from the main chandelier or from any other light or lights, shall be constructed of metal, and made double with an air space between. All stage-lights, if gas, shall have strong wire guards or screens, not less than ten inches in diameter, so constructed that any material in contact therewith shall be out of reach of the flame of stage-lights, and must be soldered to the fixtures in all cases.

Sec. 101. The stand-pipes, gas-pipes, electric wires, hose, foot-lights, and all apparatus for the extinguishing of fire, or guarding against the same, at all times shall be made and kept in condition satisfactory to and under the control of the Executive Board and the Fire Marshal.

Sec. 102. Above the proscenium opening there shall be an iron girder covered with fire-proof material to pro-

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tect it from the heat. There also shall be constructed a relieving arch over the same, the intervening space being filled in with hard-burned brick of the full thickness of the proscenium wall. The molded frame around the proscenium opening shall be formed entirely of fire-proof materials ; if metal be used, the metal shall be filled in solid with non-combustible material and securely anchored to the wall with iron. The proscenium opening shall be provided with a fire-proof metal curtain, or a curtain of asbestos, or similar fire-proof material approved by the Fire Marshal, sliding at each end within iron grooves, securely fastened to the brick walls, and extending into such grooves not less than six inches on each side. Said fire-proof curtain shall be raised at the commencement of each performance and lowered at the close of said performance, and shall be operated by approved machinery for that purpose. The proscenium curtains shall be placed at least three feet distant from the footlights at the nearest point.

Sec. 103. There shall be no opening in the proscenium fire walls above the level of the auditorium ceiling.

Sec. 104. All seats in the auditorium, excepting those contained in boxes, shall be firmly secured to the floor. All platforms in galleries formed to receive the seats shall not be more than twenty-one inches in height of riser, nor less than thirty inches in width of platform.

Sec. 105. The aggregate capacity of the foyers, corridors, passages and rooms for the use of the audience, not including aisle space between seats, shall, on each floor or gallery, be sufficient to contain the entire number to be accommodated on said floor or gallery, in the

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ratio of one hundred and fifty superficial feet of floor room for every one hundred persons.

Sec. 106. A separate and distinct system of automatic sprinklers, with fusible plugs, approved by the Fire Marshal, supplied with water from a tank located on the roof over the stage, and not connected in any manner with the stand-pipes, shall be placed up and around the proscenium opening and on the ceiling or roof over the stage at such intervals as will protect every square foot of stage surface when said sprinklers are in operation.

Sec. 107. No part of any building in which any theater, concert hall, or any other place of amusement is maintained under a license from the Mayor, shall be occupied for living purposes by any person other than the janitor of such building. Any violation of the provisions of this section shall work a forfeiture of such license, and the Mayor shall revoke the same.

VI. MISCELLANEOUS PROVISIONS.

(a) MILL CONSTRUCTION.

Sec. 108. Wooden posts used in buildings of mill construction shall not be of smaller sectional area than one hundred square inches, except the posts in top story, which shall not be of smaller sectional area than sixty-four inches. Elevator inclosures in buildings of this class, and inclosures of at least one flight of stairs from ground floor to upper floor, shall be made entirely of incombustible material. If iron pillars, girders or beams are used in buildings of this class, they shall be protected as provided for fire-proof buildings; but the wooden posts, girders and joists need not be protected by fire-proof covering. The use of wood furring or

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wood laths shall not be permitted in buildings of this class.

Sec. 109. If cast-iron pillars are used in mill construction, they shall be erected in the same manner as provided in buildings of skeleton construction. At each line of floor or roof beams, where cast-iron columns are used, lateral connections between the ends of the beams and girders shall be made by passing wrought-iron or steel straps across or through the cast-iron columns in such manner as rigidly to connect the beams and girders with each other in the direction of their length. These straps shall be bolted through the wooden beams or girders.

Sec. 110. If wooden posts are used in mill construction, they shall have metal caps of approved pattern, so constructed as to form a base for the next post above. The girders must be properly bolted to cap and must have wrought-iron straps on the outside in addition, from one girder to the other, and bolted through each girder.

(b) SKELETON CONSTRUCTION.

Sec. 111. In the metal frame-work of buildings of skeleton construction the beams and girders shall be riveted to each other at their respective junction points. All pillars shall be made of rolled steel or cast-iron, and their different parts shall be riveted or bolted to each other, and the beams and girders resting upon them shall have riveted or bolted connections to unite them with the pillars.

Sec. 112. In all buildings of skeleton construction, when the walls are carried by the metal frame,

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the thickness of outside masonry must be not less than twelve inches, including not more than four inches of hollow brick or tile lining ; the thickness of said walls shall be increased four inches for every fifty feet measuring downward from the top.

Sec. 113. If cast-iron pillars are used, each successive pillar shall be bolted to the one below it by at least four bolts, not less than three-quarters of an inch in diameter, and the beams and girders shall be bolted to the pillars.

Sec. 114. The strength of all columns and posts shall be computed according to formula given in standard engineering hand-books or works accepted in best engineering practice.

Sec. 115. If terra cotta is used as part of such fire-proof inclosure, it shall be backed up with brick or hollow tile ; whichever backing is used, however, shall be of such dimensions and laid up in such manner as to secure perfect bond between the terra cotta facing and said backing.

Sec. 116. Concrete shall not be used in buildings of Classes I, II and IV, except for footings for foundations, cellar or basement floors laid on solid ground, and for leveling up floors on top of brick or tile arches. Other forms of construction may be used if approved by the Fire Marshal.

Sec. 117. * Plastering on wire or metallic laths shall not be considered as fire-proofing for steel or iron structural members.

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(c) ORDINARY CONSTRUCTION.

Sec. 118. A frame building may be raised for the purpose of erecting a basement story under the same, but the principal floor of such frame building shall not be raised to a higher level than six feet above the sidewalk for two-story buildings, or twelve feet high above the sidewalk grade for one-story frame buildings. The walls inclosing such basement shall be of masonry, and shall not be less than twelve inches thick if built of brick, and eighteen inches thick if built of stone. The foundation of such walls is to be constructed of stone not less than eighteen inches thick. It is provided, however, that no frame building shall be raised for the purpose of constructing a basement under the same, to a greater height to the top of its roof than that elsewhere herein given as the maximum height above grade for frame buildings. It is also provided that after there has been a basement story constructed under any frame building, such frame building shall not be raised again for any purpose whatsoever.

Sec. 119. No single frame dwelling shall be erected which shall contain accommodations for more than four families. Double dwellings or blocks of dwellings may be built to contain accommodations for more than four families, and each part of such building containing accommodations for four families shall be separated from the next part on either side by a wall built as indicated in the next section.

Sec. 120. This partition wall shall be an eight-inch brick wall or wall built of two-by-six studding, with the spaces between studding filled full of mineral wool, or any other approved fire-proof material, from the wall in

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basement up to and close under the roof boards, the fire-proofing to be secured in place between joists by wood blocking properly secured, and these partitions must be plastered on each side on metallic laths with an approved plaster. If brick is used for fire-proofing between studding, then partitions may be plastered on wood laths with lime mortar. All such partitions must be supported on a twelve-inch brick wall or eighteen-inch stone wall in the basement, which must be built from the cellar floor to the top of ground floor joist. Any opening in such brick wall shall be closed by a fire-proof door.

Sec. 121. No frame dwelling shall be erected to contain more than two stories, a basement and attic, and in no case shall the first or principal floor of a frame dwelling be more than six feet above sidewalk grade.

Sec. 122. Frame buildings, veneered on the outside, not to exceed two stories in height, exclusive of attic, with four inches of brick or stone, may be erected with the consent of the Fire Marshal, but such brick or stone work must be erected on a continuous foundation of masonry and must be properly anchored to frame structure, and in all other respects they shall be treated as frame buildings.

Sec. 123. No continuous vertical recess, chase or flue shall be made to a greater depth than four inches in a twelve-inch wall, and such recess, chase or flue may increase four inches in depth with each increase of four inches of the wall, and no recess of any kind shall be made in any eight-inch wall, except by a special permit from the Fire Marshal.

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Sec. 124. All stone and brick-work over openings exceeding four feet in width shall be supported with stone or iron lintels of sufficient strength to carry the superimposed weights, excepting where such stone or brick-work shall be supported with substantial stone or brick arches. All lintels supporting stone or brick-work must bear on stone, brick or iron of sufficient strength.

Sec. 125. The strength of materials that are not herein specifically stated shall be computed according to the accepted formulas and rules of the best engineering practice.

(d) PROJECTIONS OVER BUILDING LINE AND OVER AND UNDER SIDEWALKS.

Sec. 126. No projection of any building over the street line shall be less than ten feet above the sidewalk, and the use of any part of the sidewalk for steps or for open areas is prohibited, except that porticos, columns, pilasters or other entrance features may be made to project upon the sidewalk by special permission of the Executive Board of said city. The foregoing prohibition for the use of sidewalk space for steps or areas shall not apply to existing buildings, but if material alterations in or additions to existing buildings are to be made, then such steps and open areas shall be made to conform to the provisions of this ordinance.

Sec. 127. In all cases where the space under sidewalks is connected with the basement of any building, the covering of the same, and all supports, shall be made entirely of incombustible material, and the occupant of such space under any sidewalk shall be considered and treated as the tenant at will of the city of Rochester.

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Sec. 128. Circular openings not to exceed twenty-four inches in diameter may be placed in the outer edge of the sidewalks to receive coal. They shall be placed not more than eighteen inches from the inside edge of the curb to the outer edge of opening, and must have proper incombustible covering.

Sec. 129. When sheet metal cornices or external sheet metal gutters are used, their entire frame-work and covering shall be of metal, and the walls shall extend the entire length and height of such gutter and cornice, unless the special permission of the Fire Marshal to the contrary is obtained.

Sec. 130. Wood shall not be used as a support for any gutter or cornice of buildings of Classes I and II, nor on any buildings of Class III, over fifty-two feet in height, except by special permission of the Fire Marshal.

(c) ELEVATORS AND HOISTS.

Sec. 131. Where elevators are to be entirely inclosed in any story, the inclosure shall be a brick wall, hollow tile or wood studding covered on both sides with wood sheathing protected by sheet metal, or the studs may have steel laths plastered. Any opening used as a doorway shall be protected by a fire-proof door.

Sec. 132. All elevator openings which are not surrounded by inclosures as above set forth, shall have on all sides of every floor an inclosure not less than seven feet in height, of metal work. Each elevator shaft shall be roofed over by a sky-light, or if the shaft be raised above the main roof sufficiently to allow proper lighting in the sides of the same, by a roof similar to the main roof.

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Sec. 133. Overhead elevator machinery shall have underneath it an iron grille of proper construction and strength to protect the car from falling material. Every elevator shall be provided with an efficient apparatus to prevent the falling of the car in case of accident.

Sec. 134. No elevator shall be used in any building until after it has been inspected, and a certificate issued by the Fire Marshal. A certificate from an inspector for any responsible insurance company may be accepted by the Fire Marshal.

Sec. 135. The foregoing requirements as to brick or fire-proof shafts shall include all dumb-waiters, except such as do not extend through more than three stories in buildings of Class III.

(f) STAIRWAYS.

Sec. 136. In buildings of Class I, which are used as workshops or salesrooms, in which there is an occupation at any time of one hundred or more persons, there shall be at least two staircases, each not less than three feet wide. If the number of persons so occupying such buildings exceeds three hundred, then the width of the stairs in the same shall be increased to five feet. If the number of persons so occupying such premises exceeds eight hundred, three stairways five feet in width each, shall be constructed. If the number of persons so occupying such premises exceeds twelve hundred, they shall be governed as regards the number and size and construction of stairways, by the regulations laid down for buildings of Class V.

Sec. 137. In all cases the stairs shall be located at as great a distance as practicable from each other, and in cases where the persons so occupying such buildings

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are not all on one floor, the widths and number of stairways in the several stories shall be governed as above by the total number of persons who will at any time be employed on any floor. All persons above any given story shall be counted in addition to the persons on that story.

Sec. 138. The foregoing specifications as to stairs apply to non-fire-proof buildings only. For fire-proof buildings one less flight of stairs than above set forth shall be required in each case.

Sec. 139. It shall be unlawful under any circumstances to close up or obstruct the stairs or fire-escapes, or the approaches leading thereto, in any building, and no change in the position or construction of either shall be made unless permission so to do shall first have been obtained from the Fire Marshal.

Sec. 140. The aggregate width of doors opening at the street level in buildings of Class I, shall be equal to the aggregate width of stairways hereinbefore specified, and such doors shall not be locked during business hours, or while such buildings are occupied.

(g) PROVISIONS AS TO FIRE.

Sec. 141. All buildings in said city wherein manufactories are conducted, and all buildings now erected, or that hereafter may be erected, more than three stories in height, occupied by, or built to be occupied by, three or more families above the first story, and every building already erected, or that hereafter may be erected, more than three stories in height, occupied or used as a hotel, lodging-house, or boarding-house, having more than fifteen rooms, and every factory, mill, office building,

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manufactory or workshop, hospital, asylum or institution for the care or treatment of individuals, and every building in whole or part occupied or used as a school or place of instruction or assembly, shall have constructed thereon good and suitable fire-escapes, and such other means of egress in case of fire, as the Common Council may direct.

Sec. 142. The owners or occupants of all buildings mentioned in the preceding section shall have scuttles on the roofs of such buildings, and shall cause to be constructed and maintained stationary iron stairs or ladders leading to said scuttles, which scuttles and stairs shall be kept ready for use at all times.

Sec. 143. When the Fire Marshal shall so direct, it shall be necessary for the owners or occupants of all buildings over two stories in height within the said city, except dwelling-houses, schools, churches, office buildings and hotels, to construct and maintain iron or other non-combustible shutters on every window and opening thereof, excepting on the front openings of buildings fronting on streets or open places which are more than thirty feet in width. Said shutters shall be closed at the close of business of each day. All shutters opening on fire-escapes, and at least one row vertically in every three rows in the front window openings above the first story of any building, shall be so arranged that they can be readily opened from the outside by firemen.

Sec. 144. All fire-escapes shall be connected with each floor above the first, well fastened and secured, and of sufficient strength, and shall have landings or balconies not less than six feet in length and three feet in width, guarded by iron railings not less than

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three feet in height, and embracing at least two windows at each story, and connected with the interior by easily accessible and unobstructed openings, and the balconies or landings shall be connected by iron stairs not less than twenty-four inches wide, the steps not to be less than six inches tread, placed at an angle of not more than forty-five degrees slant, and protected by a well secured hand-rail on both sides, with a suitable twelve-inch-wide drop-ladder from the ladder platform, reaching to the ground. The windows or doors to each fire-escape shall be located as far as possible, consistent with accessibility, from the stairways and elevator hatchways or openings, and the ladders thereof shall extend to the roof.

Sec. 145. Any other plan or style of fire-escape shall be sufficient if approved by the Fire Marshal of said city, but if not so approved the Fire Marshal may notify the owner, proprietor or lessee of said building, in writing, that such other plan or style of fire-escape is not sufficient, and may by an order in writing, require one or more fire-escapes, as he shall deem necessary and sufficient, to be provided for said building, at such location and of such plan and style as shall be specified in such written order, not, however, in conflict with the provisions of this ordinance.

Sec. 146. Within twenty days after the service of the above mentioned order, the number of fire-escapes required therein for said building shall be provided therefor, each of which shall be either of the plan and style required in said order, or of the plan and style in this ordinance described and declared to be sufficient.

Sec. 147. If any person, firm or corporation shall

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neglect or refuse to construct suitable fire-escapes and other means of egress in case of fire, as directed and required by this ordinance, the Fire Marshal shall cause such fire-escapes or means of egress to be constructed, and the expense thereof, and ten per centum in addition, shall be collected from the person, firm or corporation required to construct such fire-escapes and means of egress.

Sec. 148. The owner or owners of any building upon which fire-escapes are now or hereafter may be placed or erected, shall keep the said fire-escapes in good repair and well painted, and no person shall at any time place any incumbrance of any kind whatsoever before or upon any such fire-escape.

Sec. 149. Every electric wire for furnishing light, heat or power, led into any building from the outside thereof, shall be arranged with suitable appliances to cut off the current on the outside of the building, and all wires placed inside buildings shall be properly insulated. In no case shall any such wire, appliances or currents be introduced into any building, nor operated therein, except by the consent of the Fire Marshal and in accordance with the rules and regulations made by him.

(h) DANGEROUS STRUCTURES.

Sec. 150. Every building or part thereof which shall appear to the Fire Marshal to be specially dangerous, by reason of bad condition of walls, overloaded floors, defective construction, lack of guards against fire, or other causes, shall be held to be unsafe; and the Fire Marshal shall immediately notify the owner or lessee to cause the same to be repaired, and shall also affix a notice of the dangerous character of the structure in a

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conspicuous place on the exterior wall of such building, and no person shall remove or deface such notice so affixed. The owner or party having an interest in the unsafe building or structure mentioned in this section, being notified thereof in writing by the Fire Marshal, immediately shall cause the same to be made safe and secure, and if any such building shall be used for any purpose requiring a license therefor, the Mayor may revoke said license on neglect of the owner to repair said building. Where the public safety requires immediate action, the Fire Marshal may enter upon the premises, with such assistance as may be necessary, and cause the said structure to be made secure or taken down without delay, at the expense of such owner or party interested.

Sec. 151. No wood fence upon the line of any public street within said city shall be constructed of greater height than seven feet above the sidewalk grade, or seven feet above the surface of the ground, where no grade is established.

Sec. 152. Every structure or part thereof erected or placed contrary to the provisions of this ordinance shall be deemed to be a common nuisance, and the Fire Marshal may order the same removed; and in case the owner thereof shall neglect or refuse to remove such structure or part thereof, within five days after notice to do so, the Executive Board may remove such structure or part thereof at the expense of the owner.

(i) CHANGE OF USE.

Sec. 153. If buildings, the uses of which bring them within any of the before mentioned classes, are to be

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applied to the uses of any other class for which a better system of construction is called for by this ordinance, the construction and equipment of such buildings first must be made to conform to the requirements of this ordinance; and it shall be unlawful to apply such building to a new or different use than that to which its structure and equipment adapts it under this ordinance, unless the requirement of this ordinance for such new or different use first shall have been complied with, and a permit for such alteration or use first shall have been granted by the Common Council and issued by the Fire Marshal.

VII. PENALTIES.

Sec. 154. Any violation of this ordinance shall be punishable by a fine of not less than five dollars nor more than one hundred and fifty dollars, and in default of the payment of such fine, any person so convicted shall be imprisoned in the Monroe County Penitentiary for a term not exceeding one hundred and fifty days.

Sec. 155. All ordinances and parts of ordinances inconsistent herewith, are hereby repealed.

Sec. 156. This ordinance shall take effect July 1, 1897.

AN ORDINANCE RELATING TO
EXPLOSIVES

(PASSED MAY 11, 1897)

The Common Council of the City of Rochester do enact as follows :

SECTION 1. No fireworks, gunpowder, nitro-glycerine, dynamite, crude petroleum, earth or rock oil; or other highly combustible materials shall be stored or kept on sale within the city of Rochester without the consent of the Executive Board of said city, and under such regulations as said Board may impose, which regulations shall conform so far as practicable to the provisions of the statutes of the State of New York, relating to this subject.

Sec. 2. No person shall transport any of the materials mentioned in this ordinance through any public street within said city, unless such materials are securely covered and protected so as to prevent accident.

Sec. 3. It shall be the duty of the Fire Marshal to make an examination of all premises within said city where any of the materials mentioned herein may be stored or kept on sale, and forthwith to report to the

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Corporation Counsel for prosecution any violation of this ordinance, and if the owner or person offering for sale any of the said materials shall neglect or refuse to comply with any of the said regulations of the Executive Board, then said Board shall adopt such measures as it may deem expedient for public safety, and shall cause to be destroyed or removed such dangerous materials.

Sec. 4. Any violation of this ordinance shall be punishable by a fine of not less than five dollars nor more than one hundred and fifty dollars, and in default of the payment of such fine any person so convicted shall be imprisoned in the Monroe County Penitentiary for a term not exceeding one hundred and fifty days.

Sec. 5. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Sec. 6. This ordinance shall take effect immediately.

AN ORDINANCE RELATING TO

JUNK DEALERS

(PASSED APRIL 14, 1896)

The Common Council of the City of Rochester do enact as follows :

SECTION 1. No person shall carry on the business of a junk dealer within the city of Rochester without having procured a license, as required by the terms of this ordinance.

Sec. 2. The Mayor of the city of Rochester may grant to any person a license to carry on the business of buying, selling and dealing in junk, rags, old rope, old iron, brass, copper, tin, lead or other old metals, old bottles, old glass, old bones, old tin ware, or any second-hand articles, excepting second-hand books and furniture, as follows :

Class A—Every person, firm or corporation engaged in said business, except such persons as carry on the same with a horse and wagon, or push-cart, shall, upon the granting of such license, pay annually to the treasurer of said city the sum of twenty-five dollars, and an

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additional fee of five dollars for each wagon employed by him.

Class B—Every person carrying on said business by means of a horse and wagon shall, upon the granting of such license, pay annually to the treasurer of said city a fee of ten dollars.

Class C—Every person carrying on said business by means of a push-cart shall, upon the granting of such license, pay annually to the treasurer of said city a fee of five dollars. Such licenses shall expire one year from the date of issue, and shall not be transferred without the written consent of the Mayor.

Sec. 3. No person shall be licensed as provided in Class A, section two, unless he shall be a citizen of the United States.

Sec. 4. Every license which shall be granted in pursuance of Class A, section two, of this ordinance shall designate the place in which the person receiving such license shall be authorized to carry on said business, and no person shall carry on said business at any other place than the one designated in said license. It shall be lawful for any person licensed as aforesaid to keep, use and drive a cart or carts in the city of Rochester for the purchase and sale of any or all the articles mentioned and described in said section two, provided that each cart or wagon so kept, used and driven by him shall be duly and separately licensed, and that every such cart or wagon shall be marked with his name, at length, his business address and the number of his license in plain letters and figures at least two inches in height.

Sec. 5. No person licensed as aforesaid shall receive, in the line of his business, any article or thing by way of

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pledge or pawn, nor shall he loan or advance any sum of money on the security of any such article or thing ; nor shall any such person receive or purchase any article whatever from any person under the age of eighteen years, or from any person between the setting of the sun and the hour of seven o'clock in the morning.

Sec. 6. Every person conducting the business of dealing in any of the articles mentioned in section two hereof, within the city of Rochester, is hereby required to keep a record of every article aforesaid bought, except such as are purchased at the houses of permanent residents by their own collector, and to keep the name and a full description of every stranger from whom any article is bought, and to report daily, in writing, to the Chief of Police, in such form as said Chief may prescribe, all articles received within twenty-four hours immediately preceding the delivery of such report ; but the contents of such report shall not be communicated to any person for the purpose of publication, but shall be used expressly for the purpose of protecting the public. No person licensed as aforesaid shall refuse or neglect to make the reports hereby required, or make any false entry, or omit to make a full and complete report.

Sec. 7. No person licensed to carry on business under the provisions of this ordinance shall conduct the business of a pawnbroker, nor shall any pawnbroker receive a license hereunder.

Sec. 8. Every person licensed under the provisions of this ordinance shall have and keep a sign in front of his place of business, on which shall be set forth plainly in conspicuous letters and figures his name, his licensed

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business and the number of his said license ; and in case any person so licensed, as aforesaid, shall remove his place of business from the place designated in said license, he shall give notice immediately to the Mayor, and the number of his shop or place of business shall thereupon be changed upon his license and the sides of the cart or wagon used by such licensed person, to correspond with the new place of business.

Sec. 9. Every person licensed under the provisions of this ordinance when engaged in the business described in section two hereof, or in soliciting, purchasing or receiving any of the articles mentioned herein, shall wear in a conspicuous place a metal badge, which shall contain in legible figures the words " licensed junk dealer " and the number of his license.

Sec. 10. Any violation of this ordinance shall be punishable by a fine of not less than five dollars nor more than fifty dollars, and in default of the payment of such fine any person so convicted shall be imprisoned in the Monroe County Penitentiary for a term not exceeding one hundred days. Upon such conviction the Mayor may revoke any license granted hereunder. (*As amended May 11, 1897.*)

Sec. 11. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Sec. 12. This ordinance shall take effect immediately.

AN ORDINANCE RELATING TO
NEWSBOYS AND BOOTBLACKS

(PASSED MAY 26, 1896)

The Common Council of the City of Rochester do enact as follows :

SECTION 1. No person shall carry on the business of peddling newspapers or blacking boots in any public street or place within the city of Rochester without having procured a license as required by the terms of this ordinance.

Sec. 2. The Chief of Police of the city of Rochester may grant to any proper person a license to black boots or peddle newspapers in any public street or place within said city, upon the assurance of the parent or guardian, or some other responsible person, that the applicant is of suitable age and good character. Said license shall expire one year from the date of its issue and shall not be transferred.

Sec. 3. Every person licensed hereunder shall be supplied by the said Chief of Police with a metal badge,

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upon which the license number shall be engraved, and to cover the cost of which the applicant shall pay a fee of twenty-five cents, which amount shall be refunded at any time upon return of said badge. No person shall black boots or peddle newspapers in any public street or place in said city without wearing said badge in a conspicuous place on the breast. The said Chief of Police shall keep a complete record of the name, address, business and license number of each person licensed.

Sec. 4. The Chief of Police of the city of Rochester may revoke any license granted hereunder at his discretion.

Sec. 5. No person shall black boots or sell newspapers within the city of Rochester on Sunday within two hundred feet from any church or place of worship.

Sec. 6. Any violation of this ordinance shall be punishable by a fine of not less than one dollar nor more than five dollars, and in default of the payment of such fine any person over sixteen years of age so convicted shall be imprisoned in the Monroe County Penitentiary for a term not exceeding twenty days. (*As amended May 11, 1897.*)

Sec. 7. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Sec. 8. This ordinance shall take effect immediately.

AN ORDINANCE RELATING TO

PAWNBROKERS

(PASSED MAY 11, 1897)

The Common Council of the City of Rochester do enact as follows :

SECTION 1. No person, firm or corporation shall carry on the business of a pawnbroker within the city of Rochester without having procured a license as required by the terms of this ordinance.

Sec. 2. The word " pawnbroker " contained in this ordinance shall be construed to include any person or member of a firm or corporation who shall loan money on deposit or pledge of personal property other than securities or evidences of indebtedness, or who shall deal in the purchasing of personal property on condition of selling the same back to a person at a stipulated price, or who does business as a furniture storage warehouseman and by whom moneys are loaned and advanced upon goods, wares or merchandise so pledged or deposited as collateral security.

Sec. 3. The Mayor of the city of Rochester may

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grant to any person, firm or corporation, who shall produce to him satisfactory evidence of good character, a license to carry on the business of a pawnbroker within said city upon the payment to the City Treasurer of the sum of one hundred dollars and the execution of a bond to the city in the penal sum of one thousand dollars, with sureties to be approved by the Mayor, conditioned for the faithful observance of the ordinances of said city, now or hereafter enacted, relating to pawnbrokers and the payment of all damages incurred as such pawnbroker.

Sec. 4. Every license granted hereunder shall designate the building in which the licensee shall be authorized to act as pawnbroker, and said business shall not be carried on in any other place than the one so designated. Every such license shall expire one year from the date of its issue.

Sec. 5. Every person carrying on the business of a pawnbroker within said city shall report daily in writing to the Chief of Police, on blank forms to be furnished by the Police Department, a description of all articles received by said pawnbroker within the twenty-four hours immediately preceding the delivery of such report, and a description of the person making the pledge. The contents of such report shall not be communicated to any person for the purpose of publication, but shall be used expressly for the purpose of protecting the public. No person shall make any false entry in such report, and whenever the Chief of Police shall notify any pawnbroker not to sell or permit to be redeemed any property so received on deposit, such property shall not be sold or be permitted to be redeemed until the said Chief of Police shall so direct.

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Sec. 6. Every pawnbroker within said city shall keep a book in which shall be legibly written in ink, at the time any loan is made, an account and description of the articles pawned, the amount of money loaned thereon, the time of pawning the same, the rate of interest to be paid on such loan, and the name and residence of the person pawning said personal property. The said book shall be open at all reasonable times, to the inspection of the Mayor, Police Justice, Chief of Police, or any person duly authorized in writing by any of them for that purpose. Every such pawnbroker, at the time any loan is made, shall deliver to the person pawning any personal property a memorandum signed by him, containing the substance of the entry required to be made in his book, and no charge shall be made by any pawnbroker for such entry or memorandum.

Sec. 7. No pawnbroker within said city shall demand, or receive any greater interest than the following rates per month or fraction of a month : Ten per cent. on all sums from one to twenty-five dollars ; seven per cent. on sums from twenty-five to fifty dollars ; six per cent. on sums from fifty to seventy-five dollars ; five per cent. on sums from seventy-five to one hundred dollars ; and three per cent. on all sums over one hundred dollars. No other interest or charges shall be demanded or received except charges for insurance where persons desire to insure their pledges.

Sec. 8. Every pawnbroker within said city shall cause to be posted in a conspicuous part of the place where said business is carried on, a sign bearing in large type, in the English and German languages, the rates of profit allowed to be taken by this ordinance.

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Sec. 9. No pawnbroker within said city shall sell any article received by him in pledge before the time to redeem the same has expired, nor willfully disclose the name of the purchaser and the price paid for any article sold, and no pawnbroker shall sell any pawn or pledge until the same shall remain six months in his possession.

Sec. 10. No pawnbroker within said city who has received any stolen goods shall refuse to exhibit them during the usual business hours, to the owner of said goods, or his authorized agent, at the written order of the Chief of Police.

Sec. 11. No person shall transact business as a pawnbroker within said city except between the hours of eight o'clock A. M. and eight o'clock P. M., excepting Saturdays, when business may be transacted between the hours of eight o'clock A. M. and twelve o'clock midnight. No person shall transact business as a pawnbroker upon Sunday.

Sec. 12. No pawnbroker or person in the employ of a pawnbroker, within said city, shall in any manner receive any personal property in pledge from any minor, intoxicated person, habitual drunkard or notorious thief, known by him to be such, nor shall such pawnbroker employ any person as an assistant in said business who is under sixteen years of age.

Sec. 13. If any person shall be damaged by the misconduct of any such licensed pawnbroker and shall recover judgment against him therefor, such person, after the return unsatisfied, either in whole or in part, of any execution issued upon said judgment, may maintain an

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action in his own name upon the bond of said pawnbroker, in any court having jurisdiction of the amount claimed, provided said court shall, upon application made for that purpose, grant such leave to prosecute.

Sec. 14. Any violation of this ordinance shall be punishable by a fine of not less than ten dollars nor more than one hundred and fifty dollars, and in default of the payment of such fine any person so convicted shall be imprisoned in the Monroe County Penitentiary for a term not exceeding one hundred days. Upon such conviction the Mayor may revoke any license granted hereunder.

Sec. 15. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Sec. 16. This ordinance shall take effect immediately.

AN ORDINANCE RELATING TO

PEDDLERS

(PASSED APRIL 14, 1896)

The Common Council of the City of Rochester do enact as follows :

SECTION 1. No person shall at any time offer for sale any provisions or merchandise at retail in any manner within any of the public streets or places or from house to house, within the city of Rochester, without having procured a license as required by the terms of this ordinance.

Sec. 2. The Mayor of the city of Rochester may grant to any person a license to sell any provisions or merchandise at retail in any of the public streets or places, or from house to house, within said city, upon the payment to the City Treasurer of the sum of five dollars ; and for every vehicle more than one used in said business an additional sum of five dollars. Said license shall expire one year from the date of its issue and shall not be transferred without the written consent of the Mayor.

Sec. 3. No vehicle shall be used within said city by any person licensed as aforesaid without having painted

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in a conspicuous place on both sides thereof, midway between each end, in plain and durable letters, the name and license number of the owner thereof, which number shall be assigned by the Mayor at the time said license shall be issued; and every such number shall be in figures not less than two and one-half inches in height, and every other letter or character shall not be less than one and one-half inches in height. (*As amended June 23, 1896.*)

Sec. 4. No person shall permit any vehicle owned or controlled by him to stop upon or in any wise encumber any of the public streets or places within the city of Rochester for a longer period than ten minutes while engaged in selling or offering for sale any provisions or merchandise; and no person shall erect or maintain any booth or stand, nor place any barrels, boxes, crates or other obstructions upon any such public streets or places for the purpose of selling or exposing for sale any provisions or merchandise.

Sec. 5. No person shall cry out, or by any device make any loud noise in any public street or place within the city of Rochester for the purpose of selling any provisions or merchandise.

Sec. 6. Nothing in this ordinance shall be construed so as to prevent any person, firm or corporation having an established place for the transaction of business within said city from soliciting orders from customers and filling the same; nor so as to prevent farmers or gardeners, or their employees from selling, or offering for sale, at any place within said city, produce or wholesome meats by the quarter, of their own raising; nor so as to prevent

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the selling of newspapers. (*As amended September 15, 1896.*)

Sec. 7. No person shall at any time within the city of Rochester falsely or fraudulently misrepresent to any purchaser or contemplated purchaser the quantity, character or quality of any articles offered for sale. Nor shall any person offer for sale any unwholesome, tainted or diseased provisions or merchandise.

Sec. 8. No person shall sell at retail, within the city of Rochester, any provisions or merchandise by measure or weight unless, before a delivery upon every such sale, the same be measured or weighed by measures or scales which, within the previous six months, have been sealed by the city sealer ; nor shall any person sell, or offer for sale, any produce by the bushel, except in square crates or boxes which have been duly sealed by the city sealer, and each of which shall have a capacity of twenty-five hundred cubic inches.

Sec. 9. Every person licensed as aforesaid shall keep and immediately produce upon demand the license issued under this ordinance.

Sec. 10. Any violation of this ordinance shall be punishable by a fine of not less than five dollars nor more than fifty dollars, and in default of the payment of such fine any person so convicted shall be imprisoned in the Monroe County Penitentiary for a term not exceeding one hundred days. Upon such conviction the Mayor may revoke any license granted hereunder. (*As amended May 11, 1897.*)

PEDDLERS

Sec. 11. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Sec. 12. This ordinance shall take effect immediately.

AN ORDINANCE RELATING TO THE
PROTECTION OF THE FIRE DEPARTMENT

(PASSED JUNE 9, 1896)

The Common Council of the City of Rochester do enact as follows :

SECTION 1. No person shall give, or cause to be given, any false alarm of fire in any manner whatsoever within the city of Rochester.

Sec. 2. No person shall attempt to operate any connected fire alarm signal box within the city of Rochester except in case of fire, nor interfere with said signal boxes, nor any part thereof, in any manner whatsoever, nor with any wire, pole or other thing connected in any way with, or in any way auxiliary to, the fire alarm or police patrol telegraph apparatus of said city without the consent of the Executive Board.

Sec. 3. No person shall make, or cause to be made, or have in his possession, any key, or impression or duplicate of any key of any signal box of the fire alarm or police patrol telegraph system within the city of Rochester without the consent of the Executive Board.

PROTECTION OF THE FIRE DEPARTMENT

Sec. 4. No person shall injure nor interfere with any hose or other apparatus belonging to the Fire Department of the city of Rochester, nor shall any person injure any building, nor part thereof, where such apparatus is kept.

Sec. 5. No person shall obstruct the way of the members of the Fire Department, with their apparatus of all kinds, when on duty going to a fire, in any public street of the city of Rochester.

Sec. 6. Any violation of this ordinance shall be punishable by a fine of not less than ten dollars nor more than one hundred dollars, and in default of the payment of such fine, any person so convicted shall be imprisoned in the Monroe County Penitentiary for a term not exceeding one hundred days.

Sec. 7. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Sec. 8. This ordinance shall take effect immediately.

AN ORDINANCE RELATING TO
PUBLIC ENTERTAINMENTS

(PASSED MAY 11, 1897)

The Common Council of the City of Rochester do enact as follows :

SECTION 1. No person or company of persons shall exhibit any circus, theatrical representation or public show of any kind, nor shall any person permit any place to be used for such purposes within the city of Rochester without having obtained a license as required by the terms of this ordinance.

Sec. 2. The Mayor of said city may grant to any person a license to do any of the acts described in section one of this ordinance, upon the payment to the City Treasurer of the following license fees :

(a) For every place wholly devoted to the purposes of a museum or theatrical representations, fifty dollars per year.

(b) For every circus, fifty dollars each for the first two performances, and twenty-five dollars each for every performance more than two.

PUBLIC ENTERTAINMENTS

(c) For every building or place temporarily used for the exhibition of natural or artificial curiosities, or other attractions, five dollars per day.

(d) For every theatrical representation, concert, lecture or other public entertainment to which an admission fee is charged, not wholly conducted by a local society, and not conducted upon premises licensed under subdivisions (a) or (c) of this section, the sum of ten dollars for each performance.

(e) For every place operated under a license for the sale of liquors at retail, in which or connected with which place theatrical representations, athletic or other exhibitions are given, the sum of one hundred dollars per year.

(f) For merry-go-rounds, shooting galleries and other places of amusement not hereinbefore provided for, such fee as the Mayor may deem proper.

Sec. 3. No license issued hereunder shall permit any theatrical representation, circus or other show to be exhibited on Sunday, and no such license shall be transferred without the written consent of the Mayor. Nothing herein contained shall be construed so as to require a license for the exhibition or sale of paintings or other works of art by residents of the said city.

Sec. 4. Any violation of this ordinance shall be punishable by a fine of not less than twenty-five dollars nor more than one hundred and fifty dollars, and in default of the payment of such fine any person so convicted shall be imprisoned in the Monroe County Penitentiary for a term not exceeding one hundred and fifty days.

PUBLIC ENTERTAINMENTS

Sec. 5. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Sec. 6. This ordinance shall take effect immediately.

AN ORDINANCE RELATING TO

PUBLIC MORALITY

(PASSED MAY 11, 1897)

The Common Council of the City of Rochester do enact as follows :

SECTION 1. No person shall keep any house of ill-fame, house of assignation, or place for persons to visit for unlawful sexual intercourse ; nor any place of public resort by which the peace, comfort or decency of a neighborhood is disturbed within the city of Rochester ; and no person shall be an inmate of such a place, nor knowingly rent any building or portion thereof for the purposes herein mentioned.

Sec. 2. No person shall solicit another to go to any gambling house, house of ill-fame, house of assignation or place kept for unlawful sexual intercourse within said city.

Sec. 3. No person shall keep or use, or permit to be kept or used, in any place within said city, any table, instrument or device of any nature whatsoever for the

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purpose of gambling, or with which money, liquor or any thing of value shall be played for in any manner ; and no person shall be an inmate of any place where such gambling devices may be kept or used, nor be engaged in any game of chance as banker, dealer, player or otherwise.

Sec. 4. It shall be the duty of every member of the police force to take all lawful means to suppress gambling devices and games of chance within said city, and for this purpose when any police officer shall have cause to suspect that any such gambling device is being kept or used, or game of chance is being carried on in any place, he shall forthwith make complaint thereof before the police justice and obtain a warrant, and no officer with such warrant in his possession shall be refused admittance to any such room or place. It shall also be the duty of any member of the police force who may make any arrest upon a warrant issued hereunder to seize any tables, instruments or devices used for the purpose of gambling, and upon conviction of the owner hereunder such tables, instruments or devices shall be destroyed upon the order of the police justice. No person shall hinder or resist any police officer acting hereunder.

Sec. 5. No person shall keep for public use any billiard or pool table or bowling alley within said city without having obtained a license from the Board of Police Commissioners. The fees to be charged for such license shall be as follows : For one or two alleys or tables, five dollars each, and two dollars additional for each alley or table more than two.

Sec. 6. No person keeping for public use any billiard or pool table or bowling alley shall permit any

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such game to be played between the hours of one and eight o'clock A. M., nor upon Sunday, nor shall any person under eighteen years of age be allowed to play.

Sec. 7. No person shall sell, lend, give away nor post within said city any indecent or immoral book, picture; advertisement, play-bill or other printed matter, nor any article which is intended for immoral or indecent use.

Sec. 8. No person shall appear in a state of nudity, or in an indecent dress, or willfully and lewdly expose his person, or the private parts thereof, in any public street or place within said city where others are present.

Sec. 9. Any violation of this ordinance shall be punishable by a fine of not less than five dollars nor more than one hundred and fifty dollars, and in default of the payment of such fine, any person so convicted shall be imprisoned in the Monroe County Penitentiary for a term not exceeding one hundred and fifty days.

Sec. 10. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Sec. 11. This ordinance shall take effect immediately.

AN ORDINANCE RELATING TO
PUBLIC POUNDS AND STRAY ANIMALS

(PASSED MAY 11, 1897)

The Common Council of the City of Rochester do enact as follows :

SECTION 1. No animals or fowls shall run at large upon any public street or place within the city of Rochester, to the injury and annoyance of the public.

Sec. 2. There shall be maintained for said city one or more public pounds in which shall be distrained all animals or fowls running at large in violation of this ordinance, and there shall be one or more pound-keepers whose duty it shall be to take and impound any such animals or fowls. Any person may seize and take to one of the public pounds any animals or fowls found so running at large, but such person shall receive no compensation therefor.

Sec. 3. At each pound a book shall be kept in which the pound-keeper shall enter forthwith the name and residence of any person bringing any animals or fowls to the pound, the date when the same were brought, a brief

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description of said animals or fowls sufficient for identification, and the name and residence of the owner thereof, if known, which book shall at all times be open for public inspection.

Sec. 4. There shall be charged for all cattle or horses impounded a fee of fifty cents each, and also fifty cents for each day or part of a day that sustenance is provided for such cattle or horses, and for all fowls impounded a fee of twenty-five cents each, and also twenty-five cents for each day or part of a day that sustenance is provided therefor.

Sec. 5. When any horses, cattle or fowl shall be impounded as aforesaid, it shall be the duty of the pound-keeper, where the same are impounded, forthwith to make complaint before one of the Judges of the Municipal Court of said city, against the owner or owners thereof, if known, and thereupon a warrant shall be issued, and upon the return thereof, or the defendant having appeared, it shall be the duty of said Judge to inquire whether the defendant has been guilty of a violation of the ordinance of the city complained of, and if the defendant be found guilty, judgment shall be rendered against him for the penalty, impounding fee, cost of sustenance, and cost of suit, and an order shall be entered that the horses, cattle or fowl shall be sold to satisfy said judgment, in case the same shall not be paid forthwith; such order shall describe the horses, cattle or fowl, and state the time and place of impounding.

Sec. 6. When the owner of any horses, cattle or fowl impounded shall be unknown, it shall be the duty of the pound-keeper, when the same shall be impounded, to make complaint as provided in the preceding section,

PUBLIC POUNDS AND STRAY ANIMALS

against the unknown owner, describing the horses, cattle or fowl, and thereupon the Judge before whom such complaint shall be made shall issue a notice reciting such complaint, that the owner is unknown, a description of the horses, cattle or fowl impounded, together with a reference to the section of the ordinance violated, and giving notice of the time and place where a trial shall be had, that such unknown owner may appear and defend. The day named in such notice shall not be less than six nor more than twelve days from the time of issuing the same, and it shall be the duty of the pound-keeper making the complaint forthwith to post three copies of said notice, one at the pound where such horses, cattle or fowl are impounded, one at the Municipal Court of said city, and one at the public bulletin board at the County Clerk's office, and to return said notice, with the time and manner of posting, to said Municipal Court. Upon the return of the said notice, like proceedings shall be had as in the case of personal service or appearance. Nothing herein contained shall affect or abridge the right of the accused to a trial by jury.

Sec. 7. Upon the rendition of any judgment as herein provided, unless an appeal shall be taken and further proceedings stayed, the Judge rendering the same shall issue to the pound-keeper where such horses, cattle or fowl are impounded, an order commanding him to make the amount of such judgment and costs, stating the same separately, and the names of the parties, and make due return thereof.

Sec. 8. Upon the receipt of such order the pound-keeper immediately shall post three notices, as provided in section six, stating that certain horses, cattle or fowl,

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were impounded, describing the same, and that judgment has been rendered and an order for such judgment and costs made, and that unless redeemed they will be sold at public auction for cash, to the highest bidder, at the public pound, describing the same, and on a certain day and hour. Said sale shall take place not less than three days after the posting of such notices, exclusive of Sundays, holidays and election days, and if such horses, cattle or fowl are not redeemed, the pound-keeper shall sell the same in accordance with said notices. It shall be the duty of the pound-keeper receiving such an order as prescribed in section seven, to return the same within twenty days from its date to the court issuing the same, with an endorsement showing when and how the same was executed.

Sec. 9. At any time before the sale of any horses, cattle or fowl impounded, the owner or owners thereof may redeem the same by paying to the pound-keeper the impounding fee and cost of sustenance as provided herein, and in case proceedings shall have been instituted before a judicial officer, by paying the cost of such proceeding and the amount of the judgment recovered, together with subsequently accrued costs of sustenance.

Sec. 10. When the proceeds of the sale of any horses, cattle or fowl shall exceed the amount of any judgment and costs, and the expenses of sustenance, such excess shall be paid to the City Treasurer, and the owner or owners of such horses, cattle or fowl shall be entitled to a warrant on the City Treasurer for such excess, upon presenting to the Corporation Counsel satisfactory evidence of his right thereto. If such excess shall not be claimed within a year after it shall be de-

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posited, the person otherwise entitled to the same shall forfeit all claim thereto.

Sec. 11. No person shall suffer to run at large in said city, any dog of ferocious and dangerous character or disposition ; nor shall any person keep or suffer to be kept on the premises occupied by him within said city any dog in the habit of howling or whining at night, or barking at, or in any manner annoying any person. No female dog in time of heat shall be allowed to run at large within said city. Upon a second conviction for a violation of this section it may be a part of the sentence that such dog immediately be killed ; and this sentence shall be executed forthwith by the city pound-keeper, to be designated by the magistrate imposing the sentence, and any owner or keeper of any such dog who refuses to deliver up the same in compliance with said judgment, shall be liable to an additional fine therefor. Any person harboring a dog for two days prior to any violation of this ordinance shall be held to be the owner of said dog.

Sec. 12. Whenever the Mayor of said city shall deem it necessary he shall issue an order prohibiting, for a certain time therein specified, any or all dogs from running at large in any public street or place within said city, unless such dogs be securely muzzled or led by a line or chain, so as effectually to prevent them from biting any person or animal, which order shall be published in the official newspaper of said city.

Sec. 13. No person shall molest nor interfere in any way with the city pound-keeper, nor any of his assistants, while engaged in carrying out the provisions of this ordinance.

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Sec. 14. Any violation of this ordinance shall be punishable by a fine of not less than two dollars nor more than one hundred dollars, and in default of the payment of such fine any person so convicted shall be imprisoned in the Monroe County Penitentiary for a term not exceeding one hundred days.

Sec. 15. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Sec. 16. This ordinance shall take effect immediately.

AN ORDINANCE RELATING TO
PUBLIC SAFETY AND GOOD ORDER

(PASSED MAY 11, 1897)

The Common Council of the City of Rochester do enact as follows :

SECTION 1. No person shall make any riot, disturbance or loud noise in or near any public street or place within the city of Rochester.

Sec. 2. No person shall make any disturbance or indulge in any improper conduct in any church, theater or public hall within said city.

Sec. 3. No person or corporation shall blow, or cause to be blown, any whistle operated by steam or other artificial means within said city for more than fifteen seconds at one time during a period of thirty minutes on any one day.

Sec. 4. No person, firm or corporation shall build or use any slaughter-house, cattle-yard, phosphate or fertilizing-works or store-house, rendering-establishment, or works for the reduction of garbage, dead animals or night

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soil or any soap-factory, tannery or any other place or establishment that shall give rise to nauseous or offensive odors within said city without permission from the Common Council.

Sec. 5. No person while using a sprinkling cart or hose for sprinkling streets or any other purposes within said city shall carelessly or maliciously throw water upon any person, animal or vehicle.

Sec. 6. No person shall carry or use upon any vehicle within said city any gong similar to that used on ambulances or the vehicles of the fire or police departments.

Sec. 7. No person shall ride or drive any animal upon any of the bridges within said city at a speed faster than a walk, excepting upon the stone-arch bridges over the Genesee river. This section shall not apply to the vehicles excepted by the provisions of section eight of this ordinance.

Sec. 8. No person shall drive or ride any animal upon any public street or place within said city at a speed exceeding six miles per hour. This section shall not apply to East avenue between Culver road and Goodman street from the 15th day of December to the 15th day of the following March each year, between the hours of two and five o'clock P. M., on week days ; nor shall it apply to the vehicles of the fire and police departments, nor to public and private ambulances, when such vehicles are responding to actual calls for assistance ; nor shall it apply to the vehicles of any physician when actually engaged in professional work responding to emergency calls, provided

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said physician shall have in his possession a permit issued by the Mayor of said city.

Sec. 9. No person shall accost or compel any individual against his will to enter any place where merchandise is exposed for sale within said city.

Sec. 10. No person shall play at any game of sport with a ball nor fly a kite within any public street within said city.

Sec. 11. No person shall throw upon the sidewalk of any public street or place within said city any banana or other fruit skin or peel.

Sec. 12. No person shall discharge any fire-arm or fire-works of any kind, nor build a bonfire in any public street or place within the city of Rochester, except at such time and places as may be designated by the Mayor of said city.

Sec. 13. No person shall bathe in any canal, mill-race or river within the limits of said city except in the Genesee river opposite the property of the Vacuum Oil Company above Clarissa street bridge, and on the east side of the river, opposite the property of the Rochester Brewing Company and opposite the property of the Rochester Gas and Electric Company, and in the Erie canal at the eastern wide-waters, and at the western wide-waters, provided the body shall be concealed by a suitable covering extending from the knees to the shoulders.

Sec. 14. No person shall be intoxicated in a public place within said city, to the annoyance of others, and

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any person may be arrested without a warrant while so intoxicated.

Sec. 15. No person shall publicly solicit alms or subscriptions within said city without the consent of the Mayor.

Sec. 16. No owner, or person in charge of any church, theater or place for public entertainment of any kind shall permit the aisles or exits thereof to be encumbered by chairs, or in other manner, during any public service or entertainment.

Sec. 17. No person shall willfully injure or interfere with any public or private structure, street-sign, lamp, lamp-post or any other property belonging to the city of Rochester or to any private person within said city.

Sec. 18. No person shall throw any substance into the Genesee river above the upper falls or into any mill-race or sewer within said city which may tend to interfere with the free passage of water within such river, mill-race or sewer.

Sec. 19. No person shall drive any animal attached to a sleigh upon any public street within said city without having bells attached to said sleigh or animal sufficient to give warning of approach.

Sec. 20. No persons shall drive, skate or slide over any sidewalk or crosswalk within said city in such a manner as to hinder or endanger pedestrians.

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Sec. 21. No person shall bury any dead human body within said city except in Mount Hope Cemetery or the Rapids Cemetery.

Sec. 22. Any violation of this ordinance shall be punishable by a fine of not less than five dollars nor more than one hundred and fifty dollars, and in default of the payment of such fine any person so convicted shall be imprisoned in the Monroe County Penitentiary for a term not exceeding one hundred and fifty days.

Sec. 23. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Sec. 24. This ordinance shall take effect immediately.

PENAL ORDINANCE

City Clerk's Office,
Rochester, N. Y., April 20, 1914.

Notice is hereby given that at a meeting of the Common Council of the City of Rochester, held on the 10th day of March, 1914, an ordinance amending the Building Code was adopted. Said ordinance having been approved by the Mayor is hereby published pursuant to Section 103 of the City Charter:

By Ald. Hamilton :

Be it ordained by the Common Council of the City of Rochester as follows :

Section 1. Subdivision one of Section 32 of the Building Code, adopted September 27, 1910, is hereby amended by adding thereto a new Subdivision to be lettered (h), and to read as follows :

(h) Every stable intended to be used for the accommodation of more than three horses erected within one hundred feet of a building used for human habitation.

Section 2. This ordinance shall take effect immediately.

Adopted unanimously.

THOMAS DRANSFIELD,
City Clerk.

AN ORDINANCE RELATING TO
PUBLIC VEHICLES

(PASSED MAY 11, 1897)

The Common Council of the City of Rochester do enact as follows :

SECTION 1. No person shall carry persons or personal property within the city of Rochester by any vehicle drawn by animals as a public vehicle for hire without having obtained a license as required by the terms of this ordinance.

Sec. 2. The Mayor of said city may grant to any person a license to use any such vehicle as a public vehicle for the transportation of persons or personal property within said city upon the payment to the City Treasurer of the amounts required by this ordinance and the execution of a bond to said city in the penal sum of two hundred and fifty dollars with sureties to be approved by the Mayor conditioned for the observance of all ordinances of the Common Council relating to public vehicles and for the payment of all damages incurred as the owner or driver of such vehicle. Said license shall expire one year from the date of its issue.

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Sec. 3. The following amounts shall be paid to the City Treasurer for all licenses issued under this ordinance :

For each public vehicle licensed to carry persons or personal property, one dollar.

Sec. 4. The highest rate the driver of any vehicle licensed hereunder shall demand or receive for the use of said vehicle shall be as follows :

I. For vehicles for the transportation of persons :

(a) For transporting one person one mile or less, fifty cents, and for each additional person, twenty-five cents.

(b) For transporting one person for any distance over one mile and less than two miles, seventy-five cents, and for each additional person, twenty-five cents.

(c) For transporting one person over two miles and less than three miles, one dollar, and for every additional mile over three miles, fifty cents, and for each additional person, one-half the regular rate.

(d) For the use of any such vehicle by the day, not more than nine hours, not exceeding ten dollars.

(e) For the use of any such vehicle by the hour for one or more persons with the privilege of going from place to place and stopping as often as may be required, one dollar and fifty cents an hour.

Distance shall be measured by the most directly traveled route, and in all cases when at the time of hiring any such vehicle, the hiring is not specified to be by the day or the hour, it shall be deemed to be by the mile.

Every person shall be allowed to have transported without extra charge on said vehicle one trunk, valise or

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other piece of baggage usually used in traveling, but for every extra trunk more than one, the driver of said vehicle shall be entitled to demand and receive the sum of twenty-five cents.

II. For vehicles used for the transportation of personal property, including loading and unloading of the same :

(a) For transferring or delivering from railroad stations baggage usually used in traveling, twenty-five cents for each trunk, valise or other piece when the distance is one mile or less, and twenty-five cents per piece for every additional mile.

(b) For transporting household furniture not more than two miles, one dollar per one-horse load, and twenty-five cents extra for each additional mile more than two miles, and twenty-five cents an hour additional for the services of each man besides the driver. For transporting each full-sized two-horse load of household furniture not more than two miles, including services of two men, three dollars and one-half. In addition to the rates chargeable hereunder for the transfer of household furniture, a reasonable sum may be charged for loading and unloading the same not exceeding fifty cents per flight of stairs down or up which said furniture may be carried. For the use of large furniture vans by the hour, including all necessary help, two dollars.

(c) For transporting any other personal property besides baggage and household furniture, for each load not exceeding two hundred pounds in weight one mile or less, twenty-five cents, and twenty-five cents extra for every additional mile. For loads over two hundred pounds in weight one mile or less, fifty cents for every five hundred pounds or fraction thereof and half the

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regular rate for every additional mile. An additional charge of twenty-five cents an hour may be made for the services of each extra man necessarily employed in handling heavy loads.

Sec. 5. A card or book containing a printed statement of the rates chargeable hereunder shall be posted in every public vehicle which shall stand for employment in any public street within said city and the driver of every vehicle so licensed shall carry and furnish on demand a copy of such card or book.

Sec. 6. Every public vehicle which shall stand for employment upon any public street within said city shall exhibit in a conspicuous place the license number issued to the owner hereunder.

Sec. 7. Public vehicles shall not be permitted to wait for employment in any public street within said city without the consent of the owner of the adjacent property and the Executive Board and under such conditions as said Board may impose.

Sec. 8. It shall be the duty of every person in charge of any vehicle licensed hereunder, while waiting for employment, to go to any part of the city for the purpose of transporting any person or personal property, upon reasonable demand, and when tendered the compensation allowed under this ordinance.

Sec. 9. No driver of any vehicle licensed hereunder while waiting for employment in any place in said city shall engage in disorderly conduct or obstruct any sidewalk.

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Sec. 10. Any violation of this ordinance shall be punishable by a fine of not less than five dollars nor more than fifty dollars, and in default of the payment of such fine any person so convicted shall be imprisoned in the Monroe County Penitentiary for a term not exceeding fifty days. Upon such conviction the Mayor may revoke any license granted hereunder.

Sec. 11. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Sec. 12. This ordinance shall take effect immediately.

AN ORDINANCE RELATING TO

REPEALS

(PASSED MAY 11, 1897)

The Common Council of the City of Rochester do enact as follows :

SECTION 1. The following named ordinances, and all amendments thereto, are hereby specifically repealed, namely :

An ordinance relating to junk dealers, passed March 29, 1894 ;

An ordinance relating to hawkers, hucksters, peddlers, etc., passed August 26, 1890 ;

An ordinance relating to veterinary surgeons and physicians, passed February 24, 1885 ;

An ordinance relative to the regulation, qualification and licensing of stationary engineers, passed January 27, 1891 ;

An ordinance relating to bootblacks and newsboys, passed October 25, 1887 ;

An ordinance relating to markets, slaughter-houses

REPEALS

and the vending of wood, coal, etc., passed November 9, 1886 ;

An ordinance regulating and controlling temporary and public sales of goods within the city of Rochester, passed September 28, 1895 ;

An ordinance in relation to steam railroads crossing on public graded highways in the city of Rochester, passed December 12, 1882 ;

An ordinance to prevent persons from walking or being on the elevated tracks of the N. Y. C. & H. R. R. R. Co., in the city of Rochester, passed October 30, 1883 ;

An ordinance relating to peddlers and persons soliciting alms or subscriptions, passed May 19, 1885 ;

An ordinance relating to the police justice, passed October 4, 1887 ;

An ordinance relating to the police, passed October 25, 1887 ;

An ordinance prescribing the bonds and sureties to be given by the constables of the city of Rochester, passed October 4, 1887 ;

An ordinance relating to the duties of certain officers mentioned therein, passed October 25, 1887 ;

An ordinance relative to riding and driving upon, over and across the bridges within the city of Rochester, passed January 13, 1891 ;

An ordinance in reference to awnings, passed October 8, 1887 ;

An ordinance relating to the protection of stone or other monuments governing the location of street lines, etc., passed September 18, 1889 ;

REPEALS

An ordinance in relation to the use of bells on wagons in the public streets, passed June 15, 1886 ;

An ordinance relating to the depositing of rubbish in the Genesee river and mill races, passed July 29, 1890 ;

An ordinance relating to the burial of the dead and Mt. Hope Cemetery, passed November 15, 1887 ;

An ordinance regulating the removal of kitchen garbage and offal, passed November 29, 1887 ;

An ordinance to regulate the covering of cisterns, etc., passed October 18, 1887 ;

An ordinance relating to protection from fires, passed April 14, 1896 ;

An ordinance to regulate places of amusement, churches and halls, passed September 6, 1887 ;

An ordinance relating to nuisances, public peace and good order, riots, etc., passed October 26, 1886 ;

An ordinance relating to public safety and good order, passed December 22, 1896 ;

An ordinance to prevent improper disturbances in public gatherings, passed October 25, 1887 ;

An ordinance of general miscellaneous provisions relating to the tying of boats, etc., passed October 25, 1887 ;

An ordinance to prevent the posting and placing of bills and advertisements upon trees, etc., passed April 3, 1888 ;

An ordinance prohibiting the throwing or placing on the sidewalks of banana peels, etc., passed May 4, 1886 ;

An ordinance relating to vice and immorality, passed October 26, 1886 ;

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An ordinance relating to pawnbrokers, passed October 25, 1887 ;

An ordinance relating to cartmen and porters, passed November 15, 1887 ;

An ordinance relating to hackney-coaches and carriages, passed November 29, 1887 ;

An ordinance regulating weights and measures, passed June 14, 1887 ;

An ordinance relating to the use of scales for the sale of meat and fish, passed October 18, 1887 ;

An ordinance regulating the fees and compensations for services rendered by the sealer of weights and measures, passed June 26, 1888 ;

An ordinance to prohibit, restrain and regulate all sports and exhibitions of natural or artificial curiosities, etc., passed October 26, 1886 ;

An ordinance relating to the storage of gunpowder and other combustibles, passed October 26, 1886 ;

An ordinance to regulate the storage and keeping of crude petroleum, or any of its products, etc., passed March 20, 1888 ;

An ordinance relating to horses, swine, sheep, etc., passed November 13, 1894 ;

An ordinance relating to pounds, passed October 30, 1894 ;

An ordinance relating to dogs, passed November 13, 1894 ;

An ordinance relating to streets, passed February 15, 1887 ;

An ordinance relating to buildings, passed November 30, 1880.

REPEALS

An ordinance relating to buildings, passed October 4, 1887 ;

An ordinance relating to the use of sidewalks, foot-paths, etc., by cycles and other vehicles, passed August 11, 1891 ;

An ordinance to regulate bill posting and bill distributing, passed June 14, 1892 ;

Sec. 2. This ordinance shall take effect immediately.

AN ORDINANCE RELATING TO
STATIONARY ENGINEERS

(PASSED MAY 26, 1896.)

The Common Council of the City of Rochester do enact as follows :

SECTION 1. No person shall operate any boiler to generate steam within the city of Rochester, except for railroad locomotive engines and for heating purposes in private dwellings, unless he be twenty-one years of age and shall have been duly examined and licensed for that purpose, as required by the terms of this ordinance, nor shall any person or corporation employ any one not licensed as aforesaid to operate any such steam boiler within said city.

Sec. 2. The Common Council of the city of Rochester, from time to time, shall appoint a committee of three competent persons to examine all applicants for licenses to operate steam boilers and to issue licenses to such as shall be found qualified, and each of the persons so appointed a member of said committee shall be paid a compensation at the rate of one hundred dollars per year,

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payable quarterly, but in no event shall the aggregate amount so paid exceed at any time the aggregate amount received for licenses by the City Treasurer under the provisions of this ordinance.

Sec. 3. All applications for examinations hereunder shall be made to the City Clerk in writing, and must state the location and capacity of the boiler-plant the applicant intends to operate. Every application must be accompanied by a certificate of two reputable persons to the effect that the applicant is of temperate habits and good character.

Sec. 4. The said examining committee shall hold meetings whenever deemed advisable, but at least twice each month, and the City Clerk shall furnish them with a suitable room and the necessary stationery. Two of said committee shall constitute a quorum for the transaction of business, and it shall have power to make and enforce such rules and regulations, not inconsistent herewith, as shall be necessary for the proper conduct of said examinations. The examination of each applicant shall have reference to his qualifications to operate the boiler-plant described in his application. In case any applicant upon his first examination shall fail to satisfy the committee of his ability to operate the boiler-plant mentioned in his application, a temporary permit may be granted to him to operate said plant for a period not exceeding twenty days, at which time the applicant must again present himself for examination. Such temporary permit shall not be granted more than once to the same person. The said committee shall keep a suitable record of its proceedings, including the name and address of every applicant and the result of all examinations.

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Sec. 5. Every person found upon examination by said committee to be duly qualified to operate a steam boiler as aforesaid shall be entitled to receive a license for that purpose, which license shall be signed by said committee or a majority thereof and counter-signed by the City Clerk upon the prepayment to the City Treasurer of the sum of two dollars as a license fee. Every license issued hereunder shall expire one year from the date of its issue, and may be renewed at its expiration for a term of one year upon the payment to the City Treasurer of the sum of one dollar.

Sec. 6. The City Clerk shall keep in his office a book in which he shall enter the license number, the date of the examination, the date of issuing license or the date of refusal, the name of the employer and the location of the boiler-plant the applicant intends to operate, of all persons licensed according to the provisions of this ordinance, which information shall be furnished promptly to the said clerk by said committee.

Sec. 7. If any person, duly licensed hereunder, shall change his position and take charge of a different boiler-plant than the one specified in his license, he shall, within one week thereafter, notify the City Clerk of such change and present himself for examination as to his qualifications for operating such different boiler-plant, and if found qualified therefor, a license to operate the new plant for the unexpired portion of the year covered by his original license shall be issued to him without further fee.

Sec. 8. Every license granted hereunder shall be kept conspicuously displayed in the boiler-room where the person licensed shall be engaged at work.

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Sec. 9. Every license issued under the terms of this ordinance may be revoked or suspended, at any time, by the Common Council of the city of Rochester, by a vote of a majority of the members present at the meeting and voting, upon the report of any two practical engineers detailed by said Common Council for that purpose, stating the ground upon which such license shall be revoked or suspended, and where such license shall have been revoked, as aforesaid, another license shall not, in any case, be issued to the same person within six months from the date of the revocation of the former license held by such person.

Sec. 10. Any violation of this ordinance shall be punishable by a fine of not less than five dollars nor more than one hundred dollars, and in default of the payment of such fine any person so convicted shall be imprisoned in the Monroe County Penitentiary for a term not exceeding one hundred days. (*As amended May 11, 1897.*)

Sec. 11. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Sec. 12. This ordinance shall take effect immediately.

AN ORDINANCE RELATING TO

STEAM RAILROADS

(PASSED JULY 23, 1895)

The Common Council of the City of Rochester do enact as follows:

SECTION 1. It shall not be lawful for any person, company or corporation operating or controlling any steam railroad in the city of Rochester to run or allow to be run any train, car, locomotive, or locomotive and tender without cars, across any public highway in said city where its road or tracks crosses the same at grade at a greater rate of speed than eight miles per hour, unless such highway is adequately protected with gates covering the entire width of the highway, or to obstruct such highway for a longer time than two minutes under a penalty and fine of not less than fifty dollars nor more than one hundred and fifty dollars for each offense, and on failure to pay the penalty recovered the offender shall be imprisoned in the Monroe County Penitentiary for a term not exceeding one hundred and fifty days, the duration of the imprisonment to be determined within the limits aforesaid by the justice, judge or court, at the time judgment is entered.

STEAM RAILROADS

Sec. 2. It shall not be lawful for any person except employees of the New York Central and Hudson River Railroad Company who shall be specially permitted by said company so to do, to walk or be upon the elevated tracks of said railroad company between Union and Brown streets under a penalty and fine of five dollars for each offense.

Sec. 3. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Sec. 4. This ordinance shall take effect Aug. 15, 1895.

AN ORDINANCE RELATING TO

STREET RAILROADS

(PASSED DEC. 26, 1894)

The Common Council of the City of Rochester do enact as follows :

SECTION 1. The rails used by every street surface railroad shall be modern improved rails such as may be approved by the authorities having charge of the highways of said city.

Sec. 2. The cars upon every street railroad now or hereafter constructed shall run as often as once in every fifteen minutes between the hours of six o'clock in the morning and twelve o'clock at night.

Sec. 3. The rate of speed at which cars may be run shall not exceed seven miles per hour between the intersection of Elm street with East Main street and the Erie Canal on West avenue, and between Exchange street canal bridge and the intersection of Central avenue with State street, and shall not exceed fifteen miles per hour on any other street or avenue.

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Sec. 4. Said cars shall stop at such places and in such manner as not to interfere with public convenience or travel.

Sec. 5. No street surface railroad company shall operate on its track or tracks more than three cars attached together.

Sec. 6. No street surface railroad company shall suffer any car to be run unless the same shall be in charge, and under the control of, some competent conductor who shall be a person other than the driver or motorman.

Sec. 7. Whenever it shall become necessary in order to prevent stoppage of travel upon any street railroad that the snow which may have fallen, or the ice which may have accumulated upon its tracks should be removed, the same shall be done in such a manner and by such means as not to interfere with the use of any street or avenue, or the sidewalks thereof by the public, and all crosswalks and sidewalks upon which any snow or ice shall be thrown by said company shall be cleared of such snow or ice by said company immediately. When the snow or ice so removed from the tracks of any street railroad shall be so great as to require that it should be carted from the streets or sidewalks, in order to place any street or sidewalk in proper condition for public use, it shall be the duty of such street railroad company to remove the same, and in default thereof, said city may cause such snow or ice to be removed at the expense of said company.

Sec. 8. Whenever gas or water-pipes, sewers, subways, conduits or ducts are now laid, or may hereafter

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be laid in any street or avenue, such railroad must be laid down and maintained subject to the rights over such gas or water-pipes, sewers, subways, conduits and ducts now vested in the city and in the companies owning or controlling the same, and said city and companies may, when necessary, take up, alter, repair or remove the same without any claim for damages on the part of said railroad company; the city expressly reserves to itself, the right hereafter to lay down or cause or permit to be laid down in said streets or avenues, or any of them, gas or water-pipes, sewers, conduits, subways and ducts, and to alter, improve and repair said streets or avenues whenever the public good or convenience may require, without any claim for damages on the part of any railroad company. But private corporations and individuals who shall take up any pavement or excavate in any street for the purposes of laying any additional pipes, conduits, subways or ducts, not as agents of said city, but for their own purposes, shall be required to restore the street to its former condition, without expense to any railroad company owning or operating the railroad in such street or avenue.

Sec. 9. Nothing herein contained shall be construed as repealing, modifying or changing in any respect, the terms and provisions of any agreement entered into between said city and any street railroad company.

Sec. 10. Said city reserves to itself the right to make such further orders, rules, ordinances or regulations in relation to street railroads as it may deem necessary.

Sec. 11. No penal ordinance heretofore adopted shall be repealed by this ordinance except so far as any of its provisions may be inconsistent with the terms hereof, but

STREET RAILROADS

nothing in this ordinance contained shall be so construed as to abridge or defeat any right of said city or its officers to prosecute any railroad company for a violation of any provision of any penal ordinance heretofore adopted.

Sec. 12. Every street railroad company which shall violate any of the provisions of this ordinance shall, for each offense, be subject to a fine or penalty of not less than ten dollars nor more than one hundred and fifty dollars in amount to be imposed by the police justice, judge or court before whom a suit for such fine or penalty is brought in the discretion of such justice, judge or court.

Sec. 13. This ordinance shall take effect immediately.

AN ORDINANCE RELATING TO
STREETS

(PASSED MAY 11, 1897)

The Common Council of the City of Rochester do enact as follows :

SECTION 1. No person shall injure any pavement, sidewalk, crosswalk or sewer, nor dig any area, sewer, lateral sewer or other excavation in any public street, nor remove any earth or stone therefrom within the city of Rochester without permission in writing from the Executive Board and under such conditions as said Board may impose, and the Executive Board may order any sewer or excavation constructed contrary to the provisions of this section to be filled up or altered at the expense of the owner.

Sec. 2. Whenever any public street within said city is in process of construction or repair it shall be the duty of the person performing the work to place and maintain such sufficient guards about said construction as to secure public safety until said street is ready for public use, and at all times during the night to keep

STREETS

lighted lamps, not more than twenty-five feet apart, upon said guards, so as to give warning to all persons of such construction; and no person shall ride or drive any vehicle or animal upon any such street until the same is completed and opened to the public use.

Sec. 3. No person shall hinder or obstruct the construction or repair of any pavement, sidewalk or crosswalk, sewer or other public improvement within said city which shall be done under any ordinance of the Common Council or said Executive Board, nor hinder or obstruct any person employed by said Board in cleaning any public street or place.

Sec. 4. No person shall place any materials for building or any other purpose upon any public street within said city without permission in writing from the Executive Board. Such permission shall not be for a longer period than three months, nor shall it authorize the obstruction of more than one-third of the sidewalk nor more than one-half of the carriage-way, nor the placing of materials nearer than two feet to any street railroad track. Any person to whom permission is granted as aforesaid shall cause all said materials to be enclosed with such sufficient guards as to secure public safety, and at all times during the night shall keep lighted lamps upon said guards in such a manner as to give warning to all persons of the presence of said materials or rubbish. All such building materials and all rubbish arising therefrom shall be removed from any public street by the expiration of the time limited in the above mentioned permission, or upon the revocation of said permission. Any such permission may be revoked, without notice, by said Executive Board at any time.

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Sec. 5. Any person who shall dig any cellar or other excavation adjacent to and within four feet of the line of any public street within said city, shall erect such sufficient barriers between said street and excavation as to secure public safety, and at all times during the night shall keep lighted lamps upon said barriers in such a manner as to give warning of the presence of such excavation ; and if within twenty-four hours after notice from the Executive Board to place such barriers and lights such notice be not complied with, then said Board may cause such barriers and lights to be placed at the expense of the person so in default.

Sec. 6. No unauthorized person shall remove or interfere in any way with any lamps or other danger signals, or any barriers erected for public safety, or any monument placed to locate the line of any public street, sidewalk or public improvement within said city.

Sec. 7. Every owner or occupant of any building, or owner of any vacant lot within said city shall keep the sidewalk in front of such building or vacant lot free from snow, ice, grass, weeds, rubbish or other obstructions, and shall at all times keep said sidewalk in a good state of repair, and shall also repair all lateral sewers to such building or vacant lot. If any person shall neglect or refuse to comply with the requirements of this section as to snow, ice or other obstructions, or sidewalks out of repair, after notice so to do from the Executive Board, said Board shall cause all necessary work to be done at the expense of the person so in default. Twenty-four hours' notice shall be given by said Board in case of snow or obstructions, and a written notice of five days in case of sidewalks out of repair.

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Sec. 8. No person or firm shall place any merchandise or obstruction of any kind upon any sidewalk on East Main, West Main, State or Exchange streets within said city which shall extend more than two feet from the building, and upon all other streets the sidewalks shall be kept clear and unobstructed for the use of the public for a space of at least six feet, measuring in from the curb ; and no person shall place or suffer to remain any barrel, crate, or other article upon any public street or place within said city so as to obstruct the free passage of the public, except while actually engaged in loading and unloading goods.

Sec. 9. No trap-door or grate in any of the sidewalks within said city shall be kept open at any time except during the receiving or delivering of goods, and during such time the same shall be surrounded by such sufficient barriers as to secure public safety.

Sec. 10. Cloth awnings may be constructed in front of any store or building within said city to project over the sidewalk not to exceed ten feet, provided such awnings be supported by an iron frame-work securely attached to said building in such a manner as to be at all times safe and self-supporting, and provided that every part of such awnings be at least seven feet above the surface of the sidewalk. Every owner or occupant of any building within said city shall at all times keep the awnings in front of such buildings free from snow, ice, dirt or other obstructions. No person or firm shall suspend from any awning over any sidewalk merchandise or articles of any kind. No wooden awnings hereafter shall be erected without the consent of the Executive Board. The owners of all wooden awnings within said

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city shall construct and maintain conductor pipes, which shall convey all water from said awnings to the street gutter, and shall repair said awnings in such a manner as to protect the sidewalk from leakage.

Sec. 11. No person shall erect or suspend any sign or banner over a public street within said city without the consent of the Executive Board, and no sign attached to any building adjoining a public street shall project more than two feet from said building or be less than nine feet above the sidewalk.

Sec. 12. No person shall construct or maintain a gate that shall swing outward over any sidewalk within said city.

Sec. 13. No person shall scatter ashes, waste paper, rubbish or other materials in any public street or place within said city except by permission in writing from the Executive Board.

Sec. 14. No person shall drive upon any improved street within said city any vehicle having upon it a weight which together with the weight of the vehicle shall exceed two thousand pounds unless the tires upon such vehicle shall be at least three inches in width ; nor any vehicle having upon it a weight which together with the weight of the vehicle shall exceed five thousand pounds, unless such tires shall be at least four inches in width ; but this section shall not apply to vehicles used by farmers coming into the city with produce or fuel.

Sec. 15. No person shall permit any vehicle, with or without animals attached, to stand upon any public street

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within said city for more than one hour at a time ; nor shall any person allow any animal or vehicle to stand, either fastened or unfastened, upon any crosswalk or sidewalk, nor upon the footway of any bridge within said city.

Sec. 16. No person without authority shall fasten any animal to any tree or public lamp-post within said city ; and no person shall feed any animal in any public street without the permission of the owner or occupant of the premises in front of which such feeding may be done.

Sec. 17. No person shall drive any vehicle or lead, ride or drive any animal along upon any sidewalk intended for the use of pedestrians, nor drive any vehicle except a bicycle, or lead, ride or drive any animal along upon any sidepath constructed and intended for the use of bicycles, within said city, except that baby carriages and invalids' chairs may be propelled on sidewalks ; nor shall any person drive or ride any vehicle except a bicycle, along upon any street car track when such track runs inside the street curb.

Sec. 18. No person or assemblage of persons shall occupy any sidewalk, crosswalk, bridge or entrance to any church or public hall within said city in such a manner as to obstruct the free passage of the public.

Sec. 19. No building or part thereof shall be moved upon or along any public street or place within said city without permission in writing from the Executive Board, which consent shall specify the course of removal and may require an undertaking first to be given, signed by

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the applicant and one responsible surety approved by said Board, conditioned that the applicant will, in all respects, comply with the terms and conditions of such permit, and indemnify the city against any damage or loss occasioned by reason of such removal.

Sec. 20. If the owner of any building within said city shall omit to cause said building to be numbered or re-numbered after ten days' notice from the Executive Board, said Board may number or re-number such building at the owner's expense.

Sec. 21. Any violation of this ordinance shall be punishable by a fine of not less than five dollars nor more than one hundred and fifty dollars, and in default of the payment of such fine any person so convicted shall be imprisoned in the Monroe County Penitentiary for a term not exceeding one hundred and fifty days.

Sec. 22. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Sec. 23. This ordinance shall take effect immediately.

AN ORDINANCE RELATING TO
WEIGHTS AND MEASURES

(PASSED MAY 11, 1897)

The Common Council of the City of Rochester do enact as follows :

SECTION 1. No person shall transact any business by weights or measures within the city of Rochester, unless such weights or measures shall have been inspected and sealed by the City Sealer within six months previous to such transaction, and shall conform to the standards of the State of New York.

Sec. 2. It shall be the duty of the City Sealer to inspect at least once in every six months, and as oftener as he may deem proper, all weights and measures used for the transaction of business within said city, and to seal said weights and measures to conform to the standards of the State of New York. Such weights and measures may be inspected and sealed at the place where the same are kept for use, and if any such weights or measures, upon examination by said Sealer, shall be found not to conform to the state standards, they shall

WEIGHTS AND MEASURES

be made so to conform by the owner forthwith upon the order of the City Sealer. It shall be the duty of the City Sealer, upon the prepayment to him of his legal fees, to inspect or seal any weight or measure brought to him at any reasonable time during the day, by any person, and it also shall be the duty of said Sealer to keep a book in which shall be kept a record of all the weights and measures inspected or sealed by him, the name of the owner of such weights and measures, the name and address of the person having the same inspected or sealed, and whether or not such weights and measures conform to state standards.

Sec. 3. No owner shall refuse to exhibit to the City Sealer upon demand any such weights or measures or refuse to allow said Sealer to inspect and seal said weights and measures as herein directed, and no person shall interfere with said Sealer while engaged in the discharge of his official duties.

Sec. 4. The said Sealer shall collect and receive for the city of Rochester the following fees for examining and sealing each weight, measure, scale or other device for determining quantity, within said city, as follows :

Railroad track scales	\$5 00
Elevator hopper scales	4 00
Mill hopper scales	75
Hay, coal and wagon scales of five tons capacity or under	1 50
Hay, coal and wagon scales of over five tons capacity	3 00
Dormant scales of one thousand pounds capacity or under	25
Dormant scales of over one thousand pounds capacity	55

WEIGHTS AND MEASURES

Depot freight scales	\$1 50
Platform scales of one thousand pounds capacity or under	25
Platform scales of over one thousand pounds capacity	35
Counter scales, with or without weights	25
Every liquid and dry measure	05
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But in no case shall the aggregate amount of fees collected for inspecting and sealing any such weights or measures exceed at any one time the sum of ten dollars for any wholesale store or two dollars for any retail store.

Sec. 5. The fees herein established shall be paid by the owner to the City Sealer or his assistants, upon demand, at the time such weights or measures are inspected or sealed. If such fees are not paid at the time such weights and measures are inspected or sealed, an additional fee of ten per cent. of the regular rate shall be charged to the person failing to pay upon demand, and the said Sealer shall report promptly to the Corporation Counsel, for prosecution, the names of all persons refusing to pay said fees. When any fees are paid hereunder to said Sealer or his assistants, they shall give to the person paying such money an itemized receipt and the said Sealer shall deliver to the Common Council each month a report in writing, duly verified by him, containing the names of all persons for whom he or any of his assistants have inspected or sealed weights or measures, the dates of such inspections, a description of all such weights and measures, and the amount of fees collected therefor since the date of the last preceding report.

WEIGHTS AND MEASURES

Sec. 6. Any violation of this ordinance shall be punishable by a fine of not less than five dollars nor more than one hundred and fifty dollars, and in default of the payment of such fine any person so convicted shall be imprisoned in the Monroe County Penitentiary for a term not exceeding one hundred and fifty days.

Sec. 7. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Sec. 8. This ordinance shall take effect immediately.

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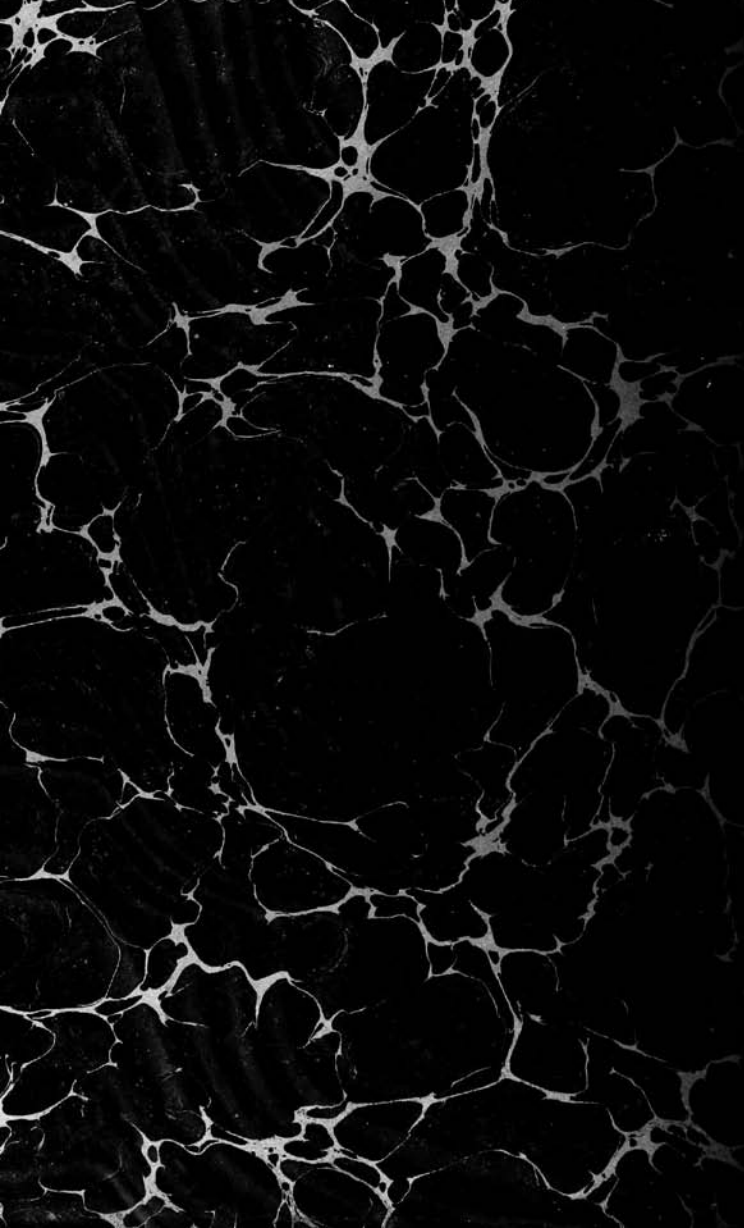
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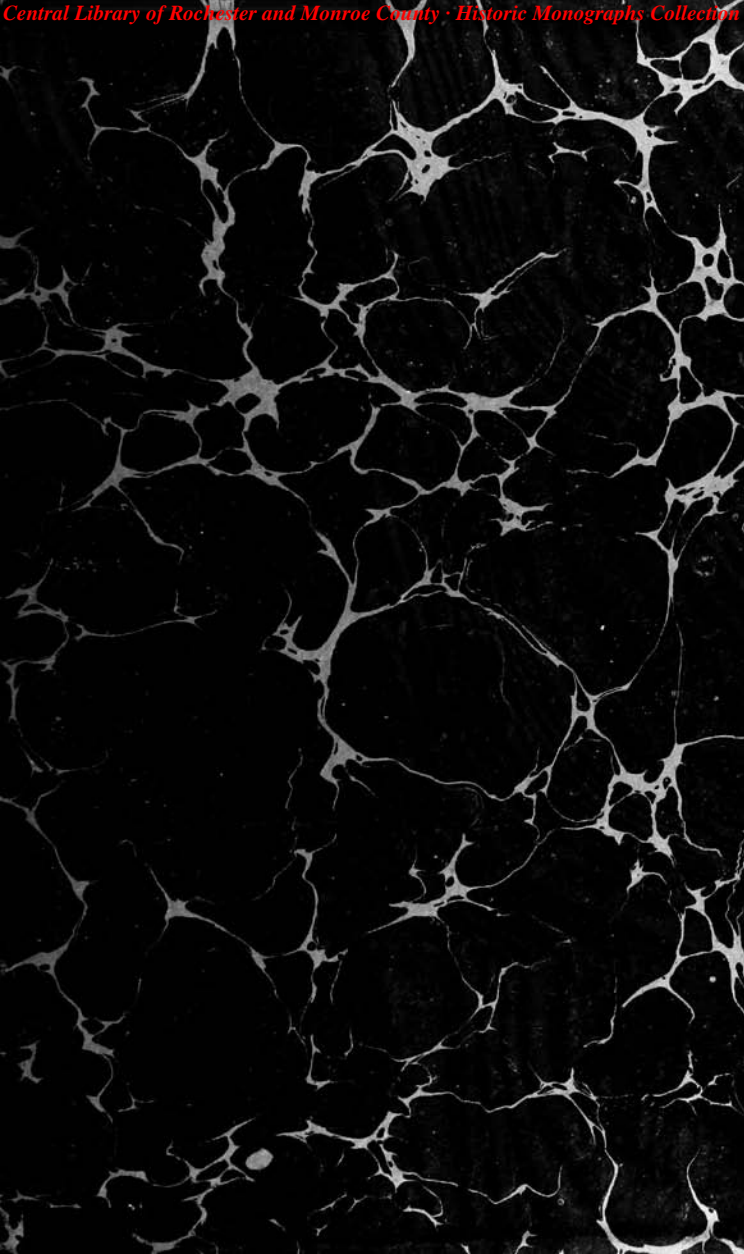
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