

See. 15 amended Nov. 6. '31

ORDINANCE NO. 129.

An Ordinance to provide for the good conduct, good order, health, peace and cleanliness of the Town, and of persons and for the protection of persons and property and to repeal certain Ordinances and parts of ordinances relating thereto, and declaring an emergency to exist.

THE TOWN OF STAYTON DO ORDAIN AS FOLLOWS:

Section 1. Any person who shall in any public place, be guilty of rude, indecent or disorderly conduct, or shall insult any person, or unlawfully and purposely impede the passage of any person through the streets and thoroughfares of the town, or shall repeat or sing any lewd or obscene words, or write or mark in any manner any obscene word or figure on any building, wall, fence, post or thing whatsoever, or shall wantonly injure or deface any fence, building, tree or other property belonging to any person or corporation, or who shall in any manner intrude upon private premises against the warning of the occupant, shall upon conviction thereof before Recorder, be fined in a sum not exceeding \$50.00, or imprisoned not to exceed 30 days.

Section 2. Any person who shall use a bean shooter, sling or any other contrivance used in shooting or throwing beans, stones, pebbles or other substance or thing, in or upon any street, alley, or other public place within the town, or improperly use or expose any friction matches or other combustible material; or willfully raise any false alarm of fire; or who shall, without the consent of the marshal discharge any pistol, gun, cannon, fireworks or preparation of gun powder, or other explosive compound, or make any bonfire within the business part of the town, or in the vicinity of any store, hotel, factory, mill, bridge or public building, or when warned not to do so by any householder of the town, upon conviction by the Recorder, shall be fined not more than \$10.00 for each offense.

Section 3. Any person who shall ride or drive through the streets of this town at a pace liable to endanger life or property, or who shall willfully obstruct any crossing or sidewalk, by stopping a team or wagon thereon, or by hitching any animal so that such animal shall obstruct the passage of pedestrians, or shall neglect or refuse to remove such team, wagon or animal when requested, shall, upon conviction before the Recorder, be fined not more than \$10.00 for each offense.

Section 4. No person shall unless authorized by the Mayor or Marshal, place any obstructions in the streets or alleys of this town, such as fuel, lumber or building materials, and such obstruction shall not remain longer than is absolutely necessary; and in case such obstructions are likely to endanger the passage of persons or teams the Marshal may require the owner thereof to place at night a sufficient light thereon. Any person so obstructing the street and refusing to obey the orders of the Marshal, made in accordance with this section, shall upon conviction thereof before the Recorder, be fined not to exceed \$25.00 for each offense.

Section 5. No building shall be moved through the streets of this city without permission of the Mayor or marshal, and any person or persons moving such buildings without leave, shall on conviction thereof before the Recorder, be fined not exceeding twenty dollars for each offense.

Section 6. Any person who shall haul or put on any of the public grounds of this town, any timber, brush or refuse matter, or place any obstruction or material thereon for any purpose, unless with the permission of the Mayor or Marshal, shall upon conviction before the Recorder, be fined not more than \$20.00 for each offense.

Section 7. Any person who shall wilfully place any obstructions in the streets or alleys of this town, other than those enumerated in Sections 4, 5 and 6 of this Ordinance, shall upon conviction thereof, before the Recorder, be fined not exceeding twenty-five dollars for each offense.

Section 8. Any person who shall dig up, excavate, fill in or grade any street or part thereof, or construct any crosswalk, plank roadway, or do any work in or upon any of the public streets within the city limits, without permission first obtained from the Street Commissioner appointed by the Common Council, shall upon conviction thereof before the Recorder, be fined not exceeding \$25.00.

Section 9. Any person who shall be intoxicated or who shall be guilty of riotous, drunken or disorderly conduct within the limits of the town of Stayton, upon conviction thereof before the Recorder, shall be fined in any sum not exceeding \$50.00.

Section 10. That no person shall keep a disorderly house within the limits of the town, or suffer or allow any disorderly, boisterous, or riotous conduct therein. Any person violating any of the foregoing provisions of this section shall upon conviction thereof before the Recorder, be fined in any sum not less than \$5.00 or more than \$50.00, or by confinement in the city jail not less than one day nor more than ten days, and pay the costs of the action.

Section 11. That any person who shall place or expose for sale any vegetables, furniture, boxes, fowls, goods, wares, merchandise of any description, or other obstruction, which shall occupy a frontage of over 12 inches from the adjacent building on or over the sidewalk, shall upon conviction before the Recorder, be fined not to exceed \$10.00.

Nothing in the above shall be deemed to apply to persons receiving or discharging goods across the sidewalks, provided due diligence is used in removing the same.

Section 12. Any person who shall drive a dray, car, cart, wagon or other vehicle over an unprotected fire hose, upon conviction before the Recorder, shall be fined not more than \$50.00 for each offense.

Section 13. No vendor or dealer shall offer for sale or sell any spoiled or tainted meats, fish, fruits, or vegetables, nor shall any person cast into any street, alley or public square within the town limits, any dead animal or part thereof, or any unsound, putrid or unwholesome substance, or any stable manure, offal, garbage or refuse matter of any kind, nor shall any person throw or convey by drain or sewer or otherwise, any kitchen or other slop into any street or alley, nor shall any person put any dead animal, filthy excrescence, or offal into any slough or standing water within the city limits.

Section 14. The owner of any premises on which shall exist any privy, vault, cesspool or drain, which shall be in such a condition as to emit a noisome and offensive smell, or which shall be deemed by the Marshal as prejudicial to the general health, shall, upon notice given by such officer, abate such nuisance immediately. Any person violating this section or any of its provisions, shall, upon conviction before the Recorder be fined not more than \$50.00 or by imprisonment not more than fifteen days.

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Section 15. That any person or persons who shall be guilty of any violent, riotous or disorderly conduct, or who shall use any profane, abusive or obscene language in any street, house or place within the Town of Stayton, whereby the peace or quiet of the town is or may be disturbed, or who shall be guilty of any indecent or immoral act or practice in said Town shall, upon conviction thereof before the Recorder, pay a fine of not less than \$5.00, nor more than \$50.00.

Section 16. Any person or persons who shall resist any peace officer, or who shall refuse to assist him in the discharge of his duties, or who shall by any means whatever aid or assist any person in custody upon charge of a violation of a town Ordinance, in his endeavors to escape from such custody, whether such escape be effected or not, shall on conviction, be fined not less than \$10.00 nor more than \$50.00 or shall be imprisoned not less than 10 nor more than 30 days.

Section 17. Any person who shall throw or deposit in any street, sidewalk, or footpath of the town of Stayton, any broken glass, bottles, crockery, nails or other substance whatever, whereby the feet of horses, pedestrians or any beast of burden, or automobile tires may be injured, shall upon conviction thereof before the recorder, be fined not less than \$5.00 nor more than \$50.00.

Section 18. Any person who shall cruelly beat, torture, misuse, deprive of food or water, or otherwise treat any animal with cruelty, shall upon conviction before the Recorder, be punished by a fine of not less than \$5.00 nor more than \$50.00, or by imprisonment in the Town jail not exceeding twenty days.

Section 19. It shall be unlawful for any person or persons to trespass upon or damage any real or personal property belonging either to the town of Stayton or to any public or private corporation or to any individual or individuals, and any person or persons guilty thereof shall, upon conviction thereof before the Recorder be fined not less than \$5.00 nor more than \$50.00, or imprisonment in the town jail not exceeding twenty days.

Section 20. It shall be unlawful for any person or persons to hitch or fasten any animal or animals to any growing or living shade or ornamental tree or any case or box around such tree, and any person or persons guilty thereof shall upon conviction thereof before the recorder be punished by a fine of not more than \$100.00

Section 21. That no person under the age of seventeen years shall be permitted to go abroad upon or wander about the streets, alleys or public places of the town after the hour of 9 o'clock at night during the months of September, October, November, December, January and February, or after the hour of 10 o'clock at night during the remainder of each year unless such person shall have the permission in writing, of his or her parent or guardian, or shall be accompanied by such parent or guardian, and it is hereby made the duty of the Marshal to warn all such persons by causing the fire bell or some church bell of the town to be rung at fifteen minutes to 9 o'clock at night, each and every night during the months of September, October, November, December, January and February, and at fifteen minutes to 10 o'clock at night each and every night during the remainder of each year, and all persons who shall violate the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof before the Recorder shall be punished for the first offense by a public reprimand, to be administered by the Recorder; and for each succeeding offense by a fine of not less than \$2.00 nor more than \$50.00, and in all cases where such person shall fail to pay any fine imposed

upon him under the provisions of this section, he shall be imprisoned one day for every \$2.00 of such fine.

Section 22. It shall be unlawful for any person or persons to exhibit or cause to be exhibited upon the street, or in any house or public place, within the Town any crippled, maimed or deformed person, and any person or persons guilty thereof shall upon conviction thereof before the Recorder, be fined not less than \$5.00 nor more than \$50.00.

Section 23. It shall be unlawful for any person or persons to carry any basket or baskets, bucket or buckets, bag or bags, or any other thing suspended from or attached to poles across or upon the shoulders, or shall carry any rubbish, garbage, swill or filth so as to be offensive to pedestrians, upon any sidewalk, and any person or persons violating the provisions of this section, shall upon conviction thereof before the Recorder, be punished by a fine of not less than \$5.00, nor more than \$50.00.

Section 24. It shall be unlawful for any person or persons to suffer or permit to go, or to lead, drive, ride or hitch any horse, mule or other beast of burden, or any hogs or cattle, upon any sidewalk within the corporate limits of the town of Stayton, and any person or persons guilty thereof shall, upon conviction thereof before the Recorder, be fined not more than \$20.00.

Section 25. Any person or persons who shall carry any firearms or deadly weapons of any kind, in a concealed manner, within the limits of the Town, shall upon conviction thereof, before the Recorder, be fined not less than \$5.00 nor more than \$50.00, or imprisoned not more than 20 days; provided, that peace officers shall be exempt from the provisions of this section.

Section 26. It shall be unlawful for any persons or person to leave any horse or team hitched to any wagon, carriage, or other vehicle in any public place within the town of Stayton, without first being securely tied or fastened.. Any person violating the provisions of this section shall, upon conviction thereof before the Recorder, be fined in a sum not exceeding \$20.00.

Section 27. Any person refusing to testify under oath before the recorder as a witness shall be deemed guilty of a misdemeanor, and shall be fined in a sum not less than \$5.00, nor more than \$50.00, or by imprisonment in the town jail not less than 5 nor more than 20 days for each offense.

Section 28. It shall be unlawful to ride any bicycle, motorcycle, tricycle, roller skates or other vehicle upon the sidewalks within the town of Stayton, either for pleasure or amusements or otherwise. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof before the recorder, shall be fined a sum not exceeding \$20.00. x

Section 29. It shall be unlawful for any person to allow any cart, wheelbarrow, boy's express wagon or other vehicle to remain standing upon any sidewalk within the corporate limits of the town of Stayton, except while in actual use and in such cases they shall not be permitted to obstruct the free passage of any such sidewalk. Any person violating the provisions of this section shall, upon conviction thereof before the recorder, be fined in a sum not exceeding \$10.00.

Section 30. It shall be unlawful for any person to allow their chickens or other domestic fowls to run at large within the town of Stayton, between the first day of March and the 15th day of October. Any person violating the provisions of this section shall be fined in a sum not less than \$1.00 nor more than \$10.00.

Section 31. It shall be unlawful for any person to expectorate upon the floor, wall, porch, veranda or steps of any public building, or upon any sidewalk within the limits of the Town of Stayton, and any person violating the provisions of this section shall, upon conviction thereof before the recorder, be fined in a sum not exceeding \$10.00.

Section 32. It shall be unlawful for any person to smoke in or about any church or other place of religious worship within the town of Stayton, and any person violating the provisions of this section, shall upon conviction thereof before the recorder, be fined in a sum not exceeding \$10.00.

Section 33. Any person or persons who shall willfully interrupt or disturb any congregation assembled for or engaged in religious worship shall be guilty of a misdemeanor, and any person or persons who shall interrupt or disturb any school while the students thereof are engaged in their studies or any other exercises belonging to school work, shall be deemed guilty of a misdemeanor, and upon conviction thereof before the Recorder, shall be fined not to exceed \$50.00.

Section 34. It shall be unlawful for any person or persons, except an attorney-at-law to communicate with or pass any thing in any form to any prisoner or prisoners confined in the Town jail, or to loiter around such jail when prisoners are confined therein without the consent of the Marshal. Any person violating the provisions of this section shall upon conviction before the Recorder be fined in a sum not exceeding \$50.00.

Section 35. That all of Ordinances No. 2, 6, 11, 16, 17, 19, 21, 22, 23, 27, 28, 29, 32, 35, 38, 51, 57, 68, 70, 71, 76, 79, 80, 85, 86, 87, 99, 101, 102, 107, 108, 113, 114 and 119, and all Ordinances and parts of ordinances in conflict herewith, be and the same are hereby repealed.

Section 36. Whereas, the provisions of this ordinance are necessary for the immediate preservation of the peace, health and safety of the town, it is the judgment of the Council that an emergency exists and that this ordinance shall become immediately operative upon its passage, and approval by the Mayor.

Passed by the Council this 1st day of August, 1916,

Attest: J. B. Gries Recorder.

Approved by the Mayor this 1st day of August, 1916.

W. A. Beauchamp Mayor.