

72.3.

THE
CHARTERS AND ORDINANCES
OF THE
CITY OF RICHMOND,
WITH THE
DECLARATION OF RIGHTS,
AND
CONSTITUTION OF VIRGINIA.

PUBLISHED BY AUTHORITY OF THE
Common Council of the City of Richmond.



RICHMOND:
ELLYSON'S STEAM PRESSES, 147 MAIN STREET.
1859.

NUISANCES NOT IN STREETS.

AN ORDINANCE

CONCERNING NUISANCES OTHER THAN IN STREETS.

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| <ol style="list-style-type: none"> 1. What nuisance in canal, &c.—what penalty—who may be fined. By whom and at whose expense removed. 2. What nuisance on lot of another—what penalty. 3. When person employing negro to remove nuisance may be fined. 4. When owner or occupier of lot may be fined for nuisance thereon—what the penalty. 5. When privy shall be removed. 6. Slaughter-house, distillery, nuisances. The penalty. 7. When fine for burning a kiln, and what. 8. When unslacked lime to be removed. | <ol style="list-style-type: none"> 9. Stove pipe, how to be put up. Penalty for putting it up otherwise. 10. When may set fire to chimney. Penalty. 11. How popcrackers, &c., may be sold. What not to be set off or fired in street or alley—what noise not to be made. 12. Indecent exposure of person. 13. When mayor may require owner to take down a building. 14. When lot of nonresident owner may be filled up or drained at his expense. 15. Mayor may order nuisance to be abated. The time for doing it. Penalty for failure. |
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1. *Be it ordained by the council of the city of Richmond,* That if any person shall put, or cause to be put, into the canal, locks, or dock, or any basin of the James River and Kanawha company, or upon the margin of James River, within the corporate limits of the said city, the carcass of any animal, filth or nuisance of any kind, he shall be fined not less than five nor more than twenty dollars. And the like fine shall be imposed on the said company, if it shall suffer or permit any boat with offensive stagnant water or other nuisance therein, to remain more than twenty-four hours in said canal, locks, dock, or basin; and the captain or owner of such boat may also be fined not less than five nor more than twenty dollars. Every such nuisance when suffered to remain as aforesaid by the said company, shall be removed at the expense of the said company, by an officer of the police, or at the expense of the person so putting or causing it to be put, if he be free and known, otherwise at the expense of the city.

2. If any person shall put or cause to be put into any

cellar or house, or upon any other private property, not owned or occupied by him, any filth or nuisance of any kind, he shall be fined not less than one nor more than twenty dollars.

3. If any person shall employ a negro to remove from any house or lot, or any other place, any filth or other nuisance, and such negro shall put or cause the same to be put into or upon any land or place mentioned in either of the preceding sections, the person so employing such negro shall be fined not less than two nor more than twenty dollars. And such negro shall be punished by stripes.

4. If any person shall have or suffer any noxious, unwholesome or offensive matter, stagnant water or nuisance of any kind, in any house or cellar, or upon any other private property owned or occupied by him, he shall be fined not less than one nor more than twenty dollars; provided, however, that if any such nuisance be caused or arise from the want of proper and sufficient draining, the occupier of any lot or tenement, if he be not the owner thereof, shall not be fined for such nuisance, if immediately after the existence of the same he give notice thereof to the owner; and unless, after such notice, the owner abate or remove such nuisance by proper and sufficient draining, or otherwise, within such time as the mayor or justice may prescribe, he shall be fined not less than five nor more than twenty dollars.

5. Upon the complaint of any citizen, or information given by any police officer, to the mayor or other justice, that a privy is so placed as to be offensive, he may, upon summons returned executed against the owner, order such privy to be removed.

6. If any person shall erect, have or keep any slaughter-house or distillery in this city, he shall on proof thereof be held guilty of a nuisance, and be fined not less than five nor more than twenty dollars for each day the said nuisance shall continue.

7. If a person shall, within two hundred feet of a dwelling house, without permission of the owner or occupier thereof, burn any lime kiln, brick kiln, or any other kiln, he shall pay a fine of not less than one nor more than five dollars for every hour the same may be burning.

8. On complaint to the mayor that unslacked lime has been stored on premises within fifty feet of any house in this city, he shall issue a warrant, directed to three freeholders, to examine the said premises. If they deem it dangerous that the lime should be stored on said premises, the owner or occupier shall remove the same within twelve hours after being notified thereof. If he shall fail so to do he shall pay a fine not exceeding ten dollars; and for each hour thereafter that the same continues to be stored, he shall pay a fine of not less than two nor more than twenty dollars.

9. A stove pipe passing in or through a floor, partition, roof or side of a house, shall be enclosed the whole of such passage in earthen ware or mortar or tin casing filled with sand, and if passing through a window, shall be enclosed with tin or sheet iron; it shall extend two feet beyond the roof or side of the house, and if through the side of the house, it shall be capped with a cross pipe at least eighteen inches long; and no stove pipe shall project into a street. If any person put up, construct, or use in any building in this city, any stove pipe otherwise than according to and in conformity with the foregoing directions and regulations, he shall be fined not less than five nor more than twenty dollars; and each day that the same shall continue shall be a distinct offence, and punishable as such by a fine of twenty dollars.

10. If any person shall put fire to a chimney to clean it, except in the daytime, and whilst the roof of the house to which it is attached is well covered with snow, or whilst it is raining, and the roof thoroughly wet thereby; or if the chimney of any house shall take fire from not having been

properly cleaned, the occupier of any such house shall be fined not less than two nor more than five dollars.

11. If any person shall sell, or expose for sale in this city, any torpedos, popcrackers, squibs, or other fire-works, of any kind whatever, except in packages containing each at least one hundred, or shall without permission in writing from the mayor, discharge, or set off, in any street or alley of the city, any balloon, rocket, torpedo, popcracker, fire-works or any combination of gunpowder, or any other combustible or dangerous material ; or if any person shall, except under the fortieth section of the ordinance concerning streets, without necessity fire or discharge in this city any cannon, gun, pistol, or other fire-arms of any kind, or shall make therein any unusual noise, whereby the inhabitants thereof may be alarmed, or raise or fly a kite in this city, or if any auctioneer shall use any bell or herald to notify the public of any sale, except of real property, every such person herein offending, shall pay a fine of not less than one nor more than twenty dollars.

12. If any person shall by swimming, bathing, or in any otherwise, indirectly expose his person, or any part thereof, to the public view, or cause any person so to do within this city, he shall be fined not less than one nor more than twenty dollars.

13. If, after the council, on the petition of the owners of not less than two-thirds of the ground included in any square in the city, shall have prohibited the erection in such square of any building, or of any addition to any building more than ten feet high, (unless the outer walls thereof be made of brick and mortar or stone and mortar,) it be alleged by any officer of police, or any citizen, to the mayor or any other justice, that any person has erected any building or addition contrary to such prohibition, the said mayor or justice shall have the said person summoned before him ; and upon proof that a building or addition has been erected contrary to such prohibition, shall order him to re-