

## CHAPTER 330

### PROVIDING FOR CERTAIN REGULATIONS TO PROTECT THE PUBLIC HEALTH BY PREVENTION OF CONTAGIOUS DISEASES

[History: Ord 15 and 390]

**330.01** Whatever is dangerous to human life or health and whatever tends to render the soil or the air or the water or any article of food or drink unwholesome or impure, is hereby declared to be a nuisance and prohibited within the City of Richland Center, and any person who shall cause, create or maintain any such nuisance or who shall in any way contribute to the causing, creation or maintenance of such a nuisance shall forfeit, upon conviction thereof, not less than \$25.00 nor more than \$400.00, together with applicable costs and penalty assessment, and any person who shall fail to pay such forfeiture, costs and penalty assessment may upon order of the court be imprisoned until such forfeiture, costs and penalty assessment are paid, but not to exceed 90 days.

**330.02** All places or premises within the limits of the City of Richland Center which are or which may at any time become unwholesome, offensive or dangerous to the public health, or in which meat, dairy products, fruits, vegetables or any other type of perishable foods are kept or offered for sale are hereby declared to be subject to inspection and control by the Board of Health of the City, and the owners, occupants or persons in charge of such places or premises shall obey and observe all of such general and special rules and regulations concerning the same as the Board of Health of the City may find it necessary to adopt for the protection of the public health. Any person who shall refuse or neglect to obey any general or special rules, regulations or directions of said Board of Health shall forfeit, upon conviction thereof, not less than \$50.00 nor more than \$400.00, together with applicable costs and penalty assessment, and any person who shall fail to pay such forfeiture, costs and penalty assessment may upon order of the court be imprisoned until such forfeiture, costs and penalty assessment are paid, but not to exceed 90 days.

**330.03** No person shall keep or deposit, or cause or permit to be kept or deposited upon or adjacent to any public road, street, alley, thoroughfare or place, or upon any land or premises, or in any stream or other body of water within the limits of this City any dead animal or portion thereof, or any putrid, foul, unwholesome or offensive thing, or shall suffer or permit any foul smelling, deleterious or offensive water or other liquid to accumulate or become stagnant upon any lands or premises owned or occupied by him or to flow therefrom over or through any public road, street, thoroughfare or other public place; and any person who shall violate the provisions of this section shall forfeit, upon conviction thereof, not less than \$50.00 nor more than \$400.00, together with applicable costs and penalty assessment, together with the actual costs incurred in the removal and proper disposition of such thing or matter, and any person who shall fail to pay such forfeiture, costs and penalty assessment may upon order of the court be imprisoned until such forfeiture, costs and penalty assessment are paid, but not to exceed 90 days.

**330.04** In all cases where no physician is in attendance it shall be the duty of any person having charge of or being responsible as the head of any family or household in the City of Richland Center to make report to the Health Officer or to some member of the Board of Health of any case of Small Pox, Diphtheria, Scarlet Fever, Typhoid Fever, Asiatic Cholera or other dangerous contagious disease that

may appear in such family or household within twenty four hours after he shall know or have reason to suspect that such disease exists; and any person who shall fail to make report of the existence or suspected existence of dangerous contagious disease as herein provided or who shall refuse or neglect to obey any directions given by the Board of Health of the Health Officer with regard thereto, shall forfeit, upon conviction thereof, not less than \$25.00 nor more than \$400.00, together with applicable costs and penalty assessment, and any person who shall fail to pay such forfeiture, costs and penalty assessment may upon order of the court be imprisoned until such forfeiture, costs and penalty assessment are paid, but not to exceed 90 days.

**330.05** It shall be the duty of the Health Officer immediately on receiving notice of the existence of a case of Small Pox, Diphtheria, Scarlet Fever, Typhoid Fever, Asiatic Cholera or other dangerous contagious disease to take such measures as may be needful and proper for the restriction and suppression of such disease, to investigate all the circumstances attendant upon the occurrence of the same and to make report thereof to the Board of Health of this City and also to the State Board of Health, and in case the Health Officer shall be in doubt as to the true nature of the disease, or for other good reason have need so to do, he shall have power to call to his aid any competent Physician so called upon for advice with reference to the course proper to be pursued for the public safety; and the reasonable fees of any physician so called upon for advice shall be audited by State Board of Health and paid in the same way as other charges incurred by authority of said Board are paid. And it shall be the duty of the Health Officer at the termination of any contagious disease herein named to disinfect or cause the disinfection of the premises on which the disease shall have occurred together with all infected furniture, bedding, clothing and other articles.

**330.06** During the continuance of any dangerous contagious disease in any family or household in this City and until the premises upon which said disease shall have existed shall be disinfected, no child or children belonging to such family household shall be permitted to attend any public school without written permission of the Board of Health; and no teacher in any public school shall allow any child or children from any family or household affected by contagious disease to attend said school except by the written permission of the Board of Health, which written permission the teacher shall preserve as evidence that such child or children were not sources of danger to others. Any person who shall violate the provisions of this section shall forfeit, upon conviction thereof, not less than \$50.00 nor more than \$400.00, together with applicable costs and penalty assessment, and any person who shall fail to pay such forfeiture, costs and penalty assessment may upon order of the court be imprisoned until such forfeiture, costs and penalty assessment are paid, but not to exceed 90 days.

**330.07** No one having charge of or control of any school house or church or of any room or building used for school or church or of any room or building used for school or church purposes or for any public assembly in this City shall permit the body of any person dead from Small Pox, Diphtheria, Scarlet Fever, Typhoid Fever, Asiatic Cholera or other dangerous contagious disease to be taken into such building or room for the purpose of holding funeral services over such body; and no Sexton, Undertaker or other person having charge or direction of the burial of any body dead from the disease herein mentioned shall permit the coffin or casket containing such body to be opened in the presence of any child neither shall any child be permitted to act as pall bearer or carrier at any such funeral, and the Board of Health shall have power to prevent the attendance at the funeral or burial of any person dead from dangerous contagious diseases of all persons other than those necessary for the interment of such body; and any person who shall violate any of the provisions of this section shall forfeit, upon conviction thereof, not less than \$200.00 nor more than \$400.00, together with applicable costs and penalty assessment, and any person who shall fail to pay such forfeiture, costs and penalty assessment may upon

order of the court be imprisoned until such forfeiture, costs and penalty assessment are paid, but not to exceed 90 days.

**330.08** No person within the limits of this City shall sell or offer for sale or use as human food any unsound or otherwise unwholesome Meat, Milk, Fish, Poultry, Game, Vegetables, Fruit or other article or the flesh of any animal dead from disease or which was at the time of slaughtering suffering from any disease or that was less than four weeks old; and any person violating any of the provisions of this section shall forfeit, upon conviction thereof, not less than \$50.00 nor more than \$400.00, together with applicable costs and penalty assessment, and any person who shall fail to pay such forfeiture, costs and penalty assessment may upon order of the court be imprisoned until such forfeiture, costs and penalty assessment are paid, but not to exceed 90 days.

**330.09** Any person who shall resist or obstruct the Board of Health or the Health Officer or any agent or officer thereof in the discharge of any duty or who shall refuse or neglect to obey any direction given by said Board or Health Officer in matters pertaining to its duties shall forfeit, upon conviction thereof, not less than \$50.00 nor more than \$400.00, together with applicable costs and penalty assessment, and any person who shall fail to pay such forfeiture, costs and penalty assessment may upon order of the court be imprisoned until such forfeiture, costs and penalty assessment are paid, but not to exceed 90 days.

**330.10** No person, firm or corporation shall keep or deposit, or cause or permit to be kept or deposited upon or adjacent to any public road, street, alley, thoroughfare or place or upon any land or premises, public or private, or in any stream or other body of water within the limits of the City of Richland Center any dead animal or portion thereof, or any manure or animal dropping, or any putrid, foul, unwholesome, noxious or offensive thing, or anything which may become such by decomposition, nor shall suffer or permit any foul smelling, deleterious or offensive water or other liquid to accumulate or become stagnant upon any lands or premise owned, occupied, or controlled by him or them, or to flow therefrom over or through any public road, street, highway, or place or across any lands, public or private, within the limits of the City of Richland Center. This section shall not be construed to forbid the use of recognized fertilizers upon lawns and gardens in seasons or under conditions where the use of such fertilizers shall not create a noxious or unwholesome condition. The written finding of the Health Officer filed with the City Clerk that a condition exists in violation of this section shall be prima-facie evidence of such violation.

**330.11** Any person violating section 330.10 shall, upon conviction thereof, forfeit not less than \$25.00 nor more than \$400.00, together with the costs of prosecution, and in default of payment of such fine and costs to be imprisoned in the county jail of Richland County until said fine and costs are paid, but not to exceed 90 days. In addition to any other penalties, any person violating any provision of this chapter shall liable for the costs of removal of the offending condition in any case where such removal is ordered by the Common Council or the City Board of Health.