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ORDINANCES

OF THE

CITY OF PORTLAND,

COMMENCING MAY 23, 1832.

PORTLAND :
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CITY ORDINANCES.

AN ORDINANCE defining the duties of City Clerk, and of Clerk of the Common Council.

SECT. 1. *Be it ordained by the Mayor, Aldermen, and Common Council of the City of Portland, in City Council assembled,* That the City Clerk shall keep a full record of all the doings of the Board of Aldermen, and of all conventions of the City Council, which record, shall be subject at all times, to the inspection of the Mayor, or of any person or persons authorized thereto by the Board of Aldermen, or the City Council. He shall notify all persons appointed to office by the Mayor and Aldermen, or by the City Council, and he shall give notice to the Chairman of all Committees, the appointment of which shall originate in the Board of Aldermen, and shall transmit all papers to the Common Council, when necessary for their concurrence. He shall preserve all papers belonging to the city in suitable files prepared for the purpose, and shall carefully keep all Ordinances, after they have finally passed, in a Book or Books, to be inspected from time to time by the Mayor : he shall procure all stationary, and other necessary articles which may be needed by either branch of the City Council or any city officers, and keep an account thereof, to be laid before the City Council. He shall draw Bills and Ordinances, when thereto required by any committee, and perform such other duties as may be prescribed by the Board of Aldermen, or the City Council, and shall generally do and perform all the duties heretofore done and performed by the Town Clerk of Portland.

SECT. 2. *Be it further ordained,* That the Clerk of the Common Council shall keep a full record of all the doings of the Common Council, which shall be subject to the inspection of the Mayor, President of the Common Council, or any committee of said Council. He shall give notice to the Chairman of all committees, the appointment of

SECT. 6. *Be it further ordained*, That any person offending against the provisions of this Ordinance, shall forfeit and pay not less than one dollar, nor more than twenty dollars for every offence ; also the sum of one dollar for every hour that the nuisances or substances mentioned in this Ordinance, are suffered to remain, after due notice thereof.

SECT. 7. *Be it further ordained*, That whenever any drain shall, in the opinion of the Mayor or the Health Officer, by its filth or dirt, become dangerous to the health, or prejudicial to the comfort of the citizens, the person or persons, whether owner or occupants, or interested therein, shall be notified thereof, by the Health Officer, and each of said persons, owners, occupants, or persons interested in said drain, shall within ten days after being so notified, remove said filth and dirt, or repair said drain to the satisfaction of the Mayor, or Health Officer, and on refusal or neglect so to do, shall be subject to a penalty not exceeding five dollars for each offence.

SECT. 8. *Be it further ordained*, That the By-Law "to prevent unwholesome and uncomely rubbish from being thrown into the streets," be and the same hereby is repealed.

[*Passed August 22, 1832.*]

AN ORDINANCE to prevent unlawful and injurious practices in the Streets of the City.

SECT. 1. *Be it ordained by the Mayor, Aldermen, and Common Council of the City of Portland, in City Council assembled*, That no person shall open or make any Drain or Aqueduct, or repair the same by digging up the ground in any street, lane, alley, or any other public place in the city, without first obtaining a license from the Mayor and Aldermen, or by some other person legally authorized by them to grant licenses, first had and obtained in writing, specifying the time and place, in what street, lane, alley or public place the drain or aqueduct is to be made or repaired ; and the person or persons, who shall by himself or others, dig or make any drain or aqueduct, or repair the same, other than as above stated, shall for each offence, forfeit

SECT. 36. *Be it further ordained,* That if any person or persons shall presume to game, or play with dice, cards, paw paws, coppers, cents, or any other coin whatever, in any of the streets, lanes, or public squares, or other places, or on any of the wharves, such person or persons shall severally forfeit and pay fifty cents for each offence.

SECT. 37. *Be it further ordained,* That if any person shall fire any squib, cracker, serpent, or other preparation, whereof gunpowder is an ingredient, or which consists wholly of the same, in or upon any of the streets, highways, lanes, or wharves, or on board of any vessel at any wharf, shall forfeit and pay one dollar for each offence.

SECT. 38. *Be it further ordained,* That if any boy, or any other person, shall ride upon, or take hold of the hinder part of any chaise, coach, or other carriage used for the purpose of transportation of persons, while the same is passing, without the special leave and express permission of the person or persons within, or who shall be driving the same, such boy, or other person shall, for each offence, forfeit and pay fifty cents.

SECT. 39. *Be it further ordained,* That if any person or persons shall, within any of the streets, lanes, or other public places within the city, not enclosed, by means of any words, noise, gestures, or any other act, wantonly frighten or drive any horse upon which such person is not then riding, he or she so offending, shall forfeit and pay for each offence, a fine of one dollar.

SECT. 40. *Be it further ordained,* That it shall be lawful for any person to place and fix awnings or shades made of cloth, before his or her house, shop, or store, in any street in the city, conforming, as near as may be, to the outer line of the side walk, and to cause such awnings or shades to be safely fixed and supported, and in such a manner as not to interfere with passengers, which awnings or shades shall always be so fixed and placed, that the lowest part thereof shall be seven feet in height above the side walks or street under the same. And whoever shall place any awning or shade otherwise than as is herein provided, shall forfeit and pay one dollar.

SECT. 41. *Be it further ordained,* That if any person shall fire or discharge any gun or pistol from the top or window of any house or other building, or in or upon any of the streets, wharves, lanes, alleys, or public squares, or in any yard or garden within the city, the same being loaded with

ball or shot, or with powder only, every person so offending, shall, for each offence, forfeit and pay one dollar. *Provided, nevertheless,* and it is hereby ordered, That nothing herein contained, shall be construed to prohibit any person or persons from the exercise of their lawful right of self defence, defence of property, aiding officers, or obeying the orders of their proper commanders on muster days, nor to prevent the destruction of mad dogs.

SECT. 42. *Be it further ordained,* That if any person shall sell, or offer for sale, in any street, lane, public square, or on any wharf, or in any markets of this city, any unwholesome, stale, or putrid articles of provision, or any meat that has been blown, raised, or stuffed, or any diseased or measly pork, knowing the same to be such, he shall, for each offence, forfeit and pay not less than two dollars, and not more than twenty dollars.

[*Passed December 26, 1832.*]

AN ORDINANCE, authorizing the election, and prescribing the duties, of the City Marshal.

SECT. 1. *Be it ordained by the Mayor, Aldermen, and Common Council of the City of Portland, in City Council assembled,* That the City Council shall forever hereafter, in the month of April annually, appoint a City Marshal, who shall hold his office, until another shall be appointed and qualified in his stead : And the City Marshal shall also be appointed a Constable and Tythingman in, and for said city.

City Marshal when chosen.

To be Tything-man and Constable,

SECT. 2. *Be it further ordained,* That said City Marshal shall possess, and exercise all the powers that Tythingmen and Constables do or may by law, possess and exercise in the City of Portland, and shall be considered the Head Constable.

And to possess their powers.