

AN ORDINANCE

—IN—

E. L.

REVISION OF THE ORDINANCES

GOVERNING THE

CITY OF KANSAS:

TO WHICH ARE PREFIXED

THE CITY CHARTER OF 1875;

AN ACT CONCERNING WATER-WORKS AND A SUPPLY OF WATER FOR
THE CITY OF KANSAS, APPROVED MARCH 24TH, 1873;

CONTRACT WITH THE NATIONAL WATER-WORKS COMPANY
OF NEW YORK, WITH AMENDMENTS THERETO;

AN ACT CREATING A BOARD OF POLICE COMMISSIONERS, AND AUTHOR-
IZING THE APPOINTMENT OF A PERMANENT POLICE FORCE
FOR THE CITY OF KANSAS, APPROVED MARCH 27TH,
1874, WITH AMENDMENTS THERETO, AND

THE OFFICIAL REGISTER OF THE CITY.

RULES OF THE COMMON COUNCIL ARE APPENDED.

Printed and Published by Authority of the City of Kansas.

COMPILED AND ARRANGED BY

GARDINER LATHROP AND JAMES GIBSON,

OF THE KANSAS CITY BAR.

KANSAS CITY:

ISAAC P. MOORE'S BOOK AND JOB PRINTING HOUSE.

1880.

ORDINANCES.

to Mulberry street, in this city, cry out for or solicit passengers, freight or baggage, for any hotel, inn, boarding house, restaurant, railroad ticket broker's office, or any other public place, or for any other trade, business or vocation whatever, or for the carriage of any person, freight or baggage, in any dray, wagon, cart, hack, carriage, hackney-carriage, omnibus, cab, or other vehicle ; nor shall any person, at any place in this city, while engaged in any such business, cry out in a loud, unusual or boisterous manner, or use or utter any profane, obscene or boisterous language, or push, take hold of, jostle or otherwise annoy, vex, harass, disturb or interfere with any passenger or any other person.

SEC. 8. Any person, violating, failing, neglecting or refusing to comply with any provision, regulation or requirement of this chapter, shall be deemed guilty of a misdemeanor, and, upon conviction thereof before the City Recorder, shall, where no other penalty is provided, be fined not less than five dollars nor more than five hundred dollars.

CHAPTER XXXIV.

PUBLIC SAFETY.

SECTION 1. No person shall, in this city, ride or drive, or cause to be ridden or driven, any animal, in any street, avenue, highway, thoroughfare, or other public place, faster than a moderate gait, or shall ride or drive, or cause to be ridden or driven, any such animal or any vehicle thereto attached, in such a manner as to come in collision with or strike any other object or person, or shall leave any such animal standing in any street, avenue, alley or other public place, without being fastened or guarded so as to prevent its running away, or shall turn any such animal loose in any street, avenue, alley or other public place, or shall inhumanly, unnecessarily or cruelly beat, injure or otherwise abuse any dumb animal.

SEC. 2. In all cases where persons meet each other in vehicles in any street, avenue, alley or other public place, in this city, each person so meeting shall turn to the right of such street, avenue, alley or other public place, so as to enable such vehicles to pass each other without collision.

SEC. 3. No person shall, in this city, wear under his clothes or concealed about his person, any pistol or revolver, except by special permission from the Mayor ; nor shall any person wear under his clothes, or concealed about his person, any slung-shot, cross knuckles, knuckles of lead,

brass or other metal, or any bowie knife, razor, billy, dirk, dirk-knife or dagger, or any knife resembling a bowie knife, or any other dangerous or deadly weapon. Any person, violating any provision or requirement of this section, shall be deemed guilty of a misdemeanor, and, upon conviction thereof before the City Recorder, shall be fined not less than fifty dollars nor more than five hundred dollars: *Provided, however,* That this section shall not be so construed as to prevent any United States, State, County or City officer, or any member of the City government, from carrying such weapons as may be necessary in the proper discharge of his duties.

SEC. 4. No person shall, in or upon any street, avenue, alley, sidewalk, public square or public park, fly a kite, or engage in any sport or exercise likely to scare horses or embarrass, obstruct or interfere with the passage of vehicles or pedestrians.

SEC. 5. No person shall trundle, or cause to be trundled, any wheelbarrow or hand cart, in or upon any sidewalk.

SEC. 6. No person shall play at or participate in any game of ball, in or upon any street, avenue, sidewalk, alley, public square or public park.

SEC. 7. No person shall slide or coast upon any hand-sled or skates, or in any other manner, in or upon any street, avenue, alley, sidewalk, public square or public park.

SEC. 8. No person shall, in or upon any street, avenue, sidewalk, alley, public square or public park, carry, bear, support or place, or cause to be carried, borne, supported or placed, any banner, sign, transparency, frame work, device or emblem, intended or tending, or purporting to be used, as an advertisement or publication of any trade, profession or business, place of business, office, store or occupation whatever.

SEC. 9. No person shall blast, or cause to be blasted, any rock, without having the rock covered at the time of setting off the blast, and all sides of the orifice protected with good, sound plank or timber of sufficient length, width and thickness, and so placed as to effectually prevent fragments of rock from ascending into the air.

SEC. 10. No person shall discharge any gun, pistol or other fire arm, except upon his own premises, and there only in proper and necessary cases: *Provided,* That this section shall not be so construed as to prevent any United States, State, County or City officer from discharging any fire arm in the execution of his official duties.

SEC. 11. No person shall dig or cause to be dug, in, near or adjoining any street, avenue, sidewalk, alley or other public place, any

vault, area, coal hole, basement, cellar or opening, without covering the same, and securing the grating or covering thereof in such manner as is provided by ordinance, to prevent persons, animals or vehicles from falling therein; nor shall any person keep, maintain or leave open any cellar door, grating or stairway of any vault, cellar, basement, area or coal hole, in, near or adjoining any sidewalk, alley, highway or other public place; nor shall any person suffer or allow any such cellar door, grating or stairway in front or alongside of any house, building, lot or premises, owned or occupied by him, to be or remain open, in an insecure condition or out of repair.

SEC. 12. No owner or occupant of any house, building, lot or premises, (and in case several persons occupy the same house or building, then the one occupying the first floor next the sidewalk), shall permit or allow the sidewalk, curbing or guttering in front or alongside of such house, building, lot or premises, to be or remain out of repair, or shall suffer or allow such sidewalk, curbing or guttering to be or remain above or below the established grade of the same. By the term "repair," as used in this and the next preceding section, shall be deemed and understood to mean and embrace whatever is necessary for the preservation of such sidewalk, curbing, guttering, cellar door, grating and stairway, and to render the same safe and convenient for the public.

SEC. 13. Every owner and occupant of any house, building, lot or premises, in front or alongside of, or adjoining, which there is any sidewalk, (and in case several persons occupy the same house or building, then the one occupying the first floor next such sidewalk), shall cause to be erected and maintained and kept in repair a good, substantial and sufficient railing or barrier, on either or both sides of such sidewalk where the same is, in the opinion of the City Engineer, three feet or more above the level of the street or adjoining lot. Such railing or barrier shall be at least two and one-half feet high, of good material, and shall be securely attached and fastened to such sidewalk with good and sufficient props and stays, and the work, provided in this section to be done, is hereby declared also to be repairs of any such sidewalk, curbing or guttering.

SEC. 14. Every owner or occupant of any house, building, lot or premises shall, at all times, keep the sidewalk, curbing and guttering, in front and alongside thereof, free and clear of all mud, dirt, filth, snow, ice, sticks, ashes, cinders, excrement, sawdust, straw, soot, manure, shavings, oyster shells or cans, paper, trash, rubbish, refuse, decayed fruits or vegetables, broken ware, rags, old iron, old wearing apparel of every kind, all animal or vegetable matter, all dead animals, empty boxes,

barrels, kegs, crates, and every other thing that obstructs such sidewalk, curbing or guttering, or that may render the same dangerous, inconvenient or annoying to any person.

SEC. 15. For the violation, failure, neglect or refusal to comply with any provision, regulation or requirement of the four next preceding sections of this chapter, the offender shall be deemed and taken to be guilty of a separate and distinct offense every twenty-four hours, for which he may be arrested, tried, convicted and punished, as in the first instance.

SEC. 16. No person shall wilfully or carelessly tear, pull or cut down any poster, handbill, card or other advertisement of any lawful business, trade or occupation, posted upon any bulletin board, wall or other place: *Provided*, That such poster, handbill, card or other advertisement is put up in accordance with the law and ordinances.

SEC. 17. No person shall falsely represent himself to be an officer of the United States, the State of Missouri, Jackson County or the City of Kansas, or any municipal subdivision thereof, or shall, without being duly authorized, exercise or attempt to exercise, any of the duties, functions or powers of any such officer, or any member of the Police Force of this city, or shall hinder, obstruct, resist or otherwise interfere with any city officer or member of the Police Force of this city, in the discharge of his official duties, or shall attempt to prevent any member of such Police Force from arresting any person, or shall attempt to rescue from such member of the Police Force, or from any one called to his aid, any person in his custody.

SEC. 18. No person shall burn any combustible matter of any kind whatever, in the open air, at any place whatever, within the limits of the city, between the hours of six o'clock P. M. and six o'clock A. M.

SEC. 19. The next preceding section shall not be so construed as to prevent the making of bonfires on any proper occasion: *Provided*, That permission, in writing, be first had and obtained from the Chief or Acting Chief of the Fire Department.

SEC. 20. Every owner or occupant of any house, building, lot or premises shall keep the shade and ornamental trees in the street, avenue or sidewalk, in front or alongside of such house, building, lot or premises, trimmed so that the branches thereof shall not be lower than seven and one-half feet from the surface of such street, avenue or sidewalk.

SEC. 21. Every person who, under permit of the Superintendent of Buildings, shall, for any purpose, make or cause to be made any excavation in, upon, under, near or adjoining any street, avenue, sidewalk, alley or other public place, and shall leave any part or portion thereof open,

or shall leave any part or portion thereof obstructed with rubbish, building or other material, during the night time, shall cause the same to be enclosed with good, substantial and sufficient barriers, not less than three feet high, and shall also place a red light at each end thereof, in such a position as to shed its light upon such excavation or obstruction, and shall keep such lights burning from sunset till sunrise.

SEC. 22. Every owner or occupant of any house, building, lot or premises, who, under permit of the Superintendent of Buildings shall, for any purpose, make or cause to be made any excavation in, upon, under, near or adjoining any street, avenue, sidewalk, alley, or other public place, in front or alongside of such house, building, lot or premises, or shall cause any portion thereof to be obstructed with rubbish, building or other material, shall, from sunset till sunrise, provide and properly place such barriers and lights around such excavation or obstruction as are in the next preceding section required.

SEC. 23. Every person, who shall, in any manner, render or cause to be dangerous any street, avenue, sidewalk, alley or other public place, shall, from sunset till sunrise, provide and properly place such barriers and lights around such dangerous place as are in the second preceding section required.

SEC. 24. Every owner or occupant of any house or other building shall keep the awning, in front and alongside of such house or other building, free from snow, ice, dirt, filth, paper, rags and all rubbish of every kind.

SEC. 25. No person shall wilfully or carelessly break, injure, deface, damage or otherwise interfere with any lamp-post or public lamp, gas jet, or any lamp, gas jet or light of any kind, kept or maintained at any place for public safety or convenience, or in compliance with the provisions of any ordinance, or any telegraph pole, telephone pole, fire plug or hydrant, or shall, without authority, light or extinguish any such lamp, or shall hitch or fasten any animal to any lamp-post, telegraph pole, telephone pole, fire plug or hydrant.

SEC. 26. All persons, making or causing any excavation in or upon any macadamized street or avenue, under permit of the Superintendent of Buildings, shall first carefully remove all of the macadam and paving, and place the same to one side, to prevent any admixture with other material. All other material removed from such excavation shall be carefully replaced in layers of six inches, and each layer well beaten down, until such excavation shall be filled to the bottom of the macadam, after which the paving and macadam shall be replaced in the same man-

ner as before the excavation was made. All surplus material shall be immediately removed by such person and the surface of the street left smooth and uniform.

SEC. 27. No person shall remove, or cause to be removed, any house, shanty or other building through or upon any street, avenue, alley, sidewalk, public square or other public place, without written permission from the Superintendent of Buildings; but, in no event, shall such house, shanty or other building be allowed to remain at one point on any such street, avenue, alley, sidewalk, public square or other public place longer than one hour, save in the night time; nor shall any one, at any time, place, leave or haul any such house, shanty or other building in or upon any street car track, or so near the same as to obstruct the free passage of street cars thereon: *Provided*, That this section shall not be so construed as to affect, limit, modify or repeal any provision, regulation or requirement of Chapter XVIII of this ordinance.

SEC. 28. No person shall build, construct, use, maintain or in any way occupy any house, shanty or other building of any kind, located in or upon any street, avenue, alley, sidewalk or public square.

SEC. 29. If any person shall be found guilty of violating, failing, neglecting or refusing to comply with any provision, regulation or requirement of the next two preceding sections, the Court shall, in addition to the usual fine, adjudge that such house, shanty or other building be immediately removed by the Chief of Police of the City of Kansas, who shall forthwith report the expense thereof to the Court, and the costs of such removal shall be taxed by the Court as part of the costs of the case.

SEC. 30. No person shall, in or upon any street, avenue, sidewalk or alley, sell, attempt to sell, expose, offer or cry for sale, or exhibit, any goods, wares, merchandise, chattels or other personal property, to any person or persons, so as to collect a crowd upon any such street, avenue, sidewalk or alley, and thereby obstruct, prevent or hinder the free passage along the same.

SEC. 31. No owner or occupant of any house, building, lot or premises, in front or alongside of which there is any sidewalk, or any other person, shall build, construct, use, maintain or allow any cellar door or grating, or any covering of any vault, area, coal-hole or basement, to rise or be above the surface of such sidewalk, or construct, maintain or allow any fastening or hinges of such cellar door, grating or covering to be or remain on the upper side thereof.

SEC. 32. Every owner or occupant of any house, shanty or other building shall cause the pipes, conducting the water from the eaves or

roof of such house, shanty or other building, to be so constructed as to prevent the spread of water over the sidewalk.

SEC. 33. No person shall place, leave or deposit, or cause to be placed, left or deposited, in or upon any sidewalk, any article or thing whatever, so as to obstruct or otherwise encumber the same: *Provided*, That this section shall not be so construed as to prevent merchants or manufacturers, while receiving or shipping their goods, wares or merchandise, from occupying for such purpose one-half of the sidewalk with such goods, wares or merchandise, but the same shall, in no event, remain longer than two hours upon such sidewalk.

SEC. 34. No person shall place or leave, or cause to be placed or left, any hack, carriage, wagon, cart, dray, sleigh, sled or other vehicle, without some beast of burden shall be properly harnessed thereto, in or upon any street, avenue, alley, sidewalk, public square, public wharf or dock.

SEC. 35. No person shall lead, ride, drive or place, or cause to be led, ridden, driven or placed, any animal or vehicle, in or upon any sidewalk or footway, otherwise than going into or out of premises owned or occupied by him or his employer.

SEC. 36. No person shall cast, throw, place or leave, or cause to be cast, thrown, placed or left, in or upon any sidewalk, footway or street crossing, any coal, coke or firewood, or shall saw, or cause to be sawed, any firewood, in or upon any sidewalk, footway or street crossing.

SEC. 37. No person shall place, leave or stop, or cause to be placed, left or stopped, any horse, mule, ass or other beast of burden, or any hack, carriage, wagon, cart, dray, sleigh, sled or other vehicle of any kind, in, upon or across any street crossing or footway, on any street, avenue or alley.

SEC. 38. No person shall lead, ride or drive, or cause to be led, ridden or driven, any animal, over or across the bridge commonly known as Bluff street bridge, leading from Bluff street across over the railroad tracks to the junction of St. Louis and Union avenues, at a greater rate of speed than an ordinary walk, under a penalty of not less than twenty dollars nor more than five hundred dollars.

SEC. 39. No person shall, at any one time, lead or drive, or cause to be led or driven, more than ten head of horses, mules, asses or cattle, twenty-five head of hogs, or fifty head of sheep, over or across the bridge mentioned in the next preceding section, under a penalty of not less than twenty-five dollars nor more than five hundred dollars.

SEC. 40. Every person, engaged in hauling or removing earth, sand, rock, manure, offal, rubbish or other material, shall have boxes on his wagon, cart or other vehicle, and the same so constructed with good, tight side, end and bottom boards, as to prevent the dropping, spilling or wasting of such earth, sand, rock, manure, offal, rubbish or other material in or upon any street, avenue or alley, and no person shall drop, waste, spill or deposit, any such earth, sand, rock, manure, offal, rubbish or other material in or upon any street, avenue or alley.

SEC. 41. No person shall throw at, entrap, kill, wound, or in any manner destroy any bird: *Provided*, That this section shall not apply to persons shooting pigeons from traps.

SEC. 42. Whenever a fire shall occur in this city, it shall be lawful for the Chief Engineer or Acting Chief Engineer of the Fire Department to blockade any street, avenue, alley, sidewalk, or any other place, if, in his judgment it is necessary to insure the efficient working of the men, hose, engines or hook and ladder apparatus under his command; and, to protect the hose of said Department from injury, he is hereby authorized to require of the Chief of Police, or other officer in charge of the police station, a detail of policemen sufficient in his judgment therefor, who, for the time being, shall act under the instructions of said Chief or Acting Chief Engineer.

SEC. 43. No person shall break through or attempt to break through the blockade mentioned in the next preceding section, or shall, at any time, run over or attempt to run over the hose of the Fire Department with any omnibus, wagon, street car, railroad car, locomotive, tender, or any cart, dray, buggy, carriage, hack, hackney-carriage, coach or any other kind of a vehicle.

SEC. 44. All steam engines, hose carts, hook and ladder wagons and other moveable apparatus of the Fire Department shall have the paramount right of way over and through all streets, avenues and alleys, when going to a fire, and all such steam engines, hose carts, hook and ladder wagons and other apparatus shall take and keep the right side of the street, avenue and alley, unless the same be obstructed; and all drivers of street cars in the vicinity of any such engines, hose carts, hook and ladder wagons and other apparatus, being at or going to a fire, shall retard or accelerate the speed of such street cars as occasion may require, in the opinion of the Chief or Acting Chief of the Fire Department, in order to give such Department the unobstructed use of the street for the time being.

SEC. 45. No person, driving or having charge of any vehicle or animal, shall wilfully or carelessly permit the same to obstruct, impede,

or otherwise interfere with the progress or working of any such steam engine, hose cart, hook and ladder wagon or other apparatus of such Department, while the same is going to or remaining at a fire.

SEC. 46. No person shall wilfully or carelessly cut, mark or otherwise injure or deface any engine house, hose, engine or other apparatus of the Fire Department, or any other property of the city.

SEC. 47. No person shall drive any horse or other animal, while attached to any sleigh, sled or other vehicle upon runners, in or upon any street, avenue or alley, unless there shall be a number of bells attached to the harness of such horse or other animal, or to such sleigh, sled or other vehicle, sufficient to warn persons of the approach of such animal and vehicle.

SEC. 48. No person shall get on or off, or attempt to get on or off, any railroad engine or car, while in motion or just before starting: *Provided*, That this section shall not apply to employes upon such engine or car, or to regular passengers thereon.

SEC. 49. Any person, violating, refusing, neglecting or failing to comply with any provision, regulation or requirement of this chapter, shall be deemed guilty of a misdemeanor, and, upon conviction thereof before the City Recorder, shall, where no other penalty is provided, be fined not less than five dollars nor more than five hundred dollars.

CHAPTER XXXV.

MISCELLANEOUS OFFENSES.

SECTION 1. No person shall stick, paint, brand, stamp or put, or cause to be stuck, painted, branded, stamped or put, upon any house, wall, fence, walk or other public place, or any telegraph or telephone pole or lamp post, in this city, any printed, written, painted or other advertisement, bill, notice, sign or poster, without having first obtained the written permission of the owner of such house, wall, fence, walk or other public place, or telegraph or telephone pole or lamp post, under a penalty of not less than ten dollars nor more than five hundred dollars.

SEC. 2. No person shall stick, paint, brand, stamp or put, or cause to be stuck, painted, branded, stamped or put, upon any pavement, sidewalk or bridge, in this city, any printed, written, painted or other advertisement, bill, notice, sign or poster.

SEC. 3. No person shall climb up or upon any ornamental or shade tree, or any case or box around any such tree, in or upon any street,