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CONSEIL

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REGLEMENT MUNICIPAL no 40
1 juillet 1841

1841 Règlement relatif aux nuisances à la
santé.

Amendé par les règlements 168 - 193 - 197

CORPORATION OF MONTREAL

BY-LAW of the Council of the City of Montreal
relating to Nuisances affecting Health.

Submitted and read 1st time 24th June, 2d time
25th June and 3d time 1st July 1841.

THE MAYOR, ALDERMEN AND CITIZENS of the City of Montreal duly assembled in Council at the City Hall, in the City of Montreal, on thursday the first day of July in the year of Our Lord One thousand eight hundred and forty one, by virtue of the authority vested in them in and by an Ordinance of the Governor of the late Province of Lower Canada and the Special Council for the affairs of the said Province made and passed in the fourth year of Her present Majesty's Reign intituled " An Ordinance to incorporate the City and Town of Montreal" and also by another subsequent Ordinance of the said Governor and Special Council made and passed in the fourth year of Her said Majesty's Reign intituled " An Ordinance to amend the Ordinance to incorporate the City and Town of Montreal",

Be it therefore ORDAINED AND ENACTED and it is hereby ordained and enacted:

SECTION 1

That any proprietor or proprietors of any lot or lots in the said City who shall in the months of June, July August or September permit stagnant water to remain in any excavation on such lot or lots until the same shall become offensive or after such proprietor or proprietors shall have ^{been} notified to abate such nuisance within a reasonable time shall incur and pay a penalty not exceeding five pounds for each offence.-

SECTION 2

And be it further ordained and enacted that each and every lot or premises within the said City which shall abut on any square, street, lane or highway in which there shall be a common sewer, a drain or other facilities for drainage shall be furnished with a sufficient drain under ground to carry off the waste waters, and if any owner or owners of such lot or premises as aforesaid, not furnished with a drain as aforesaid, shall neglect or refuse to cause such drain to be constructed within three weeks after being notified so to do by any duly authorized officer of the Corporation, he she or they shall forfeit and pay a fine or penalty not exceeding five pounds for each offence.-

SECTION 3

And be it further ordained and enacted that every lot or premises within the said City on which there are or shall be erected a building or buildings used as a dwelling-house shall be furnished with a privy or privies with sufficient vaults, sunk in the ground, and that the owner or owners of any such building or buildings connected with which there shall be no sufficient privy or privies, who shall neglect or refuse to cause such to be constructed thereon within six weeks after such owner or owners shall have been notified so to do by a duly authorized officer of the Corporation shall incur and pay a fine or penalty not exceeding five pounds for each offence.-

SECTION 4

And be it further ordained and enacted that when any privy in the said City shall become offensive or the contents thereof reach within twelve inches of the surface of the earth, the same shall be cleansed by the occupier or occupiers of the premises where the same may be, under a penalty not exceeding fifty shillings and not less than twenty shillings for each offence.-

SECTION 5

And be it further ordained and enacted that the occupant or occupants of any house or houses within the said City shall be and are hereby required to keep the yard or yards or premises connected therewith in a clean state and free from filth and all offensive substances and to collect in one place in such yard or ^syards ^{(all the house} dirt or offal under the penalty of ten shillings for each offence, provided that when the accumulation of such dirt or offal shall be equal to a load it shall be removed under a like penalty and provided also that stable dung may be allowed to be accumulated till the same shall be considered offensive.-

SECTION 6

And be it further ordained and enacted that the occupant or occupants of any house or houses or premises in the said City who shall permit or cause to be discharged by any channel or gutter or in any other way whatsoever from such house or premises into any street, square, lane or highway in the said City any dirty or stinking water or anything that may cause public inconvenience and annoyance shall incur and pay the fine or penalty of ten shillings for each offence.-

SECTION 7

And be it further ordained and enacted that any occupant or occupants of any house or building in the said City who shall ~~throw~~ throw or permit to be thrown any dirty water, ashes, soot, snow or ice or any dirt or filth whatsoever into any square, street, lane or highway in the said City shall pay a fine of ten shillings for each offence.-

SECTION 8

And be it further ordained and enacted that any person or persons who shall keep any swine, dogs, foxes or any other such animals on their premises in the said City

shall maintain the houses, buildings or pens in which the same shall be kept in such a clean state that neighbours and passengers may not be incommodated by the smell therefrom, under a penalty not exceeding forty shillings for each offence.--

SECTION 9

And be it further ordained and enacted that the owner or owners of every animal that shall die or be found dead in any of the streets, squares, lanes, highways or on any enclosed or open unenclosed ground in the said City shall immediately thereafter bury such animal at least three feet below the surface of the earth under a penalty not exceeding forty shillings for each offence, and any person or persons who shall throw any such dead animal into any ditch, pond, canal or into the river opposite the said City or into the small streams passing through the same shall incur and pay a fine not exceeding forty shillings for each offence, and whenever the owner of such animal or the person committing the offence aforesaid cannot be discovered it shall be the duty of the proper officer of the Corporation to cause the removal of such nuisance as aforesaid.--

SECTION 10

And be it further ordained and enacted that any person or persons who shall have or keep in any place within the said City, adjoining any street, square, lane or highway any putrid, unsound, unwholesome or refuse meat or beef, of any animal ^{wh}ether salted or otherwise or any unsound pork, fish hides or skins of any kind or horns or bones or any other putrid or unwholesome substances whatever shall incur and pay a fine or penalty not exceeding five pounds for each offence.--

SECTION 11

And be it further ordained and enacted that any person or persons who shall transport rubbish, dung, filth

sand, sweepings of streets or mortar through any square street, lane or highway in the said City in other than ⁱⁿ well closed vehicles so as to prevent any portion of the contents thereof from being dropped on the streets shall incur and pay a fine or penalty not exceeding ten shillings for each offence, and that the driver or owner of such vehicles shall be equally liable for any infringement of the provisions of this section.-

SECTION 12

And be it further ordained and enacted that it shall be the duty of the Inspector of the Fire Department to enforce or cause to be enforced as far as in his power all the provisions of this By-Law relating to nuisances in houses or the premises therewith connected or on lots or to the removal of dead animals and he is hereby authorized to visit and examine any house, lot or building in the said City for the purposes aforesaid, and any person or persons who shall obstruct or hinder him in the discharge of such duty shall incur and pay a fine or penalty not exceeding five pounds for each offence.-

SECTION 13

And be it further ordained and enacted that the Road Committee shall be and they are hereby empowered and authorized to procure as many places of deposit for dirt, rubbish, and such matter collected in the said City as public convenience may require.-

SECTION 14

And be it further ordained and enacted that all and every the By-Laws or any part or sections of them of the Council of this City and all and every the rules orders, regulations and acts of authority made and passed by the Justices of the Peace for the City of Montreal in and by virtue of any act or acts, ordinance or ordinances of the Legislature of this Province which may be now in

in force concerning or touching any of the matters contained in the present by-law which are inconsistent with or repugnant to the provisions thereof the same are hereby rescinded and repealed.-

PETER MCGILL,
Mayor.