**ORDINANCE NO 8 SERIES 1904**

**AN ORDINANCE TO DEFINE PREVENT, AND REMOVE, NUSINANCES AND TO PUNISH PERSONS WHO CREATE OF MAINTAIN- THE SAME.**

**Be it Ordained by the common Council of the City of Lostine and be it Ordained by the People of the City of Lostine.**

Section 1.

 If any person shall put any dead animal, carcass or part thereof, excrement putrid, nauseous, decaying, or offensive substance, into or in any other way not herein specified, that befouls, pollutes, or impairs the quality of the water in the river, spring, brook, branch, ditch, pipe, trough, reservoir, flume, well, or pond of water, within the corporate limits of the City of Lostine, which is or may be used for domestic, or household purposes, or to which horses, cattle, or other kinds of domestic animals, access, such person upon conviction thereof before the City Recorder shall be guilty of the offense of creating a nuisance and punished as here in after provided.

Section 2.

 If any person shall put any of the nuisance described in the first section of this ordinance, into or upon any road, street, alley, lane, lot, block, house, barn, shop, stable, field, or common, or any other place, or premises within the corporate limits of the City of Lostine to the injury, health or to the annoyance of any of the inhabitance or the traveling public, such persons so offending shall be upon conviction, thereof before the City Recorder be deemed guilty of creating a nuisance and punished as herein after provided.

Section 3.

 If any person being the owner, or in the possession, or in control of any lot, house, barn, stable, shop, block, field, commons, or any other place or premises within the City of Lostine, shall knowingly permit or allow any nuisance, whatsoever, to remain within the corporate limits of the City of Lostine, in or on any place whatsoever that he or she may have control, to the injury or health of the inhabitance or traveling public, such person , or persons upon conviction thereof before the City Recorder, shall be guilty of maintaining a nuisance and punished as herein after provided. And during every 24 hours which each person shall knowingly permit or allow the same to remain in or upon such place or premises, shall be deemed an additional offence against the provisions of this Ordinance.

Section 4.

 Whenever the City Marshal shall be satisfied that any nuisance exists within the corporate limits of the City of Lostine, whatsoever, he shall immediately notify the owner or person in possession or control of such place or premises to remove the same within 24 hours from such notice and time or cannot be found within the City, after reasonable diligence then the Marshal shall immediately proceed to remove or destroy such nuisance, and shall be allowed a reasonable fee therefor out of the City treasure, he shall further cause such person in the possession or control to be arrested and brought before the City Recorder for trial if such nuisance is not removed within 24 hours after such notice as herein mentioned.

Section 5.

 Each and every person violating any of the provisions of this Ordinance shall upon conviction thereof be fines in any sum not less than $2.00 or more than $50.00 or imprisonment in the City Jail not less than or more than 20 days, or both such fine and imprisonment, and such person shall also pay the cost and expense of his arrest and prosecution, which may be collected in the same manner and with like effect as a fine.