

TOWN ORDINANCE NO. 2

RELATING TO MISDEMEANOR IN GENERAL

THE MAYOR AND COMMON COUNCIL OF THE TOWN OF JEROME DO ORDAIN AS FOLLOWS:

Section 1. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and shall be punished by a fine not exceeding three hundred dollars or imprisonment not exceeding three months, or: by both such fine and imprisonment.

Section 2. No person shall establish or maintain any slaughter house, slaughter cattle, hogs, calves, sheep, or any other kind of animals, render tallow or pursue, maintain, or carry on any other business or occupation offensive or prejudicial to the public health or comfort within the limits of the Town of Jerome.

Section 3. No person, company or association shall keep, enact, or maintain any hospital within the limits of the Town of Jerome; except by permission of the Common Council. This section shall not prohibit the maintenance of hospitals now established.

Section 4. No person shall suffer or permit any premises belonging to or occupied by him, or any cellar, vault, privy, pool, sewer, or private drain there in to become nauseous, foul or offensive and prejudicial to the public health and public comfort.

Section 5. No person shall post, stick, stamp, paint or otherwise affix, or cause to be posted, stuck, stamped, painted or otherwise affixed any bill, poster, notice or advertisement to or upon any house or post there of wall, fence, gate post, sidewalk, tree or boxes around trees in any part of this Town without obtaining permission in writing of the owner, agent or occupant thereof so to do. No person shall, without proper authority obliterate, deface, remove, or destroy a notice or advertisement lawfully posted.

Section 6. No person shall, with out authority of law disturb, disquiet, or interrupt, any school, or schools, procession, assemblage of people met for the purpose of a funeral, or attending a funeral or the burial of the dead.

No person shall offer for sale, exhibit or pass or give or deliver to another any obscene, lewd or indecent book, pamphlet, picture card, print, paper writing, mould, cast of figure or have the same in his or her possession, unless it is shown that the possession is innocent or for a lawful purpose.

No person shall circulate or distribute or cause to be circulated or distributed any pamphlets, books, or circulars, treating or illustrating any of the diseases of the sexual organs. No person shall appear in a public place, naked or in a dress not belonging to his or her sex, or in any indecent or lewd dress, or make any indecent exposure or his or her person, be guilty of any indecent or lewd act or behavior, exhibit or perform any indecent, immoral or lewd play or other representation, or distribute, circulate or post upon any wall, fence or other public place or print any placard announcing the performance of any such play or representation. No person shall make use of or have in his possession any sling shot or other instrument or device, by means of which missiles of any kind

or description are hurled or projected; wear or carry any sling shot, or nuckles or instruments of a similar character.

No person shall be drunk in a public place, or place open to public view, or be in any public place in a state of drunkenness or intoxication or be in any private premises or in any private house in a state of drunkenness or intoxication to the annoyance of any other person.

Section 7. No person shall within the limits of this Town explode any blast or use powder or other explosives for the purpose of blasting without a permit from the Mayor.

No person shall discharge any fire arms of any description or any fire crackers, bombs or fireworks of any kind, character or description within the limits of this Town, without first obtaining a written permit from the Mayor specifying the place, during which and where such firing may take place and such permit shall be shown to any peace officer demanding to see the same. This section shall not be construed so as to prohibit any person from shooting destructive animals within or upon his enclosure or from giving a fire alarm by firing a pistol.

Section 8. No person shall within the limits of this Town by advertisement, poster, hand-bill, postal or other card, circular or in any other public way, call or direct attention to any brothel or house of prostitution or to the inmates thereof, or procure or hire any person to do the same.

Section 9. It shall be unlawful for any person to have in his possession any:

1. Knipper of the description known as burglars tools:
2. Picklock;
3. Skeleton Key:
4. Key to be used with bit on bits:
5. Jimmy
6. Other burglars tools, unless it is shown that such possession is innocent or for a lawful purpose.

Section 10. Every person engaged in the business of pawn-broker, or the purchase or sale of second hand clothing, wares, or merchandise shall keep a book in which they shall enter at the time of purchase in the English language

1. a true and accurate description of every article purchased by them
2. the name and residence of the vendor
3. the amount paid
4. the date and hour purchased.

Such book shall be exhibited upon request of the Town Marshall for his inspection.

Section 11. It is hereby made the special duty of the Town Marshall and of each and every member of the police department to have the provisions of this ordinance on all occasions, and at all times strictly enforced, and to be prompt and vigilant arresting and prosecuting all persons guilty of violation of the same.

Section 12. No person shall immoderately ride or drive any horse or mule upon any public street or highway in the Town of Jerome.

The person shall be in any place among any person passing or being

upon the public highway or the adjacent premises thereto in said Town.

Section 13. No person shall: 1st. Make in any place, or suffer to be made upon his own premises, or premises within his control, any noise, disorder or tumult to the disturbance of the peace. 2nd. Utter in the presence of two or more persons any bawdy lewd, profane or obscene language, words or epithets. 3rd Address to another, or utter in the presence of another any words, language or expressions which shall create a breach of the peace, and no person shall make or countenance or assist in making any improper disturbance or breach of the peace by challenging any person to fight or by fighting or threatening to fight or otherwise.

Section 14. No person owning or having the control of any dog shall suffer or permit the same to run at large, unless a license tax for the current year be first paid, and unless such dog has around his neck a collar and have attached thereto a metallic plate issued by the Town Marshall having thereon the number of the license issued for such dog indicating the year for which the license tax has been paid. Every dog found running at large in violation of this section shall be impounded.

Section 15. All owners of, or persons having in charge any cattle, horses, mules, burros, hogs, sheep or goats shall not permit or suffer same to run at large in the Town of Jerome, but shall keep the same confined or in charge of a herder. 1st: It shall be the duty of the Town Marshall of the said Town of Jerome, and his deputies to sieze and impound in some safe and convenient place, all cattle, horses, mules, burros, sheep, and goats found running at large within the Town of Jerome and to give notice by three written hand-bills put up in public places in said Town of Jerome, of the impounding of the same, and a description of the animal so impounded, and if said animal or animals should not be redeemed within three days, and all costs of said impounding paid, including rent of pound, feed and water, and a penalty of fifty cents per head on each animal so impounded, then said animal or animals shall be publicly sold by the Town Marshall after giving one days notice by three hand-bills, containing a description of the animals, the time, terms, and place of sale, put up in three public places in Jerome. Said sale to be for cash to the highest bidder. The proceeds of such sale, after deducting the costs of feed, rent of pound and penalty, shall be paid to the Town Treasurer who shall pay the same to the owner of owners, or to his or their representative, of such animals so sold on demand.

Section 16. No person shall throw into or deposit upon any public street, highway or grounds, or upon any private premises or upon any place, or anywhere except such places as may be designated for the purpose by the Supervisor of Streets, any broken ware, glass, garbage, filth, earth, rock or soil. No person owning, or having control of any premises shall suffer or permit the drainage or any drain thereon to empty into or upon any other premises or public square, street, or highway except by permission of the Committee on Health.

Section 17. No person shall at any time put, place or suffer to remain anywhere upon a public way, street or highway, and no person owning, occupying, or having control of any premises, shall at any time suffer to be on or remain in front thereof upon the sidewalk or half of the street or way next to such premises, any broken glass, wares, filth, rubbish, refuse, papers, or garbage. The owners, tenants, or tenants, occupant or occupants, or leasee

of any building , land or premises if required by the Supervisor of Streets shall within three days after notice, at his or their expense, remove all of said rock, stone, filth, rubbish, garbage, hay, straw, earth, rock or soil and matter that may be accumulated in front of his , her, or their said building, land or presises, from the line of said property to the center of the street.

No person shall place or caused to be placed anywhere upon any public street, way, or sidewalk, and no person owning or occupying, or having control of any premises, shall suffer to remain in front thereof upon the sidewalk or upon half of the street or way next to said premises, anything which will obstruct the passage of such street or sidewalk for more than an hour at a time. This shall not apply to goods or merchandise in actual course of receipt, delivery or removal, ornamental trees planted along the line of the sidewalk within the curbs or barriers for the protection of ornamental trees, or to water troughs placed by permission of the Common Council, upon the sidewalks. for the accommodation for the public, or to material being used upon the construction or repair of any building, if such material shall not occupy more than one third of the whole width of the street in front of such building.

Section 18. It shall be unlawful for any person or persons to deposit any ashes, or cause the same to be deposited, or placed or to permit or suffer the same to be or remain in any wooden vessel, in any place or premises belonging to, or being occupied by him or her or in any metallic vessel, within six inches of any wood room or structure.

Section 19. All buildings within said town limits now erected, or which may hereafter be erected, or altered, or changed, shall have the chimneys either of brick or stone, attached thereto.

The owner or owners or any person or persons having the control of buildings now erected within the Town limits, which have stove pipes projected through the roofs or out of the side, and wherein fire is used, are hereby required to build chimneys of brick, stone or metallic ventilated flue in said building or buildings within ten days after being notified by the Town Marshall to remove the same. All chimneys in fram buildings shall be built so as not to increase in size from the foundation.

No person shall keep in store, or have on hand at any one time in any one place except in powder magazines, more than fifty pounds of powder, said powder shall be placed near the entrance to facilitate its removal in case of fire.

Section 20. No person or persons owning or having control of or in charge of any wagons or , trains, teams, mules, horses, cattle or donkeys shall encamp the same in any of the streets, alleys or public grounds of the town.

Section 21. If any person in the town of Jeromé, shall carry concealed upon or about his person any deadly or dangerous weapon, or shall go into any church or place where people have assembled for religious worship, or in any school room or place where people assembled for education, literary or social purposes, or to any voting place on any election day, or into any court room during the sitting of the court, or inside any other public assemblage of persons met for any other lawful purpose having upon, or about his person, concealed or otherwise , any kind of fire arms, bowie knives, , dagger,

slung shot, or other deadly weapon or shall, in presence of one or more persons, exhibit any such weapon in a rude, angry or threatening manner, or shall have or carry any such weapon on or about his person concealed or otherwise; when intoxicated or under the influence or intoxicating drinks; or shall directly or indirectly sell or deliver, loan or barter, to any minor any such weapon without the written consent of the parent or guardian or such minor shall be deemed guilty of a misdemeanor.

Section 22. If any person in said Town of Jerome shall openly carry, or have on or about his person any weapon mentioned in Section 21 of this ordinance the Town Marshall, or his deputies shall order such person to lay aside and put off such weapon, and if any such person shall refuse to obey the order and directions of said Town Marshall or his deputy, such person shall be deemed guilty of a misdemeanor.

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Section 23. This ordinance shall not apply to police officers, even to any officer or person, whose duty it is to execute process or warrant, or breaches of the peace, make street arrests, nor to any persons travelling peaceably through the town of Jerome: provided that such person travelling through the city, shall be subject to the orders and directions of the Town Marshall or his deputy as provided in Section 22 of this ordinance.

Section 24. That it shall be unlawful for any infant, or minor under the age of sixteen years to loiter about, or around any saloon in the Town of Jerome, with being employed thereat for wages under the written consent of the parent or guardian of such minor: and it shall also be unlawful for any such infant or minor, under the age of sixteen years, to loiter about the streets, alleys or any public places in the said Town of Jerome, or to be found about said Town after the hour of nine o'clock p.m., unless said minor shall be upon some legitimate errand sent by the parent or guardian of said minor.

Section 25. No person shall, either directly or indirectly, whether by look, word, sign or deed, practice begging or mendicancy in or on any of the streets, alleys, highways or thoroughfares of the Town of Jerome, or go from house to house soliciting food or alms.

Section 26. Any person who is diseased, maimed, mutilated or in any way deformed, so as to be unsightly or disgusting object or an improper person to be allowed in or on the streets, highways, thoroughfares or public places in this Town, shall not therein or thereon expose himself or herself to public view.

Section 27. No person shall upon any of said streets, alleys, thoroughfare, highway or vacant lot of the Town of Jerome, engage in or take part in any way therein in any game of chance or gambling scheme or any kind for money, checks, property or valuables or any kind whatever.

Section 28. That all able bodied persons not having visible means to maintain themselves, and who live daily without employment, or who are found loitering around and lodging in drinking saloons, bar rooms, outhouses, houses of bad repute, or any public places, such as sidewalks, streets, alleys, vacant lots, plazas or parks, or in sheds, wagons, or boxes, or who shall be found trespassing upon private premises without being able to give satisfactory account of themselves; or who shall go from house to house or upon streets or any other places in said Town, begging for themselves, or who habitually loiter and hang around saloons, barrooms, bawdy houses, and live without employment, and without visible means of support, shall be deemed guilty of a misdemeanor and upon failour to pay the fine shall be committed to the custody

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of the Marshall, who shall cause such person to work upon the public streets, buildings or public works of said Town, until such fine shall be paid at the rate of one dollar per day for each dollar of said fine.

*1900-1901
with Ord 49*
Section 29. That upon the conviction of any person for the violation of any ordinance of said Town of Jerome, wherein the punishment for which shall not exceed three hundred dollars (\$300.00) in extent that such person shall fail or refuse to pay such fine, or fine and costs, as the judgment shall direct, such person shall be remanded into the custody of the Marshall of said Town and shall under the direction and supervision of said Marshall, work on the public works, buildings or streets of said Town, until such fine and costs be paid at the rate of one day for each dollar of such fine and costs, and the court trying such case or cases shall render judgment accordingly.

*1900-1901
with Ord 49*
Section 30. That in any case any person or persons so convicted and sentenced, and who shall refuse to work on such public works, buildings or streets, except on Sundays, to so pay the fine and cost imposed upon them, shall be placed in the Town Jail and there held in close confinement, and on bread and water alone for double the number of days he may refuse to work to so pay his said fine and cost, or until he shall so work on said public buildings, works, or streets.

Section 31. Any person who shall attempt to escape from the custody of said Marshall while at labor and under his supervision, to discharge any fine and cost imposed upon him shall be deemed guilty of a misdemeanor, and on conviction shall be fined not exceeding fifty dollars (\$50.00).

Section 32. It shall be the duty of said Town Marshall to see that any and all persons committed to his charge and custody, for labor on the public works of said Town, or on the streets, to pay any fine and costs imposed on him or them, shall be kept at labor for eight hours per day, Sundays excepted, until such fine and cost shall be paid, and during such time he shall use all such precaution as may be necessary to keep such persons from escape and at work, until lawfully released.

Section 33. No person shall keep, maintain or become, or be an inmate of any house or room of prostitution or other house, room or resort, where prostitution is resorted to, or where persons resort for the purpose of prostitution.

The general reputation of persons maintaining, keeping or resorting to any house or room or place where prostitution is practiced, or where persons resort for the purpose of prostitution shall be prima facie evidence of such reputation.

Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction shall be fined the sum of five dollars (\$5.00) together with the costs of prosecution.

Section 34. No woman shall enter in or loiter about any saloon or barroom, nor loiter upon the streets, sidewalks or public places within this Town; provided the Mayor and Common Council may grant a permit to any woman who shall be employed in any such saloon or barroom as a musician, which permit may be revoked at any time.

PASSED BY THE MAYOR AND COMMON COUNCIL OF JEROME THIS 21st day of March, 1899,

by the following vote:

AYES: Bradley, Condiven, Merrill, Sturmer, Mr. Mayor

NAYES: -----

PRESENTED TO THE MAYOR FOR HIS SIGNATURE AND APPROVAL AND BY HIM THIS 21st
DAY OF MARCH, 1899, DULY SIGNED AND APPROVED.

ATTEST

TOWN CLERK

MAYOR