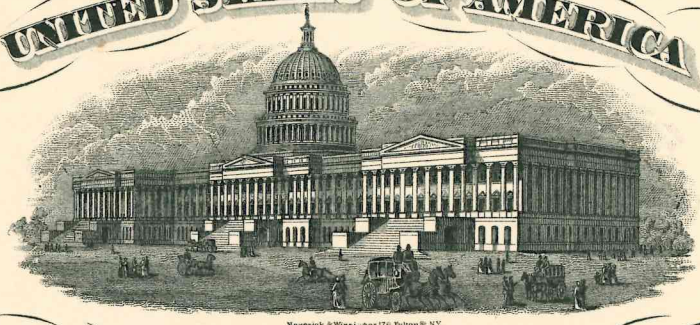
CHARLES E. POSTLEY., M.D.

PRESIDENT.



Library of Congress,

Washington, February 9 1899 1900

Dear Sir:

In behalf of the Joint Committee of both Houses of Congress on the Library, the undersigned has the honor to acknowledge the receipt of

Charter and By-Laws of Hyattsville, Prince George's County, Maryland. 1899,

presented by the Hyattsville Commissioners to the Library of Congress.

Very respectfully

Your obedient servant

To

Charles E. Postley, M.D.,

President,

Hyattsville, Maryland.

Herbert Putnam

Librarian of Congress

For the Information of Residents and Property Owners of Hyattsville, the following is a List of Town Officials and their Respective Duties:

Board of Commissioners.

C. E. POSTLEY, M. D., *President.*

C. A. ACKER.
M. V. TIERNEY.
H. B. MAJOR.
W. L. CURRY.

Treasurer.
W. H. RICHARDSON.

Attorney.
J. C. ROGERS.

Clerk.
E. L. LATIMER.

Bailiff.
R. H. VINCENT.

Under Bailiffs.

H. O. EMMONS. C. W. BARR.

Building Inspector.

W. T. TAYLOR.

Road Committee.

M. V. TIERNEY, H. B. MAJOR, W. L. CURRY.

Health Committee.

W. L. CURRY, M. V. TIERNEY, C. A. ACKER.

Light Committee.

H. B. MAJOR, C. A. ACKER, C. E. POSTLEY.

Building Committee.

C. E. POSTLEY, C. A. ACKER, W. L. CURRY.

Duties of the President.

To preside at all meetings of the Commissioners; the supervision of Police and Fire Departments, and Ex-officio Police Magistrate.

Road Committee.

The management of general and special improvements of streets, alleys and sidewalks, and laying drains.

Health Committee.

The preservation of the general health, by the enforcement of sanitary laws embodied in Section 27, Town Charter, and also of Town Ordinances, Chapter 3.

Light Committee.

Superintending and directing all matters pertaining to lighting of the town.

Building Committee.

The management of all matters pertaining to the erection of new and repair of old buildings.

Town Bailiff.

For duties of Town Bailiff see Chapter 1, Section No. 4, Town Ordinance.

CHARTER AND BY-LAWS

OF

HYATTSVILLE,

PRINCE GEORGE'S COUNTY,

MARYLAND.

THOS. W. CADICK, PRINTER,
1899.

MUNICIPAL OFFICERS

OF

HYATTSVILLE, PRINCE GEORGE'S COUNTY, MARYLAND

ELECTIVE OFFICERS.

The Charter provides for Five Commissioners and a Town Treasurer, to be elected by the people.

The President is chosen from their own number by the Commissioners, and his various duties are prescribed in Sections 2, 3, 4, 5, 20 and 23 of the Charter.

NON-ELECTIVE OFFICERS.

The officers appointed or nominated by the Commissioners are:

*The Police Magistrate.
Clerk to the Commissioners.
Chief Bailiff.
Under Bailiffs.
Inspector of Buildings.
Assessors.
Judges of Election.

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*The Police Magistrate is nominated by the Commissioners to the Governor of the State of Maryland, and by him commissioned as a Justice of the Peace of the State of Maryland in and for Prince George's county.

CHARTER.

CHAPTER 102.

AN ACT to reincorporate the town of Hyattsville, Prince George's county, Maryland.

SECTION 1. Be it enacted by the General Assembly of Maryland that the Act entitled "AN ACT to incorporate the town of Hyattsville, in Prince George's county, approved April seventh, eighteen hundred and eighty-six, and the several acts amendatory thereof, be and they are hereby repealed and re-enacted to read as follows: Act of 1886, etc., repealed

SECTION 2. And be it enacted that the citizens of the town of Hyattsville, in Prince George's county, be, and they are hereby, created a body corporate, by the name of "The Commissioners of Hyattsville," with all the powers and privileges of a body politic and corporate, and by said corporate name may have perpetual succession, sue and be sued, plead and be impleaded in any court of law or equity; may have and use a common seal; may purchase and hold real, personal and mixed property and sell and dispose of same for the benefit of the town. Incorporation

SECTION 3. And be it enacted that the limits of said town shall be as follows: Commencing at the centre of the Eastern branch of the Potomac river at its juncture with the Northwest branch, and running with the centre of the said Northwest branch westerly to its intersection with the west line of R. P. Evans' addition to Hyattsville extended, the same being 375 feet from Carlton's Dam, thence running northerly by said west line of said Evans' addition north 22 degrees 15 seconds east to a stone on the south side of the public road leading to Washington, D. C., and known as the old Bladensburg road, thence northerly to the western terminus of the north line of Avalon avenue as the same is laid down in the subdivision known as Ellaville, thence easterly along said northern line of Avalon avenue to the western boundary of the Washington and Baltimore turnpike, thence with the western boundary of Boundaries.

said turnpike southerly to its intersection with the southern line of Riverdale extended, thence with said line easterly to the Washington branch of the Baltimore and Ohio railroad, thence with the easterly boundary of said railroad right of way southerly to the Alexandria junction of said railroad, thence with the eastern boundary of the right of way of said Alexandria branch road to the centre of the East branch of the Eastern branch of the Potomac river, thence with the centre of said Eastern branch to the place of beginning.

Elections.

SECTION 4. And be it enacted that the male citizens of said town of the age of twenty-one years and upwards, having resided therein six months next preceding any election held hereunder, and who are qualified to vote for members of the General Assembly, shall, on the first Monday in May next, and annually thereafter on the same day, at the place in said town designated by the Judges of Election, elect by ballot, for the first year two Commissioners and for the second year three Commissioners for said town, and so continue for each alternate year thereafter. Said five Commissioners shall serve for two years and until their successors shall be elected and qualified, and the three Commissioners elected in eighteen hundred and ninety-three shall serve until the end of the term of two years for which they were elected. No person shall be eligible as Commissioner of said town unless a freeholder, over twenty-five years of age, and a resident within said corporate limits at the time of the election and for at least two years preceding the same, and his office shall terminate upon his removal of residence from the town limits. No Commissioner shall, during his term of office, hold or be interested in any office under the corporation, nor be a party, directly or indirectly, in any contract to which the corporation is party.

President: How chosen.

SECTION 5. And be it enacted that the said Commissioners elected hereunder shall meet on or before the first Monday in June next succeeding their election, and shall choose one of their number as President. They shall meet as often thereafter as necessary to a proper discharge of their official duties and shall continue in office until their successors shall be duly elected and qualified. They shall receive no pay for their services, except the President, who shall receive the fees hereinafter allowed, and in case of vacancy by reason of death,

refusal to act, disqualification, resignation or removal of any of said Commissioners out of the corporate limits, the Commissioners, or a majority of them for the time being, shall elect a Commissioner to fill said vacancy, who shall serve until after the next succeeding town election, and until his successor shall have been elected and qualified. If said vacancy shall occur during the first year of the term a Commissioner shall be elected at the regular town election for the residue of said term. Vacancies: How filled.

SECTION 6. And be it enacted that the Commissioners shall annually, on or before the first Monday in April, appoint three Judges of Election, who shall appoint one clerk, and the said Judges shall conduct the election by ballot and the polls shall be opened at two o'clock and closed at six o'clock in the afternoon, and the Judges and clerk shall make their returns to the Commissioners, but shall receive no compensation for their services. Judges of Election.

SECTION 7. And be it enacted that on the same day on which the Commissioners are to be elected under this act, and on every first Monday in May in each and every second year thereafter, one person, a legal voter in said town and owner of real estate of the value of at least one thousand dollars, may be chosen by the voters of said town as Treasurer of said corporation, to serve for two years and until his successor shall qualify, but before said Treasurer shall enter upon the duties of this office he shall give bond, payable to said Commissioners, in such penalty as they may fix, with securities to be approved by them, conditioned as they may direct, and the said Treasurer shall qualify and enter upon the duties of his office on or before the first Monday in June succeeding his election, and a failure to qualify within the time herein specified shall be deemed a refusal to accept the office, whereupon the Commissioners shall order a new election to fill the vacancy, and it shall be the duty of the Commissioners to cause to be issued a certificate of election to the person receiving the highest number of votes for Treasurer of said town, and in case of a tie vote for the office of Treasurer the Commissioners shall order a new election. Town Treasurer: Election and qualifications.

SECTION 8. And be it enacted that the Treasurer shall make all collections of taxes and receive all money paid for the use and benefit of said corporation; he shall Duties of the Treasurer.

keep an account of the receipts and disbursements of the funds of the corporation in a well-bound book, to be provided by said Commissioners for that purpose, and shall render due account to the Commissioners, when required by them, for all moneys received by him, and shall promptly pay to the order of the Commissioners, under such regulations as they may prescribe, all sums of money so received by him. He shall receive for his services such compensation as the Commissioners may direct, not exceeding ten per cent. of his collections.

Bailiffs: Appointment of.

SECTION 9. And be it enacted that the Commissioners may also annually appoint a Chief Bailiff and such number of Under Bailiffs as they may deem necessary.

Compensation of Clerk and Bailiffs.

SECTION 10. And be it enacted that the Commissioners shall allow their Clerk, Chief Bailiff and Under Bailiffs such compensation as they shall think proper.

Oath of office.

SECTION 11. And be it enacted that the Commissioners and all other officers of the corporation shall, before they enter upon the duties of their offices, make oath that they will diligently and faithfully, to the best of their skill and judgment, perform the duties of their office, and shall file a certificate thereof, of the officer before whom the same was made, among the records of the corporation.

Bond of Clerk and Bailiffs.

SECTION 12. And be it enacted that the Clerk and Chief Bailiff shall give bond to the Commissioners in such penalty and with such sureties as said Commissioners may require, conditioned for the faithful performance of the duties of their respective offices.

Returns of election.

SECTION 13. And be it enacted that the Commissioners shall receive all returns of elections and determine all questions arising thereon, and in case of no election of a Commissioner or a Treasurer by reason of a tie vote, disqualification or other cause, shall, within ten days thereafter, order a new election, giving ten days' public notice thereof. An appeal may be taken from their decisions to the Circuit Court of Prince George's County, the losing parties paying the cost thereof.

Appeal to Circuit Court

Power to pass ordinances.

SECTION 14. And be it enacted that the Commissioners may provide by ordinance for the good government of the town, for the preservation of peace and order therein, and for securing to the residents of said town all the rights of persons and property to which they are by law entitled; for the surveying, grading, paving, repairing, drainage, laying out, extending, widening,

opening, closing, straightening or relocating any streets, sidewalk or alley in said town, and may condemn or purchase the right of way for any street or alley which they may determine shall be opened for the public good, the process of condemnation to conform as far as may be to the condemnation of property for roadways by the Commissioners of Prince George's County, as authorized by law; for the removal of nuisances, for the removal of obstructions from streets, lanes and alleys; for the establishment of building lines and building regulations; for prohibiting the carrying concealed weapons; for prohibiting the discharge of firearms, firecrackers, torpedoes and other explosives; for preventing swine, cattle, fowls, dogs or other animals from running at large on the streets; for licensing theatrical or other amusement; for the suppression of gambling, vice and immorality; for apprehending and punishing all tramps and vagrants; they may pass all ordinances necessary from time to time to carry out and enforce the foregoing provisions, and to give full force and effect to the powers and authority conferred on said corporation, and may enforce such ordinances by reasonable fines and penalties not exceeding twenty-five dollars in any one case, as may appear to them right; they may recover said fine or penalty by an action of debt, and in addition thereto may imprison the offender until the fine be paid, not exceeding thirty days, such imprisonment to be in the town lock-up, if one be provided, or in the county jail, and the Sheriff of Prince George's County shall receive and confine any person so committed.

Power to pass health ordinances.

SECTION 15. And be it enacted that the Commissioners may pass such ordinances as they may deem necessary for the preservation of the health of the town, and remove all nuisances from and prohibit all business within the corporate limits thereof as shall, in their opinion, injuriously affect the sanitary condition thereof.

Assessors: Qualifications and how appointed.

Their duties.

SECTION 16. And be it enacted that the Commissioners shall, in the year eighteen hundred and ninety-four, and each fourth year thereafter, appoint three Assessors, freeholders, who shall, under the direction of the said Commissioners, make an assessment of all property, real, personal and mixed, in said town, at a fair cash value at public sale, as near as they may be able

to determine the same. The said Commissioners shall provide by ordinance for hearing appeals from any valuation which may be made. They shall cause to be made, from time to time during the said four-year periods, assessments of improvements made and of other property not contained in the general assessment list. They may in their discretion appoint the town Treasurer as one of said Assessors. They shall make such other provisions as in their judgment may be necessary to carry into full force and effect the assessment.

Power to levy and collect taxes.

SECTION 17. And be it enacted that the Commissioners shall have power to levy and collect taxes not to exceed forty cents on the one hundred dollars of the property assessed in any one year. The levy shall be made on or before the thirtieth day of June for each year, and all taxes so levied shall be a lien on any and all property of the person against whom it may be levied.

Warrant to Treasurer to collect taxes.

SECTION 18. And be it enacted that whenever the Commissioners shall levy a tax they shall cause to be made an alphabetical list of the persons charged therewith, and shall cause to be affixed thereto the respective sums to be collected from such persons and a warrant to the Treasurer to collect the same.

Collection of taxes.

SECTION 19. And be it enacted that the Treasurer shall, within ten days after the receipt of such list and warrant, render to each person named therein an account of tax bill, showing the amount due by him, if he be a resident of the town, and if he be a non-resident and in consequence thereof cannot be conveniently served with said account or tax bill, and may, unless the same be paid within one hundred and twenty days after the delivery or publication of such account, collect the same, with all costs, by distress and sale of the real and personal property of the delinquent at public auction, after giving at least ten days' public notice of such sale in some newspaper published in said county.

Delinquents: Property to be sold for unpaid taxes.

Deed to be given by President of Board.

SECTION 20. And be it enacted that the President of the Commissioners shall execute and deliver to the purchaser a deed of the real property so sold, and the said deed shall convey to the purchaser the said property, and shall be presumptive evidence that all the requirements of the law have been complied with in making such sale and deed; but the delinquent taxpayer shall have the right to redeem at any time within two years

Redemption.

by paying the unpaid tax and costs, with legal interest, and a penalty of ten per cent. thereon.

SECTION 21. And be it enacted that the Commissioners shall cause to be constructed, as they may determine necessary for the public benefit, sidewalks on any of the streets of said town not less than four feet in width, of such material as they may direct, and may assess upon the land abutting said sidewalks two-thirds the cost thereof, which assessment shall be a lien upon such abutting property, and be recovered from the owners of such abutting property by the Commissioners as other debts of like amounts are recoverable in this State by law.

Sidewalks: Two-thirds costs thereof to be assessed against abutting property owners.

SECTION 22. And be it enacted that the Chief Bailiff shall attend the meetings of the Commissioners and perform such duties as they shall direct; shall preserve the peace and good order of said town, and for this purpose is vested with the same power and authority as any Constable now has under the laws of the State.

Chief Bailiff: His duties.

SECTION 23. And be it enacted that the President shall preside at all meetings of the Commissioners, and in the absence or inability to act of the Police Magistrate shall have and be authorized to exercise all the powers of said Police Magistrate; to hear and determine all cases to which said corporation shall be a party and over which the Police Magistrate may have jurisdiction.

President of the Commissioners: His duties.

SECTION 24. And be it enacted that the Chief Bailiff shall have the same fees for making distresses for taxes as are allowed County Collectors, and for making arrests or serving process for violations of any ordinances of the corporation the same as are allowed Constables for similar service, and when the Bailiff willfully fails to discharge any duty of his office he may be fined not exceeding ten dollars for any one offense.

Chief Bailiff: His fees.

To be fined for neglect of duty.

SECTION 25. And be it enacted that the Commissioners shall appoint a Police Magistrate for said town, who shall be nominated by said Commissioners to the Governor of Maryland and commissioned by him as a Justice of the Peace of the State of Maryland in and for the County of Prince George's. He shall have full power, authority and jurisdiction to hear, determine and pass sentence in all cases of the violation of the ordinances of said corporation, and may impose fine for such violation, or may imprison offender, or may both

Police Magistrate: How appointed; duties of.

fine and imprison offenders, and in default of payment of any fine imposed by him, may commit the offender to the lock-up or county jail until the same may be paid, with costs.

Restriction as to expenditures.

SECTION 26. And be it enacted that the Commissioners shall not expend or contract to expend in any one year more money than the amount receivable from taxes and other sources for that year.

County officers to retain their jurisdiction.

SECTION 27. And be it enacted that the Commissioners for the County, Justices of the Peace, Sheriff, Constables and all the county and State officers shall have, hold and exercise their office and jurisdiction in said town, and the said Commissioners of Prince George's County shall appropriate annually the full amount of road tax levied or imposed upon the assessable property within the corporate limits of the town, and shall order the County Collector, who shall collect all taxes within said corporate limits, to pay said road taxes to the Commissioners of said town, for the improvement of the streets and roads within the corporate limits of the town.

Road tax to be paid by county to Commissioners of Hyattsville.

Codification of ordinances authorized and may be read in evidence.

SECTION 28. And be it enacted that the Commissioners may, by ordinance, provide for the codification of all ordinances which have been or may be passed by it, and for the printing of such codifications thereof, and the printed ordinances so issued by the authority of the Commissioners may be read in evidence from the printed codification.

Inconsistent acts repealed

SECTION 29. And be it enacted that all acts and parts of acts inconsistent with the aforegoing provisions of this act be and the same are hereby repealed.

To take effect from date of passage.

SECTION 30. And be it enacted that this Act shall take effect from the date of its passage.

FRANK BROWN, *Governor.*
JOHN WALTER SMITH,
President of the Senate.
JAMES H. PRESTON,
Speaker of the House of Delegates.

OFFICE OF
THE SECRETARY OF THE SENATE.

I hereby certify that the aforegoing is a true copy of an act of the General Assembly of Maryland, passed at the January session, 1894.

J. ROGER McSHERRY,
Secretary of the Senate.

ORDINANCES

OF THE

TOWN OF HYATTSVILLE,

Prince George's County, Maryland.

CHAPTER I.

Be it ordained by the Commissioners of Hyattsville—

Meetings of Board of Commissioners to be held once a month.

SECTION 1. That the Board of Commissioners shall hold at least one meeting in each and every month, on the first Wednesday thereof, at 7:30 p. m., or at such other convenient hour as may be fixed by order of the board, due notice of the hour and place of meeting being given to the members and to the public.

Special meetings.

Special meetings on call of the President or of any two members of the Board may be held at any time, reasonable notice thereof having been given to each member.

Yea and nay vote.

The vote on all ordinances, resolutions, or orders shall, on the demand of any member of the Board, be by yeas and nays, and the vote so taken shall be recorded in the journal.

Reports of committees to be in writing and recommend action determined upon.

All reports of committees shall be in writing, and shall specify, in the form of an order, resolution, or ordinance, such action in the premises as the committee may recommend.

Appointment of non-elective officers.

SECTION 2. Each Board of Commissioners at their first meeting, or as soon thereafter as practicable, shall appoint a Clerk, Chief Bailiff and such Under Bailiffs as they may deem necessary for the proper dispatch of business.

Duties of the Clerk.

The Clerk shall attend all meetings of the Commissioners and shall keep a clear, legible, and accurate record of the proceedings of the Board in a substantial, well-bound book, to be provided by the Commissioners for that purpose, which said book and record shall be open to the inspection of all persons interested therein. He shall also perform such other duties as the Commis-

sioners may assign him; and at the expiration of his term of office he shall deliver to the Commissioners all documents, books, papers, and property of the corporation in his possession or control, and for his services shall receive such compensation as the Commissioners may determine.

POLICE MAGISTRATE.

Police Magistrate shall keep a docket, etc.

SECTION 3. The Police Magistrate shall keep a docket and shall record therein by regular entries all proceedings in cases in which he may act by virtue of his office, and shall, when required, furnish the plaintiff or defendant a copy of any judgment rendered by him. He shall report the several amounts of fines, forfeitures, and costs collected in all cases tried, examined or determined by him to the Board of Commissioners at the regular meetings, in July, October, January and April of each and every year. And he shall receive the fees ordinarily allowed Justices of the Peace in the State of Maryland. He shall pay over to the Town Treasurer of Hyattsville all fines and penalties imposed and collected by him.

Copy of judgment to be given on demand.

To make report quarterly.

BAILIFF.

Chief Bailiff: Duties and fees.

SECTION 4. The Chief Bailiff shall attend the meeting of the Commissioners and shall perform such duties and receive such fees and compensations as are imposed upon and allowed to him by the charter and town ordinances. He shall diligently enforce all the orders and ordinances of the Board of Commissioners, and shall promptly bring to trial any person violating the same. He shall make report, serve all process, and make return of all matters and writs pertaining to the violation of the laws and ordinances of the town to the Police Magistrate.

To make monthly returns of work done.

On the first Wednesday in each and every month he shall lay before the Commissioners at their regular meeting a full and detailed statement of all nuisances removed and abated, all arrests made, and all other work done by him or under his supervision by virtue of his office during the preceding month.

TREASURER.

Treasurer to pay on draft of President attested by clerk.

SECTION 5. The Treasurer shall pay out the funds of the corporation only upon drafts signed by the President of the Commissioners and attested by the Clerk

and properly indorsed. He shall give receipts in duplicate for all moneys received by him otherwise than in payment of taxes, one to be retained as a voucher by the officer or person making the payment, and the other to be filed with the Clerk of the Commissioners.

To give receipts in duplicate for fines, penalties, etc., paid him.

At the expiration of his term of office he shall turn over to the Commissioners all moneys, books, papers and property of the corporation in his possession or control.

SECTION 6. That the fiscal and official year of the town of Hyattsville shall commence on the first (1st) day of May of each year and terminate on the thirtieth (30th) day of April next ensuing; and the Town Treasurer shall render to the Commissioners annually a report of all moneys received, disbursed and on hand up to and including the thirtieth (30th) day of April of each year, and of all accounts receivable and payable at that date; and the Commissioners of Hyattsville shall prepare and file among the records of the corporation annually a report showing the amount of all moneys at their disposal for public expenditure during each year terminating on the thirtieth (30th) day of April, the amount actually expended, and for what purposes, and the liabilities and credits of the town, and shall turn over to their successors when they shall have qualified and entered on the duties of their office all the books, papers and records and other town properties in their possession.

Fiscal year to commence on May 1.

ASSESSORS.

SECTION 7. The three Assessors provided for in Section 16 of the town charter shall be appointed by the Commissioners on or before the 1st day of June, 1898, and of each fourth year thereafter. Before entering upon their duties each Assessor shall take and file the oath prescribed in Section 11 of the town charter for all officers of the corporation.

Assessors: Their qualifications, appointment and duties.

Immediately after the assessment provided for in the town charter shall have been completed the Chairman of the Board of Assessors shall notify the President of the Board of Commissioners of that fact, and upon receipt of such information the President of the Board of Commissioners shall, prior to the 15th of June, give public notice that said assessment has been completed by posting notice thereof in three conspicuous places in Hyattsvile, and said assessments shall thereupon be

open for the inspection of all persons interested therein.

Appeal to the Commissioners. Appeal to be in writing and contain grounds of objection.

If the owner of any property so assessed shall feel aggrieved by such assessment he may appeal to the Board of Commissioners of said town within ten (10) days after the posting of the notice hereinbefore provided, which said appeal shall be in writing, and the grounds of objection to the assessment set forth therein, and said appeal shall thereupon be considered and determined by the Commissioners.

JUDGES OF ELECTION.

Judges of Election: How appointed; duties of.

The Judges of Election shall be resident voters of the town. They shall, before entering on their duties, take the oath required by law for all officers of the corporation. At the close of the polls they shall publicly count the ballots, and forthwith make return of the said count to the Commissioners, with the ballots and tally sheets.

CLERK OF ELECTION.

A Clerk shall be appointed by the Judges and take oath prescribed for officers of the corporation.

CHAPTER II.

FOR THE PRESERVATION OF PEACE AND GOOD ORDER.

Be it ordained by the Commissioners of Hyattsville—

Tramps and vagrants.

SECTION 1. That all tramps and vagrants; all idle, disorderly persons or beggars; all persons of evil life or fame; all persons who have no visible means of support and likely to become a public charge as paupers; all persons found drunk in or about the streets, avenues, alleys, roads or highways or public places within the limits of the corporation of Hyattsville; all suspicious persons who have no fixed place of residence and without any lawful occupation in said town and who cannot give a good account of themselves, may be arrested and brought before the Police Magistrate for trial, and, if found guilty, shall be fined not less than two nor more than twenty-five dollars.

Penalty.

Speeches, meetings and processions.

SECTION 2. It shall not be lawful to make any speech or harangue or participate in any public meeting or procession upon any of the streets, alleys or public places of Hyattsville without a permit from the Com-

missioners, and any person convicted thereof may be fined not less than one dollar nor more than twenty-five dollars, and it shall be the duty of the Town Bailiff to arrest any person or persons participating in any such meeting or procession and to arrest any speaker or other person violating the provisions of this section and immediately disperse said meeting.

Disorderly and indecent conduct.

SECTION 3. Any person guilty of disorderly or indecent conduct or of using obscene or boisterous language within the corporate limits shall be arrested, and upon conviction may be fined not less than two dollars nor more than twenty dollars.

Concealed weapons.

SECTION 4. It shall not be lawful for any person to carry any concealed weapon, such as pistols, bowie-knives, slung-shots, sword-canes, knuckles, razors or other deadly weapons upon the person within the limits of the town of Hyattsville, under a penalty of a fine of not more than ten dollars.

Assignation and bawdy houses.

SECTION 5. It shall not be lawful for any person to keep or maintain a bawdy or assignation house, or knowingly to let or lease a house or part thereof to be so kept within the limits of the town of Hyattsville. Any person violating the provisions of this section shall be fined not less than ten dollars nor more than twenty-five dollars, and shall pay a like fine for each ten days thereafter so long as said premises shall be occupied for such unlawful purposes.

Fireworks.

SECTION 6. It shall be unlawful for any person to discharge any cannon, gun, pistol or other firearm, rockets, firecrackers or fireworks upon the streets or public places within the limits of Hyattsville except by permission of the Commissioners. Anyone violating any provision of this section shall be fined not less than two nor more than ten dollars.

Fast driving and racing.

SECTION 7. It shall be unlawful for any person or persons to ride or drive any animal of the horse kind in or on any street, avenue or alley in the town of Hyattsville at a rate of speed exceeding eight miles an hour, nor shall any person run or race any such animal within the corporate limits. Any person violating any provision of this section shall forfeit and pay a fine or penalty of not more than ten dollars for each and every such offense.

Obstructing streets.

SECTION 8. It shall not be lawful for any person or persons, their agents or servants, to wilfully hinder or

obstruct the free passage of any person, vehicle or conveyance of any description along or upon any of the streets, sidewalks or alleys within the corporate limits of Hyattsville by placing any obstruction thereon which proves a hindrance to the free passage of any such person, vehicle or conveyance along or upon the same. Any person violating this section shall be fined not less than two dollars nor more than twenty-five dollars.

Obstructing streets by gates swinging outward.

SECTION 9. That no gate shall hereafter be so constructed and hung as to swing outward on any public road or walk within the town limits; and that all gates now hung so as to swing outward and when unlatched or left open remain swinging or hanging in such manner as to obstruct any walk or road and impede travel thereon, shall be so altered within thirty days after the enactment of this ordinance as to swing inward, or so weighted or arranged as to remain closed when unlatched. Any owner or tenant of property violating any provision of this section or failing to comply therewith shall be fined two dollars ($2.00) and additional fines of one dollar for each and every twenty-four (24) hours the non-compliance therewith shall continue after the first fine shall have been imposed.

Animals going at large.

SECTION 10. That it shall not be lawful for any swine, cattle, fowls or other animals to go at large within the limits of the streets, roads, avenues or alleys of the town of Hyattsville; and the owner thereof shall pay a fine of not less than two nor more than five dollars for each and every time any such animal may be found so going at large. *Provided*, That this ordinance shall not be construed to interfere with the driving of such animals through such streets, roads, avenues, and alleys, or of registered dogs running at large.

That it shall be the duty of the Chief and Under Bailiffs to impound any animal found at large contrary to the provisions of this ordinance and to keep the same securely until the owner thereof shall pay the sum of one dollar and the cost of its maintenance.

Dogs to be registered.

SECTION 11. The Town Treasurer shall be authorized on the 15th day of August of each year to register for one year any dog or bitch, on payment of one dollar for each dog, or two dollars for each bitch, such registration to include such description as will identify the animal registered, and it shall be the duty of the Bailiff to capture and impound any such animal going at large

and not registered; and unless such dog shall be reclaimed by payment of two dollars, and such bitch by payment of three dollars, within forty-eight hours after capture, it shall be the duty of the Bailiff to kill the animal so captured and impounded. The Bailiff shall receive such compensation for his services in enforcing the provisions of this section as the Commissioners may determine.

The harboring of any dog or bitch or permitting the same to remain on one's premises shall be deemed to establish ownership for the purposes of this ordinance.

Must not cross any sidewalk with horse or wagon.

SECTION 12. It shall be unlawful for any person or persons to ride, drive or lead any horse, cow or any other like animal upon or over, or cause or permit any wagon or other vehicle to pass upon or over any of the sidewalks in the corporate limits of this town, except at alleys or other well defined and intended crossings. Any person violating this ordinance or causing the same to be violated shall be fined not less than two dollars for the first offense, and for each succeeding offense not less than four dollars.

Must not ride bicycles upon any sidewalk.

SECTION 13. It shall not be lawful for any person or persons to ride a bicycle upon any of the sidewalks within the corporate limits of Hyattsville. Any person violating this ordinance shall be fined not more than two dollars for the first offense, and for each succeeding offense not more than five dollars.

Licensing of amusements, etc.

SECTION 14. No theatrical or other form of amusement to attend which a price is charged or collected will be permitted within the town of Hyattsville, Maryland, without due notice to the Commissioners and full information is furnished as to the character of the proposed performance or entertainment, and a permit obtained to give or hold the same.

The fee for such permit shall be for persons resident of and in the town the sum of 50 cents, and for all visiting or transient persons or companies of whatsoever character the sum of not less than two ($2) dollars nor more than five ($5) dollars, as the Commissioners may direct and require.

Any person or persons violating any part or portion of the foregoing ordinance shall be charged and pay a fine of not less than five nor more than twenty dollars for each and every such offense.

Signs must not project over streets.

SECTION 15. It shall be unlawful for any sign or board to project over or into the streets. Nor shall any banner, flag or other matter of display be stretched across any of the streets of the town of Hyattsville without a special permit.

Hitching post permitted only at certain locations, etc.

SECTION 16. No hitching post or pole will be permitted on any of the streets or avenues of this town, except the same is located against the outer line of the sidewalk, nor shall any hitching post or pole be erected hereafter within the limits of this town without a permit, which must clearly describe the kind of such post or pole to be erected, and it shall be unlawful to tie or hitch any animal to any lamp-post or tree belonging to the corporation.

Any person violating this or the preceding ordinance shall be subject to a fine of not less than two ($2) dollars nor more than ten ($10) dollars.

CHAPTER III.

STREETS, ALLEYS, ETC.

Width of streets, etc.

SECTION 1. No road or street of a less width than thirty (30) feet, nor alley of a less width than ten (10) feet, shall be accepted as a public road or alley, nor shall any appropriation of public money be made for expenditure in the improving of any such roads, streets or alleys.

No encroachment permitted.

SECTION 2. The lines of the street formerly occupied by the Baltimore and Washington Turnpike shall correspond with the right of way granted to said Turnpike Company, and no encroachment upon said right of way will be permitted.

Plat to be presented of streets before laid out.

SECTION 3. No public street or roadway shall be laid out or constructed until a plat of same shall be presented to and approved by the Commissioners. Any person violating this ordinance shall be liable to a fine of twenty-five (25) dollars and a like fine for each week thereafter so long as such street or roadway shall be maintained.

Building lines.

SECTION 4. A building line of not less than thirty feet from the center of the street, formerly occupied by the Baltimore and Washington Turnpike, and the right of way granted to said Turnpike Company, and of not

less than twenty feet from the side line of all other streets, is hereby established, and every building hereafter erected shall conform therewith, but the side of the building erected on a corner lot may coincide with the line of the lateral or intersecting street.

Any person or persons who shall violate any provision of the preceding section shall forfeit and pay a fine of twenty ($20) dollars and a further fine of five ($5) dollars for each and every day such violation shall continue.

CHAPTER IV.

BUILDING REGULATIONS.

Inspector: Appointment of.

SECTION 1. Be it ordained by the corporate authorities of Hyattsville that when an Inspector of Buildings is appointed it shall be for the inspection of all buildings and structures relating thereto which may thereafter be erected within the town of Hyattsville and subject to the following regulations:

Qualifications of Inspector and oath.

SECTION 2. Said Inspector shall be a person fully qualified for the duties of his office, and before engaging therein he shall take and inscribe, on oath or affirmation, before an officer duly qualified to administer the same, that he will faithfully perform the duties of his office. Said oath or affirmation shall be filed in the office of the corporate authorities.

Bond of Inspector of Buildings.

SECTION 3. He shall also, before entering upon the duties of his office, execute a bond to the Commissioners of Hyattsville, Maryland, with two sureties, for such sum as the said Commissioners may deem sufficient and proper, conditioned upon the faithful performance of the duties of said office; and while holding his office shall not engage or be interested as a builder within the corporate limits of the town of Hyattsville, Maryland, after the fiscal year ending April 30, 1900.

Shall not be engaged in building in corporate limits of the town.

Fees.

He shall receive such fees or compensation for his services as the Commissioners may deem proper, and he shall report to the Commissioners, at the regular meetings and at such other times as necessary, what he has done the preceding period in regard to the duties of his office, and what action, if any, on the part of the Commissioners, is needed in connection therewith.

Inspector to report what he has done and action needed.

Duties of Inspector of Buildings.

SECTION 4. The Inspector of Buildings shall be charged, under the supervision of the Commissioners, with the survey and inspection of buildings and the enforcement of these regulations, and with other duties in respect thereto, as the Commissioners may assign to him.

Intent of regulation to be observed.

SECTION 5. He shall require the intent of these regulations to be observed in all matters affecting structures not specially set forth herein and order such reconstruction as he may deem necessary; and any person or persons evading such order will be liable to the penalties provided in Section 59 of these regulations; but he shall have no discretionary power to modify any of these regulations.

Inspector shall examine all buildings in course of erection, etc.

SECTION 6. The Inspector of Buildings, when so directed, shall examine all buildings in course of erection, alteration or repair as often as necessary; shall see that the work is done in accordance with the law and regulations; that materials used are suitable for the purpose; that the work is done in a substantial manner and is of sufficient strength and solidity to answer the purpose for which it was designed.

SECTION 7. He shall examine any building when application shall be made for a permit to raise, enlarge, alter or build upon it, and make a record of its condition.

Inspector shall examine all dangerous buildings.

SECTION 8. He shall enter and examine all buildings supposed or reported to be in a dangerous or defective condition, and make a record of such examination, the location of the building, the purpose for which it is used, and the names of the owner, lessee and occupant.

Notice to vacate any defective building if repairs are not made.

SECTION 9. He shall, after examination, serve a written notice upon the owner, agent or other party interested in any building or part thereof regarded by him as defective, setting forth in detail the necessary repairs; and if the parties interested shall refuse or neglect to have the repairs as stated made, or shall not have actually commenced to make the same within ten days from the date of notice thereof, the Inspector of Buildings shall order the building to be vacated.

Dangerous buildings to be made safe or removed.

SECTION 10. If, after examination, the Inspector of Buildings shall deem any structure or building, or part thereof, or appurtenance thereto, dangerous, he shall serve upon the occupants thereof a notice requiring a vacation of said structure or building immediately, and

also serve, or cause to be served, a notice in writing upon the owner, agent or any party having interest in said structure, requiring the same to be made safe and secure or removed, as the Inspector may deem necessary, within such time as he may direct, under the penalties for failure provided by Section 59.

To take down dangerous structures.

SECTION 11. The Inspector of Buildings shall also have authority, subject to the approval of the Commissioners, to direct the tearing down of any defective or dangerous wall, any defective or dangerous building, or any part thereof, after the failure of the owner, agent, lessee or occupant to comply with the notice of the Inspector of Buildings, served in accordance with Section 10 of these regulations. If the owner is a non-resident of the town of Hyattsville a copy of said notice must be sent to his last known postoffice address. After failure to secure service of the said notice upon the owner notice must be served upon the agent, lessee, or occupant of said premises, in accordance with the provisions of Section 10 of these regulations.

If owner is non-resident.

No building or repairing to be done without permits.

SECTION 12. Permits from the Commissioners must be obtained in advance for the erection, alteration, repair, removal and maintenance of all buildings and their appurtenances which are within the corporate limits of the town of Hyattsville, Maryland.

Permit in force six months.

Such permits shall be valid and in force for such period in each case, not exceeding six months, as shall be determined and inscribed on the face thereof.

Permits for minor repairs not required.

SECTION 13. Permits are not required for minor interior repairs where there is no interference with the construction of the building, the fact to be determined in each case by inspection.

Plans and specifications to be submitted for approval.

SECTION 14. Hereafter no building shall be erected, repaired or altered in this town until plans and specifications have been submitted and accepted by the Commissioners or Inspector of Buildings. A fine of not less than twenty-five dollars shall be fixed as a penalty for a violation of this section.

Fee for permit.

SECTION 15. The fees under these regulations shall be one dollar for each and every permit.

Blanks prepared under supervision of Commissioners.

SECTION 16. All blank forms of permits, applications, certificates and notices required by these regulations shall be prepared under the supervision of the Commissioners of the town of Hyattsville.

Deposit to be made covering damage to public property.

SECTION 17. Before a permit is issued for the construction of any building on a street with sidewalks a sufficient amount must be deposited with the Collector of Taxes to cover the expense of repairing sidewalks or curb injured during the construction of such building and of cleaning the streets required on account of excavation.

Rooms in houses to be not less than 8 feet high in clear.

SECTION 18. Every room in every dwelling, hotel, tenement or lodging house hereafter built, and in every building hereafter altered to be used as such, shall be not less than eight feet in height in the clear in every story, except that in the attic; it may be less than eight feet high for one-half the area of the room. Every such room shall have one or more windows on an open-air space.

Buildings used for storage of inflammable materials not to be occupied as dwellings.

SECTION 19. No building of which any part is used for storage or sale of hay, straw, hemp, flax, shavings, burning fluid, turpentine, camphene, or any inflammable oil or other highly combustible substance, shall be occupied in any part as a dwelling, tenement or lodging house.

All material must be of good quality for the purpose used.

SECTION 20. All building materials are to be of good quality for the purpose for which they are to be used, and must conform to legal, trade and manufacturers' standards and be subject to approval.

How mortars shall be made.

SECTION 21. All mortars shall be made with such proportions of sand as will insure a proper degree of cohesion and tenacity and secure thorough adhesion to the material with which they are to be used, and all mortars not so made shall be condemned and the use prevented.

Structures affected by, to be supported.

SECTION 22. Every portion of every structure in process of construction, alteration, repair or removal, and every neighboring structure or portion thereof affected by such process, or by an excavation, shall be sufficiently supported during such process, and all necessary precautions for protection of life and limb shall be taken.

Cellar or basement must have bottom covered with cement.

SECTION 23. Every cellar or basement of a dwelling hereafter erected shall have a bed of hydraulic cement or asphaltum concrete, not less than two inches thick, spread over its entire bottom, or shall be paved with brick laid in hydraulic cement.

SECTION 24. Every building hereafter erected without cellar or basement shall have in the walls below floor-level, in front and rear, not less than four ventilators, each not less than five by twelve inches, and no portion of the woodwork of the floor shall be less than six inches clear of the ground.

Ventilators in foundation walls of buildings without cellars.

SECTION 25. All foundation walls shall have footings, laid at least one foot six inches below the surface of the ground, of stone or concrete, or both, or of concrete and stepped-up brickwork of sufficient thickness and area to safely bear the weight to be imposed thereon and to properly distribute such weight upon the surface on which it rests.

All foundation walls shall have footings.

If of concrete, the concrete shall not be less than twelve inches thick. If of stone, the stones shall be not less than ten inches in thickness and at least six inches wider than the bottom width of the foundation walls, and at least six inches wider on all sides than the bottom width of any piers, columns or posts resting upon them. All footing stones shall be well-bedded and laid crosswise, edge to edge. If the stepped-up footings of brick are used in place of stone above the concrete, the steps or offsets, if laid in single courses, shall each not exceed two inches; or, if laid in double courses, then each shall not exceed four inches.

Material and thickness.

Footings stepped up.

SECTION 26. When the excavation for a building is completed the architect, owner, or builder shall notify the Commissioners, to that effect, before proceeding with the construction of the foundations. Similar notice must be given when the walls are ready for the floor joists.

Inspector must be notified as to progress of all work.

SECTION 27. All brickwork shall be of sound, well-shaped bricks, well laid and bedded in mortar, with well-filled joints and well flushed up at every course with mortar. Bricks laid from April to October, inclusive, shall be wet at the time they are laid. The use of soft bricks is prohibited in foundations and in all parts of buildings exposed to the weather and in internal and external piers.

All brickwork shall be of sound, well-shaped brick, well laid.

SECTION 28. The foundation walls of every building must be built of brick, stone or other hard and incombustible material.

Foundation walls must be of brick or stone, &c.

SECTION 29. Before any work of underpinning walls is commenced a notice must be given, so that the In-

spector of Buildings may direct the manner of doing the work.

Bond and cap stones in piers.

SECTION 30. If the height of a brick pier is four times that of its smallest dimensions, there shall be a bond stone or bond plate inserted in the middle of such pier. For all piers higher than the above there shall be a bond plate or bond stone for each distance in height equal to double that of the smallest dimensions of the pier.

Dwelling houses in alleys of less than 20 feet not permitted.

SECTION 31. Hereafter the placing or erecting of any building for use or occupancy as a residence or dwelling will not be permitted in any alleyway within the corporate limits of Hyattsville, Maryland, of less width than twenty (20) feet, and that portion of said structure facing the alleyway shall be at least ten (10) feet from the side line of the same; nor shall any permit be given for buildings which do not conform to all provisions of this ordinance.

Buildings of brick or wood may be erected.

SECTION 32. Brick or wooden buildings may be erected, provided that no building shall be erected within ten feet of another building unless the written assent thereto of the owner of such building be first obtained and concurred in by the Commissioners.

Foundation to all buildings.

SECTION 33. All wooden buildings shall be built upon brick or stone foundations.

Each roof to have a scuttle.

SECTION 34. Each roof shall have a scuttle not less than two by three feet, with a step-ladder or flight of steps leading thereto.

Chimneys must be brick, stone, or other fireproof material.

SECTION 35. Chimneys shall be built of brick, stone or other fireproof material, and in no case shall a chimney rest upon a flooring without a footing of masonry or iron, supported by iron bars having a secure bearing on masonry or iron at both ends. Brickwork of all flues, without reference to the purpose for which they may be intended, must be laid with solid joints inside and the joints struck flush on the inside and on the outside plastered between the ceiling joints and rafters.

Brick work must be laid with solid joints.

When chimney breasts project more than nine inches.

SECTION 36. When the breast of a chimney projects more than nine inches it shall be started and built on the same line from the foundation, or, where this is impracticable, it shall be secured in such manner as shall be determined by the Inspector of Buildings.

Walling of flues.

SECTION 37. The walling of all flues, except the partition between the flues, shall not be less than nine inches except where the flues are lined their full height with

terra cotta pipes of not less than eight inches inside diameter, in which case they may be inclosed with four and one-half inches of brickwork.

When lined with terra cotta pipe.

SECTION 38. All flues shall be topped out at least four feet above the roof of the building to which they belong. The brick topping-out of chimneys and flues shall not project more than four inches unless covered by a cap of stone or iron properly secured.

Flues topped out four feet above roof.

SECTION 39. Hearths, fireplaces and grates shall be laid upon trimmer arches of brick, turned the full length of the chimney breast, or upon bars of iron supporting trimmer arch.

Hearths, fireplaces and grates: How constructed.

SECTION 40. No wooden joists, rafters, beams, girders or other wood shall be built into any chimney, flue, or fireplace; nor shall they, nor woodwork of any kind, be placed at less distance than two inches from the outside of the brickwork of any flue or fireplace; nor shall any flue or fireplace be built in or against any party or division wall unless the back of the flue or fireplace be at least nine inches thick.

Wood shall not be built into chimneys, etc.

SECTION 41. In no case shall a nail be driven into the masonry of any flue, nor shall any base, flooring, or roofing, nor any other woodwork, be placed against any flue until it shall be well plastered externally with proper material.

Nails shall not be driven into flues.

SECTION 42. Metal flues or pipes of single thickness intended to convey heated air in any building hereafter altered or erected shall have a thickness of not less than one inch of plaster of paris or other non-conducting material between them and any timber or woodwork adjoining the frame, or the pipe be doubled—that is, one inside another at least one inch apart.

Metal flues How constructed.

SECTION 43. No smoke-pipe in any building having wooden or combustible floors or ceilings shall enter any flue within twelve inches of a floor or ceiling.

Smoke pipes must be one foot below floor, etc.

Hot-air or other pipes passing through floors, stud or wooden partitions shall be guarded by a collar of metal, giving at least two inches of air space, having holes for ventilation, or other device equally secure, to be approved by the Inspector of Buildings.

Pipes passing through stud, etc., must be guarded by collar.

SECTION 44. When a furnace or boiler of any kind is used the smoke-pipe must be placed at least two feet below beams or ceilings, unless said beams or ceilings are properly protected by shields or tin plates suspended above said smoke-pipe, with a sufficient space for the

Distance of furnace or boiler pipes must be two feet below beams, etc.

free circulation of air above and below said shield; but the smoke-pipe shall in every case be at least twelve inches from the beams or ceilings.

Furnace tops not set in brick must be covered.

SECTION 45. The top of any furnace not set in brick shall be at least one foot below the beams or ceilings and shall have a shield of metal plate, made tight, suspended at least two inches below said beam or ceiling and extending one foot beyond the top of the furnace on all sides.

Floor to have sufficient strength to sustain weight imposed.

SECTION 46. All new or renewed floors shall be designed and constructed so as to have strength sufficient to sustain the weight to which the proposed use of the building will subject them, and every permit granted shall state for what purpose the buildings are designed to be used.

Roof and floor timber must not be weakened.

SECTION 47. Floor timbers shall not be cut for piping or other purposes in such manner as to reduce the strength of the supporting parts.

Occupation of public space with building materials; when permitted.

SECTION 48. Persons engaged in the erection of, reconstruction or repair of any buildings may occupy the public space with building material, if absolutely necessary, for such reasonable period as the Commissioners shall decide, to be specified on permits issued by them subject to the conditions stated in these regulations.

Lights to be placed in such manner as to warn public of obstruction.

SECTION 49. Each builder or owner occupying the roadway or sidewalk with materials shall exhibit a light at night, placed in such manner as to warn the public of the obstruction of the roadway and sidewalk and so as to show distinctly the clear passageway left in the road and sidewalk. When the space occupied by the materials extends for twenty (20) feet along the street at least one light shall be exhibited at each end of the obstruction, hung clear of the obstruction on the side adjoining the carriageway.

Removal of earth and rubbish.

SECTION 50. Earth taken from excavations and rubbish taken from buildings must not be stored either upon the sidewalks, roadways or alleys at any time.

Scaffolding must be made safe for persons working thereon.

SECTION 51. All scaffolds erected for use in the construction, repair, alteration or removal of any buildings shall be safely supported and of sufficient width and properly secured to insure the safety of persons working thereon and to prevent the falling thereof, or of any materials therefrom.

Permits may be revoked if regulations are violated.

SECTION 52. If work upon buildings shall be conducted in violation of any of the provisions of these regu-

lations, either as to occupation of sidewalks or streets or the use or application of material or workmanship, the Commissioners shall revoke the permit for the building operations in connection with such violation.

Revoked permit not reissued till terms of regulation are complied with.

It shall be unlawful, after the revocation of such permit, to proceed with such building operations, unless the permit shall have been reissued by the Commissioners. Before a permit, revoked for the cause or causes before mentioned, can be lawfully reissued, the entire building and building site must be put into condition corresponding with the terms of these regulations, and any work or materials applied to the building in violation of the terms of these regulations shall be removed.

Erection of sawmills, etc., not within 30 ft. of any other building.

SECTION 53. No building to be used as a saw or grist mill, blacksmith or whitesmith shop, or shop for the working of wood or other combustible materials, or rag warehouse or shop, or building for the storage of materials of an inflammable nature, shall be erected; nor shall any building be converted to such uses, within thirty feet of any dwelling, except the dwelling owned by the owner of the building, to be erected for or converted to the uses aforesaid.

Buildings of the character named above may be located within thirty feet of dwellings fronting on alleys, provided the written consent of the owners of such dwellings be obtained and filed in the office of the Commissioners.

Location of buildings for storing petroleum.

SECTION 54. Buildings designed for the storage of petroleum or articles of like nature shall not be less than one hundred feet from any other building.

Fence: Height of.

SECTION 55. No fence erected under the authority of these regulations shall be more than six and one-half feet in height, and no front fence shall be more than four feet in height.

Location of coal and lumber yards

SECTION 56. No coal, wood or lumber, or yard for the storage or sale of coal, lumber or wood, or of any new or second-hand combustible material, shall be established upon any new site or site not used for such purposes, for the period of one year previously, within fifty feet of any building on either side of the site in question, unless the person or persons desiring to establish or locate any such premises shall file, with the Commissioners, the written consent of all the owners of real estate within ninety feet of said site, in which case the

Consent of adjacent owner to be had.

question shall be submitted in writing to the Commissioners of the town for decision.

Assembly Halls: Plans to be submitted for approval.

SECTION 57. Permits for buildings to be used wholly or partly as assembly halls will not be issued until the plans have been carefully examined by the Building Inspector and approved by the Commissioners. Existing buildings shall not be altered for use as halls for public assembly excepting in accordance with these regulations.

Existing buildings not to be altered without permit.

Projection legalized of existing building only.

SECTION 58. The action of the Commissioners of the town of Hyattsville in heretofore granting permits for the extension of any building or buildings, or any part or parts thereof, in the town of Hyattsville, beyond the building line and upon the streets and avenues of said town, is hereby ratified, without prejudice, however, to the legal rights of the corporate authorities in the event of destruction by fire, or otherwise, of any such structure; and hereafter no such permit shall be granted.

Penalties for violation of regulation.

SECTION 59. Any person or persons violating any of the foregoing regulations shall, on conviction thereof be punished by a fine of not less than two (2) or more than twenty-five (25) dollars for each offense, together with the costs of suit, to be recovered as other fines and penalties are recovered.

CHAPTER V.

HEALTH.

Health Committee: Appointment and duties of

SECTION 1. Be it enacted by the Commissioners of Hyattsville that there shall be annually appointed by the President of the Board of Commissioners of Hyattsville a Health Committee, composed of at least two of said Commissioners, whose duty it shall be to cause to be executed and observed all ordinances for the preservation of the health of the town.

Duty of Health Committee.

It shall be the duty of the said Health Committee from time to time to examine the sanitary condition of all streets, roads and alleys in the town, and lots and property abutting thereon, and cause to be removed and abated all nuisances and agencies tending to create a nuisance thereon, the presence of which might in their opinion endanger health; to investigate all com-

plaints as to the existence of alleged nuisances on any premises, cellar or enclosure, and, if found, to cause the abatement thereof; to make diligent inquiry into all cases of malignant, infectious or contagious diseases which may occur, and cause immediate measures to be taken to arrest their progress, and generally to notice all things that relate to the preservation of the health of the town. The Health Committee may appoint one or more persons as scavengers, who shall, under such regulations as said committee shall prescribe, have authority to remove the contents of privy vaults or earth closets, and also to remove all garbage, ashes and other noxious matter from the house, premises and alleys of all who desire such service.

Scavengers to be appointed.

SECTION 2. If any person shall cast, place or lay, or cause to be cast, placed or laid, any rubbish, oyster shells, shavings or offal or refuse substance of any kind whatsoever of his, her or their trade, occupation or business, or any ashes (except as used for sidewalks), barrels, hogsheads, or casks of any kind; boxes, foul water, dye water, filth, stable manure, dead dogs, cats, rats or other dead animals, or any offensive substance or obstruction on any street, avenue, open space or alley, or so that the same may run into any improved street, avenue, alley, open space, or on any pavement or in the gutters of any street, avenue, alley, or open space, and shall not remove the same on the day on which the same shall have been so placed as aforesaid, every person so offending or directing or ordering the same to be done shall forfeit and pay not less than one dollar nor more than five dollars for each and every day the same shall be suffered to remain.

Offensive matter not to be placed in the str'ts, alleys, etc.

SECTION 3. No person shall cast or throw, discharge or cause to flow on or into any street, road, alley, ditch, gutter or public place within the limits of this town any house refuse, offal, garbage, dead animals, decaying vegetable matter or organic waste substance of any kind, nor any slops, greasy or soapy water, or other liquid or offensive matter liable to become a source of nuisance after exposure to the atmosphere, under a penalty of not exceeding ten dollars ($10) for each and every offense.

Refuse, garbage, etc., not to be thrown into streets or alleys.

SECTION 4. It shall be the duty of each and every occupier of any house or owner of any lot within the town fronting any street, lane or alley to keep the gutter or ditch in front of said house or lot clear and clean at all

Owners and tenants to keep gutters clean and open.

times during the months of April, May, June, July, August, September, October and November, and every person herein offending shall forfeit and pay, upon conviction, the sum of one dollar for each offense; *provided* such obstruction or filth has been permitted to remain in such gutter or ditch above the period of twenty-four hours.

Decaying animal or vegetable matter not to be allowed on premises.

SECTION 5. No person shall keep, collect or suffer to be in his or her house, cellar or premises over and above the period of twenty-four (24) hours any putrid or decaying animal or vegetable matter, nauseous liquids, stagnant water or other offensive matter; nor shall any person or persons keep any poultry, cattle or live stock in such a manner that the filth or stench therefrom shall become offensive; nor shall any person deposit or suffer to be deposited on his or her ground or premises any excrement or filth from vaults or privies, necessary house or water closets, nor any dead animals or parts thereof, without effectually covering the same within two (2) hours after such deposit with and under such a body of earth as will prevent any noxious effluvia or offensive smell arising from the same; and any person or persons violating the provisions of this section shall forfeit and pay the sum of five (5) dollars for each offense and the further sum of five (5) dollars for each and every day the nuisance shall be suffered to remain after service of notice for the abatement thereof.

Disposition of offensive matter.

Privies and cesspools must be constructed so that leakage cannot occur.

SECTION 6. No privy, vault, cesspool or reservoir into which a privy, water closet, cesspool, stable or sink is drained; no earth privies, closets with pit or depression below the surface of the ground, shall hereafter be constructed, dug or permitted to remain within this town limits, unless the sides from top to and including the bottom of such privy vault, cesspool, reservoir, pit or depression below the surface of the ground shall be lined with bricks and cement with a coating of Portland cement not less than one-half inch in thickness, to prevent leakage or drainage from flowing therefrom, and no privy, vault, cesspool, reservoir, pit or depression below the surface of the ground; no boxes, barrels, buckets or any other contrivance used in the construction of a privy or closet above ground shall be permitted to leak or overflow, thereby causing a nuisance.

Any person violating any of the provisions of this section shall be given notice, and if not abated within forty-eight hours thereafter shall be fined ten (10) dollars for each and every offense and the further sum of two (2) dollars for each and every twenty-four (24) hours such offense may continue after expiration of the forty-eight (48) hours after notice for the abatement of the same.

Excrement and dead animals not to be buried within 100 feet of any well.

SECTION 7. No person shall deposit or bury the contents of any privy vault, cesspool or reservoir, privy or earth closet, nor the body of any dead animal within one hundred (100) feet of any well, cistern, spring or other source of water used for drinking or culinary purpose, nor permit the same to be done on his or her premises, under a penalty of five (5) dollars for each and every offense.

Contents of privies not to be removed between certain hours

SECTION 8. No person shall remove or cause to be removed the contents of any privy, earth closet, privy vault or reservoir between the hours of 6 o'clock a. m. and 11 o'clock p. m., under a penalty of five (5) dollars for each and every offense.

Contents of privies not to be carried through the streets during certain hours.

SECTION 9. No cart or other vehicle conveying the contents of privies and earth closets shall be driven through any street, road, lane or alley of the town between the hours of 6 o'clock a. m. and 11 o'clock p. m., under a penalty of five (5) dollars for each and every offense, said penalty to be recovered of the owner or driver of such vehicle.

Stables.

SECTION 10. The keeper or keepers of a livery or other stable shall keep such stable and stable yard clean, and shall not permit, between the fifteenth of May and the fifteenth of October, more than five wagon loads of manure to accumulate in or near the same at any one time. Any person violating this section shall be fined not less than one dollar.

Pig pens.

SECTION 11. No person shall build or maintain a pig pen within one hundred feet of any well or spring of water used for drinking or culinary purposes, nor within the same distance of any public street or avenue or of any dwelling house; and any pig pen built or maintained within the corporation limits must be so kept and cleaned that no offensive smell shall arise therefrom to the annoyance of a neighbor or the community at large. Any person or persons violating any of the provisions of this section shall forfeit and pay the sum

of five dollars ($5) for each and every offense, and the further sum of one dollar ($1) for each and every twenty-four (24) hours any nuisance arising hereunder may be continued after service of notice to abate the same.

Diseased animals not to be brought or kept within town limits.

SECTION 12. No animal affected with a dangerous communicable disease shall be brought or kept within the limits of this town; and the bodies of animals which have died of such disease or been killed on account thereof shall not be buried within six hundred (600) feet of any residence nor otherwise disposed of without permission of the proper authorities, under a penalty of five dollars ($5) for each separate violation of this section.

No adulterated milk nor other unwholesome food to be sold or kept for sale.

SECTION 13. No milk which has been watered, adulterated, reduced or changed in any respect from its natural condition by the addition of any foreign substance shall be brought into, held, kept or offered for sale at any place within the town limits; and no meat, fish, oysters, birds, fowls, fruit or vegetables, nor anything for human food not being then healthy, fresh, sound, wholesome, fit and safe for such use, nor any animal that died of disease; and no carcass of any calf, pig or lamb which at the time of its death was less than three weeks old, and no meat therefrom shall be brought within the limits of this town or offered, kept or held for sale therein as food, under a fine and penalty of not less than five dollars ($5) for each and every violation of any provisions of this section.

Cemeteries or burial grounds.

SECTION 14. No cemetery or burial ground shall be established within the town limits without the permit of the Commissioners of Hyattsville; and any person or persons violating the provisions of this section shall be fined the sum of twenty dollars ($20), and twenty dollars ($20) for each burial thereafter in such cemetery or burial ground.

Funerals of persons dying of contagious or infectious diseases.

SECTION 15. No public funeral shall be held of any person who has died of Asiatic cholera, smallpox, diphtheria or scarlet fever; and the Health Committee are hereby authorized and directed to prevent the holding of such funerals within the corporation limits.

Members of households in which there is contagious or infectious disease to abstain from attending public assemblies, &c.

SECTION 16. Members of any household in which smallpox, diphtheria or scarlet fever exists shall abstain from attending places of public amusement, worship or education, and, as far as possible, from visiting other private houses; nor shall any child in said house-

hold be permitted to attend any public, private or Sunday school within ten (10) days after the cessation of any such disease.

Vaccination

SECTION 17. No pupil shall be allowed to attend any public or private school in this town who has not been successfully vaccinated.

Precaution to be taken.

SECTION 18. Every person who acts as physician, nurse or undertaker shall so conduct his or her business as to avoid detriment or danger to public health; and every person undertaking preparations for the burial of a body dead from communicable disease shall adopt all precautions necessary and proper to prevent the spread of such disease.

Penalty for the violation of the four next preceding sections.

SECTION 19. For the violation of any provision of the four next preceding sections of this ordinance a fine shall be imposed upon the offending party or parties in a sum not exceeding twenty ($20) dollars for each offense.

Nuisance defined.

SECTION 20. Whatever is dangerous to life or health, whatever renders air, food or water or other drink unwholesome or unfit for the use of man; whatever odors or exhalations are offensive to the inhabitants or dangerous to the public health; whatever accumulation of animal or vegetable matters, solid or liquid, which are dangerous or hurtful to the neighborhood, or are likely to become so, are hereby declared to be nuisances within the scope and meaning of this ordinance.

DRAINAGE AND PIPES.

Plan of drains to be filed with Commissioners.

SECTION 21. Before proceeding to construct any portion of the drainage system of a hotel, tenement, dwelling house or other building on any subdivision or parcel of land or town lot, the onwer, builder, or person constructing the same shall file with the Commissioners a plan thereof, showing the whole proposed drainage system from its connection with the common or sewer pipe, setting forth the location and sizes of all the pipes, branches, traps, ventilating pipes and fixtures, and the proposed distribution of the sewage or waste matter to be conveyed thereby, and such drainage system shall not be constructed except with the consent and approval of the Commissioners, and in compliance with their instructions, under a penalty of twenty dollars ($20) for each offense, to be recovered of the owner or

Consent of Commissioners necessary

owners of the premises, or the builder or constructor of said drainage system.

No drain pipe to be laid under streets, etc., without permission.

SECTION 22. No drain tile, pipe or box shall be laid in or under any road, street, lane, or alley of the town without the permission of the Commissioners, who will furnish the requisite information as to grade, size of pipe, etc., and all drains built or laid by private parties in or under any road, street, lane or alley of the town shall be reconstructed, repaired, removed, or changed by and at the cost of the person or persons owning the property fronting the same, or for the benefit of whose property the same shall be or have been constructed or maintained, as the Commissioners may determine, whenever in their opinion it may be advisable or necessary for the prevention of damage, nuisance or disease that such drain tile, pipe or box should be removed, repaired or changed. And any person or persons who shall violate the provisions of this section or refuse or neglect to comply therewith shall forfeit and pay the sum of ten dollars ($10) for each offense.

CHAPTER VI.

Be it ordained by the Commissioners of Hyattsville,

Permission granted to construct railroad through town.

That permission be granted to the corporation known as the C. & M. Railway to construct and maintain a railroad through the town of Hyattsville along the line of the present right of way of the said corporation on the terms and conditions following, to wit:

1. That before said corporation shall commence the running of cars over its railroad and thereafter automatic alarm bells shall be by it placed and maintained at the Baltimore Turnpike, known as Maryland avenue crossing, and Melrose avenue crossing.

2. That whenever the said corporation shall commence the running of cars which do not stop at Hyattsville and thereafter safety gates shall be placed by said corporation at the Maryland avenue and Melrose avenue crossings, with watchmen to operate said gates such portions of each day as the cars of said railroad and said corporation shall pass over the road, and said corporation shall, at the request of the Commissioners of Hyattsville, at any period subsequent to six months

from the opening of such railway for passenger traffic, cause to be erected and maintained safety gates and provide watchmen therefor at the Maryland avenue and Melrose avenue crossings.

3. That the said corporation shall cause to be constructed and kept in order for the passing of vehicles crossings not less than 25 feet in width for any street within the limits of Hyattsville which now crosses or shall hereafter, by authority of the Commissioners of Hyattsville, be laid out and built which shall cross the right of way of said corporation.

4. The said corporation shall not at any time run its cars between Maryland avenue and Melrose avenue at a speed exceeding 20 miles per hour.

5. This ordinance shall be in force whenever the C. & M. Railway shall communicate to the Commissioners of Hyattsville its consent to the conditions herein set forth, and this ordinance shall not in any way impair the legal rights or control of the Commissioners of Hyattsville in respect to said corporation, nor shall the legal rights of said corporation be impaired, except as herein provided.

CHAPTER VII.

Cost of suit to be included in judgment.

Offender to be committed until fine is paid.

Be it ordained by the Commissioners of Hyattsville—

SECTION 1. That the judgment of the Police Magistrate or the President of the Board of Commissioners, when acting in place of the Police Magistrate, imposing any fine or penalty for the violation of any town ordinance or section thereof shall include in addition to such fine or penalty the costs of suit, and that said Magistrate or President of the Board shall have authority in every instance to commit the offender to the town lock-up or to the county jail until the same be paid, not exceeding thirty (30) days.

Ordinances contained in chapters 1, 2, 3, 4, 5 and 6 declared to be the ordinances of Hyattsville.

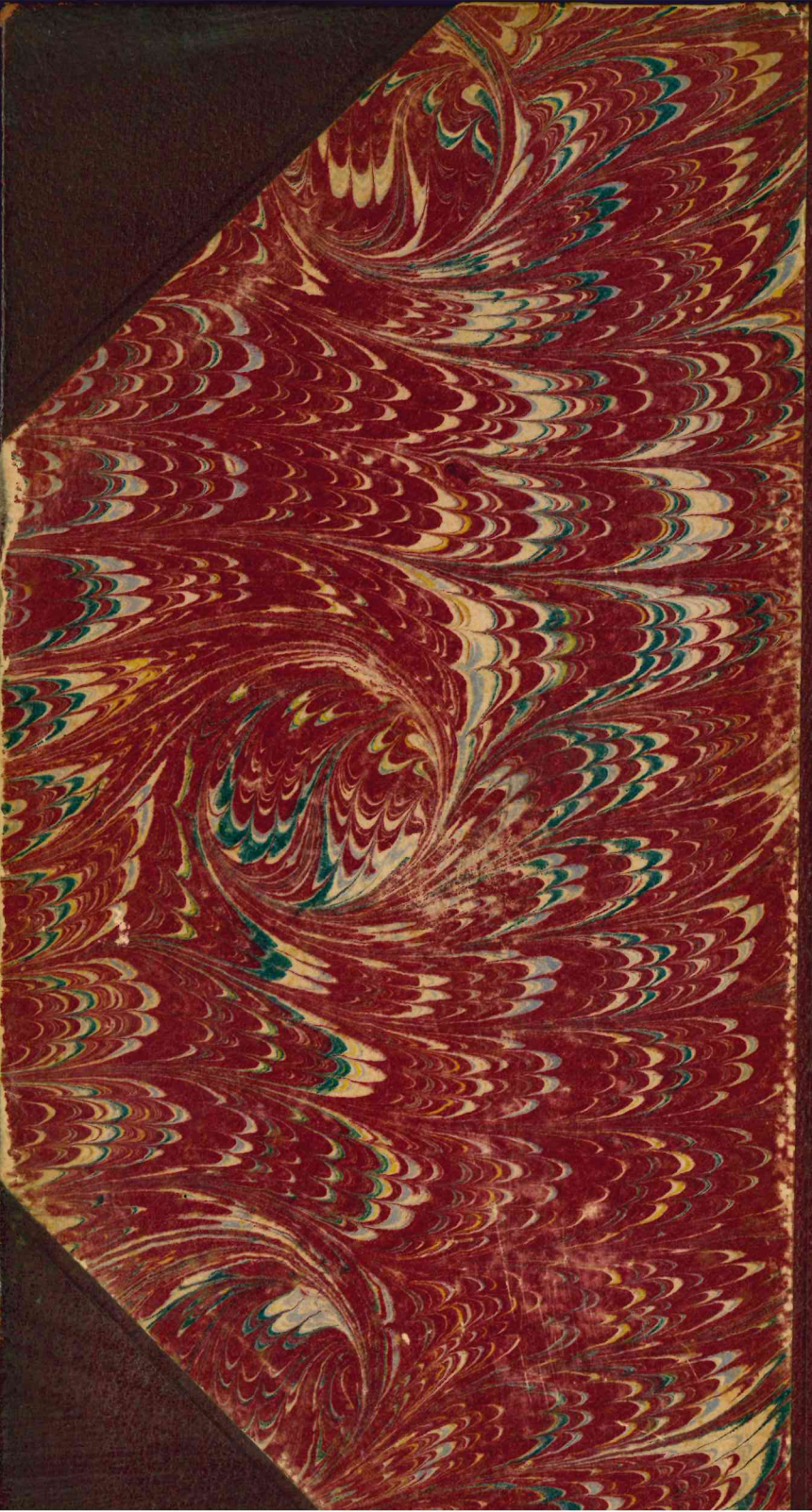
SECTION 2. That all the ordinances contained in this chapter and in the foregoing chapters, one, two, three, four, five and six be and the same are hereby declared to be the ordinances of the Commissioners of Hyattsville.

Repeal of former ordinances.

SECTION 3. That all ordinances and parts of ordinances of the said Commissioners of Hyattsville not contained in this and the foregoing chapters be and the same are hereby repealed.

SECTION 4. That these ordinances shall take effect on and from November 1, 1899.

Passed and ordained November 1, 1899.

CHARLES E. POSTLEY, M. D.,
President Hyattsville Commissioners.

Attest:
E. L. Latimer, *Clerk.*