

ORDINANCE NO. 7

AN ORDINANCE DEFINING MISDEMEANORS, PROHIBITING THE COMMISSION THEREOF, AND PROVIDING A PUNISHMENT THEREFOR.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEN OF THE CITY OF HUNTER:

ARTICLE 1 - Offenses against the person and against public morals.

ASSAULT AND BATTERY

SECTION 1. Any person who shall assault and beat another, or who shall offer or attempt with force or violence to do corporal hurt or injury to another, shall, upon conviction be fined in a sum not exceeding Five hundred dollars, or imprisoned not exceeding one year.

RIOT

SECTION 2. Any person who shall, in said city, engage in a riot, or disorderly assembly, or incite or attempt to incite a riot or disorderly assembly, or shall aid or abet any other person in inciting or attempting to incite a riot, or disorderly assembly, shall be deemed guilty of a misdemeanor and upon conviction therefor, shall be fined in any sum not to exceed one hundred dollars, or by imprisonment in the city prison for a period not exceeding ninety days, or by both such fine and imprisonment.

ASSAULT WITH WEAPON

SECTION 3. Any person who shall within said city, during any quarrel in which he is engaged, or when in a passion or in a state of intoxication, exhibit, or present, or attempt to present at any other person or persons any revolver, pistol or other firearm or in a threatening manner exhibit any dirk, knife, slung-shot, or other dangerous weapon, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding one hundred dollars or by imprisonment in the city prison for a period not exceeding ninety days, or by both such fine and imprisonment.

PROVOKE

SECTION 4. Any person who shall, within the said city, attempt to provoke another to fight, or who shall threaten personal violence to another person, or who shall use rude, indecent, or profane, insulting language or shall commit any other acts tending to provoke a breach of the peace, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding one hundred dollars.

CONCEALED WEAPONS

SECTION 5. Any person who shall, within said city, carry concealed on or about his person any revolver, pistol, bowie-knife, dirk, slung-shot, brass, lead or iron knuckles, or any other dangerous weapon, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not exceeding one hundred dollars or by imprisonment in the city prison for a period not exceeding ninety days, or by both such fine and imprisonment; Provided, however, that any person over 21 years of age engaged in the pursuit of any lawful business, calling or employment may carry a revolver, pistol or dirk at such times and under such circumstances as would justify a prudent man in doing so for the defense of his person, property or family.

DISCHARGING FIREARMS

SECTION 6. Any person who shall within said city, fire or discharge any cannon, gun, fowling-piece, revolver or pistol of any kind, or firearms of any description, without permission from the mayor, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not to exceed ten dollars.

DISTURBING ASSEMBLIES

SECTION 7. Any person who shall interrupt or molest any assembly of persons met for any lawful purpose by making any unnecessary noise, or by rude and indecent behavior, within the place wherein such persons may be assembled, or so near thereto as to disturb the order of the assembly, shall be deemed guilty of a misdemeanor, and, upon conviction therefor, shall be fined in a sum not exceeding fifty dollars.

PROFANE LANGUAGE

SECTION 8. Any person using profane, vulgar or indecent language in or about any public building, store or other business house, or upon any of the streets, avenues or alleys of the city of Hunter, or so as to be audible thereon, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not exceeding fifty dollars.

OBSTRUCTING SIDEWALKS

SECTION 9. If any two or more persons assemble on the sidewalk, street corner or crossing or other public place within said city, and they conduct themselves in a manner annoying to persons passing, or attempting to pass, or obstruct any sidewalk, street, alley, or crossing to the disturbance of any other person whomsoever, they and each of them shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not exceeding ten dollars.

OBSTRUCTING STREETS AND CROSSINGS

SECTION 10. Any person who shall drive, or having charge of any cab, cart, buggy, wagon or other vehicle, or riding or leading any horse or other animal, who shall stop the same in any street, avenue or alley or in such a manner as to prevent other teams or vehicles from passing at all times, except in case of absolute necessity, or shall stop the same and shall suffer the same to stand on any street crossing, sidewalk, or sidewalk crossing in said city so as to obstruct the passage of the same, or in such a manner as to prevent same passing of persons traveling on same, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding ten dollars.

OBSTRUCTIONS

SECTION 11. Any person who shall obstruct or encumber any street, avenue, alley or sidewalk in said city, by placing thereon boxes, barrels, implements or any article or articles whatever, or shall suspend or cause to be suspended or place or cause to be placed across or over any sidewalk in said city any sign, awning, or other device or article whatever, that may be less than eight feet above the sidewalk over which article or articles may be placed or suspended, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding ten dollars.

MALES IN FEMALE ATTIRE, ETC.

SECTION 12. Any male person who shall appear upon any street, avenue, or alley in said city in the dress or attire of a female person or a female person who shall appear in or upon any street, avenue or alley in said city in the dress or attire of a male person, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding twenty-five dollars.

INTOXICATION

SECTION 13. Any person who shall be found drunk or shall be found in a state of intoxication in any street, alley or other place within said city, or in any private house or place, to the annoyance of any person or persons, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding fifty dollars.

TOBACCO TO MINORS

SECTION 14. Any person within the city of Hunter who shall sell, barter or give away, directly or indirectly to any minor under sixteen years of age, cigarettes, cigars, or tobacco, without an order from the parent or guardian of such minor, shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine not exceeding ten dollars.

OBSCENE AND INDECENT PICTURES

SECTION 15. Any person who shall buy, sell or cause to be bought or sold, or shall advertise, lend, give away, offer, show or exhibit, or shall have in his possession with intent to sell, lend, give away, offer, show, exhibit, distribute, or cause to be distributed, or who shall design, copy, draw, photograph, print, engrave, make or in any manner publish any indecent or obscene book, pamphlet, paper, picture, image or other engraved, printed or written matter shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished a fine not exceeding fifty dollars.

GAMES OF CHANGE

SECTION 16. Any person who shall within said city, play at or be engaged in any game of chance whatever, for money, property or valuable thing, or who shall keep or exhibit any gaming table, establishment, device or apparatus to win money or any property of value, shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined in any sum not exceeding one hundred dollars, or imprisonment in the city prison for a period not exceeding ninety days, or both such fine and imprisonment.

GAMBLING DEVICES AND GAMING

SECTION 17. Any person or persons who shall, within said city, set up, have or keep any keno table, faro bank, shuffle board, bagatelle or other instrument, device or thing whatever whereupon any money or other article shall in any manner be played for, or any person who shall play for money or other valuable thing at any game of cards, dice or other device or thing whatever which may be used for the purpose of playing or betting upon, for winning or losing money or other property or shall bet on any game others may be playing thereon or therewith, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding one hundred dollars, or by imprisonment in the city prison for a period not exceeding ninety days, or by both such time and imprisonment.

LOTTERY

SECTION 18. Any person who shall carry on or be engaged in carrying on or promoting any lottery, gift enterprise or scheme of chance of any kind or description whatever, shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined in any sum not exceeding one hundred dollars, or imprisoned in the city prison for a period not exceeding ninety days or by both such fine and imprisonment.

CHEATS AND FRAUDS

SECTION 19. Any person who shall within said city use or practice any game, device or deceit, or assist the same to be done, for the purpose of cheating, defrauding or obtaining money, property or other valuable thing from any other person, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not exceeding one

hundred dollars, or imprisoned in the city prison for a period not exceeding ninety days, or by both such fine and imprisonment.

CARDS

SECTION 20. Any person who shall, within said city, play at a game of cards, dice or any other game of chance for any whiskey, brandy, alcohol, cider, wine, lager beer, or any spirituous, fermented, vinous or other intoxicating liquor, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not exceeding one hundred dollars, or by imprisonment in the city prison for a period not exceeding ninety days, or by both such fine and imprisonment.

LEASE OF PREMISES FOR GAMBLING

SECTION 21. Any person who shall knowingly lease or let, or sublet to another any house, building or room for the purpose of setting up or keeping therein any of the gambling tables, faro banks, or other devices prohibited by any of the ordinances of this city, used or kept as a gambling house, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding one hundred dollars, or by imprisonment in the city prison for a period not exceeding ninety days, or by both such fine and imprisonment.

CELLAR - WAYS TO BE GUARDED

SECTION 22. Any person being the owner or having charge of any cellar-way or stair-way leading from or into any street, avenue, or alley of said city, or any excavation for a cellar, drain or other purpose, who shall leave or keep the same open, uncovered or unguarded so that the persons may fall into or be injured therein, shall be deemed guilty of a misdemeanor, and, upon conviction thereof shall be punished by a fine not exceeding fifty dollars.

EXCAVATIONS IN STREETS

SECTION 23. Any person who shall dig or cause to be dug any sewer ditch, drain or other excavation whatever, in any street, avenue, alley or other public ground in said city, without authority from the mayor, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding fifty dollars.

INSULTING FEMALES

SECTION 24. Any person who shall improperly or unlawfully pursue, or unlawfully lay hands on or otherwise molest or insult any female in said city, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding one hundred dollars, or by imprisonment in the city prison for a period not exceeding ninety days, or by both such fine and imprisonment.

INDECENT EXPOSURE

SECTION 25. Any person who shall make an indecent or immoral exhibition or exposure of his or her person, or cause or procure any person to indecently expose his or her person, in, or about any street, avenue, or alley or other place, or in any situation or place where any person passing or being in or upon any street, avenue or other public place might see the same, or in any public room or house, or other place where any number of persons may be assembled, or in such way or place as to annoy any person exercising his or her lawful rights, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding one hundred dollars.

DISORDERLY PLACES

SECTION 26. Any person who shall in said city keep a disorderly house, or place or resort for idle, noisy or dissolute persons, or persons of bad repute, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in any sum not exceeding one hundred dollars.

PROSTITUTION

SECTION 27. Any female person who shall prostitute her body for gain in said city, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not exceeding fifty dollars.

HOUSES OF ILL-FAME

SECTION 28. Any person who shall keep or maintain, or in any way be connected with, or in any way contribute to the support of a house of ill-fame or house of prostitution or shall be an inmate of a house of prostitution, in said city, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding fifty dollars, or by imprisonment in the city prison for a period not exceeding ninety days, or by both such fine and imprisonment.

LEASE FOR IMMORAL PURPOSE

SECTION 29. Any person owning, or having control of as agent, lessee or otherwise, any house or building, room or apartment in said city, who shall knowingly lease or sublet the same, or any part thereof, for the purpose of keeping therein a house of ill-fame, or a house of prostitution, or who shall knowingly permit the same to be used for such purposes, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding one hundred dollars.

FAST DRIVING AND RIDING

SECTION 30. Any person who shall ride or drive any horse, mare, mule, gelding or other animal at a fast gait about or upon the streets, avenues, or alleys of said city, so as to be fast, to endanger the safety of any persons or any person who shall allow any horse, gelding, mare, mule or other animal to travel around at a gait faster than an ordinary moderate trot or pace over any street, avenue, or alley of said city, shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine not exceeding ten dollars.

SUNDAY SPORTS PROHIBITED

SECTION 31. Any person who shall be engaged in horse racing or cock fighting upon the first day of the week, commonly called Sunday, to said city of Hunter, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding ten dollars.

RESISTING OFFICERS

SECTION 32. Any person who shall under, resist or obstruct, or who shall by threats, menaces or other means attempt to resist, hinder or obstruct, or who shall directly or indirectly countenance any resistance, obstruction or hindrance, of any officer of said city while in the discharge of his duty, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished to a fine in any sum not exceeding fifty dollars.

STALLIONS IN STREETS

SECTION 33. Any person who shall lead, drive or ride any stallion or jack or bull in and upon any of the streets, avenues or alleys of the city, for the purpose of exercise or exhibition, or shall hitch any stallion or jack or bull on any of the streets, avenues or alleys of said city, or who shall keep any stallion or jack or bull in any place in the said city for the service of mares or cows, except in a tigh barn, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine in any sum not exceeding one hundred dollars.

EXTORTION BY OFFICERS

SECTION 34. Any officer of the city who shall be guilty of any bribery, extortion or corruption, or shall be guilty of any non-feasance, mis-feasance, or mal-feasance in office shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished in any sum not exceeding one hundred dollars.

PERSONS COMPETENT AS WITNESSES

SECTION 35. Any person called as a witness to testify against another for gaming, betting, keeping a gaming table, faro bank or other gambling device, shall be a competent witness to prove the offense, although he may have been a party, but he shall not be liable to indictment and punishment on any such case.

PROFESSIONAL GAMBLERS

SECTION 36. Any person convicted of being a common or professional gambler, within the intent of this or finance, shall be fined not less than one dollar and not more than one hundred dollars, and it shall be competent testimony to establish the guilt of such person that such houses or places where such persons resort and loiter about are commonly reported to be gambling houses.

COMPROMISING OFFENSES

SECTION 37. Any person having made any legal complaint against any other person before the police judge of this city, for the violation of any of the ordinances thereof, when shall settle or compromise the same at any time after the said complaint is filed and before the trial of such crime, without permission from the police judge, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine in any sum not exceeding ten dollars.

SECTION 38. It shall be unlawful for any merchant, or other person, to barter, trade or sell any kind of articles of commodity, of whatsoever kind or nature, short of weights or measurements; and any merchant or other person who shall violate the provisions of this section shall, upon conviction thereof, be punished by a fine of not less than five dollars, not more than one hundred dollars, or by imprisonment in the city prison not to exceed ninety days, or by both such fine and imprisonment.

SECTION 39. No person shall knowingly secrete or attempt in any manner to secrete any person charged with violation of any of the ordinances of this city or any law of this state. Any person violating any of the provisions of this section, shall upon conviction thereof, be punished by a fine of not less than one dollar or more than twenty-five dollars.

BURNING PAPER, ETC.

SECTION 40. Any person or persons who shall within the corporate limits of the city of Hunter, burn or cause to be burned, any paper, rubbish, refuse, grass, or leaves on or in any street avenue, alley, gutter, lot or lots in Hunter before the hour of six A.M. or after the hour of four P.M. of each and every day, shall, upon conviction thereof, be fined in a sum of not less than two dollars, nor more than fifty dollars.

CONTROLLING FIRES

SECTION 41. Any person or persons who shall start, or set out or cause to be set out or started any fire on any street, avenue, alley, lot or lots in said city of Hunter at a time when the wind is blowing with sufficient force to carry sparks, embers or ashes any distance, or who shall set out or start any fire within the corporate limits of the city of Hunter, without good and sufficient

means of controlling said fire, or who shall leave any fire unguarded, shall, upon conviction thereof, be fined in a sum not less than five dollars nor more than one hundred dollars.

ARTICLE TWO - OFFENSES AGAINST PROPERTY

HITCHING TO TREES

SECTION 1. Any person who shall within said city, hitch or fasten any horse or horses or other animals to any ornamental or shade tree or tree box, or who shall hitch or fasten any such animal to any private fence, without the consent of the owner, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in a sum not exceeding ten dollars.

INJURY TO SIDEWALKS

SECTION 2. Any person or persons who shall wilfully injure in any manner any of the sidewalks or crossings of the city of Hunter, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in a sum not exceeding twenty dollars.

INJURY TO PROPERTY

SECTION 2. Any person or persons who shall in said city wilfully and maliciously injure, destroy or disfigure, or in any way deface, any building or fence or other structure, or any street sign or house numbers, or any tree, shrubbery or other property being the property of another person of the public, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in a sum not exceeding twenty-five dollars.

POSTING SIGNS AND PLACARDS

SECTION 4. Any person or persons who shall, in said city, stick up, paint, brand or post any notice, sign, bill, placard or other advertisement of any kind upon any street sign or post, or upon any public building, private building, house or fence, or any of the appurtenance thereof, without the consent of the owner, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not exceeding ten dollars for each offense.

REMOVAL OF MATERIAL FROM STREETS

SECTION 5. Any person or persons who shall without authority from the city marshal or council, dig, remove or carry away, or cause the same to be done, any stone, earth or gravel from any street, avenue, alley or other public ground of said city, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding twenty-five dollars.

REMOVAL OF ICE AND SNOW

SECTION 6. Any person being the owner, occupant or agent of any premises fronting or abutting on any of the streets or avenues of said city and there being a sidewalk on either side or end of said premises, who shall not, within two hours after being notified by the marshal of the said city to do so, remove all snow, ice or dirt from said sidewalk in the city, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be punished by a fine not exceeding ten dollars.

ANIMALS AT LARGE

SECTION 7. Any person being the owner or having charge of any horse, mule, cattle, sheep, goats or swine who shall suffer the same to run at large in any street, avenue or alley or unenclosed ground of the city of Hunter, or shall picket any horse, mule, cattle, goats or swine so that the picket rope or appliance may extend into or across any street, alley or sidewalk in the city, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not exceeding ten dollars.

DEFACING BUILDINGS

SECTION 8. No person shall wilfully deface or injure any house, shop, store or other building or any door, window, awning or other thing pertaining to a part of such house, shop, store or building or sever therefrom or from any premises thereto appear a thing any gate or other portion of any enclosure or improvement of any kind thereunto belonging, or in any manner do injury thereto, or shall sever or destroy, or in any manner wilfully injure any tree, shrub or other product thereof therein growing or use, shade or ornament. Any person violating the provisions of this section shall, upon conviction thereof be punished by a fine not less than one dollar or more than twenty-five dollars.

DEFACING OR DESTROYING POSTERS

SECTION 9. No person shall tear down, deface, mutilate, obscure or otherwise injure any written or printed poster or hand bill or other advertisement which shall have been lawfully posted, nailed or otherwise posted for a lawful purpose within the city. Any person violating the provisions of this section shall, upon conviction thereof, be punished by a fine not exceeding twenty-five dollars and not less than one dollar.

STEAM OR OTHER PORTABLE ENGINE

SECTION 10. It shall be unlawful for any person owning, controlling, operating or managing any steam traction or portable engine of any kind whatever to move the same over or along any of the bridges, streets, alleys or avenues of the city of Hunter, Kansas, without first placing on all bridges, culverts and cross-walks planks not less than one foot wide and three inches in thickness and of sufficient length, while crossing the same, for the wheels of said engines or any kind to run on while so crossing such bridge, crossing, culvert or cross-walk. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and,

upon conviction thereof, shall be fined in a sum not less than two dollars or more than twenty-five dollars.

ARTICLE THREE - OFFENSES AGAINST PUBLIC HEALTH

FILTHY YARDS, PENS, CORRALS; NUISANCES

SECTION 1. If any owner or owners, occupier or occupiers, or person or persons having charge of any pen, yard, or corral where hogs or other animals are or have been kept shall locate or establish the same or permit the same to remain within the corporate limits of said city of Hunter to the annoyance of the citizens of said city, or any of them, every person so offending shall be fined for every offense any sum not more than ten dollars, and be committed to the city prison until such fine and all of the costs of the prosecution are paid; and if such nuisance be now removed within five days after the filing of the complaint therefor, before the police judge, of any such nuisance, it shall be deemed a second offense against the provisions of this section and every like neglect for each succeeding five days thereafter shall be considered an additional offense against the provisions of this section.

PLACING DEAD ANIMALS AND OFFAL

SECTION 2. If any person or persons shall put any dead animal, fowl, or offal of any kind into any river, creek, pond, road, street, alley, lane, lot, field or common; or if the owner or owners thereof shall, knowingly permit the same to remain in any of the aforesaid places within the corporate limits of the city of Hunter, or within five miles thereof, to the annoyance of the citizens of the said city or any of them, every person offending shall, on conviction thereof, be fined in a sum not less than two dollars nor more than twenty dollars, and be committed to the city prison until such fine and the costs of prosecution are paid; and every twenty-four hours during which said owner shall permit the same to remain as aforesaid shall be deemed a separate and distinct offense against the provisions of this section.

HOG PENS, NUISANCES

SECTION 3. Any person or persons who shall build, keep or use any hog pen, privy or barn so near to any lot upon which any other person resides that the contents of said hog pen, privy, barn or barnyard are discharged upon said lot, or the owner or occupants of any building, lot or yard, who shall suffer any hogs or other animals to be kept therein in such manner as to become offensive or prejudicial to the health of any citizen or the public, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not less than three dollars nor more than ten dollars.

REMOVAL OF RUBBISH

SECTION 4. It shall be the duty of the owner, occupant, lessee or agent of any lot in this city to remove all rubbish, garbage, filth, manure, decaying weeds or other refuse matter or thing from

said lot, or any part of said lot, and from any alley upon which such lot or lots shall abut. Any person refusing or neglecting to remove the same within twenty-four hours after notification to do so by the city marshal shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not less than five dollars nor more than twenty-five dollars.

DEAD OR DISEASED ANIMALS

SECTION 5. No person shall drag or cause to be dragged along any street, avenue or alley, between 8 o'clock A.M. and 6 o'clock P.M. the carcass of any dead animal, or any offensive offal; nor shall any person within said hours, lead, drive or cause to be led or driven through the streets or alleys of said city any animal suffering with or having any contagious disease or dangerous disease. Any person violating the provisions of this section shall, upon conviction thereof, be punished by a fine of not less than one dollar or more than twenty-five dollars.

RESISTING BOARD OF HEALTH

SECTION 6. Any person or person resisting any visit of the board of health of the said city, or any of the members of said board, or disobeying any order for the removal of filth or the abatement of any nuisance, or refusing to obey any order made by the board of health concerning the sale or offering for sale of any unwholesome fruits, vegetables, meats, or provisions, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not less than five dollars and not more than twenty-five dollars.

REMOVAL OF CARCASSES

SECTION 7. The owner or person in charge of any animal that shall die within the said city shall, within twenty-four hours after the death of same, cause the carcass to be removed beyond the city limits, and there buried under at least two feet of earth, and in no case shall the owner or one having charge as aforesaid permit such carcass to remain in the open air in this city until it becomes offensive in odor. Any person violating any of the provisions of this section shall, upon conviction thereof, be punished by a fine of not less than one dollar and more than twenty-five dollars.

ABATTOIR

SECTION 8. The person shall build, erect or use, or cause to be built, erected or used, any slaughter house for the purpose of butchering or slaughtering any cattle or other animals in this city. Any person violating the provisions of this section shall, upon conviction thereof, be punished by a fine of not less than one dollar and not more than twenty-five dollars.

EXPECTORATING ON SIDEWALKS

SECTION 9. Any person who shall spit or expectorate upon any sidewalk or the steps of a store, shop, bank, or other business house or public building in said city shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in any sum not exceeding ten dollars.

ARTICLE FOUR - MISCELLANEOUS OFFENSES

CRUELTY TO ANIMALS

SECTION 1. Any person or persons who cruelly over-drive, overload, drive when over-loaded, or torture, torment or cruelly deprive of necessary sustenance, or cruelly beat, or cruelly mutilate or kill, or leave for an unreasonable time exposed to cold or inclement weather, any domestic animal, or cause or permit the same to be done, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not exceeding ten dollars.

REMOVING LIMBS FROM TREES

SECTION 2. Every person who is the owner, agent, or occupant of any lot or parcel of land abutting upon or contiguous to any street or avenue in this city, who shall neglect or refuse, after being notified by the marshal, for more than two days after such notice to trim off all limbs of trees standing or growing projecting over any sidewalk so as to obstruct the passage thereon to a height of not less than eight feet, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine in any sum not exceeding ten dollars.

REMOVING LOT OR GRADE STAKES

SECTION 3. Any person who shall injure, uncover, dig up, pull up, or in any manner remove or deface any stake, stone or monument established or located in any place in said city for the purpose of marking the boundary of any lot, street, avenue, alley or public or private ground of said city, or established or located for the purpose of determining the location of grades, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine in any sum not exceeding ten dollars.

REFUSAL TO WORK ON STREETS

SECTION 4. When any person is required by law to perform any labor on the streets, or pay the equivalent or three dollars in lieu of such labor, shall refuse or neglect to perform such labor, or cause it to be performed, or shall refuse or neglect to pay in lieu of such labor the sum of three dollars to the street commissioner, for a period of five days after having been notified by the street commissioner to do so, such person shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be required to pay a fine of not less than three dollars nor more than ten dollars, together with the costs of such prosecution.

NEGLECT TO WORK ON STREETS

SECTION 5. If any person shall appear at the proper time and place as directed by the street commissioner and shall then neglect or refuse to do a reasonable day's work and shall refuse to pay in lieu thereof one dollar and fifty cents, he shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than three dollars nor more than ten dollars.

FAILURE TO PAY DOG TAX

SECTION 6. That any owner, keeper or harborer of any dog within said city who shall neglect or refuse to pay a license tax thereon in accordance with the ordinances of this city, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in the sum of not less than one dollar or more than ten dollars.

REMOVAL OF WEEDS AND OTHER VEGETATION

SECTION 7. It shall be unlawful for any owners or occupants of lots to permit any weeds or other worthless vegetation to grow more than eight inches high upon the sidewalk, or in the gutter abutting or adjoining any lot or part thereof, in the city of Hunter, or to permit any weeds or other worthless vegetation to grow more than twelve inches high on any lot or lands in said city. Any owner or owners or occupiers of lots who shall fail or refuse to cut down and remove any such weeds or worthless vegetation from such sidewalk, gutter, lots or lands within three days after being notified so to do by the city marshal of said city, shall be fined in any sum not less than three dollars nor more than ten dollars.

ARTICLE FIVE - GENERAL PROVISIONS

COSTS

SECTION 1. Any person found guilty of violating any of the provisions of this ordinance, upon conviction thereof, shall be adjudged to pay the costs of prosecution in addition to any fine that may be imposed on account of such violation.

PENALTY, GENERAL PROVISIONS

SECTION 2. Any person convicted of a violation of any of the provisions of this ordinance or any other ordinance of this city, the violation of which is made a misdemeanor, and for which no other punishment is provided, shall be sentenced to pay a fine of not less than one dollar nor more than one hundred dollars and the costs of the prosecution, and upon failure to pay any fine and costs he shall be committed to the city prison by the police judge, there to remain until the fine and costs are paid; provided, that this shall not limit the provisions of the next section of this ordinance.

EXECUTION FOR FINE AND COSTS

SECTION 3. That for the satisfaction of any fine and costs imposed for the violation of any of the ordinances of the city, the police judge shall have authority to issue an execution, directing the marshal to seize and sell all goods and chattels, not exempt by law, of the person convicted. The power of the police judge and marshal shall be as full and complete as that of a justice's court, and the manner of procedure, including the levy, advertising and sale, and other proceedings shall be similar to that of the procedure in civil cases before justices of the peace in this state. That any person committed to a prison of the city in default of payment of the fine and costs adjudged against him on conviction before the police judge of any misdemeanor, shall be required and compelled to labor each working day under the direction of the city marshal or his deputies for eight hours at the rate of one dollar and fifty cents per day until the fine and costs adjudged against him shall have been paid.

SECTION 4. This ordinance shall take effect and be in force from and after its publication in the official city paper.

Dated this 19th day of February, 1919.

APPROVED: A. Wick, Mayor

ATTEST: E. C. Lemon, City Clerk

