

ORDINANCES

OF THE

City of Rensselaer

RULES AND ORDER OF BUSINESS

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ORDINANCE COMMITTEE:

COUNCILMEN

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1896

Ordinance No. 31.

Repair of Sidewalks.

An Ordinance Providing for the repair of sidewalks in the City of Rensselaer, and for the collection of the cost thereof and declaring an emergency.

(Ordained and established June 22, 1896.)

Sec. 1. Be it ordained by the Common Council of the City of Rensselaer, Indiana: That hereafter, whenever the Common Council shall determine, by a two-thirds vote of its members, that a necessity exists for the repair of any sidewalk, or part of a sidewalk, in said City the Common Council shall adopt a resolution to that effect, and declare in said said resolution the kind of repairs to be made. And upon the adoption of said resolution the City Clerk shall issue a notice to the owner or owners of all lots, lands, or parts of lots bordering upon the sidewalk, or part of sidewalk, proposed to be repaired, which notice shall recite the passage of said resolution and require such owner or owners to proceed forthwith to make such repairs. Which notice shall be served upon such owner or owners by the City Marshal, at least five days before the next regular meeting subsequent to the adoption of said resolution, if said owner or owners can be found in said City, and if not he shall report said fact in his return.

And if said owner or owners shall neglect or refuse to construct said repairs, or improvements, within five days of the time of receiving said notice, or if such owner or owners shall be non-residents of said City, or can not be found, such Common Council shall let the contract for said repairs or improvements to the lowest responsible bidder, after advertising the same for bids for 10 days in a newspaper of general circulation in said City, and the Contractor to (whom) said work shall be let shall give bond for the faithful performance of said work as in other cases.

Said work in all cases to be done under the supervision of the City Civil Engineer, who shall, when such work is completed, report that fact to the Common Council, together with an estimate of the proportion thereof due from each owner fronting upon such sidewalk or part of sidewalk so repaired, which, if found correct from that date be a lien upon the lot, or parcel of ground, against which the same is assessed, and the City Clerk shall thereupon cause such estimate to be recorded in the Recorder's office of Jasper County, Indiana, and the amount so assessed against each owner shall then be deemed due and payable, and the same may be enforced as Provided by Section 1 of the Act of March 3, 1896, concerning Street Improvements, etc., Elliott's Supplement (Sec. 812.)

Sec. 2. This Ordinance shall be in force two weeks from and after its passage and publication in the Ordinances of the City of Rensselaer.

Ordinance No. 32.

Guards and Signals in Streets and Alleys

An Ordinance Concerning the maintenance of guards and signal at dangerous places in streets and alleys for the protection of the public, providing penalties for its violation, and declaring an emergency.

(Ordained and established June 22, 1896.)

Sec. 1. Be it ordained by the Common Council of the City of Rensselaer: That it shall be unlawful for any contractor engaged on any public work within said city, or any other person, who may make, or cause to be made, any excavation, or trench, within any of the streets or alleys or sidewalks of said city, or who shall place or caused to be placed, any obstruction, or hindrance, within or upon any of said streets, alleys or sidewalks, whether such contractor or other person be acting under direction from the Common Council of said City or not, unless he shall erect and maintain at the place where such excavation, trench, obstruction or hindrance may be, sufficient guards and barriers to protect all persons using said streets, alleys and sidewalks from contact therewith, together with a red light, to be suspended over such trench, excavation, obstruction or hindrance every night while the same may remain in such street, alley or sidewalk.

Sec. 2. Whoever violates any provision of the foregoing section shall be fined, upon conviction thereof before the Mayor of said City, in any sum not exceeding Twenty-five (\$25.00) dollars.

Sec. 3. This ordinance shall be in force two weeks from and after its passage and publication in the Ordinances of the City of Rensselaer.

Ordinance No. 33.

Ditches Tile Drains, and Sewers.

An Ordinance Providing for Ditches, Tile Drains and Sewers made by private parties.

(Ordained and established June 22, 1896.)

Sec. 1. It shall be unlawful for any person to dig any ditch, tile drain or sewer in or across any of the streets and alleys in the City of Rensselaer without first presenting to the Common Council a petition therefor.

Sec. 2. All petitions for private drains shall be referred to the Committee on Sewers and Drainage, which Committee shall report to the Common Council as to the public utility or necessity for such drain.

If said report be approved, the Common Council shall direct that said private drain be constructed on the line suggested by the Sewers and Drainage Committee and under the supervision of the City Engineer, who shall make the plans and specifications for the same and when completed shall make a record of the same.

The services of the City Engineer shall be paid for by the parties petitioning.

Sec. 3. This ordinance shall be in force two weeks from and after its passage and publication in the Ordinances of the City of Rensselaer.

Ordinance No. 34.

Assignment Houses.

An Ordinance to prevent vice and immorality within the City of Rensselaer.

(Ordained and established June 22, 1896.)

Sec. 1. Be it Ordained by the Common Council of the City of Rensselaer: That all persons owning, occupying or controlling any hotel, inn, boarding house or other building within the corporate limits of said city, and permitting or allowing the same, or any part thereof, to be used or occupied by persons for the purpose of illicit sexual intercourse, shall be deemed a keeper of a house or assignation, and upon conviction thereof be fined in any sum not less than Five (\$5.00) Dollars nor more than Twenty-five (\$25.00) dollars.

Sec. 2. Be it further Ordained by the Common Council of the City of Rensselaer: That any person owning, occupying or controlling any hotel, inn, boarding house or other building within said City, and who shall knowingly bring thereto any woman of ill-repute for charity for the purpose of illicit sexual intercourse, or who shall allow any such woman to remain about his or her house, though not having brought her thereto for the purpose of illicit sexual intercourse, or who shall allow or permit any woman to remain about his hotel, inn or boarding house, knowing that she or they are having illicit intercourse, or of having good reason to believe that such a woman or women is or are having illicit sexual intercourse in or about said house, shall upon conviction therefor for either of said offenses, be fined in any sum not less than Five (\$5.00) Dollars nor more than Twenty-five (\$25.00) dollars.

Sec. 3. Be it further ordained by the Common Council of said City: That any person or persons owning, occupying or controlling any hotel, inn or boarding-house within said city, and shall keep any woman or women thereat for any purpose whatever, and shall allow or permit illicit sexual intercourse by such woman or women with other persons, or who shall have good reason to believe that such woman or women is or are having illicit sexual intercourse, and failing to expel such woman or women from such hotel, inn or boarding-house, shall, upon conviction therefor, be fined in any sum not less than Five (\$5.00) nor more than Twenty-five (\$25.00) dollars.

Sec. 4. This ordinance shall be in force two weeks from and after its passage and publication in the Ordinances of the City of Rensselaer.

Ordinance No. 35.

Show License.

An Ordinance Relative to licensing and regulating certain extraordinary trades and establishments.

(Ordained and established June 22, 1896.)

Sec. 1. Be it ordained by the Common Council of the City of Rensselaer: That any person who shall exhibit in said City, for payment or reward, charged, demanded or received, any theatrical performance, any show of puppets, wax figures or animals, any display of tumbling feats, rope or wire dancing, or sleight of hand, any circus, natural or artificial curiosity, deception or representation, or any musical concert, swing or any display or performance of the same general description, without license therefor, made out, attested, signed and sealed according to the provisions of the next ensuing section, shall, for every such offense, on conviction thereof be fined in any sum not less than One (\$1.00) Dollar nor more than Fifty (\$50.00) dollars, with costs of suit.

Sec. 2. All licenses for such exhibitions shall be made out and attested by said Clerk, signed by said Mayor, and sealed with the seal of said city, and shall state the name or names of the party applying therefor, with the intended purpose and expected continuance thereof; and shall, also, in case of any theatrical performance, circus, menagerie, or show of wild animals, designate the building or place of holding the same; and said Clerk may demand and receive from every party obtaining such license the sum of One (\$1.00) dollar as his fee therefor.

Sec. 3. Said Clerk shall issue such license on receiving from the party applying therefor the receipt of said Treasurer for the sum charged therefor, as fixed in the fifth section of this ordinance, or on the order or resolution of said Council, and not otherwise.

Sec. 4. No provision in this ordinance shall prevent the giving of any concert, or the conducting of any exhibition not indecorous or immoral, and the net profits of which shall be devoted exclusively to any religious, charitable, literary, or scientific purpose, or to the benefit of any fire company in said City.

Sec. 5. The amounts to be paid for such licenses shall, until otherwise ordered, be fixed as follows, viz: One (\$1.00) dollar per day or night Five (\$5.00) Dollars per week, Twelve (\$12) for six months or Twenty (\$20) per year for a permanent license; Twenty-five (\$25.00) dollars per day or night for any circus or menagerie, and dollars per day or Ten (\$10.00) for any show or performance other than a circus, menagerie or theatrical performance, and Ten (\$10.00) Dollars per day for a circus alone.

Sec. 6. Any person convicted of having occupied any street, square or common belonging to said city for the performance or exhibition on of any circus or menagerie shall be fined therefor in the sum of not less than One nor more than Twenty-five dollars.

Sec. 7. Any person convicted of having interrupted or disturbed any such exhibition, or any spectator or auditor thereof, shall be fined in any sum not less than One (\$1.00) Dollar nor more than Ten (\$10.00) dollars, with costs of suit.

Sec. 8. Said Council, may at any session thereof, by order or resolution, except any party being a bona fide resident in said city from the necessity of obtaining such license, as pre-requisite to the holding of any musical concert or other musical performance, to be held exclusively by

such party, but not otherwise.

Sec. 9. This ordinance shall be in force two weeks from and after its passage and publication in the Ordinances of the City of Rensselaer.

Ordinance No. 36.

Cemeteries.

An Ordinance regulating Weston Cemetery, Prescribing the duties of the Trustees and Sexton, etc.

Be it ordained by the Common Council of the City of Rensselaer, Jasper County, Indiana:

Sec. 1. That all grounds within said City or outside of the limits, but owned by said City, which have heretofore been used or shall hereafter be used as Cemeteries or burial places for the dead, shall continue in use for such purpose.

Sec. 2. No interments of the dead shall be made within said City except in regular burial grounds already established or hereafter to be established, by authority of said Council, for such purpose; and any person convicted of having made such interment, contrary to the provisions of this section, shall be fined in any sum not less than Five nor more than Ten Dollars, and in the further sum of Five Dollars for every days continuance of such interment after such conviction.

Sec. 3. Any person convicted of having removed from the immediate vicinity of any cemetery of said City, or from any street or alley adjacent thereto, any earth, sand or gravel for whatever purpose, shall be fined for every such offense in a sum not less than Five nor more than Twenty Dollars.

Sec. 4. Any person convicted of having wantonly or maliciously altered, defaced broken down or destroyed any monument, tombstone or vault, or any fence railing or part thereof erected around the graves of any deceased persons in any public or private burying ground of said City, or of having in like manner removed or injured any ornamental plant, shrub or tree, standing in such burying ground shall be fined therefor in any sum not less than one nor more than Fifty Dollars.

Sec. 5. That whoever shall visit any Cemetery in said City for the purpose of doing any unlawful act, or whoever while at any Cemetery shall engage in any unlawful or immoral act, or whoever shall be found loitering at or in such cemetery between the hours of 8 o'clock p. m. and 6 o'clock a. m. shall be fined in any sum not exceeding \$25.00, upon conviction thereof.

Sec. 6. Said Council shall, at their first regular meeting in June, 1896 elect by ballot, three Cemetery Trustees who shall be resident freeholders of said City, for the control of Weston Cemetery and such other Cemeteries as hereafter may be laid out by said City, who shall serve for one, two and three years from the date of their election, which Trustee so elected shall decide by lot which one of them shall hold for one year and which one shall hold for two and three years respectively, and annually thereafter said Common Council shall at the first meeting in June elect by ballot, one cemetery Trustee to serve as such for three years, and until their successors are elected and qualified. Within two weeks after their election in each year such cemetery Trustees, shall meet and organize, by choosing a President, Secretary and Treasurer, and shall be known as the Trustees of Weston cemetery. At said first meetings of said trustees, they shall appoint a Sexton, who shall be a properly qualified person, and who shall be at all times under the direction and control of the cemetery Trustees. *Provided:* That by the concurrence of a majority of said common council said trustees or any one of them may be removed and another person elected to take his place.

Sec. 7. Said Cemetery Trustees shall each before assuming the functions of his office, be sworn to faithfully discharge the duties of the same, and the Secretary and Treasurer shall each give a bond in such penal sum as may be designated by the Common Council.

Said Cemetery Trustees shall report to the Common Council semi-annually at the last regular meeting in December and May, in writing, the condition of said Weston Cemetery grounds, receipts and disbursements, and the amount of funds on hand, and make such recommendations for the improvement of said Cemetery grounds as to them seem advisable.

Sec. 8. Said Cemetery Trustees, shall have the care control and superintendence of such Cemetery and public burying grounds; and shall direct all improvements, and designate the place of interment, with a view to regularity, and shall generally direct the performance of all duties necessary to keep said Cemetery in the best order.

The Secretary shall pay all money collected by him to the Treasurer immediately upon the receipt of the same and shall take his receipt therefor, and in default of such payment as herein ordained such Secretary shall be removed as provided in Section 6 of this ordinance.

Sec. 9. Said Sexton shall at all reasonable hours unlock and open the gates of said burying grounds for the ingress and egress of funeral processions, and to persons wishing to erect tombstones and plant flowers around the graves of deceased relatives and friends in said burying grounds, with the needful materials and articles, and vehicles used to haul the same; shall at all other times when present unlock said gates to grant said persons ingress and egress with such materials, articles and vehicles needed and used as aforesaid, and shall in no case be entitled to charge or ask any person any fee or reward for their leaving said burying grounds, or for his opening or shutting said gates.

Sec. 10. Said Sexton, on due conviction of having violated any of the provisions of the foregoing sections, shall be subject to removal by the Cemetery Trustees, and shall also be fined for every such offense in a sum not less than five nor more than Twenty Dollars.

Sec. 11. No person shall interfere with or interrupt said Sexton in the discharge of his duties, or remain in said burying grounds with any vehicle, except in case of burials, after the expiration of the hour for closing said gates, unless admitted by the Sexton after the close of said hour for the purpose of unloading needful material, in which case such person shall immediately unload the same and withdraw in a reasonable time, so that the Sexton may fasten said gates; and every person, on due conviction of having violated the provisions of this Section, shall be fined therefor in any sum not less than One nor more than Twenty Dollars.

Sec. 12. Any person, other than the Sexton or Cemetery Trustees on due conviction of having entered any such cemetery or burial place or interred any dead body, except with the authority or under the direction of the Sexton or Cemetery Trustees, shall be fined for every such offense in any sum not less than Five nor more than Fifty Dollars.

Sec. 13. That said Sexton of the city cemeteries shall be allowed the sum of Three dollars for children and Five dollars for adults, and demand and receive such pay in advance, for interring any body in said cemeteries; and that no person shall be allowed to disinter any body without consent of the Cemetery Trustees, and as a penalty for doing so, shall be fined in any sum not less than one nor more than ten dollars and the costs of prosecution.

Sec. 14. The said Sexton of the City Cemetery shall collect and receive as compensation for such service four dollars for each adult graves and Three dollars for medium