

ORDINANCE NO. 13

AN ACT FIXING, DEFINING, AND ESTABLISHING LIMITS WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF CARLTON, CARLTON COUNTY, MINNESOTA AND REGULATING THE MANNER OF PUTTING UP AND MAINTAINING, STOVES, FURNACES AND ALL HEATING APPARTUS WITHIN SAID FIRE LIMITS, AND REGULATING THE MANNER OF PUTTING UP AND MAINTAINING STOVE PIPES, THE CONSTRUCTION OF CHIMNEYS, THE DEPOSITING OF ASHES AND THE BUILDING AND MAINTAINING OF FIRES WITHIN SAID FIRE LIMITS IN SAID VILLAGE AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF, AND MAKING IT THE DUTY OF THE VILLAGE MARSHALL OF SAID VILLAGE, HIS DEPUTY OR ASSISTANT, TO ENFORCE THE PROVISIONS OF THIS ORDINANCE.

The Village Council of the Village of Carlton do ordain as follows:

- Sec. 1 That all the territory embraced within the following boundaries shall be, and is hereby designated and established as the Fire limits of said Village, wherein all the provisions of this ordinance shall be in full force and effect viz: Commencing at the Southeast corner of Outlot "C" in Baumanns Addition to Carlton running thence west 1365 feet to the center of North 4th Street, thence south along the center of North 4th Street and South 4th Streets across the R.R. tracks of the St. Paul & Duluth and Northern Pacific R.R. Companies 575 feet thence west 1341 feet to the center of South 1st St. thence North along the center of South 1st St. and North 1st Street to the North West corner of Bradleys Addition, thence East along the north line of Bradleys addition 1391 feet to the Northeast corner of said Bradleys addition, thence South along the East line of Bradleys Addition 640 feet to the center of School Street in Baumanns Addition, thence East along center of said School Street 1341 feet to the North East corner of Baumanns Addition, thence South along the East line of Baumanns Addition 669½ feet to place of commencement, also commencing at the North west coenr of section 7, township 48 and range 16. Thence East along said North line of section 7, Township 48, Range 16 16,970 feet, thence at right angles in a southerly direction a distance of 1330 feet thence South 85 degrees West a distance of 961 8/10 feet thence North a disatance of 1404 7/10 feet to place ofbeginning.
- Sec. 2 That within the limits aforesaid all stoves, furnaces and fire appartus shall be put up,constructed and maintained in a good safe andsubstantial manner, and shall be separated from the floor beneath and from the sides or walls of the building by such material as will effectually protect the said floors and sides or walls of said building from fire.
- Sec. 3 That within the limits aforesaid all stovepipes shall be put up and maintained in a good safe and substantial manner and shall be fastened by wire or its equivalent so as to be secure, permanent and safe.
- Sec. 4 That within the limits aforesaid no stove pipe shall pass out through the roof or side of any building whatever. That within said limits all buildings in which fires shall be shall be had or maintained shall be provided with and shall have constructed within them chimneys composed and constructed of brick and mortar or its equivalent, which chimenys shall extend out of said building through the roof thereof or up along the side thereof and in-towhich chimneys all stovepipes shall pass within said building.
- Sec. 5 That within the limits aforesaid no stovepipe shall pass through any partition separating one room from another or through any ceiling and floor separating one room from the room above, without being separated from said partition and from said ceiling and floor and kept from contact with said parition or said ceiling and floor by a good andsufficient metal "pipe safe" or "thimble" or its equivalent, which shall effectually protect said partition or ceiling or floor from fire and from taking fire at the place where said stovepipe passes through said partition or ceiling and floor.

- Sec. 6 That within the limits aforesaid all ashes shall be deposited either within a metal receptacle or vessel in some safe place or deposited at such a distance from any and all buildings as to preclude any danger from fire therefrom.
- Sec. 7 That within the limits aforesaid no bonfire or other fire shall be built or maintained in the open air, except the same be guarded and protected as not to extend or communicate with adjacent buildings and property.
- Sec. 8 It shall be the duty of the Village Marshall of said Village and of the Deputy Marshall of said Village, to enforce the provision of this ordinance, and for that purpose said Marshall and Deputy Marshall are hereby authorized at all reasonable times within the limits aforesaid to enter into and examine all dwelling houses, hotels, restaurants, eating houses, lunch houses, saloons, barns, shops, warehouse, stores, lodging houses, and all other buildings, also all yards, enclosures, private or public grounds.
- Sec. 9 If at any time said Marshall or Deputy Marshall shall find within the limits aforesaid, any stove, furnace or heating apparatus or any stove pipe or chimney not conforming to the provisions of this ordinance the same being in use, he shall immediately notify the owner thereof, or the persons found in possession or using the same, to cause said stove, furnace or heating apparatus, said stove pipe or chimney to be forthwith remedied and made safe and secure according to the provisions of this ordinance. If at any time within the limits aforesaid said Marshall or Deputy Marshall shall find any bonfire or other fire or any ashes deposited so as to endanger adjacent buildings or property he shall immediately notify the person or persons building and maintaining the said fire or depositing said ashes to extinguish and remove the same. In any case any person or persons so notified and ordered as aforesaid, refuse or neglect to forthwith comply with said order and notification and to obey the same forthwith, such stove, furnace or heating apparatus, such stove pipe or chimney, such fire or ashes so deposited shall be deemed a nuisance and said Marshall or Deputy Marshall is hereby authorized and it is made hereby his duty to abate the same, and for that purpose such Marshall or Deputy may call to his aid the force of said Village if necessary.
- Sec. 10 Any person or persons within the limits aforesaid who shall put up or maintain any stove, furnace or heating apparatus or any stove pipe, chimney or who shall build or maintain any bonfire or other fire, or deposit any ashes contrary to the provisions of this ordinance, after being notified and ordered by said Marshall or Deputy Marshall to remedy the same, and cause the same to comply with the provisions of this ordinance shall be deemed guilty of maintaining a nuisance, and upon conviction thereof before any Justice of the Peace in and for said Village, shall be fined in a sum not less than One Dollar nor more than One Hundred Dollars, together with costs of suit and in default of payment of said fine and costs, said person or persons so convicted shall be committed to the Watch House or Jail of said Village or the County Jail of said County, until said fine and costs are fully paid but not to exceed ninety days.
- Sec. 11 Any person or persons who shall resist said Marshall or Deputy Marshall or any person or persons called to their assistance, in the abatement of any nuisance as herein directed, shall be deemed guilty of a misdemeanor and upon conviction thereof before and Justice of the Peace in and for said Village shall be fined in a sum not less than One Dollar nor more than One Hundred Dollars together with costs of suit, and in default of the payment of said fine and costs, said person or persons so convicted shall be committed to the Watch House or Jail of said Village or the County Jail of said County, until said fine and costs are fully paid, but not to exceed ninety days.

Sec. 12

This act shall take effect and be in force from and after its passage and publication.

Attest:

M. T. Wilander  
Village Recorder

A. A. Paine  
President of Said Village

Passed June 4, 1896