

CHAPTER 11 HEALTH OFFICER, HEALTH AND GENERAL ASSISTANCE

ARTICLE 1. THE HEALTH OFFICER

SECTION 101. ESTABLISHMENT. There shall be a Health Officer of the City appointed by the City Council for a period of three (3) years subject to the approval of the State of Maine Department of Human Services.

SECTION 102. EMPOWERED TO ESTABLISH RULES. The Health Officer is hereby authorized to prepare such rules and regulations respecting infectious disease and health, not inconsistent with State Law, the City Charter and any ordinance of the City, as the health officer deems necessary for the protection of the public health, which rules after approval by the City Council shall be effective and kept on file in the office of the City Clerk, available at all reasonable times for public inspection, and administered by the Health Officer. No person shall violate any such rule or regulation.

SECTION 103. DUTIES. The Health Officer shall have charge and control of all functions involved in protecting and preserving the public health; the health officer shall have all power provided by State Law or City Ordinance relative thereto. As provided by Title 22, M.R.S.A., Chapter 153, as amended, the Health Officer shall:

103.1 Make and keep a record of all proceedings and of all the transactions, doings, orders and regulations of the Health Officer, in a book kept for that purpose;

103.2. Assist in the reporting, prevention and suppression of disease and all conditions dangerous to health;

103.3 Report to the State Department of Health and Welfare, promptly, (a) facts which relate to infectious and epidemic diseases occurring within the limits of the health officer's jurisdiction, and (b) every case of such infectious or contagious disease as the rules and regulations of said Department shall require;

103.4 Receive and examine into the nature of complaints made by any of the inhabitants concerning nuisances dangerous to life and health within the limits of the health officer's jurisdiction;

103.5 Enter upon or within any place or premises where nuisances or conditions dangerous to life and health are known or believed to exist, and personally, or by appointed agents, inspect and examine the same;

103.6 Order the suppression and removal of nuisances and conditions, detrimental to life and health found to exist within the limits of the health officer's jurisdiction.

By direction of the City Council, the Health Officer shall:

106.7 Make such appointments and inspections as may be required by the ordinance of the City or orders of the City Council.

ARTICLE 2. HEALTH

SECTION 201. STATE LAWS INCORPORATED. The statutes of the State of Maine relating to public health, sanitation, and prevention of disease and the spreading thereof, and the rules and regulations of the Maine Department of Health and Welfare, or any successor thereto established by law, and all amendments or additions thereto, are hereby expressly incorporated into and made a part of this ordinance, and no person shall violate any such law, rules and regulations:

SECTION 202. COMMON CUPS AND TOWELS. No person owning, or in charge of, or in control of any lavatory or wash room for use of the public shall provide in or about such lavatory or wash room any glass, cup or towel for common use. The term "common use," as used in this section, shall mean use by more than one person without cleansing.

SECTION 203. OFFENSIVE SMELLS. No person shall throw or deposit, or cause to be thrown or deposited in any street,

gutter, cesspool, lane, court, square, alley, wharf or public place, any garbage, excrement, filth, dead bodies of animals or any liquid or solid substance which may occasion

Brewer City Ordinances
Chap. 11- Art. 2
Sect. 204 - 207

obnoxious exhalations or offensive smells, nor any manure, oyster, clam or lobster shells, or any animal or vegetable substances whatsoever; nor shall any person throw or cast any dead animals or foul or offensive ballast, into any dock or channel of the river and the shore, nor land any such foul or offensive animal or vegetable substance within the city.

SECTION 204. REFUSE IN BROOKS. No person shall throw any sweepings, waste or rubbish of any kind, from any building, wharf, street, bridge, or lane into any brook.

SECTION 205. REMOVAL OF REFUSE. If any of the substances mentioned in Section 206 and 207 hereof are thrown or carried as aforesaid, the person who actually threw or carried the same, and the person who caused it to be done, shall be held liable for such violations, and the sa207shall be removed within two hours after notice thereof from the Health Officer, Chief of Police or his deputy. Whenever the actual perpetrator of the nuisance is unknown, it shall be the duty of the Health Officer, Chief of Police or his deputy. Whenever the actual perpetrator of the nuisance is unknown, it shall be the duty of the property owner to remove the offending material.

SECTION 206. EXPENSE OF REMOVAL. Whenever any person shall have been notified as aforesaid to remove any nuisance or substance mentioned in Sections 206 and 207 hereof, or to perform any act which may be his duty to perform for preservation of the health of the City, and the time limit for said removal or performance of said duty shall have elapsed without a compliance with said notice, the Health Officer shall forthwith cause such nuisance to be removed at the expense of the person so notified, not exceeding the sum of fifty dollars, and said expense shall be collected by such officer and sued for in the name of the City Treasurer, and if, in the opinion of the Health Officer it

shall be necessary for health or comfort that any particular nuisance shall be removed forthwith, it shall be his duty to cause the same to be removed.

SECTION 207. PRIVATE DRAINS. Whenever any private drain in

Brewer City Ordinances
Chap. 11- Art. 2
Sect. 208

the opinion of the City Engineer or Health Officer, shall become dangerous to the health or prejudicial to the comfort of the citizens, on account of filth or dirt, the owner or occupant of the premises where said drain exists, being notified thereof by the City Engineer or Health Officer, shall within 24 hours remove said dirt and filth, and shall forthwith repair said drain to the satisfaction of the City Engineer or Health Officer.

SECTION 208. SLAUGHTER HOUSES. All places of slaughter shall be suitable and sanitary, properly constructed and inspected, and equipped with such water supply, sewer facilities and means of sanitation and refrigeration as the Health Officer may deem necessary and proper.

