

TUBBS' HOTEL, East Oakland. Patronized by all Eastern visitors.

visions of this ordinance, and that said notice has not been complied with. Then, and in that case, a violation of this ordinance shall be deemed to have accrued, and a complaint may then be made by any person or persons aggrieved and affected by said nuisance, in the proper Court, and a certificate of said Health Officer or Board of Health shall be attached thereto and form a part thereof.

SEC. 4. It shall be the duty of the Health Officer or Board of Health of said city, at the request of any party or person, to examine all yards, stables, pens, or other places where cows, horses, cattle, goats, swine, or other animals are kept in said city, and if, in his or their judgment, a public nuisance exists, shall immediately verbally notify the person or persons causing said nuisance to forthwith abate the same and comply with the provisions of this ordinance; and if the same is not so abated within three days thereafter, the said Health Officer or Board of Health shall make the required certificate named in this ordinance to the person so requesting such examination and certificate; and said Health Officer or Board of Health shall be entitled to a fee of three dollars for such examination and certificate made and delivered under this ordinance, to be paid out of the fines collected and paid for violating the same.

SEC. 5. This ordinance shall take effect and be in full force on and after its approval.

AN ORDINANCE TO SUPPRESS, PROHIBIT, AND ABATE NUISANCES WITHIN THE LIMITS OF THE CITY OF OAKLAND, IN PURSUANCE OF THE POWER GIVEN TO THE CITY COUNCIL, BY STATUTE, FOR THAT PURPOSE, APPROVED OCTOBER 28, 1872.

*The Council of the City of Oakland do ordain as follows :*

SECTION 1. All owners or possessors of land and premises within the corporate limits of the City of Oakland upon which there is any natural or artificial cavity, slough, hole, or low spot in the same, sufficient to contain stagnant water or other nauseous and offensive substances, and the same shall, from natural or artificial causes become filled, or contain stagnant water, or other nauseous and offensive substances, which shall be deleterious and dangerous to the public health, such owners and possessors of such land and premises shall be deemed guilty of having, permitting, maintaining, and continuing a public nuisance; and if not abated as provided by this ordinance, or otherwise, so that the same shall cease to be offensive and deleterious and dangerous to the public health, then the said nuisance shall be abated by public authority, and the person or persons permitting, having, causing, maintaining, and continuing the said nuisance shall be proceeded against as provided in this ordinance. And any person or persons who shall violate any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in the sum of one hundred dollars, and in default of payment shall be imprisoned in the City Prison one day for every two dollars of such fine.

SEC. 2. Upon complaint being made by any person that a public nuisance exists, as set forth in section one of this ordinance, it shall be the duty of the Health Officer of the City of Oakland to immediately examine the same; and if in his judgment a public nuisance exists, and the same is deleterious and dangerous to the public health, he shall forthwith make his certificate as Health Officer, stating the nuisance, where located, upon whose premises, and what and who causes the same, and that the same is a public nuisance and is deleterious and dangerous to the public health; which certificate he shall forthwith deliver to the City Marshal, who shall forthwith serve a written notice upon the person or persons owning or possessing the land and premises upon which the said nuisance is located, or the person or persons causing said nuisance, stating therein that the