

## Chapel Hill N.C.

January 7<sup>th</sup> 1896

The Board of Commissioners met at W. London's office in regular meeting. The following acct were presented and allowed

|                             |        |
|-----------------------------|--------|
| W. M. Sugg for police duty  | \$2.50 |
| Hande " street work         | 4 60   |
| J. R. Clements transcribing | 1 00   |
| Prof J. W. Gore Electric Co | 74 80  |

The Ordinances for the Town were read and laid over as per rule until next regular meeting. In the interim they were ordered to be handed to Dr. John Manning Atty at Law for inspection. Hog-pens claimed the attention of the Board and after some discussion Com. A. H. Patterson was appointed to inspect certain pens and report at next meeting. Nothing further appearing a motion to adjourn prevailed.

A. J. Wade  
Clerk

At a regular meeting held Feb 3<sup>rd</sup> 1896 the minutes found on the next page (613). The following acct were presented and allowed.

|                 |             |       |
|-----------------|-------------|-------|
| J. W. Huskey    | Police duty | 4 00  |
| A. H. Patterson | Merchandise | 93    |
| Street Handse   | Work        | 27 65 |

## Chapel Hill N.C.

February 3<sup>rd</sup> 1896

The Board of Commissioners met in regular meeting at W. London's office (Present His Honor Mayor A. J. Barber A. H. Patterson Prof J. A. Holmes W. A. Pritchard W. J. H. London)

The Town Ordinances read at last meeting and laid over as per rule to the next regular meeting were taken up and upon Motion were adopted as a whole. A Committee consisting of Prof Holmes A. J. Barber & the Clerk was appointed to have 200 Copies of the Ordinances pocket size and 100 sheets of same printed as soon as practicable. A motion was made and recorded that the Horse racks now standing on Franklin Street be removed by the Owners of the same on or before March 1896.

The following Resolution was read and upon Motion laid upon the table for one month as per rule.

Resolved That on and after April 4<sup>th</sup> 1896. All gates on the streets of Chapel Hill N.C. shall be hung so as to open on the inside of the yard or Plot and not on the street. If after this date any gate within the Corporate limits of the Town is not hung as above prescribed the Owner of the lot on which such gate is located shall be fined One Dollar and fifty cents for each day thereafter after notification until said gate is hung as above described. The following Ordinances were ordered spread upon the Town Record as being duly proposed in writing at a regular meeting. Laid over for one month to next regular meeting as per rule and then upon Motion passed - See page 614.



## Ordinances

Be it ordained by the commissioners of Chapel Hill, and it is hereby ordained by the authority of the same:

- Sec. 1. The election of a Mayor and five commissioners shall take place on the first Monday in May of each year, under such rules and regulations as are, or shall be provided by law.
- Sec. 2. The regular meeting of the Board of Commissioners shall be on the first Monday in each month. The Mayor or a majority of the Board may call special meetings when in their opinion the public interest shall require it. Three commissioners shall constitute a quorum, for the transaction of business, except as may be hereafter otherwise ordered in these ordinances.
- Sec. 3. The Board shall elect at the regular meeting in May of each year, or as soon thereafter as may be determined by the Board, a Clerk, Treasurer, Constable and Weighmaster who shall hold office until the next election, and until their successors shall be elected and qualified; Provided, that an Attorney may also be elected, when in the discretion of the Board such action is deemed desirable.
- Sec. 4. The Board may consolidate the offices of Clerk, Treasurer, Constable and Weighmaster, and devolve the duties upon one or more persons; the offices nevertheless to remain the same.
- Sec. 5. The Mayor, Commissioners, and all other officers of the town, ~~before entering on their~~ official duties shall respectively take an oath for the faithful discharge and performance thereof.
- Sec. 6. It shall be the duty of all officers of the town and especially the Constable to report to the Mayor all violations of the town ordinances

which shall come to their knowledge; and it shall be the duty of the Mayor forthwith to issue his warrant against all offenders.

- Sec. 7. It shall be the duty of the Town Constable, to arrest without a warrant, and carry before the Mayor all persons who shall in his presence violate any of the town ordinances.
- Sec. 8. The Mayor is authorized when in his discretion, on extraordinary occasions, it may be necessary to preserve order in the town, to appoint one or more special policemen who shall have the same powers as the Town Constable for this purpose, and shall be paid for their services, out of the Town Treasury such sums as the Town Commissioners may order.
- Sec. 9. The Clerk shall attend punctually on the meetings of the Board, keep correctly the minutes of proceedings in a journal provided for such purpose, publish by posters the annual settlements of officers, and perform such other clerical and official duties, which he may, by the Board from time to time be authorized and directed. He shall keep the plot of the town and files of all documents, reports and settlements of officers, vouchers, receipts, and the other valuable papers of the town, except only those which may properly belong to the office of the Treasurer. His compensation shall be in the discretion of the Board.
- Sec. 10. The Treasurer before entering upon the duties of his office, shall give a bond with good and sufficient surety in the sum of not less than Five Hundred Dollars to be approved by the Board. He shall receive all moneys and receipt for the same. Keep an account thereof in a journal provided for such purposes, and pay them out on the order of the Board, which



order shall be first signed by the Clerk issuing it and then countersigned by the Mayor.

He shall at the regular meeting of the Board in May of each year, make his annual report, and final settlement, and such other and further reports as may be required of him. His compensation shall be in the discretion of the Board.

- Sec. 11. The Constable before entering upon his duties, shall give a bond with good and sufficient surety to be approved by the Board, in a sum of five hundred dollars, and in a larger sum when it shall be so ordered by the Board. He shall collect all taxes, fines and forfeitures, keep an account of the same in writing and pay them over to the treasurer monthly, and take his receipts therefor. He shall be the custodian of the town property and cemetery, and shall be held responsible for all town property. He shall diligently and faithfully execute the town ordinances, and also the criminal laws of the State, in cases happening within the corporate limits of the town, and within the jurisdiction of a Justice of the Peace, and in other cases he shall report the same to the proper authorities. He shall be superintendent of the street, and cemetery work and the keeping up of all repairs, and when in the performance of such duty, he shall keep in writing the time each employee or laborer worked, cost of labor and material and all other expenses incurred by him on account of the town, and make report thereof monthly to the Board. He shall be held bound for the whole amount of the tax list of each year placed into his hands for collection, as sheriffs of counties are, and no deductions therefrom shall be allowed in his annual and final settlement except

for such taxes as shall be allowed by the Board of Commissioners on account of insolvency, death or removal.

He shall at the regular meeting in May April of each year make an annual report and final settlement and such other and further report from time to time as he may be ordered. He shall be paid for his services ten per centum of all taxes collected, one half of all fines and forfeitures, and in all actions for the enforcement of the town ordinances the same fees as are allowed to Constables in criminal actions in State cases, and such other compensation for superintending street and cemetery work, and the performance of other duties to which he may be specially directed, in the discretion of the Board.

- Sec. 12. Should the Constable, after being informed, or knowing of the violation of any of the town ordinances, refuse or neglect to enforce the same, he shall upon conviction of such negligence of duty, be fined five dollars. Provided that the Mayor may remit a part of said fine, if in his discretion he may deem proper.

- Sec. 13. The Weighmaster before entering upon the duties of his office shall give a bond in the sum of not less than fifty dollars with good and sufficient surety to be approved by the Board. He shall have charge of the town scales. He shall promptly attend to the weighing of all provender. Keep an account of the same in writing; and at the regular meeting of the Board in April of each year make report and final settlement. He shall also quarterly, after the first Monday in May of each year, make return and settlement with the Treasurer, and turn over to him all moneys collected for weighing, and take his receipt therefor. He shall receive for his services one-half of the ratio of charges presented for weighing.

- Sec. 14. All fodder, hay, oats and other provender sold by weight in the town shall be weighed at the public



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63  
Scales and the weighmaster shall give a certificate of the weight of the load, and also of the cart or wagon when unloaded; and if any person shall buy any fodder, hay, oats or other provender above specified, without the same being weighed as herein directed, he or she shall be fined one dollar for each offense.

64  
Sec. 15 The rates of charges for weighing on the town scales shall be on net weights, fifteen cents from one pound to one thousand pounds, twenty cents from one thousand to fifteen hundred pounds, and twenty five cents for all over fifteen hundred pounds, to be collected by the weighmaster when the weighing is done. He shall also give to the party a certificate of the weights. Fees to be paid by the seller.

64  
Sec. 16 The compensation of the Mayor shall be in the discretion of the Board. except that he shall receive such fees in all actions in the enforcement of the town ordinances as are allowed Justices of the Peace in criminal actions in State Cases.

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Sec. 17 The compensation of officers shall not be retained by them from any money in their hands belonging to the town; all said moneys shall be paid to the proper officers, and their claims against the town shall be presented in writing, audited and allowed as other claims against the town, before paid.

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Sec. 18 In the allowance of any claim against the town by the board, the taxes due by the claimant shall first be deducted and accredited before the payment of balance of said claim.

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Sec. 19 The Board shall annually appoint a Finance Committee whose duty it shall be to audit all accounts and other indebtedness of the town and the annual settlements of officers

and report its action thereon in writing to the Board.

68  
Sec. 20 The Board shall annually appoint a Health Committee whose duty it shall be to look after the sanitary condition of the town, and make such recommendations to the Board from time to time as to it shall appear needful.

69  
Sec. 21 The Board shall annually appoint a street Committee whose duty it shall be to look after the condition and working of the streets and sidewalks, and the keeping up of all repairs, and make such recommendations to the Board as it may deem expedient and conducive to their better condition and improvement at the least expense.

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Sec. 22 All petitions, reports of officers and Committee's and the presentations of any claims against the town, shall be in writing, intelligibly written, and submitted, and by the proper officer recorded and filed.

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Sec. 23 No claim against the town shall be acted upon by the Board, until it has been first submitted to the Finance Committee and passed upon and reported.

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Sec. 24 All claims against the town shall be presented and allowed in the name of the party with whom the Board or its authorized agent has contracted. And no person shall do, or perform a service or contract a debt against the town without first being authorized by the Board, or by the Mayor, in case of emergency and when the public interest shall require it.

73  
Sec. 25 No Commissioner or other officer of the town shall be directly or indirectly a contractor for work to be done for the town.



- Sec. 26 In all cases where Judgments may be entered up against any person for fines or penalties according to the laws and ordinances of any incorporated town, and the person against whom the same is so adjudged refuses or is unable to pay such judgment, it may, and shall be lawful for the mayor or chief officer before whom such judgment ~~is~~ judgment is entered, to order and require such person so convicted, to work on the streets or other public works, until, at fair rate of wages, such person shall have worked out the full amount of the judgment and costs of the prosecution.
- Sec. 27 It shall be the duty of the Mayor to keep a record of all actions, under the ordinances of the town, and his judgment therein in each case.
- Sec. 28 The mayor, or other suitable person, shall by order of the Commissioners, take the list of taxables in the town in such manner, and at such time as the Commissioners shall prescribe. If any person fails to list his taxables within the time prescribed by the Commissioners, he shall be liable to double tax.
- The valuation of said property shall be that placed upon the same by the township board of assessors, for state and County taxes.
- Sec. 29 Parliamentary usages shall be the rules of Government in the deliberation of the Board.
- Sec. 30 It shall be the duty of the Constable under the direction of the Mayor or the Board, to investigate the condition of all privies, back-yards and other places in the town, and to notify the owner or tenant of any premises which shall be found in bad condition, and in violation of any town ordinance in such cases made and provided to abate any nuisance

- that may exist on said premises, and any person, after being notified to abate such nuisance within twenty four hours, shall pay a fine of two dollars.
- Sec. 31 The constable shall have power to enter the enclosure and house of any person within the town, without warrant, when he has good reason to believe any of the laws of the State or ordinances of the town are violated, for the apprehension of any person so offending, and if necessary to summon a posse to aid him, and all persons summoned shall have like authority; and if any person so summoned shall refuse to give his assistance, he shall be fined two dollars.
- Sec. 32 Any person who shall discharge or shoot a gun, pistol, or other fire-arms of any description within the limits of the town, except in case of absolute necessity; or who shall explode any rocket, or pop-cracker or other fire works, or any combination of gunpowder, in any street of the town shall pay a fine of one dollar for such offence.
- It is further provided that any person who shall sell directly or indirectly, after the 4<sup>th</sup> day of July 1896 any Rocket, Roman-candle, pop-cracker, or other fire-works within the corporate limits of the town shall pay a fine of twenty five dollars for each offence.
- Sec. 34 Any person who shall throw, pitch or fling with hand or otherwise, stones, brickbats, missiles or any other hard substance, so as to endanger the person or property of any one within the corporate limits of the town, shall pay a fine of one dollar for each offence.
- Sec. 35 Any person who shall be guilty of behaving disorderly within the corporate limits of the town, by using profane or vulgar language, or in any other way, or who shall be guilty of loud halloing and screaming, or



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making any loud or extravagant noise, except on occasion of public rejoicing and in cases of fire, danger or unavoidable accidents, shall pay a fine of five dollars for each offence. Provided that the mayor may in his discretion, remit a part of said fine if he may deem proper.

Sec. 36. Any person, who shall ride, drive or lead any horse, mule or other animal upon the side walks of the town, except at the crossings; or shall hitch, or tie or stop the same thereon, with or without vehicle or other attachments, shall be fined one dollar for each offence, and a like sum for each quarter of one hour it shall continue after notification by the Town Constable to remove the same.

Sec. 37. Any person who shall hitch or tie any horse mule or other animal, to any tree, or to any fixtures around any tree, planted or standing along and by the sidewalks of any street in the town, shall pay a fine of one dollar for each offence.

Sec. 38. Any person who shall keep, or suffer to be kept any lot, or house or out-house within the Corporation, to him or her belonging or in possession, in such a condition as to be a nuisance (to be adjudged of by the Mayor, and after due notice by the Constable shall fail or refuse to abate said nuisance, shall be fined two dollars, and the further sum of one dollar for each day the said nuisance shall remain after notification by the Constable.

Sec. 39. Any person who shall throw anything, by whatever name known in any of the streets or lots of, and in the town which may operate as a nuisance, (to be adjudged of by the Mayor) shall pay a fine of one dollar, and the

further sum of one dollar for each day the same shall remain, after notice by the constable to remove the same.

Sec. 40. Any person who shall remove any sand or dirt from the streets or side walks shall pay a fine of one dollar for each offence.

Sec. 41. No brick, stone, wood or other substance shall be suffered to lie in the streets of the town for a longer period than twenty four hours; provided however that the removal or repairing of any building, building material, earth and other obstructions of like character may by permission of the Mayor in writing, be allowed under such restrictions as he may impose, and no person shall place in any street or upon any sidewalk any boxes, casks, crates, barrels or other obstructions, Provided that Horse Racks may be erected on any street of the town except Franklin Street. Provided that any person may plant a hitching post in front of his or her premises said post not to be exceeding four feet from the side walk, Any person offending against these provisions shall be fined one dollar for each offence, and if any obstruction shall not be removed within twenty four hours after notification by the constable to remove the same the person offending shall pay a fine of one dollar for each day such obstruction shall remain thereafter.

Sec. 42. Every owner of a house on a street, which has a cellar door or vault in a sidewalk shall keep the same in good repair; and who, after having been notified by the Constable, shall fail to do so, he shall forfeit and pay a fine of two dollars for each and every day it remains in that condition.



- Sec. 43 On and after April 4<sup>th</sup> 1896 all gates on the streets of the town shall be hung so as to open on the inside of the yard or lot, and not on the streets, and if after said 4<sup>th</sup> day of April any gate shall remain hung in violation of the foregoing provision or shall thereafter be so hung as to open on the street, the owner of the property shall pay a fine of One dollar, and a further fine of fifty cents for each day such gate shall remain so hung, after notification by the Constable to change the same.
- Sec. 44 Any person who shall throw any filth or rubbish of any kind into any of the public wells of the town, or shall in any manner injure the same, shall be fined five dollars for each offence.
- Sec. 45 Any person who shall pollute any private or public well or private well, or spring within the corporate limits of the town shall pay a fine of ten dollars.
- Sec. 46 Any person who shall water stock within ten feet, or feed stock within fifty feet of the public wells of the town shall pay a fine of One dollar for each offence.
- Sec. 47 Any person who shall ride a Bicycle on the side-walks of Franklin Street between Columbia Street and the Episcopal Church lot shall pay a fine of One dollar for each offence.
- Sec. 48 Any person who shall injure or displace any bridge, rock-wall or pavement of the streets or sidewalks, and culverts, ditches and drains, or other property belonging to the town, or shall place any obstruction in any gutter, ditch or drain, shall forfeit and pay five dollars for each offence.

- Sec. 49 Any person who shall injure or displace any sign or sign-post, lantern, lamp or lamp-post or bulletin board upon the streets or sidewalks of the town, belonging to another, shall be fined two dollars for each offence.
- Sec. 50 Any person who shall injure any shade tree upon the streets and sidewalks of the town shall pay a fine of twenty dollars for each offence.
- Sec. 51 Every person is forbidden to trim any shade tree upon the streets and sidewalks without special permission of the Mayor or the Board of Commissioners under a penalty of ten dollars for each offence.
- Sec. 52 Any person who shall be found drunk upon the streets of the town shall pay a fine of two dollars for each offence.
- Sec. 53 Cock-fighting within the limits of the town is forbidden, and any person who shall be found guilty thereof shall forfeit and pay two dollars for each offence.
- Sec. 54 Any person who shall have, or shall erect or have built any hog-pen within ten yards of any street of the town; or who shall make a practice of feeding any hog, or hogs in the streets or upon the sidewalks, or who shall fail to keep his or her hog-pen in a clean and healthful condition shall forfeit and pay One dollar for each offence, and a like sum for each day, it shall continue after notice by the Constable.
- Sec. 55 Any person who shall have a privy within thirty feet of any street or sidewalk of the town, or who shall not keep his or her privy properly cleaned and disinfected, or who shall not so enclose it, as to prevent the



access of hogs, shall forfeit and pay five dollars for each offence day it shall thus remain after notice by the Constable.

Sec. 56 Any owner or occupant of a town lot who shall not remove from the same any dead animal which may happen to be thereon within the corporate limits, shall be fined one dollar, and the further sum of one dollar for each day it shall remain after notice by the Constable.

Sec. 57 No slaughter-pen shall be within one hundred yards of the main thoroughfares or streets of the town; any person violating this ordinance shall forfeit five dollars for each day it shall continue to exist after notice by the Constable.

Sec. 58 If any person who shall erect and so construct, or who shall use after erection and construction in the town, any chimney, flue, stove or stove-pipe as would be increased from danger by fire, to property; or who shall store loose straw, hay, fodder or other provender, in any building or out-house or other place in the town, the proximity of which to any building in which fire is kept, would likely be dangerous shall be fined five dollars for each offence, and a like sum for each day it shall so remain after notice by the Constable.

Sec. 59 Any person who shall store or deposit hot ashes in or within ten feet of any building or out-house in the town, shall be fined five dollars for each offence.

Sec. 60 Any person who shall burn out any chimney within the limits of the town, other than on rainy or snowy days; or who shall not keep the same, or any flue or stove-pipe

properly cleaned of soot or other ignitable matter therein, shall be fined one dollar for each offence.

Sec. 61 No person shall engage in the business of transporting passengers or baggage, or draying for pay within the corporate limits of Chapel Hill, without first paying the taxes required by law, and procuring a license from the Mayor, under a penalty of five dollars.

The tax on each horse, mule or other animal so engaged shall be one dollar and fifty cents. The license year shall run from May 1<sup>st</sup> to May 1<sup>st</sup> in each year and no license shall be transferable. Provided that this ordinance as to transfer of license shall not apply to persons who transfer their business by sale.

Sec. 62 Any person who shall bring by wagon or other conveyance any goods, wares or merchandise, and unload the same within the town on the Sabbath except in case of unavoidable accident or necessity shall be fined ten dollars for each offence.

Sec. 63 No person shall keep open any shop or store (Drug stores excepted) on Sunday. Nor shall any shop or store be opened on Sunday for the purpose of buying or selling except in cases of necessity; Provided that Drug stores shall sell no goods whatever on Sunday except such as are required strictly for medical purposes; and upon conviction of a violation of this ordinance, the person so offending shall pay a fine of five dollars for each offence.

Sec. 64 Any person who shall indecently expose him or herself in any place in the town in open day, or do any obscene act, or write any obscene marks or drawings in any



Public place shall forfeit and pay two dollars for each offence.

- Sec. 65 Any person who shall keep a disorderly house or house of ill-fame within the corporate limits of the town, and any person who shall knowingly rent any house to be used as a house of ill-fame, shall forfeit and pay ten dollars for every day the house is so kept; and all adult persons living in such houses, shall be considered the keepers thereof and be subject to the penalties of this section.
- Sec. 66 Any woman who shall on any street or other public place of the town, solicit by word, sign or otherwise, men to have carnal intercourse with her, or any other female, shall be arrested and tried, and upon conviction shall be fined five dollars for each offence.
- Sec. 67 Any prostitute or woman whose general reputation for Chastity is bad, who shall be found on the streets plying her vocation or soliciting men, or drinking, or loitering from place to place in the town, or conducting herself in a forward or improper manner, shall be arrested and tried, and upon conviction shall be fined five dollars for each offence.
- Sec. 68 Any owner of a blut who shall suffer her to run at large within the corporate limits of the town "when proud" shall be fined five dollars.
- Sec. 69 No person shall exhibit or show-off any stud horse or jackass in the streets of the town, or shall hitch either of said animals (excepting a regularly worked stud horse) upon the streets or in any conspicuous place in the town. Any person violating this ordinance shall forfeit and pay five dollars.

- Sec. 70 No person shall cut, break or in any other manner injure or destroy any tree, shrub or plant, or wantonly injure or destroy any flower, grass or grass-plot, or any enclosure of any grave in the cemetery of the town, under a penalty of five dollars for each offence.
- Sec. 71 No person shall throw or deposit any filth or unclean or offensive substance in the Cemetery of the town, under a penalty of five dollars.
- Sec. 72 Any person who shall in digging a grave, abandon it without properly filling the same up, and removing all rocks and litter produced from such digging within the enclosure of the Cemetery of the town, shall be fined two dollars for each offence.
- Sec. 73 No resolution to appropriate money, or to alter or repeal any rule or ordinance of the Board, or to enact any new ordinance or establish any new rule, shall be offered at any other, than a regular meeting, and any resolutions to alter or repeal any existing rule or ordinance shall be first submitted in writing, and entered in the minutes, and shall at the next succeeding or subsequent regular meeting, receive a majority of the entire board, before its adoption.
- Sec. 74 All rules and Ordinances heretofore passed for the Government of the town of Chapel Hill which are repugnant to the rules and ordinances above set forth, are hereby repealed, but no offence committed, and no penalties incurred under any ordinance hereby repealed shall be affected by the repeal.  
These rules and ordinances shall be in force from and after their ratification by the Board.  
Ratified this the third day of February, 1896.