

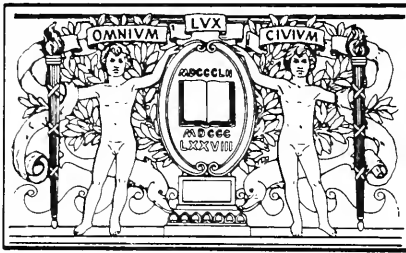
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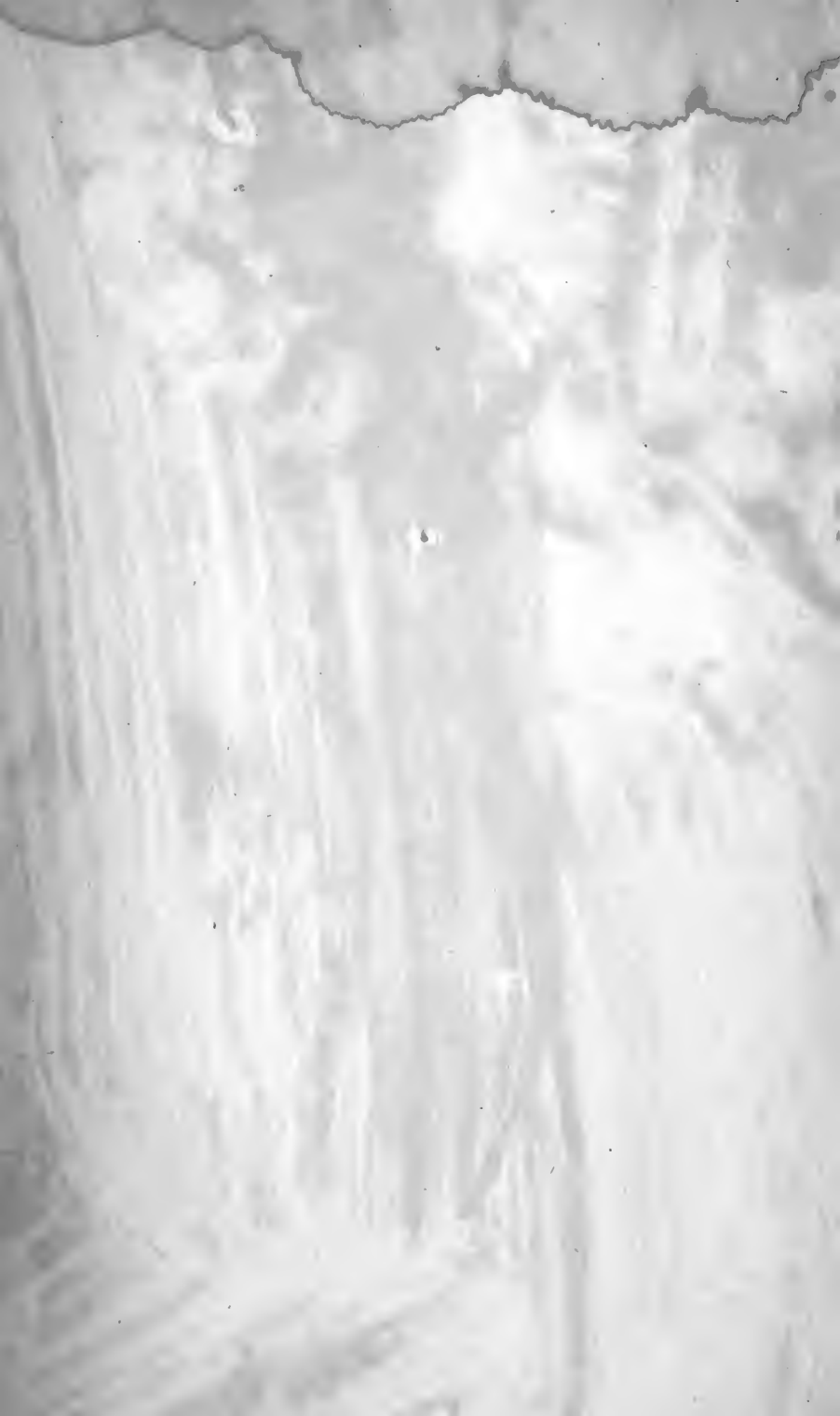
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AN ORDINANCE

CONCERNING

MAIN DRAINS

AND

COMMON SEWERS.

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ROXBURY:

L. B. & O. E. WESTON, PRINTERS, GUILD ROW.

1860.

## CITY OF ROXBURY.

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IN BOARD OF ALDERMEN, June 25, 1860.

Ordinance concerning Main Drains and Common Sewers passed to be enrolled. Sent down for concurrence.

JOSEPH W. TUCKER, *City Clerk.*

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IN COMMON COUNCIL, June 25, 1860.

Laid on the table and ordered to be printed.

FRANKLIN WILLIAMS, *Clerk.*



# City of Roxbury.

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IN BOARD OF ALDERMEN, June 25, 1860.

The Joint Standing Committee on Sewerage recommend the passage of the accompanying Order accepting the provisions of the General Statutes in relation to Sewerage, and also the passage of the accompanying Ordinance concerning Main Drains and Common Sewers.

THEODORE OTIS, *Chairman.*

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## AN ORDINANCE

CONCERNING MAIN DRAINS AND COMMON SEWERS.

*Be it ordained by the City Council of the City of Roxbury, as follows :*

SECT. 1. The Mayor and Aldermen shall lay, make, maintain and repair, all main drains and common sewers which shall be ordered by the City Council.

SECT. 2.. All common sewers shall be laid, as nearly as practicable, in the centre of the streets through which they pass. They shall be built of such materials and dimensions as the Mayor and Aldermen may direct, and when the same is advisable, they shall be of sufficient size to be entered and cleared without removing the pavement or earth above.

SECT. 3. During the month of July, in the present year, and at the commencement of each municipal year hereafter, there shall be chosen, by ballot, a Joint Standing Committee on Common Sewers, to consist of two Aldermen and five members of the Common Council, to which Committee all petitions for sewers shall be referred. The Mayor, for the time being, shall be, *ex officio*, a member of said Committee.

SECT. 4. All particular drains which shall hereafter enter into any common sewer, shall be built of such materials, dimensions and descriptions, and with such descent, and in such manner as the Mayor and Aldermen shall direct; and they shall be, at all times, subject to be enlarged or otherwise altered by the Mayor and Aldermen, as in their judgment the public health or convenience may require.

SECT. 5. The Mayor and Aldermen shall have power to cause every owner of land, adjoining any street through which a common sewer shall be laid, or his agent or tenant, to make a sufficient drain from his house or lot into the said sewer, whenever, in their opinion, the same shall be necessary; and shall thereupon give such owner, agent or tenant, notice, in writing, specifying the time within which such drain shall be completed; and in case the said owner, agent or tenant shall neglect to complete the same within the time specified, the Mayor and Aldermen shall cause the same to be done, and shall recover the whole amount of the expense thereof, together with ten per cent. damages, by action, to be brought in the name of the City of Roxbury, before any Court proper to try the same: *Provided, however*, that in no case shall the ten per cent. claimed by way of damage exceed the sum of twenty dollars.

SECT. 6. It shall be lawful for all persons having the care of buildings, at their own expense, to carry the rain

water from the roofs of said buildings into any common sewer, free of any charge from the City, provided the same be done by tight water spouts and brick or stone drains, or metal tubes under ground, and under the direction of the Mayor and Aldermen.

SECT. 7. Every person entering his or her particular drain into any common sewer, without a permit, in writing, from the Mayor and Aldermen, or Superintendent of Common Sewers, hereinafter mentioned, shall forfeit and pay the sum of twenty dollars, and shall also be liable to pay all such damage, by way of indemnification, as the Mayor and Aldermen shall deem just and reasonable. And all such persons to whom such permits shall be granted, shall pay therefor such sum of money, not less than ten dollars, as the Mayor and Aldermen may determine.

SECT. 8. There shall be chosen, in the month of July of the present year, and hereafter at the commencement of each municipal year, by the concurrent vote of the City Council (to be first acted upon by the Mayor and Aldermen), an able and discreet person, to be styled Superintendent of Common Sewers, who shall hold his office at the pleasure of the City Council, and shall receive such compensation as said Council shall determine; and any vacancy in said office may, at any time, be filled in the manner before mentioned.

SECT. 9. The said Superintendent, whenever any common sewer is ordered to be built or repaired, shall ascertain its depth, breadth, mode of construction and general direction, and take the plan thereof, and insert the same, with all those particulars, in a book to be kept for that purpose; and forthwith ascertain and insert on said plan all entries made or which are desired to be made into such sewer.

SECT. 10. The said Superintendent shall keep an accurate account of the expense of constructing and repairing

each common sewer, and shall report the same to the Mayor and Aldermen, together with a list of estates adjoining the street where said sewer is situated and deriving benefit therefrom, and a description of such estates and the names of the owners thereof.

SECT. 11. It shall be the duty of the Mayor and Aldermen, in making assessments for defraying the expense of constructing or repairing main drains or common sewers, to deduct from the expense such part as they may deem expedient to be charged to and paid by the City; and to apportion and assess the remainder thereof upon the persons and estates receiving benefit from such main drain or common sewer, either by the entry of their particular drains therein, or by any more remote means, agreeably to existing laws.

SECT. 12. The said Superintendent shall enter, in books to be kept for that purpose, all such assessments made by the Mayor and Aldermen, and shall forthwith make out bills for the same, and deliver them to the City Treasurer, for collection; and the said Treasurer shall forthwith demand payment, in writing, of said bills, in the manner prescribed by law; and in case any bills or dues under this ordinance shall remain unpaid at the expiration of three months after demand for payment as aforesaid, the said Treasurer shall cause the same to be collected by a resort to the proper legal process.

SECT. 13. This Ordinance shall take effect from and after its passage.

# City of Roxbury.

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IN BOARD OF ALDERMEN, June 25, 1860.

ORDERED, That Sections 3, 4, 5 and 6, of the 48th Chapter of the General Statutes of this Commonwealth, be and the same are hereby accepted by the City Council.











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