

ORDINANCE No. 1023

A ORDINANCE PROVIDING FOR THE INSPECTION AND REGULATION OF DAIRIES, DAIRY HERDS, MILK PLANTS, CREAMERIES, MILK STATIONS, AND FOR THE LICENSING AND REGULATING THE SALE AND DISPOSAL AND DISTRIBUTION OF MILK AND CREAM IN THE CITY OF ALBANY, OREGON AND PROVIDING A PENALTY FOR THE VIOLATION THEREOF.

THE PEOPLE OF THE CITY OF ALBANY TO ORDAIN AS FOLLOWS:

Section I. It shall be unlawful for any person, persons, firm or corporation, or any agent or employee thereof to sell, dispose of or offer for sale in any manner as human food any milk or cream within the City of Albany, Oregon, without first having obtained a license therefor in accordance with the provisions of this ordinance.

Section II. Any person desiring a license pursuant to this ordinance shall first make a written application therefor to the City of Albany and file said application in the office of the Recorder of the said City of Albany, stating the following facts:

- (a) The name and place of residence or business of the applicant.
- (b) Whether said applicant is a producer of milk or cream.
- (c) The exact location of the dairy or herd which produces the milk or cream.
- (d) The number of cows in each dairy herd and the date of the last tuberculin test and the results thereof.
- (e) If the applicant is distributor of milk or cream, the name of each person from whom he obtains or is about to obtain milk or cream; the location of each dairy and the number of cows in each herd from which the milk or cream is obtained.
- (f) That the applicant will permit a representative or representatives of the City of Albany, Oregon, prior to the issuance of a license, and at any time subsequent thereto, to inspect in accordance with this ordinance, his dairy, and herd, and that he will permit such inspection at any time thereafter. If the applicant is not a producer of milk or cream or if he sells or is able to sell milk or cream not produced by his own cows, his application must be accompanied by a written statement from a owner of each dairy or herd where such milk or cream is produced, to the effect that such owner will consent to an inspection by representative of the City of Albany, Oregon, prior to the issuance of any license for the sale disposal or distribution of milk or cream within the City of Albany, Oregon, from such herd or dairy and that he will permit such inspection to be made at any time thereafter.

Section III. Every person, firm or corporation producing milk or cream for sale or distribution within the City of Albany, Oregon, shall have, at least the following equipment:

- (a) Dairy barn

Repealed by Ord. 1302, Feb. 27, 1921.
City of Albany, Oregon

ORDINANCE NO. 1023

- (b) Barn Yard.
- (c) A milk-house.
- (d) A sufficient supply of wholesome water.
- (e) Adequate drainage.
- (f) Milk bottles to be used as containers and sufficient utensils to handle milk or cream in a clean and sanitary manner.

The buildings shall be placed in such a position to insure good drainage. The barnyard shall be made to slope from the buildings so that excess water shall drain off rapidly. No animal or animals other than cows shall be kept in the dairy buildings, and no fowls shall have access to the dairy barn or milk house.

Section IV. The person in charge of the premises constituting the dairy shall comply with all the requirements as to the conduct of his business which shall be made by the City Council of the City of Albany, with respects to his particular business in order to insure that the production and handling of milk or cream will be done in a clean and sanitary manner.

Section V. All dairy barns shall have a roof which shall not leak and the sides of said barn shall be windtight; doors and windows shall close tightly and there shall be sufficient windows to provide ample light during the daylight hours, and at all other times sufficient artificial light shall be provided to illuminate said dairy barns.

All dairy barns shall have an adequate system of drainage and ventilation.

All floors and gutters shall be free from depressions and shall have a sufficient slope to drain well.

All mangers hereinafter constructed or in the process of construction shall have rounded corners.

All dairy barns shall be so constructed to keep the floor by which the cows are kept and milked, free from dust or other material which would in any manner contaminate the milk or cream.

The length of the stalls shall be so constructed that the cows of different sizes may be so aligned, so that the excrement from said cows will fall directly into the gutters.

Adequate water and wash basins shall be provided in the dairy barn or in an adjoining room.

The entire floor space and mangers of all dairy barns shall be kept in a neat and sanitary condition at all times and the gutters therein shall be thoroughly cleaned at least once each day.

The walls, ceiling and partitions shall be kept free from dirt and cobwebs and shall at all times be kept properly painted or white-washed.

Milking stools shall be kept clean.

Bedding shall be kept clean.

No manure or refuse shall be allowed to accumulate or be kept in the

ORDINANCE NO. 1023.

barn yard nor within Fifty Feet (50 ft.) of the barn.

The barnyards and pasture or other lots used for inclosing the dairy herd shall contain no excess surface water.

Section VI. The milk house shall contain at least one room separate and apart which shall be used only for preparing milk for the market. The milk rooms or rooms shall contain an efficient cooler and arrangements for bottling. The room or rooms where the milk is exposed shall be so arranged as to be at all times practically free from dust and insects.

All windows and all doorways of the milk house shall be securely screened so as to prevent the entrance of flying insects, and the milk house shall be kept free from insects of any kind or nature whatsoever.

Section VII. All milk or cream offered for sale, sold or disposed of within the City of Albany, Oregon, shall be pasteurized; unless taken from cows which have been tuberculin tested; also all milk and cream not bottled on premises where produced shall be pasteurized.

Section VIII. The barn or barns and the buildings or building in which milk is handled shall be supplied with a system of clean wholesome water. The source of the water supply shall be amply and properly protected against contamination. The City Council may from time to time cause an examination to be made of the water and shall have the power to forbid the sale of milk or cream where contaminated water is being used.

Section IX. All dairy cows from which milk or cream is produced and offered for sale, sold or distributed within the City of Albany shall be free from disease as determined by tuberculin tests and physical examination by a competent veterinarian duly and legally authorized to practice within the State of Oregon; and new animals shall be kept separate from the herd until approved by a representative or representatives of the City of Albany, after such tests and examinations.

All reactors to the tuberculin tests must be immediately removed from the herd. Milk from animals suffering from any ailment of any kind or character whatsoever must not be sold, offered for sale or distributed, and such animals must be isolated until readmitted by a veterinarian qualified as above mentioned.

All dairy cows must be tuberculin tested at least once a year.

Milk must not be used from cows fifteen days prior to freshening nor within five days after freshening.

Nothing but wholesome food shall be fed the dairy herd, dry roughage or feed imparting obnoxious odors shall not be fed just before or during milking. No feed stuffs causing dust in handling shall be kept or stored in the milking barn, except in such a place that the dust therefrom cannot reach or come in contact with the cows or milk. Feed necessary to be cooked must be cooked outside the milking barn.

Section X. Before the commencement of the milking operation dry dirt and

ORDINANCE NO. 1023.

loose hair shall be removed from the cows and places soiled with fresh manure shall be thoroughly cleaned. Grooming or any other operation in the barn which raises dust shall be performed in ample time to be completed at least ten minutes before milking is commenced. The cow after being cleaned as above provided shall be prevented from lying down until she has been milked.

Section XI. Persons engaged in milking and handling the milk in any way wheter during the milking process, distribution or sale thereof must be clean, healthy and free from disease of any kind or character whatsoever, such person or persons must not knowingly come in contact with any one having a communicable disease. In case any communicable disease is discovered on the premises no milk produced thereon shall be sold until such time as all evidence thereof has been completely eradicated to the entire satisfaction of the health officer of the City of Albany.

Section XII. The cow's udder, teat and flanks shall be moistened with a wet cloth immediately before milking and only the teats shall be dried before milking. One towel for drying shall not be used for more than six cows.

Persons engaged in milking shall wear washable suits and caps which shall be used only when milking and shall be kept clean. Persons engaged in milking shall thoroughly wash their hands using soap and nail brush immediately before milking and dry them on a clean towel. Vaseline may be used in moderation, but milk must not be used on the hands to moisten the teats.

If any cow yields any milk which is un-natural in appearance or having an un-wholesome appearance all of the milk from that cow shall be rejected, and the pail wherein the same has been milked shall not be used again until it has been thoroughly cleaned; and such cow shall be at once isolated and only be readmitted to the herd with the approval of the health officer or other representative of the City of Albany.

If filth gets into the milk by accident or otherwise the entire contents of the container shall be discarded, and the container shall not be used again until it has been thoroughly cleaned.

All milk pails shall have protected openings of not more than eight inches in diameter.

Each cow's milk shall be removed from the barn as soon as milked; no milk cans shall be allowed in the barn.

Section XIII. All utensils shall be of simple construction so as to be easily clean; sides and rims of utensils shall be smooth and seams entirely filled with solder.

No cans or pails shall be used which are old rusty or in dilapidated condition. Pails used for carrying milk shall be used for no other purpose.

All utensils shall be steam sterilized. When not equipped to do so then such utensils shall be rinsed with clear, cold water then thoroughly washed inside and out, with boiling water with the addition of some good cleaning preparation and brush. No soap or cloth shall be used in washing the same.

ORDINANCE NO. 1023.

They shall then be rinsed again with clean water. After cleansing the utensils shall be kept inverted without covers upon a clean and wholesome place especially provided therefor.

The milk shall be cooled to 60° Fahrenheit or less within ten minutes after leaving the cow's udder and maintained at 60° Fahrenheit or less until delivered to the ultimate consumer. Immediately after cooling, the milk shall be placed in a clean sterile container, which shall be immediately closed with a sterile cap and shall be kept continuously closed until the same has been delivered to the ultimate consumer. The milk shall be delivered to the ultimate consumer within twenty-four hours after milking; provided, that milk to be pasteurized may be removed from its original container before delivery to the ultimate consumer.

Section XIV. The license fees for the sale, disposal or distribution of milk or cream in the City of Albany, Oregon shall be as follows:

For selling or delivering milk or cream in the City of Albany by wagon, motor or other vehicle; \$ 5.00 per annum.

For selling or delivering milk or cream by bicycle or push cart, for each current year; \$1.00 per annum.

For selling or delivering milk or cream from a can carried in hand; \$1.00 per annum.

For creameries or milk depots \$ 10.00 per annum.

For stores, bakeries, or delicatessen shops or other places from which milk or cream is sold in limited quantities \$ 2.00 per annum.

Such license shall expire on the 31st day of December next after the issuance thereof, and no license shall be issued for less than one year, except to persons commencing business, in which case the license shall be issued to the 31st day of December provided full amount of the annual license fee is paid under the provisions of this ordinance.

Section XV. Any person, persons, firm or corporation violating any of the provisions of this ordinance, shall upon conviction thereof in the Recorder's Court, be punished by a fine of not to exceed One Hundred Dollars (100.00) or by imprisonment in the city jail for a period not exceeding Thirty Days (30 days) or by both such fine and imprisonment, and the discretion of the Court.

Section XVI. The Council of the City of Albany, Oregon, shall have the authority to revoke any and all licenses issued herein when any licensee has failed to fulfill the requirements of this ordinance upon giving the said licensee Ten (10 days) notice thereof, and providing a time and place for hearing said licensee against the revocation of his said license, before the said Council of the City of Albany, Oregon.

Passed by the Council February 8th, 1922.

Approved by the Mayor February 9th, 1922.

Attest; D. H. Bodine

P. A. Young.

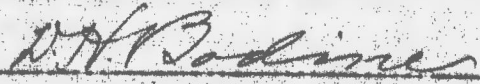
Recorder of the City of Albany, Oregon. Mayor

ORDINANCE No. 1023.

STATE OF OREGON)
(SS
County of Linn)

I, D. E. Bodine, Recorder of the City of Albany in Linn County and State of Oregon, do hereby certify that the foregoing and annexed copy of Ordinance No. 1023 has been by me carefully compared with the Original Ordinance Bill No. 1117 now on file in my office and that it is a true and correct copy of all and the whole of said Ordinance Bill No. 1117 passed by the Council February 3th, 1922 and approved by the Mayor February 9th, 1922.

WITNESS, my hand and official signature and the seal of the City of Albany, this 27th day of March, 1922.


Recorder of the City of Albany.