

ORDINANCE NO. 1424

AN ORDINANCE to amend ordinance #1328 of the City of Albany entitled "An Ordinance defining "Milk" and certain "Milk Products", "Milk Producer," "Pasteurization," prohibiting the sale of adulterated and misbranded milk and milk products, requiring permits for the sale of milk and milk products, regulating the inspection of dairy farms and milk plants, the testing, grading, labeling, placarding, pasteurization, regrading, distribution, sale and denaturing of milk and milk products, regulating the construction of future dairies and milk plants, providing for the enforcement of this ordinance and providing penalties" passed by the Council April 9, 1930.

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

Section 1. That Section 3 of Ordinance # 1328 entitled " An Ordinance defining "Milk" and certain "Milk Products", "Milk Producer," "Pasteurization," prohibiting the sale of adulterated and misbranded milk and milk products, requiring permits for the sale of milk and milk products, regulating the inspection of dairy farms and milk plants, the testing, grading, labeling, placarding, pasteurization, regrading, distribution, sale and denaturing of milk and milk products, regulating the construction of future dairies and milk plants, providing for the enforcement of this ordinance and providing penalties" passed by the Council April 9, 1930, and approved by the Mayor, April 9, 1930, be and the same is hereby amended to read as follows:

Section 3. PERMITS

It shall be unlawful for any person to bring into or receive in the City of Albany, for sale, or to sell or offer for sale therein or to have on hand for sale, any milk or milk products defined in this ordinance, who does not possess a permit from the Health Officer of the City of Albany, and such permit may be revoked by the Health Officer of the City of Albany, upon any violation by the holder thereof, of any of the terms of this Ordinance, provided that the holder of said permit, after complying with such revocation, shall have the right to appeal to the Council.

And no permit shall be issued to any person for the sale and/or distribution of milk which has not been produced by a regularly inspected and approved dairy, and no milk or milk products shall be sold, kept for sale or offered for sale unless the dairy producing such milk shall first have been regularly inspected by the health officer of the City of Albany or his duly authorized representative and such dairy approved by such inspector as a dairy meeting the requirements of this ordinance.

No permit shall be issued except to those who have complied with the provisions of this Ordinance and who are licensed by the State Milk Control Board.

The fees for permits as provided for herein shall be as follows: \$1.00 per year per producing cow shall be charged all producer-distributors provided that the minimum fee for permits for producer-distributors shall be \$7.50 and the maximum fee therefor shall be \$35.00. All plants engaged in the distribution of milk or milk products shall pay a permit fee computed on the basis of the number of producing cows furnishing milk to said plant. No minimum or maximum fee shall apply to distributing plants. Fees may be paid quarterly.

Distributing plants handling milk produced by dairies outside of the Albany Milk production area shall pay a permit fee of \$25.00 per annum, payable in advance.

All fees for permits shall be paid to the Recorder of the City of Albany, Oregon, and by him turned over to the Treasurer of said City.

Section 2. That item 24 of Section 7 of said Ordinance be and the same is hereby amended to read as follows:

BOTTLING AND CAPPING:

Milk shall be bottled from a container with a readily cleanable valve or by means of a bottling machine approved by the health officer and all bottles shall be capped mechanically and not manually. Bottling machines shall be cleaned and disinfected before each usage. Caps shall be purchased in sanitary containers and kept therein until used. All raw milk consumed as such shall be bottled by the producer thereof, provided however, that milk sold to public eating houses for kitchen use only may be delivered in bulk in containers which have the approval of the health officer.

It shall be unlawful for any person to use milk bottles for any other purpose than that of containing milk and milk products or other drinks for human consumption.

Section 3. That Section 19 of said Ordinance shall be and is hereby amended to read as follows:

ENFORCEMENT OFFICERS.

The Council of the City of Albany is hereby authorized to appoint such officer or officers as may be required for the purpose of enforcing the provisions of this ordinance which said officer shall have full power and authority of a health officer as contemplated by the terms of this ordinance.

ORDINANCE NO. 1424

That in the event the State Milk Control Board should cease to function the Council of the City of Albany is hereby authorized to appoint a milk control board to regulate the production, distribution and sale of milk and milk products and to establish prices therefor and regulations to govern such production, distribution and sale of milk and milk products within the milk shed of the City of Albany, Oregon.

PASSED BY THE COUNCIL MAY 26, 1937.

APPROVED BY THE MAYOR JUNE 2, 1937.

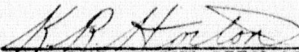
C.R. ASHTON--MAYOR

ATTEST:


RECORDER OF THE CITY OF ALBANY.

STATE OF OREGON,
County of Linn. ss. I, K.R. Horton, Recorder of the City of Albany, Linn County, Oregon, hereby certify that the annexed and foregoing copy of Ordinance # 1424, has been by me carefully compared with the original Ordinance Bill # 1536, on file in my office, and that it is a true and correct copy of all of said bill, passed by the Council May 26, 1937, and approved by the Mayor June 2, 1937.

Witness my hand and official signature and the seal of the City of Albany, this 3rd day of June, 1937.


RECORDER OF THE CITY OF ALBANY.