

**DISTRICT OF
COLUMBIA
MUNICIPAL
REGULATIONS
for
HEALTH NUISANCES
HEALTH NUISANCES:
ANIMALS
HEALTH NUISANCES:
MANURE**

TITLE 22. CHAPTER 1. PROTECTION OF PUBLIC HEALTH

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100 HEALTH NUISANCES

- 100.1 When thrown, placed, or allowed to remain in or upon any street, avenue, alley, sidewalk, gutter, public reservation, or open lot in the District of Columbia, the following substances shall be considered a nuisance injurious to health:
- (a) Filth;
 - (b) The contents of cesspools;
 - (c) Offal;
 - (d) Garbage;
 - (e) Foul water;
 - (f) Dye water;
 - (g) Refuse from factories;
 - (h) Ordure;
 - (i) Urine;
 - (j) Stable manure;
 - (k) Decayed animal or vegetable matter; or
 - (l) Any other offensive substance detrimental to health.
- 100.2 Any person who commits, creates, or maintains the nuisances specified in § 100.1 shall, upon conviction, be fined not less than five dollars (\$ 5) or more than twenty-five dollars (\$ 25) for each offense.
- 100.3 Carrying and transporting bones, hides, fish, garbage, offal, or other animal or vegetable substances, in a decomposing and offensive condition, in any other than covered and inclosed vehicles, through any street, avenue, alley, or public place within the District shall be considered a nuisance injurious to health.

- 100.4 Any person who causes, commits, creates, or maintains a nuisance as defined in § 100.3 shall, upon conviction, be fined not less than two dollars (\$ 2) nor more than twenty-five dollars (\$ 25) for each offense.
- 100.5 The following shall be considered nuisances injurious to health:
- (a) Manure accumulated in great quantities;
 - (b) Manure, offal, or garbage piled or deposited within three hundred feet (300') of any place of worship or other dwelling, or unloaded along the line of any railroad, or in any street or public way; and
 - (c) Cars or flats remaining or standing on any railroad, street, or highway in the District loaded with manure or other offensive matter.
- 100.6 It shall be unlawful for any person to do the following:
- (a) Pile or deposit manure, offal, or garbage, or any offensive or nauseous substance within three hundred feet (300') of any inhabited dwelling within the District;
 - (b) Unload, discharge, or put upon or along the line of any railroad, street, highway, or public place within the District, any manure, garbage, offal, or other offensive or nauseous substance within three hundred feet (300') of any inhabited dwelling; and
 - (c) Cause or allow cars or flats loaded with or having in or upon any railroad, street, or highway within the District within three hundred feet (300') of any inhabited dwelling.
- 100.7 Any person who violates the provisions of § 100.6 and who, after notice duly served by the Mayor, fails to correct the source of the violation shall, upon conviction of the violation, be fined not less than five dollars (\$ 5) nor more than twenty-five dollars (\$ 25) for each separate offense.
- 100.8 When any ground or lot within the District is filled, leveled, or raised with animal or vegetable substances, filth gathered in cleaning yards or street, or waste material from mills or factories; or when the surface of any ground or lot that is filled with an offensive matter or substance is removed, and noisome odors and noxious gases arise, the situation shall be considered a nuisance.
- 100.9 Upon conviction of causing, committing, creating, or maintaining a nuisance as defined in § 100.8, a person shall be fined not less than five dollars (\$ 5) nor more than twenty dollars (\$ 20) for each separate offense.

- 100.10 Ailanthus trees, the flowers of which produce offensive and noxious odors when in bloom, shall be considered nuisances injurious to health.
- 100.11 Any person maintaining an ailanthus tree who fails, after given due notice by the Mayor, to eliminate the tree shall, upon conviction, be fined not less than five dollars (\$ 5) nor more than ten dollars (\$ 10) for each offense.
- 100.12 No person owning or having possession or control of any land in the District shall allow water to stand on it in any manner whatsoever that endangers the health of persons living in the vicinity of the land.
- 100.13 Any person who violates the provision of § 100.12 shall, upon conviction, be punished by a fine not exceeding fifty dollars (\$ 50).

103 HEALTH NUISANCES: ANIMALS

- 103.1 Keeping, herding, and feeding of hogs, in pens or otherwise, within the District shall be considered a nuisance injurious to health.
- 103.2 Any person creating or maintaining a nuisance as defined by § 103.1 who fails, after due notice from the Mayor, to abate the nuisance, shall, upon conviction, be fined not less than five dollars (\$ 5) nor more than twenty-five dollars (\$ 25) for each offense.
- 103.3 No person owning, occupying, or having use of any stable, shed, pen, stall, or other place within any of the more densely populated parts of the District, where animals of any kind are kept, shall permit the stable, shed, pen, stall, or place to become or to remain filthy or unwholesome.
- 103.4 No person shall use any stable, nor shall any responsible person permit any person to use any stable, within any of the more densely populated parts of the District, unless the surface of the ground beneath every stall and for a distance of four feet (4') from the rear of the stall, is covered with a water-tight floor laid with grades so that all fluids that fall upon it flow as promptly as possible into the public sewer, if a public sewer is available. If a public sewer is not available, the grades shall be laid so that the fluids flow to that portion of the premises where they will cause the least possible nuisance.
- 103.5 Any person using any building or portion of a building in the District as a stable for one (1) or more horses, mules, or cows, shall report that fact to the health officer in writing within five (5) days after occupying the building for that purpose; Provided, that stables recorded at the health office as parts of dairy farms in the District need not be reported.
- 103.6 The written notice required by § 103.5 shall contain the following information:
- (a) The name of the person using a building as a stable;
 - (b) The location of the stable; and
 - (c) The number and the kind of the animals stabled.
- 103.7 Any person violating any of the provisions of §§ 103.3 through 103.6 shall, upon conviction, be punished by a fine of not more than forty dollars (\$ 40) for each offense.
- 103.8 Any animal that is kept or remains in any stable, shed, pen, or place within the District that is affected by glanders or any other contagious or pestilential disease shall be considered a nuisance injurious to

health.

- 103.9 Any person keeping or maintaining a nuisance as defined in § 103.8, and who fails to abate the nuisance after due notice from the Mayor, shall, upon conviction, be fined not less than five dollars (\$ 5) nor more than twenty-five dollars (\$ 25) for each offense.
- 103.10 It shall be considered a nuisance injurious to health for any undressed dead animals, particularly any dead horses, mules, cows, goats, calves, sheeps, dogs, or swine, to be or lie in the District.
- 103.11 Any person owning, possessing, or controlling any dead animal as provided in § 103.10, or any person who places or allows the dead animal to remain in the District, who fails to give notice of the dead animal to the board of health within eight (8) hours after the death of the animal, shall, upon conviction, be fined not less than five dollars (\$ 5) nor more than ten dollars (\$ 10) for each offense.
- 103.12 Unmuzzled dogs going upon any street, avenue, or other place between May 15th and October 15th in any year, mad dogs, and dogs bitten by hydrophobic dogs shall be considered nuisances injurious to health.
- 103.13 Any person owning or keeping any dog who allows the dog to go unmuzzled upon any street, alley, or other public place between May 15th and October 15th in any year; or who refuses to kill or have killed a dog that has gone mad or been given symptoms of hydrophobia; or who does not confine the dog when it has been exposed to a hydrophobic disease, or when it has been bitten by a hydrophobic dog or animal; shall be guilty of maintaining a nuisance.
- 103.14 Upon conviction of maintaining a nuisance as defined in § 103.13, a person shall be fined not less than one dollar (\$ 1) nor more than twenty-five dollars (\$ 25).
- 103.15 Any dog going at large between May 15th and October 15th in any year that is not properly muzzled shall be taken up by the pound master, who shall charge the dog's owner one dollar (\$ 1) for its redemption.
- 103.16 Any dog that is not redeemed within twenty-four (24) hours after being taken up by the pound master may be shot by the pound master.

104 HEALTH NUISANCES: MANURE

- 104.1 Each person owning or occupying any building or part of a building within any of the more densely populated parts of the District, where one (1) or more horses, mules, cows, or similar animals are kept, shall maintain in connection with the building or part a bin or pit for the reception of manure; and, pending the removal from the premises of the manure from the animal or animals, shall place the manure in the

bin or pit.

- 104.2 No person owning or occupying any building or part of a building located within any of the more densely populated parts of the District in which any horse, mule, cow, or similar animal is kept, shall keep any manure, or permit any manure to be kept, in or upon any portion of the premises other than in a bin or pit provided for that purpose; nor shall the person allow the bin or pit to be overfilled or to be needlessly uncovered.
- 104.3 The bin or pit required by § 104.1 shall meet the following requirements:
- (a) Be located at a point as remote as practicable from any public street or avenue;
 - (b) Be constructed so as to exclude rain water and, in all other respects, be water-tight except as it may be connected with the public sewer or as other definite provisions may be made for cleaning and flushing from time to time;
 - (c) Be provided with a suitable cover; and
 - (d) Be constructed so as to prevent, in so far as may be practicable, the ingress and egress of flies.
- 104.4 No manure holding bin or pit shall be constructed so that the bottom is below the level of the surface of the surrounding earth, unless it is constructed of substantial masonry and is connected with the public sewer.
- 104.5 The provisions of §§ 104.1 through 104.4 shall not apply to the keeping of manure from horses when the manure is kept tightly rammed into well-covered barrels for the purpose of removal in the barrels.
- 104.6 No person shall permit any manure to accumulate on premises under his or her control in a manner or to an extent that causes objectionable odors upon any public highway or upon any premises owned or occupied by any person other than the person owning or occupying the premises on which the manure is located.
- 104.7 Every person having the use of any manure bin or pit, and every person keeping manure, in any of the more densely populated parts of the District shall cause all the manure to be removed from the premises at least two (2) times each week between June 1st and October 31st of each year, and at least one (1) time each week between November 1st of each year and May 31st of the following year.
- 104.8 No person who has removed manure from any bin or pit, or any other place where manure has been accumulated, shall deposit the manure

in any place within any of the more densely populated parts of the District without a permit from the health officer authorizing him or her to do so, and then only in accordance with the terms of the authorizing permit.

104.9 The provisions of § 104.8 shall not apply to the distribution of manure over lawns and parking when the manure has been thoroughly rotted or decomposed so that its distribution causes no offensive odors on adjacent properties or on public thoroughfares.

104.10 Any person violating any of the provisions of this section shall, upon conviction, be punished by a fine of not more than forty dollars (\$ 40) for each offense