

AN ORDINANCE #229

TO CREATE THE OFFICE OF CITY HEALTH OFFICER: TO DEFINE AND REGULATE THE POWERS, DUTIES, AND AUTHORITY OF THE CITY HEALTH OFFICER: TO PROVIDE REGULATIONS FOR THE PREVENTION OF THE SPREAD OF COMMUNICABLE DISEASES, AND TO GENERALLY ENFORCE THE HEALTH LAWS OF THE STATE OF ALABAMA: TO PRESCRIBE PUNISHMENT FOR VIOLATIONS OF SUCH LAWS.

BE IT ORDAINED BY THE CITY COUNCIL OF ROANOKE, ALABAMA;  
AS FOLLOWS:

Sec. 1: There is hereby created the office of "City Health Officer" for the City of Roanoke, Alabama.

Sec. 2: That a competent practicing physician, a resident of the City of Roanoke, Alabama, be elected by the Mayor and Council of Roanoke, Alabama, to serve as "City Health Officer". No City Health Officer elect of the said City of Roanoke, shall assume office until his election by the mayor and council shall have been approved by the County Board of Health of Randolph County, Alabama; and if the said County Board of Health refuses to approve his election, another City Health Officer shall be forthwith elected by the Mayor and Council of said City.

Sec. 3: Unless otherwise removed from office as is provided for in this ordinance, the City Health Officer of Roanoke, Alabama, shall serve for one year from the date of the approval of his election, by the County Board of Health of Randolph County, Alabama. Provided that any incumbent shall continue in office until his removal, as provided for, or the election and approval of a successor.

Sec. 4: Such City Health Officer may be removed from office at any time, by the County Board of Health of Randolph County, Alabama, whereupon the mayor and council shall promptly elect a successor to be approved by the said County Board of Health. The mayor (and council) of the City of Roanoke may remove such City Health Officer for good cause and when such right is exercised the mayor (and Council)

shall appoint a City Health Officer pro tempore, provided such appointee is a competent practicing physician, and a resident of the City of Roanoke, Alabama. When the mayor (and Council) shall have removed any such City Health Officer he (the city clerk) shall forthwith notify, in writing, the president or secretary of the said County Board of Health, of his (such) action, and shall assign his (the) reasons therefore. Thereupon, the said County Board of Health may approved the appointment of the said City Health Officer pro tempore or order his removal. Should the said County Board of Health fail to take any action upon the said appointment, such City Health Officer pro tempore shall serve until the expiration of the term for which the regular City Health Officer was elected, unless removed by action of the said County Board of Health, or by the mayor (and council) of the City of Roanoke, in which event the same proceedings shall be had as upon the removal of the regular City Health Officer.

Sec. 5: The Salary of the City Health Officer, or City Health Officer protempore, of Roanoke, Alabama, shall be Twenty-Five (\$25.00) per month, for one year.

Sec. 6: The City Health Officer shall perform all the duties that devolve upon such officer under the health and quarantine laws of the state of Alabama, and also all the duties that devolve upon him under the provisions of this ordinance, or any other ordinance of the City of Roanoke, Alabama.

Sec. 7: In addition to the duties of the City Health Officer, as defined in Section 6, and consonant to such duties, the City Health Officer shall especially and diligently enforce the following regulations as to the quarantine of pupils and teachers from the public schools of the City of Roanoke, towit:

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All teachers and pupils having any of the following enumerated diseases or having been in contact with them shall be quarantined as prescribed, respectively:

1. Diphtheria - Cases are to be under quarantine until all danger of contagion is passed, in the judgement of the attending physician and City Health Officer, provided, no case of diphtheria shall be released from quarantine within ten days from the onset of the disease.

2. MEASLES - (Including German Measles) - CASES are to be quarantined during the period of catarrhal symptoms and until the cessation of abnormal mucous membrane secretions - minimum period of nine days; from four days before to five days after the appearance of the rash.

3. SCARLET FEVER - CASES are to be quarantined for three weeks from the onset of the disease, without regard to the state or extent or desquamation, and until after all abnormal discharges have ceased and all open sores or wounds have healed. If medical supervision is not available, quarantine must be for twenty-eight days from onset of the disease.

4. CHICKEN POX - CASES are to be quarantined until all scabs have disappeared from the mucous membranes and the skin.

5. MUMPS - CASES are to be quarantined until all swelling has disappeared from under the ears and jaw.

6. WHOOPING COUGH - CASES are to be quarantined until one week after whooping has ceased.

7. SMALL POX - CASES are to be quarantined from first symptoms to disappearance of all scabs and crusts.

8. CONTACTS- Any contacts of the above diseases may be quarantined if deemed advisable by the attending physician and the City Health Officer.

To enforce the foregoing regulations the City Health Officer

has the authority and power to order any teacher or pupil to leave the school premises and remain in quarantine for the period of time prescribed. Such order may be made verbally by the City Health Officer direct to such teacher or pupil or by written notice served on such teacher or pupil by the City Health Officer or any other lawful officer of said City; provided, that when such order is made verbally direct to a pupil, or by written notice served on the pupil the City Health Officer shall promptly notify the parent, guardian, or other person having the custody of such pupil, either personally or in writing, of the making of such order.

Sec. 8: The City Health Officer is authorized to order the vaccination of any person or persons having or being suspected of having, or any person or persons who may have been in contact with persons having or suspected of having the following diseases: DIPHTHERIA, SCARLET FEVER, SMALL POX, and TYPHOID FEVER.

Sec. 9: The City Health Officer is authorized and empowered to abate, or order the abatement of, any condition or circumstance existing within the police jurisdiction of the City of Roanoke that is injurious or dangerous to the health of the community; any such order made to enforce this section shall be in writing and directed to the person in possession of the premises whereon such condition or circumstance does exist.

Sec. 10: It shall be unlawfull for any person, firm or corporation to fail or to refuse to obey any order of the City Health officer, made in the performance of his duties as City Health Officer, or to interfere with or resist the City Health Officer in the discharge of his duties.

Sec. 11: It shall be unlawful for any parent, guardina, or other person having the custody of any pupil, knowing such pupil to have a communicable disease, to send or permit such pupil to attend school.

Sec. 12: It shall be unlawful for the City Health Officer, knowing any teacher or pupil to have any communicable disease to fail or refuse to order such teacher or pupil to leave the school premises and remain away until his is satisfied it will be safe for such teacher or pupil to return; provided; it shall be unlawful for the City Health Officer to order, or consent to, the return of any teacher or pupil having any of the diseases enumerated in section 7, until the expiration of the time stated, in said section 7, respectively,

Sec. 13: Any person, firm or corporation, violating the provisions of this ordinance, and upon conviction thereof, shall be fined from one cent to twenty-five dollars for the first offense; upon conviction for a second offense the fine shall be from one cent to fifty dollars; upon conviction for the third and any subsequent offense, the fine shall be from one cent to one hundred dollars, any may also, in the discretion of the Court, be sentenced from one day to six months hard labor on the streets of the City of Roanoke.

Sec. 14: BE IT FURTHER ORDAINED that if any provision of this ordinance or the application thereof to any person or circumstances shall be held to be unconstitutional, such holding shall not affect any other provisions of this ordinance, or the application of such provision to other persons or circumstances, it being the intent and purpose hereof that each provision hereof shall stand or fall on its own merits and that the judicial annulment for unconstitutionality of any provision hereof shall have no effect upon any other provision not so annulled.

Adopted and approved, September 18th, 1930.

Attest:

Ora E. Jones, Clerk,  
City of Roanoke, Ala.

B. C. Jones, Mayor,  
City of Roanoke, Ala.

I, Ora E. Jones, Clerk of the City of Roanoke, Alabama, hereby certify that the above and foregoing City Health Ordinance #229, was passed and adopted by the Mayor and City Council of the City of Roanoke, Alabama, on the 18th. day of September, 1930, and was herein recorded and was published in the Roanoke Leader, a newspaper of general circulation in the City of Roanoke, Alabama, on the 24th, day of September, 1930.

*Ora E. Jones*  
Clerk, City of Roanoke, Ala.

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