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CITY OF SAN DIEGO, CAL.

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ROOM 4, CITY HALL May 22nd, 1916.

To the Honorable, the Common Council,
City of San Diego,
Calif.

Gentlemen:-

Respectfully submitted herewith is a
draft of a proposed ordinance regulating fish canneries
in the City of San Diego.

The Board of Health recommended the
adoption of this ordinance on May 12th, 1916.

Respectfully,



Health Officer.

1 Enclosure.
AJM/hg

ORDINANCE NO. _____

An Ordinance regulating fish canneries in the city of San Diego.

Sec. 1. Wherever the words "fish cannery" are used in this ordinance it is understood to mean any establishment where fish is prepared and canned for human food.

Sec. 2. It shall be unlawful for any person, firm, or corporation to conduct, or operate any fish cannery within the city of San Diego without first applying for and receiving a permit from the Board of Health of the City of San Diego so to do, in the manner hereinafter provided.

Sec. 3. Every applicant for such permit shall file with the Board of Health of the City of San Diego a written application which shall state the name and address of the applicant, and also if he is not a permanent resident of the City of San Diego, the name and address of his agent residing in the City of San Diego, for the management of such cannery. Such application shall also contain a description of the property by street and number, wherein or whereon it is proposed to conduct or operate such cannery, and if the same has no street number, then such description as will enable the same easily to be found.

Sec. 4. If, after investigating and considering such application, it shall appear to the Board of Health that the statements made therein are true, and that the existing sanitary conditions in such place comply with the provisions of the laws and ordinances in force at the time of such application is considered, and conform to the rules and regulations of the Board of Health regulating the sanitary conditions of such places, the said Board of Health shall grant the permit applied for; provided, however, that such permit shall be granted only on the express condition that it shall be subject to suspension for a period not exceeding ninety (90) days by the said Board of Health in its discretion upon proof to the satisfaction of the said Board of Health, of a violation by the holder thereof, his employe, servant, or agent or any person acting with his consent or under his authority, of any provision of any law of the State of California, or of any Ordinance of the City of San Diego, or any rule of the Board of Health regulating canneries; ^{provided} and further that no permit shall be suspended until a hearing shall have been had by the Board of Health in the matter of the suspension of such permit, notice of which hearing shall be given in writing and served at least five (5) days prior

to the date of hearing upon the holder of such permit, his manager, or agent, which notice shall state the ground of complaint against the holder of such permit, or against such cannery, and shall also state the time and place where such hearing will be had. Such notice shall be served on the holder of such permit by delivering the same to such person or to his manager, or agent, or to any person in charge of or employed in such place, or by leaving such notice at the place of business or residence of such person, with some person of suitable age and discretion. If the holder of such permit cannot be found and personal service of such notice cannot be made upon him, then a copy of such notice shall be mailed, postage fully prepaid, addressed to such holder of such permit at such place of business at least five (5) days prior to the date of such hearing.

Sec. 5. It shall be unlawful for any fish cannery to receive for canning purposes any fish into their establishment, or upon their premises, which are decomposed, tainted, corrupted, diseased, or unwholesome from any cause, or from which all viscera (all the contents of abdominal cavity, and gills) ^{and anchovies} have not been removed, except sardines; or to have, keep, or store in their establishment any canned or cooked fish which for any reason is unsafe or unfit for human food; provided, however, that this shall not apply to the necessary accumulation of inedible product resulting from the ordinary methods of food preparation.

Sec. 6. It shall be unlawful for any fish cannery to allow any fish offal or oil or residue from cooking of soup to be dumped or discharged into the harbor of San Diego.

Sec. 7. All fish canneries operating in the City of San Diego shall be provided with metal receptacles for the keeping of refuse or offal from their establishments. Said receptacles must be kept in sanitary condition and must not be used as receptacles for edible product.

Sec. 8. All fish canneries located within the City of San Diego shall be provided with convenient and adequate toilet and lavatory facilities, and all employes shall keep themselves clean.

Sec. 9. Every place or building used as a fish cannery in the City of San Diego shall be of good workmanship, and shall be provided with means to exclude flies and rodents therefrom; and all utensils, receptacles, and appurtenances shall be kept clean and in a sanitary condition.

Sec. 10. It shall be the duty of the Health Officer, or any officer delegated by him, and he is hereby empowered, to enter any fish cannery located within the city of San Diego and enforce the provisions of this ordinance.

Sec. 11. Any fish received, kept, or stored in any fish cannery within the city of San Diego in violation of Section 5 of this ordinance shall be condemned; whereupon the Health Officer, or officer delegated by him, shall mark or mutilate said fish and make the fact of such condemnation apparent, and shall immediately order the same in writing to be removed from the premises, and every such person so ordered to dispose of condemned fish shall furnish a receipt of such notice stating the time and manner of the removal and disposal of said condemned fish. The expense of such removal shall be paid by the person in whose possession such fish are found; and copies of all condemnations and receipts of removal shall be filed with the Board of Health within twenty-four (24) hours.

Sec. 12. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than ten (\$10.00) dollars, nor more than five hundred (\$500.00) dollars, or by imprisonment in the city jail for a period of not less than five (5) days nor more than six (6) months, or by both such fine and imprisonment.

Each such person, firm, or corporation shall be deemed guilty of a separate offense for every day during any portion of which any violation of any provision of this ordinance is committed, continued, or permitted by ~~such~~ such person, firm, or corporation, and shall be punishable therefor as provided by this ordinance.

Sec. 13. This ordinance shall take effect and be in force thirty days from and after its passage and approval.

The City Clerk is hereby directed to publish this ordinance at least once in the official newspaper of the City of San Diego, to-wit: The Evening Tribune.

Presented by _____

DOCUMENT No. 100082

Filed MAY 22 1916

ALLEN H. WRIGHT
City Clerk

By E. D. JOHNSTON
Deputy

COMMUNICATION

FROM

*Dept Health
Submit Order
re Fish Canneries*

Back to Health for a hearing
Presented to Common Council and
ordered Filed MAY 29 1916 *all concerned*