

ORDINANCE NO. 288

AN ORDINANCE to control communicable diseases; requiring certain reports from physicians; restraining sufferers from tuberculosis from menacing the health of others; preventing the use of insanitary eating and drinking utensils; designating certain venereal diseases and declaring them dangerous to the public health; requiring certain types of employees to undergo physical examinations; providing for the quarantine and cure of venereal patients; requiring physician's certificate of freedom from venereal disease before marriage; and for other purposes.

Be it ordained by the Council of the City of Alexandria, Virginia as follows:

Section 1. Every physician practicing in this city who shall know or suspect that any person whom he or she is called upon to visit, or who comes to him or her for examination or treatment, is suffering from an infectious, contagious or communicable disease shall make report in writing, on blanks to be furnished for that purpose to the City Health Officer.

Section 2. Every person suffering from tuberculosis who shall violate the laws prohibiting expectoration in public places and vehicles, or who shall place the health of any other person in danger of infection with such disease, shall, upon motion of the City Health Officer, his deputy or any member of the Board of Health, before the Corporation Court of this city, be summoned to appear before said Court to answer said causes, and if, after hearing, it be found that such person is guilty of the conduct charged and is a menace to the health of the public, or is unnecessarily exposing other persons to infection with tuberculosis, the said Court may order said person to be restrained and detained for a period not exceeding twelve (12) months in some suitable place, or be required to give bond in a penalty to be determined by said Court conditioned upon a cessation of the practices complained of, for such period, not exceeding twelve (12) months, as the Court may determine. Said Court may at any time for good cause shown, rescind or modify such order, or make such other disposition of said person as may be authorized by existing laws.

Section 3. The use of insanitary utensils for all eating or drinking purposes in hotels, restaurants, boarding houses, stores, clubs, schools, factories, establishments serving soft drinks or beer, or other publicly frequented places in Alexandria is hereby prohibited.

Section 4. Utensils used in the places designated in Section 3 of this ordinance shall be insanitary within the meaning of this ordinance when the bacterial count thereon is greater than one hundred colonies, by standard tests, or when the City Health Officer in his discretion declares them to be insanitary after reasonable tests.

Section 5. Utensils used in the places designated in Section 3 of this ordinance shall be **prima facie** insanitary.

- (a) Unless they are made of paper or some similar substance and have not been used, or
- (b) Unless after each use they are

(1) Washed for three minutes in boiling soapy water of 2% concentration or in hot water not less than 145° F. containing S. & G. mixture of 2% concentration or some other detergent equally as strong, and

(2) Rinsed for one minute in hot water not less than 170° F., and

(3) Stored in approved sanitary containers when not in use.

Section 6. Syphilis, gonorrhoea, chancroid and granuloma inguinale are designated venereal diseases and are hereby declared to be dangerous to the public health.

Section 7. All persons employed in any hotel, restaurant, beer parlor, boarding house, store, club, school, beauty parlor, dairy or other place where food or drink is dispensed publicly or where the public may be exposed to disease, shall supply the City Health Department within 60 days after the passage of this ordinance and every six months thereafter, a certificate signed by a reputable physician stating that they are either free from infectious, contagious or communicable diseases including tuberculosis and venereal diseases, or incapable of communicating any of such diseases to others, and specifying the laboratory and clinical diagnoses upon which the certificate is issued.

Section 8. (a) Upon receipt of a report of a case of venereal disease in a person conducting himself or herself in such a manner as to be a menace to the public health, it shall be the duty of the City Health Officer to institute measures for the protection of other persons from infection by such diseased person.

(b) The City Health Officer is authorized and directed to quarantine persons who have or are reasonably suspected of having syphilis, gonorrhoea, chancroid or granuloma inguinale whenever, in the opinion of said City Health Officer, quarantine is necessary for the protection of the public health.

(c) In establishing quarantine the City Health Officer shall designate and define the limits of or the areas in which the person known to have, or reasonably suspected of having syphilis, gonorrhoea, chancroid or granuloma inguinale and his or her immediate attendant are to be quarantined, and no persons other than the attending physician shall enter, remain in or live in the area of quarantine without the permission or direction of the City Health Officer.

(d) No one but the City Health Officer or his authorized deputy shall terminate said quarantine, and this shall not be done until the suspected person has been found not to be infected and the diseased person has either become free from the disease or has become incapable of communicating such disease to others, as determined by the City Health Officer, or his authorized deputy, through clinical examinations and generally approved laboratory tests. Provided that the City Health Officer in his discretion may refuse to terminate any quarantine,

1. As to persons found to be suffering from syphilis until after they have received approved treatments once a week for seventy-five (75) successive weeks;

2. As to persons found to be suffering from gonorrhoea until after they have received treatments which have produced in their individual cases at least three (3) negative smears at least one week apart, and have undergone a complement fixation test and culture for gonococcus when the City Health Officer deems such test advisable.

3. As to persons found to be suffering from chancroid or granuloma inguinale, until they have been proved to be negative by appropriate tests to the satisfaction of the said City Health Officer.

(e) The City Health Officer, or his duly authorized agent, may parole persons pending final cure, but he shall inform all persons who are about to be so released from quarantine for venereal disease, in case they are not cured, what further treatment should be taken to complete their cure.

Section 9. When any person applies to the Clerk of the Corporation Court of Alexandria for a license for a marriage, he or she shall supply the said Clerk with a certificate signed by a reputable physician stating that the parties to the proposed marriage are either free from infectious, contagious or communicable diseases including venereal diseases and tuberculosis, or are incapable of communicating such disease to other persons, specifying the laboratory and clinical examinations upon which the certificate is issued. And when any person applies to a minister or other authorized person to celebrate a marriage, he or she shall supply said minister or other authorized person with a similar certificate. The Clerk of the Corporation Court of this city, or his deputy, and ministers and other persons authorized to celebrate marriages in this city shall be requested by the City Health Officer to notify the said applicants and parties seeking to be married of the provisions of this section.

Section 10. Every physician or midwife attending prospective mothers residing within the City of Alexandria shall conduct or cause to be conducted examinations at least twice during the pregnancy of each patient to determine whether or not she is suffering from venereal disease. The first examination shall be made within the first five months of pregnancy and the second at some time thereafter in the discretion of the physician.

Section 11. Whenever any member of any family has whooping cough, measles, chicken-pox or mumps, the City Health Officer shall be notified by the attending physician, if any, and if not, then by the head of the family and the Health Official shall thereupon have authority to post a placard on the place of abode of said person advising of the presence of the disease, and any person removing such a placard, except under the authority of the City Health Officer, shall be guilty of a misdemeanor and subject to the punishments prescribed in this ordinance.

Section 12. Any person violating the terms of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined a sum not to exceed one hundred dollars (\$100) or confined in a jail or other appropriate institution for a term not to exceed sixty (60) days, either or both; and in the discretion of the Court may thereafter be placed under a bond not exceeding one thousand dollars (\$1,000) for twelve (12) months.

Section 13. Should any section, clause or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof other than the part so declared to be invalid.

Section 14. This ordinance shall take effect on the 30th day after its publication in the Alexandria Gazette.

Approved this 27th day of June, 1939.

RICHARD L. RUFFNER,
Mayor.

Your attention is called to the following paragraph from Ordinance No. 288 of the City of Alexandria requiring a health certificate before marriage.

Section 9. When any person applies to the Clerk of the Corporation Court of Alexandria for a license for a marriage, he or she shall supply the said Clerk with a certificate signed by a reputable physician stating that the parties to the proposed marriage are either free from infectious, contagious or communicable diseases including venereal diseases and tuberculosis, or are incapable of communicating such disease to other persons, specifying the laboratory and clinical examinations upon which the certificate is issued. And when any person applies to a minister or other authorized person to celebrate a marriage, he or she shall supply said minister or other authorized person with a similar certificate. The Clerk of the Corporation Court of this city, or his deputy, and ministers and other persons authorized to celebrate marriages in this city shall be requested by the City Health Officer to notify the said applicants and parties seeking to be married of the provisions of this section.