

DOCUMENT NO. 134

ORDINANCE NO. 2

Prohibiting the running
at Large of Horses,
Pigs, etc.

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I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 2 of the City of San Diego, California, adopted June 11, 1872.

Charles G. Abdelnour
City Clerk of the City of
San Diego

[SEAL]

By _____ Deputy

Repealed

CHARTER ORDINANCE No.2.

The Board of Trustees of the City of San Diego in regular meeting assembled, do ordain as follows:

Section 1. All hogs, pigs, goats, sheep, horses, mules, jackasses, horned or other cattle running at large within the limits of the City of San Diego hereinafter specified, are hereby declared to be a nuisance.

Section 2. Hereafter it shall be unlawful for any person or persons owning or having the care or control of any such hogs, pigs, goats, sheep, horses, mules, jackasses, horned or other cattle, to permit them or any of them to run at large within the following described limits of and within said City to-wit: Commencing on the Bay of San Diego at a point where the line of Ash street extended west will intersect the said Bay, and from thence east to and along the line of said street to the west line of Caruther's Addition; thence south along the line of said Addition to the southern line thereof; thence along the said southern line and the southern line of the "Park" to the northeast corner of Pueblo lot eleven hundred and forty-eight (1148); thence at right angles south to the Bay aforesaid; thence along the line of said Bay to the place of beginning. Provided that milch cows owned by citizens residing therein may be permitted to run at large therein from seven o'clock A.M. until seven o'clock P.M. of each day; subject, however, to liability of the owners thereof for any damage that may be done during said time by any milch cow so running at large, to any person or property therein.

Section 3. Whenever the Marshal of the City shall discover, or be notified by any person therein, that any stock above enumerated is running at large in violation of the foregoing provisions, it shall be his duty to immediately cause them to be taken in charge and placed in the City Pound, and within twenty-four

hours thereafter to cause three notices to be posted in public places in said City, one of which shall be put up at the post office door therein, describing said animal so impounded, generally, giving the marks and brands found upon any such animal, if any there be, with the date of the posting of such notices. And unless the owner or owners thereof come and claim said animal so impounded within five days from and after the date of said notices, and prove the ownership of said property and pay all lawful charges thereon, as hereinafter provided, he is hereby authorized and it is made his duty, to expose them for sale at public auction to the highest and best bidder for cash; and the proceeds of said sale shall first be applied to the payment of the fines and charges hereinafter specified, and the residue thereof, if any there be, shall be paid into the City Treasury for the benefit of the owner or owners thereof, and at the same time he shall deliver to the City Clerk a full description of the animal sold as aforesaid, with the sum deposited to the account of the owner thereof, including a full statement showing the charges, costs and all expenses incurred about or concerning said animal.

Section 4. The following fines and penalties are hereby imposed for any violations of the provisions aforesaid. For each hog, pig, goat, sheep, horse or mule, jackass or horned or other cattle found & running at large in violation of this ordinance a fine of one dollar is hereby imposed. The City Marshall shall also collect as costs in addition to the fine aforesaid, fifty cents a day for feeding each horse, mule, jackass, horned or other cattle and twenty-five cents a day for feeding each and every other kind of animal, and in addition thereto his necessary costs expended in advertising said animal. All to be collected in gold coin. All of which is hereby made a lawful charge against the owner of said animal and a lien upon the said animal for the payment thereof.

The Marshall shall deliver to the purchaser of any such animal at any sale made by him as aforesaid, a bill of sale therefor

which shall be evidence of his title thereto.

Section 5. This ordinance shall take effect and be in force from and after the 18th day of June, 1872.

I hereby certify that the above and foregoing is a full, true and correct copy of Ordinance No. 2 of the City of San Diego, California, adopted June 11th, 1872, as found on pages 229, 230 and 231, record of the City of San Diego.

J. T. Butler

City Clerk of the City of San Diego
and Ex-officio Clerk of the Common
Council of said City.

(SEAL)

By *W. E. Bartlett* Deputy.

✓ DOCUMENT No. 134

Filed 190

City Clerk

By Deputy.

Ordinance No. 2
*Prohibiting the running
of Large of Horses,
Cows etc*

Adopted by Board of Delegates

Adopted by Board of Aldermen

Approved by the Mayor

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