

ORDINANCE NO. 211

AN ORDINANCE CREATING A DIVISION OF PUBLIC HEALTH, PRESCRIBING REGULATIONS THEREOF, AND PROVIDING A PENALTY FOR THE VIOLATION OF SUCH REGULATIONS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI BEACH, FLORIDA:

Section 1: Organization of Health Division. There shall be a division of Public Health in the City of Miami Beach, Florida; under the direction of the Department of Sanitation. There shall be a chief of the Division of Public Health, who shall be appointed by the City Council. He shall be subject to removal by the City Council but may have a public hearing if he desires. He shall be suitably trained or experienced in public health administration. He shall devote his full time to the duties of his office. He shall execute and enforce all statutes, ordinances and regulations for the protection and promotion of health, and shall take such other action as is necessary for the public health and shall serve without remuneration, until further provision is made.

Section 2: Diseases to be reported. The following diseases must be reported:

Antinomycosis	Measles
Anthrax	Ophthalmia Neonatorum
Cerebro-spinal Fever	Paratyphoid Fever
Chancroid	Plague
Chickenpox	Poliomyelitis
Cholera, Asiatic	Rocky Mountain Spotted Fever
Dengue	Rabies
Diphtheria	Scarlet Fever
Dysentery (Amebic and Bacillary)	Septic Sore Throat
Erysipelas	Smallpox
Favus	Syphillis
German Measles	Trachoma
Glanders	Tuberculosis (all forms)
Gonococcus Infection	Trichinosis
Hookworm Infection	Typhoid Fever
Influenza	Typhus Fever
Infantile Diarrhoea	Vincent's Angina
Leprosy	Whooping Cough
Malaria	Yellow Fever

Provided, that the Chief of the Division of Public Health may at his discretion require other diseases to be reported.

Section 3: Method of Reporting. Every physician or other person having knowledge of any disease specified in Section 2 of this ordinance shall report to the Chief of the Division of Public Health the following data:

Name of Disease,

Full name, age, sex, race and exact address of patient.

Exact occupation, place of employment, or school attended by patient.

Name and address of person making report.

Date of Report.

Such report shall be made within six hours after the case comes under observation, preferably by telephone. A specimen sent to the Division of Public Health for laboratory diagnosis and accompanied by the data given above shall be considered as a report.

The term "other person" as used in this section shall mean in the absence of any physician, any parent, guardian, householder, keeper of a hotel or lodging house, midwife, nurse, school teacher, superintendent of any institution, master of a vessel, owner or manager of a dairy, or other person having under his care or observation a person affected or apparently affected with a communicable disease.

Section 4: General Measures for Control. The Chief of the Division of Public Health or his duly authorized representative shall make such investigation as in his judgment may be necessary to determine the presence or absence of any of the diseases named in Section 2 of this Ordinance, and if any shall be found he shall adopt such measures as are authorized by law for the prevention of the spread of such disease and for the relief of the patient, and to these ends he or his duly authorized representative may enter any premises where he suspects the presence of any such disease.

Section 5: Laboratory Examinations. The Chief of the Division of Public Health shall secure material for cultures or specimens for bacteriological or other laboratory examination to assist in determining the diagnosis whenever in his judgment such procedure is necessary, and any person requested by him shall permit such specimen to be taken.

Section 6: Measures for control in schools. The teacher of any school, college, university or Sunday School, having under his care any pupil who appears to be affected by any communicable disease, shall promptly send such pupil home or separate him from

other pupils until examined by a physician. The teacher shall report the case in accordance with Section 3 of this ordinance.

A pupil who has been excluded from a school, college or university on account of having been affected with or exposed to a communicable disease shall not be re-admitted to school without a permit from the Chief of the Division of Public Health, except that in the case of the following diseases the pupil shall be readmitted without a permit after the period shown below:

Chickenpox - after crusts have disappeared from skin.

German Measles - seven days

Measles - seven days from appearance of rash

Mumps - two weeks from beginning of attack.

Whooping Cough - two weeks after appearance of whoop.

In the event of the presence of any disease as specified in Section 2 of this ordinance, the Chief of the Division of Public Health may cause to be examined any pupils, teachers or other persons employed in the schools, and may take any measures necessary to prevent the spread of disease. All school authorities and employes shall conform to all rules and regulations of the Division of Public Health for the accomplishment of this end.

Section 7: Methods of Isolation in Various Diseases. Every person, suffering from any of the diseases mentioned in Section 2 of this ordinance, shall isolate himself and every person in charge of such a person shall isolate the person of whom he is in charge in the following manner:----- When the disease is -

Anthrax	Plague
Cerebro-spinal fever	Poliomyelitis
Cholera	Scarlet Fever
Chickenpox	Septic Sore Throat
Diphtheria	Smallpox
Glanders	Typhoid Fever
Leprosy	Yellow Fever
Measles	

the person affected shall be absolutely isolated.

When the disease is -

Chancroid	Hookworm Infection	Trachoma
Dysentery (Amebic Bacillary)	Mumps	Tuberculosis
Gonococcus Infection	Rabies	Typhoid and Paratyphoid Fevers
German Measles	Syphillitis	Whooping Cough

the person affected shall be so restricted in movement that the disease will not spread from him to others.

When the disease is -

Dengue ---

Malaria ---

Yellow Fever.

the person affected shall be kept in a screened room free from mosquitoes, provided that this form of isolation will be enforced only when practicable in the case of malaria.

No persons other than the physician or person in charge of or in attendance of the patient shall enter any premises, room, or apartment quarantined for a communicable disease in violation of the terms of the quarantine. No person shall willfully or negligently expose any other to a communicable disease.

Section 8: Placarding, When there is a case of

Anthrax
Cerebro-spinal Fever
Cholera
Diphtheria

Glanders
Leprosy
Measles

Plague
Poliomyelitis
Scarlet Fever
Septic Sore Throat
Smallpox

Typhoid or Paratyphoid Fever
Whooping Cough
Typhus Fever, or
Yellow Fever.

the Chief of the Division of Public Health shall post a suitable placard or placards in a conspicuous place or places on the premises, apartment or room where the disease exists, provided, if the case is under satisfactory hospital care, the placard may be omitted. No person shall remove such placard except the Chief of the Division of Public Health, or with his permission. There is no need to put a placard on the outside of a hotel or modern apartment house. In such case it should go only on the room or apartment occupied by the patient.

Section 9: Minimum Periods of Isolation. The minimum periods of isolation in various diseases shall be as follows:

Anthrax, until all lesions have healed.

Cerebro-spinal Fever, During clinical course and until two successive smears from the nose or naso-pharynx fail to show the presence of the specified.

Chickenpox, Until primary scabs have disappeared from the skin and mucuous membrane.

Diphtheria, until two successive cultures taken from the nose and two taken from the throat at least 24 hours apart, by the Chief of the Division of Public Health or his representative, shows the absence of the Klebs-Loeffler bacillus.

Cholera, Dysentery, (bacillary), Typhoid and Paratyphoid Fever, during the clinical course and until the infective organism is shown to be absent from the excreta after not less than two examinations.

Glanders, human cases during clinical course; animal should be destroyed.

Gonococcus Infection, until the discharges show absence of the gonococci.

Measles, until 7 days from the appearance of the rash and until all abnormal discharges from ear, nose or mouth have disappeared.

Leprosy, during course of the disease.

Plague, during clinical course.

Poliomyelitis, until three weeks from the day of the receipt of the report of the disease.

Scarlet Fever, at least three weeks after receipt of the report by the Chief of Division of Public Health and until all abnormal discharges from ears, nose, mouth or suppurating glands have ceased.

Septic Sore Throat, during clinical course.

Smallpox, until all scabs have disappeared and the lesions healed.

Syphillis, until open lesions of the skin and mucuous membrane have healed.

Tuberculosis, as long as the bacillus is discharged.

Typhus Fever, during clinical course and in vermin-free room.

Whooping Cough, until six weeks after onset.

Yellow Fever, during the first days of the fever.

Section 10: Rules for Food Handlers. No persons affected with Diphtheria, Dysentery (amebic or bacillary) Gonococcus Infection, Scarlet Fever, Septic Sore Throat, Syphillis in a communicable form, Typhoid or Paratyphoid Fevers, or Pulmonary Tuberculosis,

or who is likely to be a carrier of these diseases, shall be employed or be present where milk or any other food is prepared handled or sold. The Chief of the Division of Public Health may examine or cause to be examined for the above named diseases any employee of any establishment where milk or food is prepared, handled or sold.

Section 11: Method of Control of Contacts. The Chief of the Division of Public Health shall have the power to isolate or restrict the movement of any person who is known to have been exposed to any of the communicable diseases named below for a time equal to the maximum incubation period of the disease and in the manner prescribed in Section 7 of this ordinance.

For the purpose of this ordinance maximum incubation periods shall be considered to be as follows:

Anthrax - 7 days	Gonococcus Infection - 8 days
Cerebro-spinal fever - 10 days (unless cultures from nasopharynx fail to show meningococci.)	Influenza - 5 days
Chickenpox - 3 weeks	Measles - 16 days
Cholera, Asiatic - 5 days	Paratyphoid Fever - 10 days
Diphtheria - 7 days unless a culture from nose and throat fail to show the presence of the Klebs-Loeffler bacillus	Plague - 7 days
Dysentery (bacillus) 7 days	Poliomyelitis - 10 days
German Measles 10 to 21 days.	Rocky Mountain Spotted Fever-10 days
	Scarlet Fever - 7 days
	Septic Sore Throat - 3 days
	Smallpox - 14 days
	Syphillis - 4 weeks
	Typhoid Fever - 21 days
	Typhus Fever - 20 days
	Whooping Cough - 21 days.

Section 12: Control of Carriers. The Chief of the Division of Public Health or his representative may isolate or restrict the movement of carriers of the infectious agent for

Cerebro-spinal Fever	Cholera	Diphtheria
Paratyphoid Fever	Typhoid Fever	Dysentery

or any other communicable disease until their discharges are shown to be free from the specific organisms of the disease.

Section 13: Removal to Hospital of Certain Cases. When in the opinion of the Chief of the Division of Public Health proper isolation or quarantine of a person affected with, or a contact, or carrier of any of the diseases mentioned in Section 2 of this ordinance, is not or cannot be properly carried out on the premises occupied by such person, the Chief of Division of Public Health may cause such person to be removed to a hospital or other proper place

designated by the Chief of Division of Public Health.

Section 14: Precautions of attendants. The physician or any other person permitted to visit a person affected with communicable disease shall practice such measures of personal cleansing, disinfecting and all other precautions necessary to prevent the spread of the disease to others.

Section 15: Disinfection. When any person is affected with a communicable disease, adequate disinfection shall begin at its onset and continue until its termination. It shall be the duty of the Chief of the Division of Public Health to give specific instructions to the person attending a case or suspected case of communicable disease as to the methods of disinfecting the discharges and articles used by or on the patient, and it shall be the duty of the person in charge to carry out such instructions. No article shall be removed from quarantined premises without a permit from the Chief of Division of Public Health.

When the case has terminated, the owner or occupant shall further disinfect, clean or renovate the premises as the Chief of Division of Public Health may require. Any articles which in the opinion of the Chief of Public Health or his representative cannot be properly cleansed or disinfected shall be destroyed. The owner of any premises, apartment or rooms which have been occupied by a person affected with a communicable disease shall not rent the same to others or permit occupation by others until the premises have been cleansed to the satisfaction of the Chief of Division of Public Health.

Section 16: Special Rules for Tuberculosis. Whenever there is a case of tuberculosis it shall be the duty of the Chief of Division of Public Health or his representative to take such proper precautions as he may deem necessary and to give proper instructions to the patient and all other persons occupying the same premises to prevent the spread of the disease. Every person affected with tuberculosis shall dispose of his sputum, saliva, or other discharge in a manner not dangerous to public health. Whenever a person so affected is or is likely to be a menace to the health of others, the Division

of Public Health shall have the power to cause the removal of such person to an isolation hospital or other proper place until the danger has been removed. Upon recovery of a person having tuberculosis it shall be the duty of his physicians to notify the Chief of Division of Public Health.

Section 17: Special Rules for Venereal Diseases. Reports of syphilis, gonococcus infection or chancroid made in accordance with Section 3 of this ordinance shall be considered confidential so far as consistent with public safety. The professional attendant of any case of venereal disease shall give the patient explicit instructions to prevent the spread of the disease to others. When such patient refuses or neglects to follow prescribed treatment, discontinues treatment or is discharged as cured, the professional attendant shall immediately report these facts to the Chief of Division of Public Health. When any person affected or presumably affected with venereal disease does or is liable to menace the health of others, the Chief of Division of Public Health or his representative shall have the power to cause the removal of such person to an isolation hospital or other proper place or to take any other measures authorized by law which are necessary in his opinion to prevent the spread of the disease.

Section 18: Vaccination. Persons who refuse to be vaccinated do so at their own risk in contracting smallpox. It shall be the duty of the Chief of Division of Public Health to furnish free to all persons desiring vaccine virus for smallpox protection and also the serum or anti-toxin of any other disease.

Section 19: Rules for funerals. When a person dies of cerebro-spinal fever, poliomyelitis, diphtheria, scarlet fever, or smallpox, no person except the undertaker and his assistants, the clergyman and others permitted by the Chief of the Division of Public Health shall enter the house until after the funeral and until after the warning placard has been removed. If the funeral is held elsewhere than at the last residence of the deceased, the funeral may be public, provided only those members of the immediate family may attend who in the opinion of the Chief of Division of Public Health are free from

infection and to whom he has given permission so to do.

Section 20: Disease of Animals. Any veterinary or other person in charge of an animal affected or presumably affected with any disease communicable to human beings shall immediately notify the Chief of Division of Public Health. Whenever there is reason to believe that any animal has rabies such animal and all others bitten by it shall be securely confined by the owner or person in charge for such a time as is necessary to determine whether the disease exists. Every animal which has rabies shall be killed and the body disposed of to the satisfaction of the Chief of Division of Public Health. The Chief of Division of Public Health shall have the power to require the muzzling of all dogs appearing on public highways, and may call upon the police department to enforce this rule.

Section 21: Special powers for Emergencies. In an emergency, including the occurrence of any rare or unusual disease or when any disease becomes unusually prevalent, the Chief of Division of Public Health shall have the power to employ any measures necessary for the protection of the public health and make such expenditure as may be necessary for such purpose.

Section 22: Prohibition of Common Articles Dangerous to Health. The use of common drinking cups or other drinking or eating utensils or of common towels, or any other article for common use which might spread any communicable disease is forbidden in the City of Miami Beach. The term "common" as used in this Section shall mean for use of more than one person without proper cleansing and disinfection by methods approved by the Chief of Division of Public Health.

Section 23: Milk and Water Inspection. All milk and water companies engaged in supplying residents of Miami Beach with their respective commodities shall be required to furnish certified reports bi-monthly, said reports containing a complete bacteriological analysis which will require the approving signature of the City Health officer. Refusal or violation of this requirement on the part of the

several companies concerned would be sufficient warrant to prohibit distribution of their respective wares.

Section 24: Vital Statistics. There shall be a division of vital statistics in the City of Miami Beach for the recording of births and deaths and the reporting of communicable diseases.

Section 25: Penalty. Any person who shall violate or fail to comply with any of the provisions of these Sections shall be punished by a fine of not less than \$25.00 nor more than \$200. or by imprisonment for not more than 60 days, or both, in the discretion of the Court.

Section 26: Repealing Clause. Any rules or regulations heretofore adopted and inconsistent with the provisions of this ordinance are hereby repealed.

Section 27: No expenditures shall be incurred under any provisions of this ordinance without first obtaining permission of this City Council.

PASSED AND ADOPTED this 15th day of October, A. D., 1924.

John H. Levi
President of City Council

ATTEST:

C. W. Tomlinson
City Clerk

APPROVED this 15th day of October, A. D., 1924.

Louis Bradley
Mayor

First reading, September 17th, 1924.
Second reading, September 17th, 1924.
Third reading, October 15th, 1924.
Posted, October 20th, 1924.

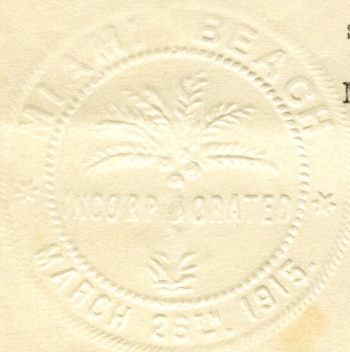


STATE OF FLORIDA)

COUNTY OF DADE)

I, C. W. TOMLINSON, City Clerk in and for the City of Miami Beach, Florida, do hereby certify that Ordinance No. 211 entitled "An Ordinance Creating a division of Public Health, Prescribing Regulations thereof, and Providing a Penalty for the violation of such Regulations," having been duly passed and adopted by the City Council of the City of Miami Beach, has been posted by me in three conspicuous places in the City of Miami Beach, one of which was at the door of the City Hall in said City on the 20th day of October, 1924, and that said Ordinance remained posted for a period of at least thirty days in accordance with the requirements of the City Charter of the said City of Miami Beach.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Miami Beach on this the 3rd day of December, A. D., 1924.


C. W. Tomlinson
City Clerk

(ORIGINAL)
ORDINANCE NO. 211
Health ordinance of
the City Council of
the City of Miami Beach,
Florida.