

File No. 46845 Continued

Section 1 of Ordinance No. 58, provides:

" * * * * the said Commissioner of Health shall notify, in writing, all owners of property within such sects and bounds, to connect, at their own cost and expense, their respective house drains, at their respective building lines, with said sewerage system, and to clean out and fill up their respective privy sinks, wells and cesspools, and other sewerage or drainage receptacles, and to abandon the use of their existing arrangements of every sort for the disposal of sewerage or drainage
* * * *"

It is provided later in the Ordinance that upon the default of the owner to do this work, the work shall be done by the City Engineer.

I am given to understand that a cellar drainer consists of a pump which is operated by City water and used to pump out water which has accumulated in a cellar below the surface of the ground. This water, when pumped to the street level, is permitted to flow out into the street.

I am of the opinion that if facilities may be installed by the Bureau of Sewers so that this accumulation of water may be drained away by gravity, that the Bureau of Sewers is empowered to install such facilities. I call particular attention to the fact that the word "drainage" is used in the above quoted portion of the Ordinance.

Very truly yours,

(Signed)

JOHN HENRY LEWIN
Assistant City Solicitor

JHL-G