BAS 258 The Brick Ordinance. Welcome to Butte, America’s Story. I’m your host, Dick Gibson.

Butte’s first mayor, Henry Jacobs, built the oldest surviving brick house in Butte in 1879—his home, at the corner of Montana and Granite Streets. The Jacobs administration promoted brick construction to try to combat the fires that swept the growing community’s wooden businesses and homes in the late 1870s and for decades thereafter, passing the first city ordinance to regulate construction. Jacobs himself, a German Jew who fought for the South at the Siege of Vicksburg in the Civil War, exemplified the growing ethnic diversity that was beginning to create a mining metropolis.

By 1893, the ordinance governing building construction had grown to a twenty-nine-page document, specifying that “the walls and outer coverings of all buildings hereafter erected or enlarged within the fire limits of the City of Butte shall be built of stone, brick, or iron, or other incombustible materials.” Outside, party and inside wall thicknesses were specified—the outside walls of a two-story building were to hold at least twenty-four inches of brick in the basement, sixteen inches on the first floor and twelve inches on the second story. No building was to be erected with less than eight-inch-thick brick walls—and that was just for one-story structures.

The 1893 revised building ordinance was enacted at a time when Butte’s population was exploding tenfold, from 3,363 in 1880 to more than 30,000 in 1900. And census figures for Butte always reflect only the townsite itself—from the earliest days, the Butte hill was a concentration of humanity, partly adjacent to, but technically beyond, the city proper and its “fire limits.”

Regulations of all sorts were enacted. Despite Butte’s reputation as a wide-open town, houses of prostitution were declared by ordinance to be public nuisances in 1890, with the fine for operating them $100 per day. Exceeding six miles per hour on a bicycle could get you a $50 fine, spitting on the sidewalk cost anywhere from $1 to $100 and failure to hitch your horse resulted in a $5 penalty. But the building ordinance is by far the most detailed and extensive of all those enacted in that time of growth. The all-important building ordinance was filled with specifications for penalties, ranging from $5 to $300 per day, and up to ninety days of imprisonment, depending on the violation. And owners, builders, contractors, architects, occupants and lessees could all be deemed violators. Building with brick was a serious business in 1890s Butte.

Like the rules against prostitution and gambling, the requirement for brick construction was well meant but often ineffective. Fires bedeviled Butte from its earliest days to the 1980s and beyond. Nonetheless, it is largely due to brick that so many historic buildings do survive in Butte in the twenty-first century.

Brick’s permanence symbolizes Butte’s transition from a mining camp and ephemeral boomtown to an industrial urban community.

As writer Edwin Dobb has said, "Like Concord, Gettysburg, and Wounded Knee, Butte is one of the places America came from." Join us next time for more of Butte, America’s Story.