

## Chapter 10

### BUSINESS REGULATIONS

#### Article 3. Railroad Companies

**§10-301 RAILROAD COMPANIES; SAFE CROSSING.** It shall be the duty of every railroad company doing business in or traveling through, the municipality to keep in a suitable, and safe condition the crossings and right-of-way in the Municipality. If any such crossing shall at any time fall into disrepair and become unsafe, or inconvenient for public travel, the Governing Body may, by resolution, call upon the said company to make whatever repairs that it may deem necessary to correct the dangerous condition. Notice of the said resolution shall be served upon the local agent of the said company. In the event that the railroad shall fail, or neglect to repair, and correct the said condition as aforesaid within forty-eight (48) hours, neglect for each twenty-four (24) hours thereafter shall be deemed, and is hereby made a separate, and distinct offense against the provisions herein. *(Ref. 17-552, 18-1719, 75-414 RS Neb.)*

**§10-302 RAILROAD COMPANIES; LIGHTING.** It shall be the duty of all railroad companies owning, operating, and maintaining a railroad through the Municipality to sufficiently light all crossings and to install as many signal systems as the Governing Body shall deem necessary at the expense of the said company. *(Ref. 17-561 RS Neb.)*

**§10-303 RAILROAD COMPANIES; OBSTRUCTING TRAFFIC.** It shall be unlawful for any railroad company, its employees, agents, or servants operating a railroad through the Municipality to obstruct traffic on any public street, except in the event of an emergency, for a longer period at one time than twenty (20) minutes. *(Ref. 17-552 RS Neb.)*

**§10-304 RAILROAD COMPANIES; SPEED LIMIT ORDINANCE, PROCEDURE.** No speed limitation ordinance, which would directly affect the operations of an interstate railroad, shall be valid or enforceable unless its adoption is in compliance with this Section. Before the first (1<sup>st</sup>) reading of the proposed ordinance, the railroad whose operations would be directly affected by the ordinance shall be given written notice by United State mail of the proposed ordinance and the date, time and place of such reading. Such notice shall be given at least ten (10) days prior to the reading. The affected railroad or railroads shall have an opportunity to be heard at the first (1<sup>st</sup>) reading. After enactment, the railroad or railroads whose operations would be directly affected shall be provided a written or printed copy of the ordinance by United States mail. *(Ref. 74-596 RS Neb.)*

**§10-305 RAILROAD COMPANIES; OBSTRUCTING VIEW AT CROSSING PROHIBITED.** It shall be unlawful for any railroad company to obstruct or obscure the traveling public's view by storing or parking any railroad car on a railroad track within fifty feet (50') of the crossing of any such railroad track and a public road within the corporate limits of the Municipality; provided, however, in no instance shall any person who is authorized to control the movement of such railroad car or cars within such distance be prevented from reasonably conducting his or her business. *(Ref. 74-1323 RS Neb.)*