

TITLE III COMMUNITY PROTECTION

CHAPTER 4 RAILROAD REGULATIONS

3-4-1	Definitions	3-4-5	Street Crossing Obstruction
3-4-2	Speed	3-4-6	Maintenance of Crossings
3-4-3	Warning Signals	3-4-7	Flying Switches
3-4-4	Street Crossing Signs and Devices	3-4-8	Right of Way Fencing

3-4-1 DEFINITIONS. For use in this ordinance, the following terms are defined:

1. The term “railroad train” shall mean any steam, electric or other motor driven engine and the cars, if any, coupled to the engine operated on rails, but does not include interurbans and streets cars.
2. The term “operator” shall mean any individual, partnership, corporation or other association that owns, operates, drives or controls a railroad train.

3-4-2 SPEED. It shall be unlawful to operate any railroad train through any street crossing within the platted areas of the City at a speed greater than 35 miles per hour.

3-4-3 WARNING SIGNALS. Operators shall sound a bell at least 1,000 feet before a street crossing is reached and shall ring the bell continuously until the crossing is passed. Operators also shall sound a whistle at least 500 feet before reaching every intersection of the track and street, sidewalk, alley or similar public crossing within the City limits, unless such crossing is protected by a mechanical warning device or flagman as required under Section 3-4-4 of this chapter.

3-4-4 STREET CROSSING SIGNS AND DEVICES. Operators shall erect and maintain nonmechanical warning signs on both sides of the tracks at each intersection of the tracks and a street, sidewalk, alley or similar public crossing within the City limits, except where some mechanical sign, signal, device, or gate or flagman is required by resolution of the council. Such non-mechanical signs shall be of a height and size, and utilize such lettering as to give adequate warning of such crossing. Whenever the City Council shall deem it necessary for the safety and convenience of the public that some mechanical sign, signal, device or gate should be erected and maintained, flagman stationed at any street or other public crossing, the City Council, by resolution shall order and direct the railroad company or companies concerned to erect and maintain such sign, signal, device, or gate or to station a flagman at such crossing at the expense of such company or companies. Any required flagman shall be stationed at such crossing during the periods of time of each day that the City Council shall designate. The resolution shall specify the street or other public crossing at which the sign, signal, device or gate shall be erected or flagman stationed. After the resolution has been adopted, a copy shall be served to the railroad company or companies with a notice of the time limit for compliance. In complying, Chapter 327G of the Code of Iowa shall prevail.

3-4-5 STREET CROSSING OBSTRUCTIONS. Operators shall not obstruct with a railroad train or with standing railroad cars on any street, alley, sidewalk or similar public crossing for any period greater than ten minutes. This provision shall not apply to railroad trains stopped at stations to load and unload passengers, or trains constantly in motion. This requirement does apply to trains engaged in switching operations.

3-4-6 MAINTENANCE OF CROSSINGS. Operators shall construct and maintain good, sufficient and safe crossings over any street traversed by their rails.

3-4-7 FLYING SWITCHES. No operator shall cause any railroad car or cars, unattached to any engine, to be propelled across any intersection of the tracks and a street, alley, sidewalk or similar public crossing, for the purpose of making a flying switch unless some employee of the railroad shall be stationed at the intersection to give warning of such car's or cars' approach.

3-4-8 RIGHTS OF WAY FENCING. Operators owning or using rights of way shall fence the rights of way within the corporate limits of this City in a manner reasonably calculated to protect persons and property, except where the track is intersected by streets and alleys.