

ORDINANCE _____

AN ORDINANCE AMENDING CHAPTER 6 OF THE PARKER CITY
ORDINANCES TO ADD SECTION 6.09 CONCERNING RAILROAD TRAINS

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF PARKER,
SOUTH DAKOTA:

That Section 6 of the Parker City Ordinances is hereby amended to add a new
Section which shall be codified as 6.09 to read as follows:

CHAPTER 6.09. RAILROAD TRAINS

1. Railroad Trains Obstructing Streets. It shall be unlawful for any railroad company, railroad engineer, train conductor or other person to cross or allow any locomotive engine, car, cars, or train of cars to stop in or remain upon any street and railroad crossing within the city for a longer period than five minutes at any one time; provided, however, that in case a collision should take place at any of the crossings, reasonable time shall be allowed to remove any obstruction caused thereby.
2. Uncoupling Train Obstructing Street. Should any street and crossing in the city be and remain occupied and obstructed in whole or in part by any train or railroad cars for and during the period of five minutes, it shall be the duty of each and every railroad company upon whose right of way such obstruction may occur, their agents, or employees, or any person on or before the expiration of said five minutes, when from any cause the entire train cannot be propelled or removed to one side of any street occupied or obstructed as aforesaid, to cause such cars as may be on or near said crossing to be uncoupled and some one division of the train as thus made removed from the aforesaid street and railroad crossing so as to leave such street entirely free and unobstructed.
3. “Flying Switches” Prohibited. Whenever any railroad intersects any street, alley or avenue of the city, it shall be unlawful for any railroad company, engineer, conductor or other person to conduct, permit, allow or assist in any “flying switch.”
4. Speed of Railroad Trains. The speed at which any railroad equipment may be operated within the city shall be reasonable under the existing conditions, with due regard to the safety of the public.
5. Violation. Violation of this provision shall be declared a public nuisance and shall also be a class 2 misdemeanor.

Dated this _____ day of February, 2008.

CITY OF PARKER

By _____
Its Mayor

ATTEST:

Jeanne Duchscher, City Finance Officer

FIRST READING: _____, 2008

SECOND READING & ADOPTION: _____, 2008

PUBLICATION: _____, 2008

EFFECTIVE: _____, 2008