

# PART 16 – TRANSPORTATION

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## CHAPTER 1

### RAILROADS

#### SECTION – DESCRIPTION

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#### SECTION 16-101

##### SPEED LIMIT FOR TRAINS

It is unlawful for any person to operate, drive or propel, or cause to be operated, driven or propelled, any railway engine, train or car at a greater speed than forty-five (45) miles per hour when entering an intersecting street within the town.

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#### SECTION 16-102

##### OBSTRUCTING PASSAGE OF TRAINS

Any person who willfully or maliciously places any obstruction, or any other thing on the track of any railroad within the limits of the town, or who tears up, removes, burns or destroys any part of such railroad, or the works thereof, with intent to obstruct the passage of any engine or car thereon, or to throw them off the track, is guilty of an offense, punishable as provided in this code.

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#### SECTION 16-103

## TRAINS OBSTRUCTING CROSSINGS

It is unlawful for the directing officer or the operator of any railroad train to direct the operation of or to operate the same in such a manner as to prevent the use of any street for purposes of travel for a period of time longer than fifteen (15) minutes. This provision shall not apply to trains or cars in motion, other than those engaged in switching. If the railway train, locomotive or railway car is left blocking a crossing for an extended period of time and not moved upon request by an officer or a town official, a citation may be issued as provided by Section 1-108 of this code.

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## SECTION 16-104

### MAINTENANCE OF TRACKS, ROADBED AND RIGHT-OF-WAY, SIDEWALKS

- A. It is the duty of every owner of railroad tracks to maintain the railroad tracks, roadbed, and right-of-way in a good condition for use by the public when the railroad tracks and roadbed cross or intersect any public street within the town.
- B. When a railway occupies any portion of a street with its tracks running in a general direction of the street, either on or adjacent thereto, the railway shall improve the space between its tracks and two (2) feet on either side thereof in the same manner that the remainder of the street is, or has been, improved, or with such satisfactory materials as the town may approve. In case any railway company shall occupy an alley with its track or tracks, the company shall improve, gutter, drain and grade such alley, and shall surface or pave it with the same material which is, or has been, used on the alley, or with such other satisfactory material as the town may approve.
- C. When the tracks of a railway cross any street that is being or has been paved, the company shall pave as much of the street as is occupied by its track and two (2) feet on each side, using the same material as is, or has been, used on the street, or such other satisfactory material as the town may approve. When more than one track crosses a street within a distance of one hundred (100) feet, measuring from inside rail to inside rail, the railway company shall grade, gutter, drain and curb the street area between its tracks and surface or pave it with the same material which the town will use or has used on the street.
- D. Railway companies shall construct sidewalks crossing their rights-of-way, using the same material as is used in adjacent sidewalks insofar as is practicable under the circumstances. The railway company shall construct sidewalks on both sides of the streets when both sides are used by pedestrians.
- E. Railway companies shall keep all such improvements made by them in a good state of repair at all times.

F. The failure to perform such duties as are herein required after thirty (30) days written notice from the council of the town shall be a violation, and each day thereafter that the tracks and roadbed shall remain in an unsatisfactory condition shall constitute a separate offense.

**State Law Reference:** Similar provisions, 11 O.S. § 36-116.

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## **SECTION 16-105**

### CLIMBING ON TRAINS

It is unlawful for any person to climb upon, hold to, or in any manner attach himself to, any railway train, locomotive or railway car while within the town, unless such person is acting in the line of duty. It is unlawful for any person to board any train or railroad car except with a proper ticket or the permission of the person in charge of the train or car or in the line of duty.

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## **SECTION 16-106**

### CRAWLING UNDER TRAINS

It is unlawful for any person to crawl under any railway train, locomotive or railway car while it is within the town, unless such person is acting in the line of duty.

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## **CHAPTER 2**

(RESERVED)

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