



ORDINANCE NO. 13

AN ORDINANCE REGULATING THE CONSTRUCTION OF RAILROADS THROUGH THE VILLAGE OF REXBURG AND THE OPERATING OF THE SAME, ALSO PROVIDING FOR THE CONSTRUCTION AND KEEPING IN GOOD REPAIR AT THEIR EXPENSE WATER SECTS, SEWERS, DRAINS, STREET CROSSINGS AND ALSO PROVIDING FOR THE CONSTRUCTION OF APPROACHES AT RAILROAD CROSSINGS AT THEIR EXPENSE, AND PROVIDING FOR THE GRADE OF THE RAILROAD TRACTS PASSING THROUGH SAID VILLAGE, AND PROHIBITING THE REMOVAL OF ANY ROCK, GRAVEL, EARTH OR OTHER MATERIAL FROM ANY STREET OR PUBLIC HIGHWAY, AND PROVIDING FOR THE SPEED THAT RAILROADS TRAINS SHALL RUN THROUGH THE INCORPORATED LIMITS OF SAID VILLAGE, AND FOR THE RINGING THE BELLS OF LOCOMOTIVES WHILE PASSING THROUGH THE INHABITED PORTION OF SAID VILLAGE AND PROVIDING THE LENGTH OF TIME CARS SHALL BE ALLOWED TO STAND IN THE STREETS OR UPON THE SIDEWALKS OR CROSSINGS, AND PROVIDING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE.

BE IT ORDAINED BY THE CHAIRMAN AND BOARD OF TRUSTEES OF THE VILLAGE OF REXBURG, IDAHO:

SECTION I: All companies constructing railroads within the corporate limits of the Village of Rexburg shall be subject to the following regulations: The grantees of all railroads shall, at their own expense construct and keep in good repair all water sects, sewers, drains, and all fixtures connected therewith, and with distribution of water in said Village which may be affected thereby. The construction, alterations and repairs to be done under the Village Watermaster, subject to the approval of the Village Board.

SECTION II: It shall especially be incumbent on all railroad companies, at their own expense, to construct arches and bridges for all the cross streets, now or hereafter to be made which will be intersected by the embankments or excavations of their railroads, and also to make such embankments or excavations as, in the opinion of the Village Board, may be required to make the passage over the railroad and embankments easy and convenient for all purposes for which streets are usually used, and also all such ditches and canals, drains and sewers as their embankments and excavations may make necessary; and, further, the said companies shall make their railroad tracks conform to what is or may hereafter be the regulations or grade of the street or place through which their railroads pass and no company shall have the right to take up, remove, carry away, or cause or permit to be taken up, removed or carried away, any rock, gravel, earth or other material from any street alley or public place for making embankments, grades, or for any other purpose, except by permission of the Village Board and under the direction of the street supervisor; and all railroad companies shall plank between all rails, and for two feet on either side of the outer rail, on all streets that cross the said tracks, said planking to be for the full width of said cross streets and sidewalks, unless otherwise directed by the Village Board.

SECTION III: If, at any time after the commencement of the construction of any railroad, it shall appear to the Village Board that any part thereof shall constitute an obstruction or impediment to the ordinary use of any street or place or be operated contrary to the regulations of the Village. The said railroad company, or the officers thereof, shall, on the requisition of the Village Board, forthwith provide a remedy for the same, satisfactory to said Village Board or if they fail to find such remedy, they shall, within one month after such requisition, proceed to remove such railroad, obstruction or impediment, and to replace the

