



## ORDINANCE 16

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 SEATS, SEWERS, DRAINS AND STREET CROSSINGS; AND ALSO PROVIDING FOR THE CONSTRUCTION OF APPROACHES AT RAILROAD CROSSINGS AT THEIR EXPENSE, AND PROVIDING FOR THE GRADE OF THE RAILROAD TRACKS 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 RAILROAD 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 THE BOARD OF TRUSTEES OF THE VILLAGE OF REXBURG, FREMONT COUNTY, IDAHO:

**SECTION I:** All companies constructing rails roads within the corporate limits of the Village of Rexburg shall be subject to the following regulations:

They shall at their own expense, construct and keep in good repair crossings for all water ditches, sewers, drains, and all fixtures connected therewith and with the distribution of water in said Village which may be effected by the construction of their railroads; such construction and repairs to be done subject to the approval of the Village Board.

**SECTION II:** It shall be incumbent on all rail road companies to their own expense, to construct safe and sufficient crossings at grade of such railroads, for the streets now hereafter to be made which shall be intersected by such railroads, including such embankments or excavations as may be required to make the passage over such railroads safe and convenient for all purposes for which streets are usually used. Such companies shall also make their railroad tracks conform to what is or may hereafter be established grade of the streets at the places through which the same may pass, and no company shall 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 the permission of the Village Board and under the direction of the street supervisor.

All railroad companies shall plank between the rail and for two feet on either side of the outer rail on all streets that may be crossed by said tracks, said planking to be for the full width of such streets and sidewalks, unless otherwise provided by the Village Board.

**SECTION III:** The tracks of all railroads shall be laid in the center of the streets, unless otherwise directed by the Village Board; and all locomotives, cars and trains are hereby prohibited from running at a greater speed than eight miles per hour within the corporate limits of said Village; and the bells on locomotives in motion shall in all cases be rung continuously in the inhabited portions of the Village; and no train engine or cars shall be allowed to stand upon any street or sidewalk crossing so as to obstruct the ordinary travel thereon for a longer period at any one time than eight minutes. Any engineer, train or guardmaster, switchman or other person in charge or control of such locomotive, cars or trains violating any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding twenty-five dollars, or be imprisoned not exceeding thirty days, or both such fine and imprisonment together with costs of prosecution.

**SECTION IV:** That ordinance No. 13 is hereby repealed.

PASSED BY THE BOARD OF TRUSTEES AND APPROVED BY THE CHAIRMAN this 20<sup>th</sup> day of September, 1899

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Chairman Pro. Tem

(SEAL)

ATTEST:

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A.L. Blackburn, Village Clerk