

**Chapter 9-18**

**RAILROADS**

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**Section 9-18-01FLAGMEN WHEN REQUIRED**

Whenever the Council shall deem it necessary to require as a precaution for the safety of travelers on public streets in the City where the same are crossed by any railways to have and maintain watchmen or flagmen, whose duty it shall be to notify and warn all persons traveling such streets of the approach of locomotives or trains of cars to such crossings and to guard against collisions between persons traveling the streets and the machinery operated upon the railroad tracks, they may, by resolution, order that it is necessary to have and maintain such flagmen or watchmen at the railway crossings designated in such resolution, and they may, by said resolution, order the railway company, whose tracks cross the streets designated in said resolution, to maintain and station such watchmen or flagmen, and set forth in the resolution the hours when said watchmen or flagmen shall remain on duty. (1922 Code, Sec. 886; 1936 Code, Sec. 10-601; 1952 Code, Sec. 14-501)

**Section 9-18-02NOTICE**

After the passage of such resolution asset out in the preceding Sections, it shall be the duty of the Clerk to at once notify the railway company by serving upon the officer or representative of such company a copy of the resolution. (1922 Code, Sec. 887; 1936 Code, Sec. 10-602; 1952 Code, Sec. 14-502)

**Section 9-18-03DUTY OF COMPANY**

It shall be the duty of such railway company within ten (10) days after a copy of such resolution is served upon it or its officers in the City, to station such watchmen or flagmen at the street crossings designated in said resolution and keep said watchmen or flagmen stationed at such crossings until relieved therefrom by order of the Council. (1922 Code, Sec. 888; 1936 Code, Sec. 10-603; 1952 Code, Sec. 14-503)

**Section 9-18-04STREET RAILROAD CROSSINGS; BLOCKING**

It shall be unlawful for any railway company or other person to cause or allow any locomotive engine, car or train of cars to stop in or remain upon any railroad crossing within the City, for a longer period than five (5) minutes at any one (1) time. (1922 Code, Sec. 629; 1936 Code, Sec. 10-917; 1952 Code, Sec. 19-410)

Should it be necessary at any time to occupy or obstruct in whole or in part any railroad crossing for a period of five (5) minutes of longer, it shall be the duty of each and every railway company upon whose line such obstruction may occur, on or before the expiration of said five (5) minutes, when from any cause the entire train cannot be propelled or removed to any one (1) side of the crossing to cause such cars as

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may be on or near the crossing to be uncoupled and removed from the crossing in such manner as to leave the crossing entirely free and unobstructed, and the train when again coupled shall be removed forthwith from the crossing as aforesaid. Any person violating any of the provisions of this Section shall be deemed guilty of a misdemeanor. (1922 Code, Sec. 630; 1936 Code, Sec. 10-918; 1952 Code, Sec. 19-1411)

### **Section 9-18-05PENALTY**

Any railroad or railway company who shall refuse, fail or neglect to maintain and station watchmen or flagmen at such crossings within ten (10) days after such resolution has been served upon them, shall be guilty of a misdemeanor. Every day that such watchmen or railway company shall fail, refuse, or neglect to station said watchmen or flagmen at the crossings designated in said resolution, within ten (10) days after said resolution has been served upon it or its officer or representative, shall be deemed a separate and distinct offense and violation of this Chapter. (1922 Code, Sec. 889; 1963 Code, Sec. 10-604; 1952 Code, Sec. 14-504)