

ORDINANCE NO. 331

An ordinance requiring certain carriers to observe stopping requirements at grade crossings; providing exceptions thereto; providing for repeal of all ordinances in conflict herewith; and providing for an effective date.

BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF GOTHENBURG, DAWSON COUNTY, NEBRASKA.

SECTION I. The driver of any vehicle which carries:

- (1) liquid petroleum and liquid petroleum products,
 - (2) flammable, oxidizing, or corrosive liquids,
 - (3) flammable, nonflammable, or poisonous compressed gases,
 - (4) Volatile liquids or radioactive materials, whether loaded or empty, or
 - (5) when carrying explosives, flammables or oxidizing solids and solids which emit poisonous fumes as a cargo or any part of a cargo;
- before crossing at a grade any track of a railroad on streets and highways shall stop such vehicle not more than fifty feet (50') nor less than fifteen feet (15') from the nearest rail or railroad and while stopped shall listen and look in both directions along the track for an approaching train, and shall not proceed until precaution has been taken to ascertain that the course is clear.

SECTION II. The requirements of subsection one of this section shall not apply when any of the following circumstances or conditions exist:

- (1) When a police officer or a crossing flagman directs traffic to proceed;
- (2) An abandoned or exempted grade crossing which is clearly marked as such by or with the consent of competent authority, when such markings can be read from the driver's position; or

(3) Railroad tracks used exclusively for industrial switching purposes within a business district.

SECTION III. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION IV. This ordinance shall be in force and effect from and after its passage, approval, and publication as provided by law.

Passed and approved this 3rd day of Jan., 1978.

CITY OF GOTHENBURG, NEBRASKA

BY:

John H. Gallegher
MAYOR.

ATTEST:

Marcia Jolken
City Clerk.

APPROVED AS TO FORM:

Steve Windman
City Attorney.