

CHAPTER 553
Railroads

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CROSS REFERENCES

See sectional histories for similar State law
Lighting railroads - see Ohio R.C. 723.33 et seq.
Power to regulate train speed - see Ohio R.C. 723.48
Vehicular homicide - see GEN. OFF. 537.02
Criminal mischief - see GEN. OFF. 541.04

553.01 OBSTRUCTING STREETS BY RAILROAD COMPANIES.

(A) No railroad company shall obstruct or permit or cause to be obstructed a public street, road or highway by permitting a railroad car, locomotive or other obstruction to remain upon or across it for longer than five (5) minutes to the hindrance or inconvenience of travelers or a person passing along or upon such street, road or highway. No railroad company shall fail, at the end of each five (5) minute period of obstruction of a public street, road or highway, to cause such railroad car, locomotive or other obstruction to be removed for sufficient time, not less than three (3) minutes, to allow the passage of persons and vehicles waiting to cross.

This Section does not apply to obstruction of a public street, road or highway by a continuously moving through train or caused by circumstances wholly beyond the control of the railroad company, but does apply to other obstructions, including without limitation those caused by stopped trains and trains engaged in switching, loading or unloading operations.

Upon the filing of an affidavit or complaint for violation of this Section, summons shall be issued to the railroad company pursuant to Ohio R.C. 2935.10(B), which summons shall be served on the regular ticket or freight agent of the company in the County where the offense occurred.(ORC 5589.21.)

(B) Whoever violates this Section is guilty of a misdemeanor of the third de

553.02 CLIMBING UPON RAILROAD CARS.

(A) No person shall climb, jump, step or stand upon or cling or attach himself to a locomotive, engine or car upon the track of a railroad, unless in compliance with law or by permission under the rules and regulations of the corporation managing such railroad.(ORC 4999.02.)

(B) Whoever violates this Section is guilty of a minor misdemeanor.

553.03 DUTIES OF LOCOMOTIVE ENGINEER.

(A) No person in charge of a locomotive shall do the following:

(1) Fail to bring the locomotive to a full stop at least two hundred (200) feet before arriving at a crossing with another track, or proceed through the crossing before signaled to do so or before the way is clear.

(2) When approaching a grade crossing, fail to sound the locomotive whistle at frequent intervals, beginning not less than thirteen hundred twenty (1,320) feet from such crossing and continuing until the locomotive has passed the crossing.

(B) Whoever violates this Section is guilty of a misdemeanor of the fourth degree. If violation of this Section causes physical harm to any person, whoever violates this Section is guilty of a misdemeanor of the third degree.(ORC 4999.04.)

553.04 TRAIN SPEED REGULATED; RECOVERY BY CIVIL ACTION.

(A) No person shall operate a locomotive and/or railroad cars within the corporate limits of the City at a speed greater than thirty-five (35) miles per hour

(B) Any engineer, conductor or company violating this Section shall be subject to civil action as provided for in Ohio R.C. 723.48 and recovery may be held by the City in an amount not more than Fifty Dollars (\$50.00) for each offense.

(Ord. 174-62. Passed 9-24-62.)

553.99 PENALTY.

(EDITOR'S NOTE: See Section 501.99 for penalties applicable to any misdemeanor classification .)