

CHAPTER 17

PUBLIC TRANSPORTATION

Article

1. Taxicabs. 17-1-1 to 17-1-8.
2. Railroads. 17-2-1 to 17-2-4.

ARTICLE 1

TAXICABS

Section

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|---------------|---|
| <u>17-1-1</u> | <u>Transportation of passengers; license; from City Clerk required.</u> |
| <u>17-1-2</u> | <u>License; application.</u> |
| <u>17-1-3</u> | <u>Issued, when; term.</u> |
| <u>17-1-4</u> | <u>Display in vehicle.</u> |
| <u>17-1-5</u> | <u>Taxicab stands; prohibited, where.</u> |
| <u>17-1-6</u> | <u>Passengers; restrictions.</u> |
| <u>17-1-7</u> | <u>Additional passengers; restrictions.</u> |
| <u>17-1-8</u> | <u>Violations: penalty.</u> |

17-1-1. Transportation of passengers; license; from City Clerk; required.

No person, firm or corporation shall operate for hire any vehicle for the conveyance of passengers on the public streets or alleys of the City without first having obtained a license therefor from the City Clerk. (Ord. 1116)

17-1-2. License; application.

The application for a license to operate for hire a vehicle for the conveyance of passengers shall include the following:

- (1) The name, age and residence of the applicant;
- (2) The applicant's Nebraska driver's license number;
- (3) Whether the applicant has held a motor vehicle operator's license continuously for a period of not less than two years prior to the application;
- (4) A statement to the effect that the applicant has complied with and, during the period of the license, will at all times comply with the applicable laws of the State of Nebraska and ordinances of the City pertaining to taxicabs and other vehicles for the conveyance of passengers.

The application shall be signed by the applicant in the presence of the City Clerk. A photograph of the applicant shall be filed with the application. The Clerk shall attach this photograph to the license when the license is issued to the applicant. At the time of filing the application, the applicant shall pay to the City Clerk the fee provided in Chapter 6, Article 6. (Ord. 3339, 1994)

17-1-3. Issued, when; term.

If, upon the filing of such an application, the City Clerk shall be satisfied that the applicant has a motor vehicle operator's license issued by the State of Nebraska, and that such license or a driver's license issued by another state, or the two (2) consecutively, have been in effect continuously for a period of not less than two (2) years prior to such application, the City Clerk shall issue a license to such applicant, which shall be valid for a period commencing on the date of such issuance and ending on the first day of May following. Provided, such license shall become void if the operator's license issued to such operator by the State of Nebraska shall be suspended or revoked. Provided, further, the issuance of a license by the City Clerk as in this Chapter provided shall not entitle the holder of such license to operate any motor vehicle that is not registered as required by the laws of the State of Nebraska. (Ord. 1116)

17-1-4. Display in vehicle.

Such license shall be displayed prominently within the interior of the vehicle at all times such vehicle is being operated for hire by such licensed operator. (Ord. 1116)

17-1-5. Taxicab stands; prohibited, where.

No person, firm or corporation shall use as a stand for such a vehicle the following parts of the following public streets of the City: East Overland Drive, from 2nd Avenue to Railway Street, inclusive; Railway Street, from 1st Avenue to Avenue B, inclusive; East 14th Street, from 2nd Avenue to Broadway Avenue, inclusive; East 15th Street, from 2nd Avenue to Broadway Avenue, inclusive; 16th Street, from 2nd Avenue to Avenue A, inclusive; 17th Street, from 2nd Avenue to Avenue B, inclusive; 18th Street, from 2nd Avenue to Avenue B, inclusive; 19th Street, from 2nd Avenue to Avenue B, inclusive; 20th Street, from 2nd Avenue to Avenue B, inclusive; First Avenue, from East Overland Drive to East 20th Street, inclusive; Second Avenue, from Railway Street to East Street, inclusive; Avenue A, from Railway Street to West 20th Street, inclusive; Avenue B, from Railway Street to West 20th Street, inclusive; Broadway Avenue, from 9th Street to 20th Street, inclusive. (Ord. 1116)

17-1-6. Passengers; restrictions.

No operator of a taxicab shall allow any auxiliary driver or nonpaying passenger to ride in the taxicab. (Ord. 1706, 1968; Ord. 1116)

17-1-7. Additional passengers; restrictions.

No operator of a taxicab, while engaged in transporting a passenger or passengers for hire, shall solicit an additional passenger or passengers without first requesting and receiving consent thereto by all of the passengers at that being transported (Ord. 1116)

17-1-8. Violations; penalty.

A violation of any provision of this Article is a Class II violation.

ARTICLE 2

RAILROADS

Section

<u>17-2-1</u>	<u>Railroad crossings; maintenance; railroad company; duty.</u>
<u>17-2-2</u>	<u>Same; repair; City Council may order; compliance; special measures.</u>
<u>17-2-3</u>	<u>Same; violations; classification.</u>
<u>17-2-4</u>	<u>Crossing lights; City Council may require; operation.</u>
<u>17-2-5</u>	<u>Automatic lights, signals; flagmen; City Council may require; operation.</u>
<u>17-2-6</u>	<u>Bells; whistles; required; operation.</u>
<u>17-2-7</u>	<u>Depot platforms; lighting; City Council may require.</u>
<u>17-2-8</u>	<u>Obstructing streets; trains; prohibited; exceptions.</u>
<u>17-2-9</u>	<u>Tracks; loitering about; trains; jumping on, off; prohibited; exceptions.</u>
<u>17-2-10</u>	<u>Depot platforms; riding, driving on; prohibited; exceptions.</u>
<u>17-2-11</u>	<u>Violations; penalty.</u>

Nebraska Statutes

For statutory provisions on city regulation of railroads, see R.R.S. §§ 16-211 and 16-212.

17-2-1. Railroad crossings; maintenance; railroad company; duty.

It shall be the duty of all railroad companies owning, operating and maintaining a railroad track passing through the City to place, keep or maintain all places within their right-of-way where the public streets or alleys of the City intersect and cross any of such railroad tracts in a suitable and safe condition for public travel. (Ord. 1116)

17-2-2. Same; repair; City Council may order; compliance; special measures.

If any such railroad crossing shall be at any time in a condition such as to necessitate the slowing of traffic in order to avoid possible damage to tires or other parts of vehicles, or be otherwise unsafe or inconvenient for public travel on the street or alley, the City Council may, if it so finds by resolution also order the railroad company to repair or replace the crossing and render it safe and convenient for public travel. The City Manager or a city employee designated by the City Manager shall cause a copy of such resolution to be served upon the local agent of the railroad company whose duty it is to cause the crossing to be maintained, and the railroad company shall comply with the order within eleven (11) working days after service of the copy of the resolution upon the agent. If work involving interruption of or interference with public vehicular traffic on the street or alley crossing continues in excess of four (4) days (including weekends and holidays), the railroad company shall provide continuously from that time during period(s) of further such interruption or interference:

- (1) a crossing for two-way single-land public vehicular traffic on the street or alley, and
- (2) one or more flagmen. (Ord. 2744, 1982)

17-2-3. Same; violations; classification.

It is a Class I violation for a railroad company whose duty it is to maintain such crossing and upon which a copy of a resolution has been served as provided in this Article to fail or refuse to comply with such resolution or, as the case may be, to provide a crossing or flagmen as in such section provided. (Ord. 2751, 1982)

17-2-4. Crossing lights; City Council may require; operation.

At all points within the City where any railroad or railway track shall intersect any platted street, there shall be installed and maintained, when ordered by the resolution or motion of the City Council, wholly at the expense of the railroad company or railway company maintaining such intersecting railroad or railway track, an electric light of at least such power and strength as is commonly used by the City for its street lighting. Such electric light shall be kept lighted at all times between one (1) hour after sunset in the evening and one (1) hour before sunrise in the morning following. (Ord. 1116)

17-2-5. Automatic lights, signals; flagmen; City Council may require; operation.

When ordered by the resolution or motion of the City Council, approved automatic lights or signals shall be installed at designated railroad crossings. Such lights or signals shall be kept in good working order at all hours of the day or night so that all persons approaching such crossings will be warned of the danger of approaching trains, engines or cars on the tracks of the railroad company. The City Council may also, by resolution or motion, order railroad companies to keep flagmen at designated crossings. (Ord. 1116)

17-2-6. Bells; whistles; required; operation.

There shall be a bell or gong and whistle attached to every locomotive, engine or motor car. The bell or gong shall be rung continuously by the engineer or fireman in charge of the locomotive, engine or motor while passing over any railroad line within the City. The whistle shall be blown by the railroad employee in charge of such locomotive, engine or motor car before crossing any street within the City. (Ord. 1116)

17-2-7. Depot platforms; lighting; City Council may require.

Railroad companies shall, wholly at their own expense, construct and maintain on their depot platforms within the City electric light or lights, at such height and such candlepower as is ample to light such platform, as the City Council shall by resolution direct. (Ord. 1116)

17-2-8. Obstructing streets; trains; prohibited; exceptions.

It is hereby declared unlawful for any railroad company operating a railroad into or through the City, or for anyone in control of a train or cars of such railroad, to obstruct any of the public streets within the City so as to prevent the public from crossing the railroad track or tracks:

- (1) by leaving trains or cars standing thereon for a longer period at one time than five (5) minutes, or
- (2) by allowing a moving train or cars to obstruct a crossing for a longer period than ten (10) minutes, except in cases of unavoidable accident. It also shall be unlawful for such railroad company or anyone in control of a railroad crossing gate to allow the arm of such crossing gate to remain in a position that prevents crossing of the track or tracks for a longer period than ten (10)

minutes, except in cases of unavoidable accident. (Ord. 2554, 1980; Ord. 1116)

17-2-9. Tracks; loitering about; trains; jumping on, off; prohibited; exceptions.

It shall be unlawful for any person or persons to loiter about any railroad track, or to be found jumping on or off any train while the same is at rest or in motion; provided, this section shall not be construed to apply to any employee of a railroad, or to any person authorized by it, or to any person boarding a train as a passenger at a depot or station. (Ord. 1116)

17-2-10. Depot platform; riding, driving on; prohibited; exceptions.

It shall be unlawful for any person to ride or drive any automobile, motorcycle, bicycle or other vehicle upon or across any depot platform within the City. Provided, the provisions of this section shall not apply to the firefighters of the City in the performance of their functions or duties.

17-2-11. Violations; penalty.

A violation of any provision of this Article which is not specifically classified otherwise is a Class II violation.