ORDINANCE REGARDING
THE OBSTRUCTION OF RAILROAD CROSSINGS,
OGLE COUNTY, ILLINOIS

ORDINANCE # 07-0418A

WHEREAS, Ogle County proposes to enact an ordinance establishing penalties for obstruction of Highway Grade Crossings as provided in 625 ILCS 5/18c-7402; and

WHEREAS, Ogle County proposes the language of the ordinance be codified in the appropriate fashion per all county ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF OGLE COUNTY, that:

The following language be codified into an ordinance preventing the Obstruction of Highway Grade Crossings, as provided in 625 ILCS 5/18c-7402.

General Requirements

Section 1-1 Adoption of State Law
All provisions of the Safety Requirements for Railroad Operations (625 ILCS 5/18c-7402), shall be hereby made part of this chapter insofar as the provisions of such law pertain to the county.

Section 1-2 Obstruction of Highway at Grade Crossing Prohibited

It is unlawful for a rail carrier to permit any train, railroad car or engine to obstruct public travel at a railroad-highway grade crossing for a period in excess of 10 minutes, except where such train or railroad car is continuously moving or cannot be moved by reason of circumstances over which the rail carrier has no reasonable control.

However, no employee acting under the rules or orders of the rail carrier or its supervisory personnel may be prosecuted for a violation of this subsection

Penalty for Obstruction of Grade Crossing

Section 2-1
Any rail carrier violating Section 1-2of this subsection shall be guilty of a petty offense and fined is affixed of not less than $200 nor more than $500 if the duration of the obstruction is in excess of 10 minutes but no longer than 15 minutes. If the duration of the obstruction exceeds 15 minutes the violation shall be a business offense and the following fines shall be imposed:

If the duration of the obstruction is in excess of 15 minutes but no longer than 20 minutes, the fine shall be $500;
If the duration of the obstruction is in excess of 20 minutes but no longer than 25 minutes, the fine shall be $700;
If the duration of the obstruction is in excess of 25 minutes, but no longer than 30 minutes, the fine shall be $900;
If the duration of the obstruction is in excess of 30 minutes but no longer than 35 minutes, the fine shall be $1,000;
If the duration of the obstruction is in excess of 35 minutes, the fine shall be $1,000 plus an additional $500 for each 5 minutes of obstruction in excess of 25 minutes of obstructing.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. This ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

Passed this 18th day of April, 2007.

Ayes Colson, Diehl, Gouker, Gronewold, Heuer, Hopkins Horner, Huntley, Kenney, Kilker, Messer, Nye, Scholl, Stahl, Swanson, White, Williams, Barnes, Boes, Bowers, Brooks, Colbert and Rice

Nays None

Abstained None

Absent Bauer

W. Ed Rice - Ogle County Board Chairman

Attest: Rebecca Huntley
Rebecca Huntley
Ogle County Clerk

OGLE COUNTY CLERK ★ OGLE COUNTY, ILLINOIS