



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

BILL NO. 051178

Introduced December 8, 2005

**Councilmembers Clarke, Kelly, Council President Verna and
Councilmember Nutter**

**Referred to the
Committee on Transportation and Public Utilities**

AN ORDINANCE

Amending the Ordinance approved July 3, 1885, which authorizes the construction of a railroad by the Schuylkill River East Side Railroad Company and its entry upon and occupation of certain streets, by defining certain terms and by adding additional conditions on the authority of said railroad.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Section 1 of the Ordinance approved July 3, 1885 is hereby amended to read as follows:

SECTION 1. *Definitions*

The following definitions shall apply throughout this Ordinance:

(A) *“By way of crossing only” means that the railroad train is traveling to an ultimate or intermediate destination where goods or cars will be delivered or picked up or it is in motion on its way toward a yard or terminal when it passes over an intersection or right of way used by motorized or non-motorized vehicles or pedestrians;*

(B) *“Occupy” or “occupation” means part of a railroad train is standing stationary over an intersection or right of way or is close enough to an intersection or right of way to trigger the closing of gates or other safety device thereby preventing the passage of motorized vehicles, non-motorized vehicles or pedestrians across the intersection(s) for more than 15 minutes;*

(C) *“Schuylkill River East Side Railroad Company” means the Schuylkill River East Side Railroad Company, its successors in interest and alter egos.*

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SECTION 2[1]

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SECTION 3[2]

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6. *No operator of any railroad train shall operate it so as to allow any part of it to occupy the intersection of the railroad and any mapped or open, public street or a right of way used by non-motorized vehicles including bicyclists or pedestrians. When the railroad's right of passage over a right of way, street or intersection is specified to be by way of crossing only, no occupation of the street or intersections of the street and railroad is permitted.*

SECTION 4[3]

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SECTION 5[4]

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SECTION 6[5]

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SECTION 7[6]

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SECTION 8[7]

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SECTION 9[8]

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SECTION 10[9]

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SECTION 11[10]

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SECTION 12[11]

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SECTION 13[12]

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SECTION 14[13]

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SECTION 15[14]

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SECTION 16[15]

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SECTION 17[16]

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SECTION 18[17]

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Explanation:

[Brackets] indicate matter deleted.
Italics indicate new matter added.

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