

**ORDINANCE # 33  
DECLARING SPEEDING TRAINS A  
NUISANCE**

**REAFFIRMED BY # 36**

ORDINANCE NO. 33

AN ORDINANCE OF THE CITY OF DANBURY, TEXAS, DECLARING THAT SPEEDING TRAINS ARE A NUISANCE AND HAZARD, ESTABLISHING A SPEED LIMIT FOR TRAINS WITHIN THE CITY LIMITS OF FIFTEEN (15) MILES PER HOUR, PROVIDING A PENALTY FOR THE VIOLATION THEREOF, DECLARING AN EMERGENCY, AND OTHER THINGS.

WHEREAS, there are numerous trains carrying dangerous chemicals and explosives passing through the city limits of Danbury at great rates of speed, having heretofore contributed to one disaster within said city limits, and posing a constant threat of similar occurrences, all to the detriment of the inhabitants of said city, and affecting the peace, health, safety and welfare of said inhabitants, and

WHEREAS, it is the opinion of the City Council of said city that this nuisance and dangerous condition can be in great measure corrected by regulating the speed of trains as they pass through the city:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DANBURY, BRAZORIA COUNTY, TEXAS, duly assembled at a regular monthly meeting, with a quorum present, as follows, to-wit:

I.

From and after the effective date of this Ordinance, it shall be unlawful for any person, firm, partnership, group, corporation or governmental agency to operate, or cause to be operated, a train at any point within the city limits of the City of Danbury, Brazoria County, Texas, at a rate of speed in excess of fifteen (15) miles per hour.

II.

For the purposes of this Ordinance, the word "train" shall mean any vehicle, engine, or series of engines, and regardless of how many other cars or vehicles are attached thereto, which is caused to be moved on a railroad track.

### III.

For the purposes of this Ordinance, the word "operate" shall mean drive or cause to move, and shall apply to the person who is actually present and in charge of the train in question in each offense.

### IV.

For the purpose of this ordinance, the term "cause to be operated" shall refer to the person, firm, partnership, group, corporation or governmental agency who owns, rents, leases or otherwise has control and exercises color of ownership of the "train" in question in each offense.

### V.

Any person, firm, partnership, group, corporation or governmental agency who shall violate any of the provisions of this Ordinance shall be guilty of a misdemeanor, and upon conviction shall be fined any sum not exceeding Two Hundred (\$200.00) Dollars, and in every case where the violator shall be a corporation, and shall violate any provisions of this ordinance, the president, vice president, secretary and treasurer of any such organization, or any manager, agent or employee of such corporation shall be also severally liable for the penalty herein provided.

### VI.

That if any part of this Ordinance is, or should be held invalid for any reason, then that fact shall not invalidate the entire ordinance, but the balance thereof shall be in full force and effect.

### VII.

Whereas, trains loaded with dangerous chemicals and explosives speeding through the city limits of said City have and do create a nuisance and affect the public health, comfort, safety and welfare of the citizens of said town, and are a constant fire hazard to said City, thereby creating an emergency, all necessitating that this Ordinance become effective at once, and it is accordingly

Ordained that this Ordinance become effective immediately upon its passage  
and shall take effect and be in force from its passage.

SIGNED AND APPROVED AND ATTESTED this 5th day of March, 1968.

Paul D. Harvey  
Mayor

ATTEST:

Betty R. Walker  
Secretary