

Decision No. 21730

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Pacific Electric Railway Company, a corporation, for authority to construct a single spur track at grade across Tivy Street in the City of Los Angeles, State of California.)

) Application No.16002

BY THE COMMISSION:

ORIGINAL

ORDER

Pacific Electric Railway Company, a corporation, filed the above entitled application with this Commission on the 10th day of October, 1929, asking for authority to construct a spur track at grade across Tivy Street in the City of Los Angeles, County of Los Angeles, State of California, as hereinafter set forth. The necessary franchise or permit (Ordinance No.64878) has been granted by the City Council of said City for the construction of said crossing at grade. It appears to this Commission that the present proceeding is not one in which a public hearing is necessary; that it is neither reasonable nor practicable at this time to provide a grade separation or to avoid a grade crossing at the point mentioned in this application with said Tivy Street and that this application should be granted subject to the conditions hereinafter specified, therefore

IT IS HEREBY ORDERED that permission and authority be and it is hereby granted to Pacific Electric Railway Company to construct a spur track at grade across Tivy Street in the City of Los Angeles, County of Los Angeles, State of California, at the location hereinafter particularly described and as shown by the map (C.E.8133) attached to the application.

DESCRIPTION OF CROSSING

Beginning at a point in the southeasterly line of Tivy Street, distant southwesterly thereon 131.5 feet from the southwesterly line of Washington Street thence northwesterly parallel with the center line of Washington Street to a point in the northwesterly line of Tivy Street.

The above crossing shall be identified as Crossing No.6L-2.28-C.

Said crossing to be constructed subject to the following conditions, and not otherwise:

(1) The entire expense of constructing the crossing together with the cost of its maintenance thereafter in good and first-class condition for the safe and convenient use of the public, shall be borne by applicant.

(2) Said crossing shall be constructed equal or superior to type shown as Standard No.2, in General Order No.72 of this Commission and shall be constructed of a width to conform to that portion of said street now graded, with the tops of rails flush with the roadway, and with grades of approach not exceeding two (2) per cent; shall be protected by a Standard No.1 crossing sign as specified in General Order No.75 of this Commission and shall in every way be made suitable for the passage thereover of vehicles and other road traffic.

(3) No train, engine, motor or car shall be operated over said crossing unless said train, engine, motor or car shall be under full control and unless traffic on the street be protected by a member of the train crew or other competent employe acting as flagman.

(4) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossing.

(5) If said crossing shall not have been installed within one year from the date of this order, the authorization herein

granted shall then lapse and become void, unless further time is granted by subsequent order.

(6) The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said crossing as to it may seem right and proper, and to revoke its permission if, in its judgment, the public convenience and necessity demand such action.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 2nd day of October, 1929.

Frank Lott
Ch. Seavey
Ernest Lott
Leon Whitney
M. J. Carr
Commissioners.