

327G.81 Maintenance of improvements along rights of way.

A person, including a state agency or political subdivision of the state, who acquires a railroad right of way after July 1, 1979 for a purpose other than farming has all of the following responsibilities concerning that right of way:

1. Construction, maintenance and repair of the fence on each side of the property, however, this requirement may be waived by a written agreement with the adjoining landowner.
2. Private crossings as provided for in section 327G.11.
3. Drainage as delineated in chapter 468, subchapter V.
4. Overhead, underground or multiple crossings in accord with section 327G.12.
5. Weed control in accord with chapter 317.

This section does not absolve the property owners of other duties and responsibilities that they may be assigned as property owners by law. Subsection 1 does not apply to rights of way located on land within the corporate limits of a city except where the acquired right of way is contiguous to land assessed as agricultural land.

[C81, § 327G.81]