CHAPTER 230

PUBLIC WAREHOUSES, ELEVATORS, COAL SHEDS; SITES

230.09	RAILROAD RIGHT-OF-WAY; USE FOR CERTAIN PURPOSES.	230.10	PROCEDURE UPON DISAGREEMENT WITH RAILROAD.
		230.11	HEARING; ORDER.

230.01 MS 1961 [Repealed, 1963 c 60 s 1]

230.02 MS 1961 [Repealed, 1963 c 60 s 1]

230.03 MS 1961 [Repealed, 1963 c 60 s 1]

230.04 MS 1961 [Repealed, 1963 c 60 s 1]

230.05 MS 1961 [Repealed, 1963 c 60 s 1]

230.06 MS 1961 [Repealed, 1963 c 60 s 1]

230.07 MS 1961 [Repealed, 1963 c 60 s 1]

230.08 MS 1961 [Repealed, 1963 c 60 s 1]

230.09 RAILROAD RIGHT-OF-WAY; USE FOR CERTAIN PURPOSES.

On paying reasonable compensation a person, firm, or corporation shall have the right to use the right-of-way of a railroad within the outside switches at a station or siding for any of the following purposes:

(1) as a site for a public elevator, warehouse, coal shed, icehouse, buying station, or selling station;

(2) as a location for weighing scales or other equipment for weighing livestock; or

(3) for receiving, storing, or distributing an article of commerce that has been or is to be transported.

History: *(5106) 1921 c 140 s 1; 1925 c 177 s 1; 1989 c 197 art 2 s 1*

230.10 PROCEDURE UPON DISAGREEMENT WITH RAILROAD.

If a person, firm, or corporation (1) desires to construct, operate, or use a public elevator, warehouse, coal shed, icehouse, buying station, selling station, or weighing scales or other equipment for weighing livestock, or to use ground space for receiving, storing, or distributing an article of commerce that has been or is to be transported, on the right-of-way of a railroad, and (2) cannot agree with the railroad operator on the site for the buildings, structures, equipment, or ground space or the compensation to be paid, the person, firm, or corporation may file a verified complaint with the Department of Agriculture. The complaint must state the facts and ask the department to establish the site for the buildings, structures, equipment, or ground space or the compensation to be paid, or both. The complaint must be served on the railroad company and 20 days, exclusive of the day of service, must be allowed for answer. After the time for answering has expired, the department shall fix the time and place for a hearing and give at least ten days' notice to both parties.

History: *(5107) 1921 c 140 s 2; 1925 c 177 s 2; 1971 c 25 s 67; 1980 c 442 s 5; 1989 c 197 art 2 s 1*

230.11 HEARING; ORDER.

The hearing must be held pursuant to the notice. If the department finds that the complainant is entitled to it, the department may issue an order establishing the location of the site for buildings, structures, equipment, or ground space at a suitable place within the outside switches at any station or siding, and fixing the reasonable annual compensation to be paid for the space. If buildings, structures, equipment, or ground space are already established or used on the right-of-way and the compensation is not fixed by order of the department or by contract, the department may fix the reasonable compensation to be paid for the occupation of the space.

History: *(5108) 1921 c 140 s 3; 1971 c 25 s 67; 1989 c 197 art 2 s 1*