

Public Safety
12-19-16

16-1173

RESOLUTION

REGULATION OF TRAIN HORNS

WHEREAS, the U.S. Congress voted to preempt local communities from governing when trains can use their horns by directing the Federal Railroad Administration to promulgate a ruling on horn usage at crossings and the Federal Railroad Administration mandated that trains shall use their horns at at-grade crossings in all communities twenty-four hours a day; and

WHEREAS, train horns disrupt, if not destroy, the tranquility and quality of City of Manitowoc, Wisconsin neighborhoods; and

WHEREAS, elected officials should not legislate in a manner which reduces the quality of life for residents of the City of Manitowoc, Wisconsin; and

WHEREAS, the loss of local control to regulate train horns is contrary to the principles of home rule and democracy.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Common Council of the City of Manitowoc hereby urges the U.S. Congress to repeal the provisions of Public Law 103-440, 1994, Sec. 302, returning local authority over the use of train horns to local communities.

BE IT FURTHER RESOLVED, that the Mayor and Common Council of the City of Manitowoc objects to the removal of local controls and request the return of local authority over the use of horns within cities and villages by regulatory rule or legislative appeal.

AND BE IT FINALLY RESOLVED, that a copy of this resolution be sent to U.S. Senator Ron Johnson, U.S. Senator Tammy Baldwin, and U.S. Representative Glenn Grothman.

INTRODUCED DEC 19 2016 _____

ADOPTED _____

APPROVED _____

Justin M. Nickels, Mayor

This resolution was drafted by Kathleen M. McDaniel, City Attorney

Fiscal Impact: n/a
Funding Source: n/a
Finance Director Approval: /sc
Approved as to form: /kmm