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City of West Allis Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
2004-0128	Communication	In Committee
	Communication from City Engineer regarding the new train whistle/horn rule.	
	Introduced: 3/2/2004	Controlling Body: Public Works Committee

COMMITTEE RECOMMENDATION Please on file

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>3-2-04</u>			Barczak				
			Czaplewski				
			Kopplin				
			Lajsic				
			Narlock	✓			
			Reinke				
			Sengstock				✓
			Trudell	✓			
		✓	Vitale	✓			
	✓		Weigel	✓			
			TOTAL	<u>4</u>	<u>1</u>		<u>1</u>

SIGNATURE OF COMMITTEE MEMBER (RECORDER)

Rob Trudell _____
 Chair Vice-Chair Member

COMMON COUNCIL ACTION **PLACE ON FILE**

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>MAR 02 2004</u>			Barczak	✓			
			Czaplewski	✓			
			Kopplin	✓			
			Lajsic	✓			
	✓		Narlock	✓			
			Reinke	✓			
			Sengstock				
			Trudell	✓			
		✓	Vitale	✓			
			Weigel	✓			
			TOTAL	<u>9</u>	<u>1</u>		<u>1</u>



CITY OF WEST ALLIS

WISCONSIN



Engineering Department

March 2, 2004

MICHAEL G. LEWIS
City Engineer

Board of Public Works
City of West Allis
West Allis, WI 53214

RE: Railroad Whistle/Horn Rule

Dear Board Members:

The Federal Department of Transportation's Federal Railroad Administration (FRA) is proposing a long-delayed rule regarding railroad train whistles. Under the guise that the new rule will mean less noise for "millions of Americans living near railroad crossings", the new rule actually will create more noise and more expense to local municipalities.

Section 7.035 of the Revised Municipal Code (Section 7 is Health and Sanitation), states that "it shall be unlawful for any person owning or operating any railroad, or any of its agents and employees, to cause the ringing of any bell or the blowing of any whistle or horn within the City limits on any locomotive under its control, except in the event of an emergency to avoid an impending accident." The Revised Municipal Code was passed in 1962, so this Section is at least that old.

Via the usual Federal double talk, they are claiming the new rule allows great municipal relief from train whistles, when in fact we have had relief since at least 1962. But in order to continue this relief, this **500 page** rule forces us to establish a "risk index" that would be used to determine where specific upgrades would need to be made at our cost in order to keep the quiet zone.

The final rule takes effect December 18, 2004 and communities with existing whistle bans have 5 years to implement the requirements. We will keep the Board informed of the impacts of this new rule.

Respectfully,

Michael G. Lewis
City Engineer

MGL/mgl

Cc: Mayor Jeannette Bell
Paul Ziehler, CAO
Michael Pertmer, Director of Public Works

City Hall, 7525 West Greenfield Avenue 53214 ■ Phone (414)302-8360 ■ Fax (414)302-8366 ■ TDD (414)302-8432

mlewis@ci.west-allis.wi.us ■ <http://www.ci.west-allis.wi.us>