

THE CITY OF SPRUCE GROVE

BYLAW C-1018-17

TRAIN WHISTLE CESSATION BYLAW

WHEREAS, pursuant to the *Municipal Government Act*, R.S.A., 2000, c.M-26, a municipality shall pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property;

WHEREAS, the *Railway Safety Act*, R.S.C. 1985, c.32 (4th Supplement), legislates to ensure the safe operation of railways within Canada;

WHEREAS, the *Railway Safety Act*, R.S.C. 1985, c.32 (4th Supplement), provides that a Council of a municipality may, in appropriate circumstances, prohibit the use of the whistle on any railway equipment in an area within the municipality;

AND WHEREAS, the City of Spruce Grove has determined that continued exposure to the noise of train whistles at various times of the day and night is not in the long term interest of the health and welfare of the citizens of the municipality, and that all locations identified in Schedule "A" shall be included as a prohibited train whistle crossing.

NOW THEREFORE, the Council for the City of Spruce Grove, duly assembled hereby enacts as follows:

1. BYLAW TITLE

- 1.1 That this Bylaw C-1018-17 shall be known as the "Train Whistle Cessation Bylaw".

2. TRAIN WHISTLE PROHIBITION

- 2.1 Except as hereinafter provided, the sounding of whistles on any railway equipment at a railway crossing within the boundaries of the City of Spruce Grove is hereby prohibited. Railway Crossings include all locations identified in Schedule "A", which forms part of this bylaw.

3. EXCEPTIONS

- 3.1 Section 2 of this Bylaw shall not prohibit the use of a whistle if:
 - a. there is an emergency;
 - b. any rules in force under section 19 or 20 of the *Railway Safety Act*, as amended, requires its use; or

- c. a railway safety inspector orders its use under section 31 of the *Railway Safety Act*, as amended.

4. EFFECTIVE DATE

- 4.1 This bylaw shall come into force and effect when it receives third reading and is duly signed.

First Reading Carried 25 September 2017

Second Reading Carried 25 September 2017

Third Reading Carried 10 October 2017

Date Signed 11 October 2017

Mayor

City Clerk



1	Mile 19.00 Edson Subdivision Century Road
2	Mile 20.04 Edson Subdivision Golden Spike Road
3	Mile 21.02 Edson Subdivision Campsite Road

SCHEDULE A