MOVED BY COUNCILLOR MCCARTHY

SECONDED BY COUNCILLOR

WHEREAS the use of train whistles at the Canadian Pacific Railway crossing located in Ward 15 at Parkside Drive and Canadian Pacific Railway mile 65.67 is deemed a nuisance to area residents;

AND WHEREAS the subject railway crossing currently meets the Transport Canada Warning System Requirement for the cessation of train whistles;

AND WHEREAS the City has undertaken such work as was recommended by the safety audit, commissioned in 2006 by the City, to correct certain deficiencies at the subject railway crossing;

NOW THEREFORE BE IT RESOLVED

That subject to the satisfaction of the Canadian Pacific Railway with the aforesaid safety audit, the Mayor and the City Clerk are hereby authorized and directed to execute an agreement and all ancillary documents thereto, each satisfactory to the City Solicitor, with the Canadian Pacific Railway whereby;

(a) Such insurance as properly manages liability at the subject railway crossing be established, naming both the City and the Canadian Pacific Railway as insured parties, and that the costs for same be shared between the City and the Canadian Pacific Railway;

(b) The Canadian Pacific Railway will issue such special instructions as are necessary to eliminate the use of train whistles at the subject railway crossing Parkside Drive and Canadian Pacific Railway mile 65.67.