



Attachment # 2

City of New Westminster Bylaw

7698, 2014

CORPORATION OF THE CITY OF NEW WESTMINSTER

BYLAW NO. 7698, 2014

A bylaw to regulate the sounding of train engine whistles at specified railway/roadway at-grade crossings in the City of New Westminster pursuant to the Railway Safety Act [SBC 2004] Chapter 8 and the Railway Safety Adopted Provisions Regulation (B.C. Reg 210/2004).

WHEREAS pursuant to Section 9 (1) of the *Railway Safety Act* [SBC 2004], the Province of British Columbia may adopt by regulation provisions of the *Railway Safety Act (Canada)*;

AND WHEREAS pursuant to Section 3 of the *Railway Safety Adopted Provisions Regulation* (B.C. Reg 210/2004) the Province has wholly adopted the provisions of Section 23.1 of the *Railway Safety Act (Canada)*;

AND WHEREAS pursuant to Section 23.1 of the *Railway Safety Act (Canada)*, a municipality may by resolution declare that train engine whistles not be used in a specified area within a municipality;

AND WHEREAS Council deems it desirable that railways cease the sounding of train engine whistles at the railway/roadway at-grade crossings listed in Schedule "A" attached hereto;

NOW THEREFORE the City Council of the Corporation of the City of New Westminster in open meeting assembled **HEREBY ENACTS AS FOLLOWS:**

1. Railways are relieved of the obligation under the Canadian Railway Operating Rules for the sounding of train engine whistles at all railway/roadway at-grade crossings in the City of New Westminster, in accordance with the provisions of Section 3 of the *Railway Safety Adopted Provisions Regulation* (B.C. Reg 210/2004) and, Section 23.1 of the *Railway Safety Act (Canada)*.
2. This By-law shall come into full force and effect on the day upon which the BC Safety Authority or Transport Canada confirms in writing that the railway/roadway at-grade crossings listed in Schedule "A" meet the safety and technical standards required for cessation of train engine whistling in accordance with the provisions under the *Railway Safety Act* [SBC 2004] Chapter 8 and the *Railway Safety Adopted Provisions Regulation* (B.C. Reg 210/2004) and, Section 23.1 of the *Railway Safety Act (Canada)*.


3. This By-law may be cited for all purposes as the "New Westminster Train Whistle Cessation Bylaw 7698, 2014."


GIVEN FIRST READING this 7th day of July, 2014.

GIVEN SECOND READING this 7th day of July, 2014.

GIVEN THIRD READING this 7th day of July, 2014.

ADOPTED and the Seal of the Corporation of the City of New Westminster affixed this 25th day of August, 2014.


MAYOR **MAYOR WAYNE WRIGHT**


CORPORATE OFFICER
JAN GIBSON, ACTING CORPORATE OFFICER

SCHEDULE "A"

Rail Level Crossings where the Railway Companies and their train crews are relieved from the responsibility for sounding train engine whistles:

| <u>RAILWAY</u> | <u>SUBDIVISION</u> | <u>MILEAGE</u> | <u>HIGHWAY</u> |
|----------------|----------------------|----------------|-------------------------------|
| SRY Rail Link | Marpole Spur | 15.14 | Twentieth Street |
| SRY Rail Link | Fraser Valley Sub | 0.06 | Begbie Street |
| SRY Rail Link | Queensborough Branch | 0.30 | Quayside Drive |
| SRY Rail Link | Queensborough Branch | 0.69 | Port Royal |
| SRY Rail Link | Annacis Connector | 0.07 | Ewen Avenue at Furness Street |
| SRY Rail Link | Annacis Connector | 0.21 | Ewen Avenue at Mercer Street |
| SRY Rail Link | Annacis Connector | 0.34 | Ewen Avenue at Stanley Street |
| SRY Rail Link | Annacis Connector | 0.63 | Salter Street |