

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.”

**Adopted August 25, 2014**

Doc# 569547

SCHEDULE "A"

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**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