



Legislation Details (With Text)

**File #:** 041093      **Version:** 2

**Type:** Ordinance      **Status:** Passed

**File created:** 11/23/2004      **In control:** PUBLIC SAFETY COMMITTEE

**On agenda:**      **Final action:** 7/26/2005

**Effective date:**

**Title:** A substitute ordinance establishing a railroad quiet zone.

**Sponsors:** ALD. WITKOWSKI

**Indexes:** NOISE CONTROL, NUISANCES, RAILROADS

**Attachments:** 1. E-mail message.PDF, 2. Communication from City Engineer.PDF, 3. Fiscal Note.PDF, 4. Communication-Dept. of Transportation.PDF, 5. City Attorney's Opinion 6/28/05.PDF, 6. City Attorney's Opinion 7/20/05.PDF, 7. Notice Published on 8-11-05.PDF

Date	Ver.	Action By	Action	Result	Tally
11/23/2004	0	COMMON COUNCIL	ASSIGNED TO		
5/19/2005	1	CITY CLERK	DRAFT SUBMITTED		
6/17/2005	0	PUBLIC SAFETY COMMITTEE	HEARING NOTICES SENT		
6/23/2005	0	PUBLIC SAFETY COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
7/6/2005	0	COMMON COUNCIL	HELD IN COUNCIL	Pass	15:0
7/26/2005	1	COMMON COUNCIL	PASSED	Pass	14:1
7/26/2005	1	PUBLIC SAFETY COMMITTEE	SUBSTITUTED	Pass	5:0
7/26/2005	2	PUBLIC SAFETY COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
7/26/2005	2	CITY CLERK	DRAFT SUBMITTED		
8/2/2005	1	MAYOR	SIGNED		
8/11/2005	2	CITY CLERK	PUBLISHED		

041093  
SUBSTITUTE 2

ALD. WITKOWSKI  
A substitute ordinance establishing a railroad quiet zone.  
105-25 cr

This ordinance establishes a railroad "quiet zone" along the Canadian Pacific Railroad's mainline between West Layton Avenue and West Holt Avenue within which the blowing of train horns for non-emergency purposes is prohibited.

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 105-25 of the code is created to read:

**105-25. Railroad Quiet Zone.**

1. DEFINITION. In this section, "quiet zone" refers to the area along the Canadian Pacific Railroad's mainline tracks between West Layton Avenue (Milepost 0079.71) and West Holt Avenue/South 6<sup>th</sup> Street (Milepost 0081.36), within which the blowing of train horns for non-emergency purposes is prohibited.

2. PROHIBITION. No railroad company or any of its agents or employees shall blow any horn or whistle within the quiet zone.

3. EXCEPTION. Nothing in this section shall be construed as forbidding or prohibiting the blowing of whistles or horns as signals of warning in case of peril or fire, collision, or other imminent danger.

Part 2. This ordinance takes effect September 1, 2005.

APPROVED AS TO FORM

\_\_\_\_\_  
Legislative Reference Bureau

Date: \_\_\_\_\_

IT IS OUR OPINION THAT THE ORDINANCE  
IS LEGAL AND ENFORCEABLE

\_\_\_\_\_  
Office of the City Attorney

Date: \_\_\_\_\_

LRB04473-4

TWM/cac

7/25/2005