

**TOWN OF BERTHOUD, COLORADO
RESOLUTION NO. 11-16**

**A RESOLUTION REGARDING FEDERAL RAILROAD ADMINISTRATION RULES
AND PROCEDURES**

WHEREAS, the Town Council of the Town of Berthoud ("Town") pursuant to C.R.S. § 31-15103, has the power to pass resolutions; and

WHEREAS, the Federal Railroad Administration (FRA) is opening its rules regarding train horn noise; and

WHEREAS, the FRA is requesting public comment on the train horn rules and the establishment of quiet zones; and

WHEREAS, the use of train horns directly impacts the quality of life in a community and the Town Administration has received numerous complaints regarding train horn usage.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BERTHOUD, COLORADO as follows:

Section 1. Changes to FRA Rules. The Town of Berthoud requests the following changes to FRA Rules and/or processes:

- a. The FRA should allow train engineers greater discretion when blowing their horns at night. Allowing them to choose not to blow horns between the hours of 10 p.m. and 6 a.m. will minimize the disruption to neighboring homes.
- b. FRA rules should allow greater flexibility in the design of quiet zones to fit specific community and site circumstances. The crossing geometry, train speed, pedestrian and vehicular volumes as well as community values should be considered on a case by case basis versus a one-size fits all quiet zone design.
- c. FRA rules should provide certainty that quiet zones will be recognized for their life when communities spend large amounts of money to create them. Instead, the current rules do not guarantee that after these investments the quiet zone status will be granted indefinitely.
- d. The Federal Government should, in concert with other departments such as Housing and Urban Development, establish a dedicated funding source to assist communities with the costs of quiet zone implementation.
- e. Train speed should be considered when establishing quiet zones. When trains are at low speed, the duration of the mandatory train horn blast that must continue to sound until the lead locomotive occupies the grade crossing is extremely long.

- f. The FRA should review their quiet zone application procedures to capture common and new technology such as on-line applications. In addition the use of Skype or other methods of on-line communication would greatly improve timeliness rather than time consuming on-site visits.
- g. The FRA should establish a grant program that provides local entities financial assistance with testing innovative safety measures rather than the entire research burden being placed on the local governments.

INTRODUCED, MOVED, AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF BERTHOUD, ON 28 Jun, 2016.

TOWN OF BERTHOUD, COLORADO


MAYOR PRO TEM

David Gregg, Mayor

ATTEST:



Alisa Darrow, Town Clerk