

SAFETY  
3/28/23

# RECORD OF ORDINANCES

Ordinance No. 04-27-2023 Passed 4-4, 20 23

**A RESOLUTION URGING THE LEGISLATIVE BRANCHES OF THE FEDERAL GOVERNMENT AS WELL AS THE STATE OF OHIO TO ENACT LEGISLATION TO FURTHER PROTECT THE CITIZENS OF THE CITY OF CIRCLEVILLE, OHIO FROM THE INHERENT DANGERS OF A TRAIN DERAILMENT ON THE TRACTS LOCATED AT OR NEAR OUR CITY AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City of Circleville has commercial train tracts located throughout the City; and

**WHEREAS**, certain train operators operate on our train tracks, twenty-four (24) hours a day, seven (7) days a week, known commonly as Amtrak, BNSF Railway, Canadian National Railway, CSX Transportation, Kansas City Southern Railway Norfolk Southern Railway, Union Pacific Railroad as well as other lines; and

**WHEREAS**, railway derailments have occurred twice in the State of Ohio in the past sixty (60) days and said incidents have caused and will continue to cause significant medical issues to the residents of the communities where the incidents occurred and the incidents caused and will continue to cause serious damage to the infrastructure located at or near the site of the derailments and said incidents have caused and will continue to cause serious damage to the ecosystems at or near the site; and

**WHEREAS**, further regulation of train operators operating in the City of Circleville relating to the tracks, rail cars, and employees is needed to provide the citizens throughout the State of Ohio with enhanced protection from injury and damage due to any future train derailments.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CIRCLEVILLE, PICKAWAY COUNTY, OHIO AS FOLLOWS:**

**SECTION I:** The Council of the City of Circleville finds that it is in the best interest of the citizens of the city to pass a resolution urging the Legislative Branches of the Federal government as well as the State of Ohio to enact legislation to further protect our citizens from the inherent dangers of train tracks located in or near the City of Circleville.

**SECTION II:** That it is found and determined that all formal actions of this Council concerning and relating to this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements, included Section 121.22 of the Ohio Revised Code.

**SECTION III:** That this resolution is hereby declared to be an emergency measure, immediately necessary for the preservation of the health, safety and welfare of said City and shall take effect and be in force immediately upon its passage and approval by the Mayor.

PASSED: 4-4-2023 Bruce P. Kelly  
DATE PRESIDENT OF COUNCIL

ATTEST: Laura M. Chung  
CLERK OF COUNCIL

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APPROVED: 4-4-23  
DATE

William R. Miley  
MAYOR

APPROVED AS FORM:

Gary D. Kenworthy  
GARY D. KENWORTHY - LAW DIRECTOR

REVIEWED BY LAW DIRECTOR  
AND APPROVED AS TO FORM