

RESOLUTION NO. 54-2021

INTRODUCED BY: MAYOR JAMES P. GRAVEN

**A RESOLUTION IN SUPPORT OF H.B. NO. 361 TO PROVIDE FOR
NEW REQUIREMENTS AND INCREASED PENALTIES FOR
BLOCKED RAILROAD CROSSINGS AND DECLARING AN
EMERGENCY**

WHEREAS, State of Ohio H.B. No. 361 currently pending in the 130th General Assembly seeks to amend Sections 121.95 and 5589.99 to enact new section 5589.25 of the Revised Code to establish new requirements and increased penalties that apply to a railroad company that unlawfully block a railroad crossings; and

WHEREAS, H.B. No. 361 would require a railroad company to submit to the Public Utilities Commission of Ohio an incident report each time a train blocks a crossing for more than five (5) minutes to the hindrance of traffic; and

WHEREAS, H.B. No. 361 proposes a Five Thousand Dollar (\$5,000.00) fine for a first violation and Ten Thousand Dollar (\$10,000.00) fine for subsequent violations; and

WHEREAS, this issue is pertinent to Olmsted Fall, as there is on the average 85 train crossings each day in the city, and specifically on October 20, 2021, a train blocked the crossings at Mapleway; Brookside; Columbia; and Lewis for nearly five (5) hours, causing undue hardship on the transportation of our residents; and

WHEREAS, the Mayor encourages City Council to join him in support of amendments to Ohio law imposing new requirements and increased penalties. Now therefore,

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OLMSTED FALLS,
CUYAHOGA COUNTY, STATE OF OHIO, THAT:**

SECTION 1. The Mayor and Council of the City of Olmsted Falls hereby express their support to H.B. No. 361 and further urges the adoption by the General Assembly of H.B. No. 361.

SECTION 2. That a copy of this Resolution be forwarded to State Senator Matt Dolan and State Representative Tom Patton.

SECTION 3. The Council finds and determines that all formal actions of this Council relating to the adoption of this Resolution have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

