

ORDINANCE RECORD

VILLAGE OF NEWBURGH HEIGHTS, OHIO

RESOLUTION NO. 23-17

INTRODUCED BY: Mayor Traore

**URGING CONGRESS AND THE OHIO GENERAL ASSEMBLY TO ENACT LEGISLATION TO PROTECT NEWBURGH HEIGHTS RESIDENTS AND OHIO CITIZENS FROM INHERENT DANGERS OF TRAIN DERAILMENT; AND URGING CONGRESS TO PASS SENATE BILL 576: THE RAILWAY SAFETY ACT OF 2023.**

WHEREAS, the Village of Newburgh Heights has commercial train tracks, controlled and utilized by Norfolk Southern Railway, operating daily near the community; and

WHEREAS, railway derailments or accidents have occurred during the past two months in the cities of East Palestine, Springfield, and Cleveland, resulting in the death of a Norfolk Southern train conductor, a release of hazardous materials into the air and groundwater, and causing residents of the surrounding communities to flee their homes; and

WHEREAS, these railway derailments have caused significant medical issues to the residents of the impacted communities, serious damage to the infrastructure and ecosystems of the nearby sites, and

WHEREAS, further regulation of train operations relating to the tracks, routes, railcars, employees and hazardous materials protocols is needed to provide the citizens throughout the State of Ohio with enhanced protections from injury and damage due to future train derailments; and

WHEREAS, on March 1, 2023, Ohio's U.S. Senators JD Vance and Sherrod Brown introduced federal bipartisan legislation, Senate Bill 576: The Railway Safety Act of 2023, aimed at preventing future, man-made rail disasters; and

WHEREAS, Norfolk Southern Railway and CSX have significant property holdings within the state including, but not limited to tracks, bridges, embankments and abutment walls, for which the conditions are aging, deteriorating and in need of repair; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF NEWBURGH HEIGHTS:

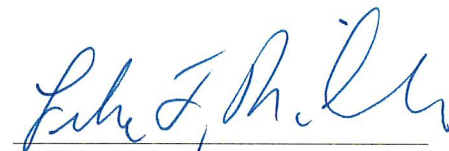
Section 1. That the Village of Newburgh Heights' Office of the Mayor and Council urges Congress and the Ohio General Assembly to enact legislation to protect local residents and its citizens from inherent train derailment dangers; and urging Congress to pass Senate Bill 576: The Railway Safety Act of 2023.

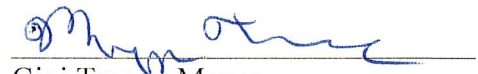
Section 2. That the Clerk of Council is directed to transmit copies of this resolution to U. S. Senators JD Vance and Sherrod Brown and all members of the Ohio General Assembly representing the Village of Newburgh Heights.

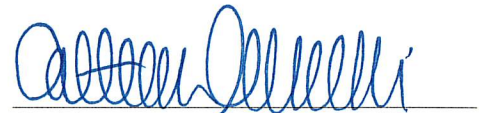
Section 3. This Resolution is hereby determined to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the Village and its residents; said Resolution shall be in full force and effect immediately upon its adoption by the Council and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: April 4, 2023

Approved as to Form

  
Solicitor

  
Gigi Traore, Mayor  
Village of Newburgh Heights, Ohio

  
Cathleen Nagowski, Fiscal Officer  
Village of Newburgh Heights, Ohio

1<sup>ST</sup> Reading: 4/4/2023  
2<sup>ND</sup> Reading: 4/4/2023  
3<sup>RD</sup> Reading: 4/4/2023