

ORDINANCE NO. 306

AN ORDINANCE OF MOUNTVILLE BOROUGH, LANCASTER COUNTY, PENNSYLVANIA, PROVIDING FOR THE ELIMINATION OF A GRADE CROSSING ON SPRING STREET AT THE NORFOLK SOUTHERN RAILROAD LINE.

WHEREAS, it is within the authority of Borough of Mountville to voluntarily eliminate grade crossings within the Borough road system; and

WHEREAS, it has been determined reasonably necessary in the interest of public safety to eliminate highway grade crossing, Spring Street - DOT# 517595P, RR Milepost ZL-75.12; and

WHEREAS, it has been determined that the enhancement of public safety resulting from such elimination of the grade crossing will outweigh any inconvenience to the reasonable passage of public traffic, specifically including without limitation emergency vehicle traffic, caused by rerouting such traffic; and

WHEREAS, the closing of the crossing Spring Street - DOT# 517595P, RR Milepost ZL-75.12; and

WHEREAS, the Borough has agreed to follow and complete the PUC defined public at-grade closure process.

NOW, THEREFORE, BE IT ORDAINED by the Borough of Mountville as follows:

Section 1. The Borough hereby directs the elimination of the highway grade Crossing, Spring Street - DOT# 517595P, RR Milepost ZL-75.12.

Section 2. A copy of this resolution shall be served on Norfolk Southern Corporation.

Section 3. Norfolk Southern Corporation shall at its expense physically remove the crossing from the tracks and beyond the ends of the crossties on each side and erect approved barricades, to be maintained by the Borough thereafter, and the Borough may remove the remaining approaches to the crossing at its discretion.

Section 4. Upon receipt of a signed resolution and approval of closure from the PUC, Norfolk Southern Corporation will issue an incentive payment of \$15,000 made payable to the Borough of Mountville.

Section 5. Upon receipt of a signed resolution and approval of closure from the PUC, NS will work with PennDOT to initiate a matching funds payment of \$7,500, using Section 130 funds, made payable to the Borough of Mountville.

Section 6. All ordinances or parts of ordinances in conflict herewith are repealed.

ORDAINED AND ENACTED, this 13th day of November, 2023.

By Mountville Borough Council :

(Seal)

Council President

Attest: _____
Secretary

Mayor