

VILLAGE OF OXFORD

Marquette County, Wisconsin

Resolution No. 2019-5

RESOLUTION REQUIRING THE REPAIR OF AN AT-GRADE CROSSING

WHEREAS, North Franklin Avenue (County Road A), a public street in the Village of Oxford, crosses the tracks of the Union Pacific Railroad Company at-grade, and

WHEREAS, section 86.12 of the Wisconsin Statutes requires railroads to maintain public at-grade crossings in good condition and repair for public travel, and

WHEREAS, the North Franklin Avenue crossing is not in good condition and repair for public travel. The Village of Oxford has made numerous attempts to contact representatives from the Union Pacific Railroad Company over the course of the last two years, receiving multiple verbal assurances and written affirmations via email that the matter would be addressed, with no progress resulting in the actual repair of the dangerous crossing causing the Village to be inundated with complaints from the public due to worn planks settling below the level of the rail and revealing protruding spikes, and

WHEREAS, the Village of Oxford hereby requires that the Union Pacific Railroad Company pave, plank, repair, change, or otherwise improve the crossing, as the needs require, and

NOW, THEREFORE, BE IT RESOLVED, that the Village of Oxford hereby directs the Village Clerk to serve a copy of this resolution upon the Union Pacific Railroad Company requiring the railroad to repair the rail-highway crossing North Franklin Avenue (County Road A) with the tracks of the Union Pacific Railroad Company in the Village of Oxford, Marquette County, Wisconsin.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that in the event that the Union Pacific Railroad Company fails to repair the rail-highway crossing within 30 days after service of the resolution, the Village of Oxford hereby directs the Village Clerk and Director of Public Works to take all necessary steps to petition the Office of the Commissioner of Railroads for an investigation and order for the repair of the rail-highway crossing of North Franklin Avenue (County Road A) with the tracks of the Union Pacific Railroad Company in the Village of Oxford, Marquette County, Wisconsin.

Dated this 4th day of September, 2019.

Erwin Meyer, Village President

I hereby certify that the foregoing resolution was duly adopted by the Village of Oxford at a legal meeting on the 4th day of September, 2019.

Shannon McMullin, Village Clerk-Treasurer