

**TITLE VII SPECIAL ORDINANCES
CHAPTER 6 RAILROAD OVERPASS**

1. **7-6-1 Construction of Overpass.** In order to reduce the significant public safety risk and public inconvenience issues posed to citizens of the City of Camanche by railway tracks and the blockage thereof, the City hereby requires the Canadian Pacific Railway, or any other involved railroads, to erect, construct, reconstruct, and complete an overpass over the railway tracks and right-of-way of Canadian Pacific Railway, or any other involved railroads, including the approaches thereto, at a location to be subsequently determined and established by Resolution of the City Council.
2. **7-6-2 Specifications.** The City Council shall, by resolution, establish specifications for the construction of the overpass after consultation with the City Engineer and the public.
3. **7-6-3 Approval by Iowa State Department of Transportation.** The City shall send said specifications to the Iowa State Department of Transportation for approval in accordance with Iowa Code Sec. 364.8.
4. **7-6-4 Public Hearing.** The Council shall hold a hearing on construction of the overpass after specification approval by the Iowa Department of Transportation, and shall give not less than twenty days' notice of the hearing to the railway company or companies involved with said notice being served in the same manner as an original notice in accordance with Iowa Code Sec. 364.8.
5. **7-6-5 Appraisal and Damage Assessment.** After the Iowa Department of Transportation approves the specifications, the City shall appraise and assess all resulting damage from construction of the overpass to private property, and shall pay the damages assessed in accordance with Iowa Code.
6. **7-6-6 Maintenance Costs.** The City shall pay one-half of all required maintenance costs and may allocate the remaining costs among the involved railroads in accordance with Iowa Code Sec. 364.8.
7. **7-6-7 Mandamus.** The City may enforce this Ordinance by an action in mandamus as authorized by Iowa Code Sec. 364.8 and Iowa Code Sec. 327C.16.

(Ord. 789, Passed 2024)