

TITLE VIII - TRANSPORTATION
CHAPTER 1 - STREETS AND ALLEYS

ARTICLE 1
STREET REGULATIONS

8-1.0101 REMOVAL OF WARNING DEVICES.

It shall be unlawful for a person to willfully remove, throw down, destroy or carry away from any highway, street, alley, avenue or bridge any lamp, obstruction, guard or other article or things, or extinguish any lamp or other light, erected or placed thereupon for the purpose of guarding or enclosing unsafe or dangerous places in said highway, street, alley, avenue or bridge without the consent of the person in control thereof.

(Code of Iowa, 1975, Sec. 714.19)

8-1.0102 OBSTRUCTING OR DEFACING STREETS.

It shall be unlawful for any person to obstruct, deface, or injure any public road in any manner.

(Code of Iowa, 1975, Sec. 716.6)

8-1.0103 SPILLING DEBRIS ON STREETS OR HIGHWAY.

It shall be unlawful for any person to spill, throw or deposit on any street or highway any glass bottle, glass, nails, tacks, wire, cans, trash, garbage, rubbish, litter, offal, or any other debris, or any other substance. The scheduled fine will be one hundred dollars (\$100.00) plus court costs and surcharge.

(Ord. 353, 1997: Code of Iowa, 1975, Sec. 321.369)

8-1.0104 INJURING NEW PAVEMENT.

It shall be unlawful for any person to willfully injure new pavement in any street, alley or sidewalk by willfully driving, walking or making marks on such pavement before it is ready for use.

(64th G.A., Ch. 1088, Sec. 21 [2])

8-1.0105 PLAYING IN STREETS.

It shall be unlawful for any person to coast, sled or play games on streets or highways except in the areas blocked off by the chief of police for such purposes.

8-1.0106 EXCAVATIONS.

1. Permit. No person shall dig, excavate or in any manner disturb any street in the city, unless such person shall first obtain a permit therefor as hereinafter provided or as provided in other sections of the city code.

2. Requirements. Before such permit shall be granted, the person shall file with the city administrator a written application. The application shall give an exact description of the property, by lot and street number, in front of or along which it is desired to excavate, state the purpose and for whom and by whom the excavation is to be made, and who will be responsible for the refilling of said ditch and maintaining the affected area in accordance with the excavation provisions of Section 3-3.0114.

8-1.0107 DUMPING OF SNOW.

It shall be unlawful for any person to throw, push, or place or cause to be thrown, pushed or placed, any ice or snow from private property, sidewalks, or driveways onto the traveled way of streets so as to obstruct gutters, or impede the passage of vehicles upon the street or to create a hazardous condition therein; except where, in the cleaning of large commercial drives in the central business district it is absolutely necessary to move the snow onto the streets temporarily, such accumulation shall be removed promptly by the property owner or his agent, and only after first making arrangements for such prompt removal at the owner's cost of the accumulation within a reasonably short time.

ARTICLE 2
CONTROLLED ACCESS FACILITIES

8-1.0201 EXERCISE OF POLICE POWER.

This article shall be deemed an exercise of the police power of the city under Chapter 306A, Code of Iowa, 1973, for the preservation of the public peace, health, safety and for the promotion of the general welfare.

(Code of Iowa, 1975, Sec. 306A.1)

8-1.0202 DEFINITION.

The term "controlled access facility" shall mean a highway or street especially designed for through traffic, and

over, from or to which owners or occupants of abutting land or other persons have no right or easement or only a controlled right of easement of access, light, air or view by reason of the fact that their property abuts upon such controlled-access facility or for any other reason.

(Code of Iowa, 1975, Sec. 306A.2)

8-1.0203 RIGHT OF ACCESS LIMITED.

No person shall have any right to ingress or egress to, from or across any controlled access facility except at such points as may be permitted by the Iowa Highway Commission and designated by ordinance.

(Code of Iowa, 1975, Sec. 306A.4)

8-1.0204 ACCESS CONTROLS IMPOSED ON IOWA #22.

Access to Highway #22 in the city of Buffalo, from Station 188+77.5 (197.5 feet west of Dodge Street) to Station 273+375 ECL shall be limited to the presently existing driveways and entrances as shown below:

Station	Side	Type	Width
189+50	Lt.	Residential	18'
192+23	Lt.	Commercial	42'
196+05	Lt.	Commercial	30'
211+63	Lt.	Residential	24'
218+25	Lt.	Farm Ent.	24'
244+80	Lt.	Commercial	30'
262+35	Lt.	Commercial	30'
198+31	Rt.	Commercial	32'
208+42	Rt.	Commercial	18'
244+50	Rt.	Commercial	24'
262+12	Rt.	Commercial	60'

ARTICLE 3

BUILDING NUMBERING

(Reserved For Future Use)

ARTICLE 4

NAMING OF STREETS

(Reserved For Future Use)

ARTICLE 5
VACATION AND DISPOSAL

8-1.0501 POWER TO VACATE.

When in the judgment of the council it would be in the best interest of the city to vacate a street or alley, or portion thereof, they may do so in accordance with the provisions of this article.

(Code of Iowa, 1975, Sec. 364.12 [2a])

8-1.0502 PLAN COMMISSION.

Any proposal to vacate a street or alley shall be referred by the council to the planning commission for its' study and recommendation prior to further consideration by the council. The planning commission shall submit a written report including recommendations to the council within 30 days of the date the proposed vacation was referred to it.

(Code of Iowa, 1975, Sec. 392.1)

8-1.0503 NOTICE OF VACATION HEARING.

The council shall cause to be published a notice of public hearing at which time the proposal to vacate shall be considered. In addition to published notice, notice shall be posted at least twice on each block along the street or alley proposed to be vacated not more than 25 days nor less than 10 days prior to the date set for the hearing.

8-1.0504 FINDINGS REQUIRED.

No street or alley, or portion thereof, shall be vacated unless the council finds that:

1. Public Use. The street or alley proposed to be vacated is not needed for the use of the public, and, therefore, its maintenance at public expense is no longer justified.

2. Abutting Property. The proposed vacation will not deny owners of property abutting on the street of alley reasonable access to their property.

(Code of Iowa, 1975, Sec. 364.15)

8-1.0505 DISPOSAL OF STREETS OR ALLEYS.

When in the judgment of the council it would be in the best interest of the city to dispose of a vacated street or

alley, or portion thereof, they may do so by resolution following notice and hearing.

(Code of Iowa, 1975, Sec. 364.7)

8-1.0506 DISPOSAL BY GIFT LIMITED.

The city may not dispose of a vacated street or alley, or portion thereof, by gift except to a governmental body for a public purpose.

(Code of Iowa, 1975, Sec. 364.7)

CHAPTER 2 - SIDEWALK REGULATIONS

8-2.01 DEFINITIONS.

For use in this chapter the following terms as defined:

1. "Sidewalk" shall mean all permanent public walks in business, residential or suburban areas.

2. "Broom Finish" shall mean a sidewalk finish that is made by sweeping the sidewalk when it is hardening.

3. "Wood Float Finish" shall mean a sidewalk finish that is made by smoothing the surface of the sidewalk with wooden trowel.

4. "Portland Cement" shall mean any type of cement except bituminous cement.

5. "One-course Construction" shall mean that the full thickness of the concrete is placed at one time, using the same mixture throughout.

6. "Established Grade" shall mean that grade established by this city for the particular area in which a sidewalk to be constructed.

7. "Business District" shall have the same meaning as defined in Section 2.1-2.0102 [5].

8. "Superintendent" shall mean the city street superintendent.

8-2.02 REPAIR, REPLACEMENT OR RECONSTRUCTION.

The council may serve notice on the abutting property owner, by certified mail, requiring him to repair, replace or reconstruct sidewalks within a reasonable time.

(Code of Iowa, 1975, Sec. 364.12 [2d])

8-2.03 CITY ACTION WHEN OWNER FAILS TO PERFORM.

If the abutting property owner does not perform an action required under Section 8-2.02 within the time stated in the notice, the council may require the work to be done and assess the costs against the abutting property for collection in the same manner as a property tax.

(Code of Iowa, 1975, Sec. 364.12 [2e])

8-2.04 SIDEWALK STANDARDS.

Sidewalks repaired, replaced or reconstructed under the provisions of this chapter shall be of the following construction and meet the following standards:

1. Cement. Portland cement shall be the only cement used in the construction and repair of sidewalks.

2. Construction. Sidewalks shall be of one course construction.

3. Sidewalk Base. Concrete may be placed directly on compact and well drained soil. Where soil is not well drained, a three (3) inch sub-base of compact, clean, coarse gravel, sand, or cinders shall be laid. The adequacy of the soil drainage is to be determined by the city.

4. Sidewalk Bed. The sidewalk bed shall be graded to the established grade.

5. Length, Width and Depth.

A. Residential sidewalks shall be at least four (4) feet wide and four (4) inches thick, and each section shall be no more than six (6) feet in length.

B. Business district sidewalks shall extend from the property line to the curb. Each section shall be four (4) inches thick and no more than six (6) feet in length and width.

6. Location. Residential sidewalks shall be located with the inner edge (edge nearest the abutting private property) fourteen inches (14") from the property line, unless the council shall establish a different distance due to circumstances.

7. Grade. Curb tops shall be on level with the center line of the street which shall be the established grade.

8. Elevations. The street edge of a sidewalk shall be at an elevation even with the curb at the curb or not less than one-half (1/2) inch above the curb for each foot between the curb and the sidewalk.

9. Slope. All sidewalks shall slope .25 inch per foot toward the curb.

10. Finish. All sidewalks shall be finished with a "broom" or "wood float" finish.

11. Ramps for Handicapped. There shall be not less than two (2) curb cuts or ramps per lineal block which shall be located on or near the crosswalks at intersections. Each curb cut or ramp shall be at least thirty inches wide, shall be sloped at not greater than one (1) inch of rise per twelve (12) inches lineal distance, except that a slope no greater than one (1) inch of rise per eight (8) inches lineal distance may be used where necessary, shall have a nonskid surface, and shall otherwise be so constructed as to allow reasonable access to the crosswalk for physically handicapped persons using the sidewalk.

12. Brick Sidewalks. Brick sidewalks may be repaired or reconstructed under the following conditions:

A. The appropriate building permit shall be obtained from the city. The fee for the permit shall be the minimum amount.

B. The bricks shall be removed and the original bricks shall be used for the repair or reconstruction.

C. The sidewalk base and grade shall be reviewed and inspected by the city building inspector at both the beginning and completion of the repair or reconstruction.

(Ord. 394, 2004; Code of Iowa, 1975, Sec. 601d.9)

8-2.05 REMOVAL OF SNOW, ICE AND ACCUMULATIONS.

It shall be the responsibility of the abutting property owners to remove snow, ice and accumulations promptly from sidewalks. If a property owner does not remove snow, ice or accumulations within a reasonable time, the city may do so and assess the costs against the property owner for collection in the same manner as a property tax.

(Code of Iowa, 1975, Sec. 364.12 [2b and e])

8-2.06 AWNINGS: STANDARDS.

It shall be unlawful for a person to erect or maintain any awning over any sidewalk unless all parts of the awning are elevated at least seven (7) feet above the surface of the street or sidewalk and the roof or covering is made of duck, canvas or other suitable material supported by iron frames or brackets securely fastened to the building, without any posts or other device that will obstruct the sidewalk or hinder or interfere with the free passage of pedestrians.

8-2.07 ENCROACHING STEPS.

It shall be unlawful for a person to erect or maintain any stairs or steps to any building upon any part of any sidewalk without permission by resolution of the council.

8-2.08 OPENINGS AND ENCLOSURES.

It shall be unlawful for a person to:

1. Stairs and Railings. Construct or build a stairway or passageway to any cellar or basement by occupying any part of the sidewalk, or to enclose any portion of a sidewalk with a railing without permission by resolution of the council.

2. Openings. Keep open any cellar door, grating or cover to any vault on any sidewalk except while in actual use with adequate guards to protect the public.

3. Protect Openings. Neglect to properly protect or barricade all openings on or within six (6) feet of any sidewalk.

8-2.09 FIRES ON SIDEWALK.

It shall be unlawful for a person to make a fire of any kind on any sidewalk.

8-2.10 FUEL ON SIDEWALK.

It shall be unlawful for a person to place or allow any fuel to remain upon any sidewalk.

8-2.11 DEFACING.

It shall be unlawful for a person to scatter or place any paste, paint or writing on any sidewalk.

8-2.12 DEBRIS ON SIDEWALKS.

It shall be unlawful for a person to throw or deposit on any sidewalk any glass bottle, glass, nails, tacks, wire, cans, trash, garbage, rubbish, litter, offal, or any other debris, or any other substance likely to injure any person, animal or vehicle.

(Code of Iowa, 1975, Sec. 364.12 [2])

8-2.13 MERCHANDISE DISPLAY.

It shall be unlawful for a person to place upon or above any sidewalk, any goods or merchandise for sale or for display in such a manner as to interfere with the free and uninterrupted passage of pedestrians on the sidewalk; in no case shall more than two (2) feet of the sidewalk next to the building be occupied for such purposes.

8-2.14 SALES STANDS.

It shall be unlawful for a person to erect or keep any stand for the sale of fruit, vegetables or other substances or commodities on any sidewalk without first obtaining a written permit from the clerk.

CHAPTER 3 - RAILROAD REGULATIONS

ARTICLE 1
RAILROAD REGULATIONS

8-3.0101 DEFINITIONS.

For use in this chapter, the following terms are defined:

1. "Railroad Train" shall mean any steam, electric or other motor driven engine and the cars, if any, coupled to the engine operated on rails, but does not include interurbans and street cars.

(Code of Iowa, 1975, Sec. 321.1 [29])

2. "Operator" shall mean any individual, partnership, corporation or other association that owns, operates, drives or controls a railroad train.

8-3.0102 WARNING SIGNALS.

Operators shall sound a bell at least sixty (60) rods before a street crossing is reached and shall ring the bell continuously until the crossing is passed. Operators also shall sound a whistle at least one hundred (100) feet before reaching every intersection of the track and street, sidewalk, alley or similar public crossing within the city limits, unless such crossing is protected by a mechanical warning device or flagman as required under Section 8-4.03.

(Code of Iowa, 1975, Sec. 478.19)

8-3.0103 STREET CROSSING SIGNS.

Operators shall erect and maintain non-mechanical warning signs on both sides of the tracks at each intersection of the tracks and a street, sidewalk, alley or similar public crossing within the city limits, except where some mechanical sign, signal, device, or gate or flagman is required by resolution of the council. Such non-mechanical signs shall be of a height and size, and utilize such lettering as to give adequate warning of such crossing. Whenever the council shall deem it necessary for the safety and convenience of the public that some mechanical sign, signal, device or gate should be erected and maintained, or flagman stationed at any street or other public crossing, the council, by resolution, shall order and direct the railroad company or companies concerned to erect and maintain such sign, signal, device, or gate or to station a flagman at such crossing at the expense of such company or companies. Any required flagman shall be stationed at such crossing during the periods of time of each day that the council shall designate. The resolution shall specify the street or other public crossing at which the sign, signal, device or gate shall be erected or flagman stationed. After the resolution has been adopted, a copy shall be served the

railroad company or companies with a notice of the time limit for compliance.

(Code of Iowa, 1975, Sec. 364.10)

8-3.0104 OBSTRUCTING STREETS.

Operators shall not obstruct with a railroad train or with standing railroad cars any street, alley, sidewalk or similar public crossing for any period greater than ten minutes. This provision shall not apply to railroad trains stopped at stations to load and unload passengers, or to trains constantly in motion. This requirement does not apply to trains engaged in switching operations.

8-3.0105 CROSSING MAINTENANCE.

Operators shall construct and maintain good, sufficient and safe crossings over any street traversed by their rails. (Bourett v. Chicago and N.W. Ry. 152 Iowa 579, 132 N.W. 973 [1943], Code of Iowa, 1975, Sec. 364.11)

8-3.0106 FLYING SWITCHES.

No operator shall cause any railroad car or cars, unattached to any engine, to be propelled across any intersection of the tracks and a street, alley, sidewalk or similar public crossing, for the purpose of making a flying switch unless some employee of the railroad shall be stationed at the intersection to give warning of such car or cars' approach.

8-3.0107 SPEED.

It shall be unlawful to operate any railroad train through any street crossing within the platted areas of the city at a speed greater than 25 miles per hour.

(See *Girl v. United States R. Admin.*, 194 Iowa 1382, 189 N. W. 834, [1923])

ARTICLE 2
EASEMENT FOR FIRST TRACK

8-3.0201 EASEMENT GRANTED.

The right is hereby granted by the town of Buffalo to The Chicago Rock Island and Pacific Railway Company to lay down on the river bank in the town of Buffalo, from the eastern boundary to the western boundary of said town, a single track of its said road, with the necessary switches and side

tracks to such warehouses, mills and manufacturers as the said railway company may desire to reach, when the owners have previously obtained the consent of the council to the use of such facilities, and to occupy so much of Front Street or the River Road in said town as may be necessary for the construction and maintenance of said track, on the conditions and terms hereinafter specified.

8-3.0202 LOCATION OF TRACK.

The said Railway Company is to so construct its said single track, as that there shall be a space of not less than about forty (40) feet between the north rail of said track and the north line of said Front Street. And in order to more definitely and certainly locate the said track, stakes have been placed by said Railway Company along its proposed line through the entire length of Front Street or the River Road, included in the corporate limits of Buffalo, and the location of the center line of said railroad track on Front Street shall be at least ten (10) feet south of the line of said stakes and said location is hereby approved by the council, and said Railway Company is authorized to construct its track on said lines.

8-3.0203 GRADE OF TRACK.

Said Railway shall be so constructed in Front Street, as that, the road bed shall be substantially at the grade of the street; and natural depressions in Front Street, north of the north rail of the track, shall be filled in by said Railway Company, at its own expense, so as to make the surface of the street north of the line of railroad substantially level with the road bed.

8-3.0204 MAINTENANCE OF CROSSINGS.

Said Railway Company shall immediately upon the construction of its road bed through said Front Street or along said River bank, construct and thereafter maintain crossings and convenient passage ways to the river for teams at the points where Clark Street, Washington Street, Main Street, Jefferson Street and Hecker Street, if extended would intersect said railway track.

ARTICLE 3
RAILROAD EASEMENT FOR SECOND TRACK

8-3.0301 EASEMENT GRANTED.

That there is hereby granted to The Chicago, Rock Island and Pacific Railway Company, its successors and assigns the right to construct and forever to maintain and operate an additional or second track substantially parallel with, and adjacent to, and south of the present main track of said Railway Company on the River Bank on Front Street in the Town of Buffalo from the Eastern Boundary to the Western Boundary of said town.

8-3.0302 CONDITIONS OF GRANT.

The right granted in the foregoing section of this ordinance is upon the following conditions:

1. Levee. That said Railway Company shall build and forever maintain a levee in front of Block One (1) between Jefferson and Main Streets, two hundred and sixty feet (260) in width, with a grade of one (1) foot fall in ten (10) feet, beginning from a point twenty (20) feet south from the center of the south track, said point of beginning shall be on a level with the top of the ties.

Said grade of one (1) foot fall in ten (10) feet, shall be continued south into the Mississippi River until said grade strikes the bed of said River; said Railway Company shall put and forever maintain on said levee, a top dressing of macadam to the depth of four (4) inches; said Railroad Company shall keep two (2) thirty (30) foot crossings over its tracks at said levee.

2. Completion Date. That said Railway Company shall have the levee completed on or before the 1st day of March 1902.

3. Factory Moved. That said Railway Company shall move, at its own cost a convenient distance towards the River, the Button factory, which by permission of the council of said Town is at present located on the north end of said levee.

4. Crossings Maintained. That said Railroad Company shall replace, rebuild, and forever maintain in substantially the same manner and location as at present, the crossing and approaches referred to in Section two (2) of the ordinance of the Town Council of the Town of Buffalo passed May seventh (7th) 1900.

5. Front Street. That whenever said Railway Company shall straighten its present track in the Town of Buffalo, Iowa, by removing the curve therein, it will at its own cost and expense, grade that portion of Front Street in the vicinity of said curve that the same can be used by wagons and teams.

6. Dodge Street Crossing. That said Railway Company shall maintain on Dodge Street and south of its tracks a good and substantial crossing, with a grade not exceeding one (1) foot fall in ten (10) feet.

7. Track Elevations. That said Railway Company shall not elevate its tracks any higher than the present location of the North track.

8-3.0303 ACCEPTANCE.

The Chicago Rock Island & Pacific Railway Company shall within thirty (30) days from the passage and approval of this ordinance file with the Town Clerk of the Town of Buffalo, Iowa, its acceptance in writing of the terms and conditions of this ordinance, and upon filing of such acceptance within said time, this ordinance shall take effect and not otherwise.

ARTICLE 4
PERMANENT GRADE STAKES ESTABLISHED

8-3.0401 ROAD BED ESTABLISHED.

The road bed of the Chicago, Rock Island and Pacific Railway Co. is permanently established as follows:

1. Clark and Front Streets. One steel T rail set at the intersection of Clark and Front Streets opposite or directly in line of a point beginning at the point of the south west corner of Lot 1, Block 2, Clark B. Dodge Addition, from

there eight (8) feet south. Said stake is covered with about seven inches of rail from the surface of said Front Street and the top of said T rail is six and five-eighths (6-5/8) inches below the level of the top of the level of the ties of the Chicago, Rock Island and Pacific Railway Company.

2. Hecker and Front Streets. One steel rail set at the intersection of Hecker and Front Streets opposite or directly in line of a point beginning at the point of the south east corner of Lot 6, Block 2 of Hecker and Kantz Addition from thence eight (8) feet south. Said stake is covered with about six (6) inches of rail from the surface of said Front Street and the top of said T rail is one and five-eighths (1-5/8) inches below the level of the top of the ties of the Chicago, Rock Island and Pacific Railway Company.

8.3.0402 AUTHORITY TO SET STAKES.

Said stakes or T rails covered by this article are set in compliance with the acceptance of an ordinance by the Chicago, Rock Island and Pacific Railway Company entitled "An Ordinance Granting To The Chicago, Rock Island and Pacific Railway Company. The right to construct, maintain and Operate An Additional or Second Track On The River Bank on Front Street Through The Town of Buffalo, Scott County, Iowa", of which ordinance Section Seven (7) thereof provides for the location of said railway tracks.

NOTE

Original Ordinance entitled "The Permanent Location of Grade Stakes Set By The Town Council of The Town of Buffalo to Keep in Conjunction with The Height of The Chicago, Rock Island and Pacific Railway Company" was passed and avowed June 2, 1902.

ARTICLE 5

CHANGE IN GRADE OF TRACK PERMITTED

8-3.0501 PERMISSION TO ELEVATE TRACKS GRANTED.

There is hereby granted to the Chicago, Rock Island and Pacific Railway Company, its successors and assigns, the right to elevate the tracks of said railway company on the

river bank on Front Street in the city from the eastern to the western boundary of said city.

8-3.0502 CONDITIONS IMPOSED.

The right to elevate tracks is granted upon the following conditions:

1. Grade Established. The said Railway Company shall be permitted and allowed the privilege and right to elevate its railway tracks by ballasting and surfacing the same to a height as follows: Beginning at the elevation of the C.R.I & P. Railway Company bench marks, from United States Government "Cairo Datum" at station no. 10150 the elevation of said tracks shall be 581.45, at station no. 10155 the elevation shall be 580.93; at station no. 10165 the elevation of said tracks shall be 580.42; at station no. 10170 the elevation of said tracks shall be 580.16; at station no. 10174 the elevation of said railway tracks shall be 580.19. Said elevations are evidenced by two iron posts, the first is located at the corner of Hecker and Front Streets and its elevation is established at 578.78; and the second iron post is stationed at the corner of Clark and Front Streets and its elevation is 579.72.

2. Steps Required. The said railway company shall build and construct two (2) flights of steps in each block leading down from the south railway track to the surface of the ground in order that the people may pass to and from the river over said railway tracks as they may be maintained for the passage of trains. Said steps shall be four (4) feet wide or more and the rise not to exceed eight (8) inches and shall be built in a workmanlike manner and be forever kept and maintained by the said railway company at its own expense. The location of said steps shall be at such points as shall be designated by the city council.

3. Drainage Ditch. The said railway company shall maintain and keep open a ditch upon the north side of said railway tracks sufficient in width to allow the surface water to escape from Front Street under the railway tracks to the river.

4. Crossing Required. The said railway company in elevating its tracks along the levee in front of Block One (1)

in the Original Town of Buffalo shall make and maintain a good and practicable crossing over its tracks from Front Street to the levee.

NOTE

Original Ordinance entitled "An Ordinance Granting To The Chicago, Rock Island and Pacific Railway Company, The Right and Privilege To Elevate Its Tracks On The River Bank On Front Street Through The Town of Buffalo, Scott County, Iowa" was passed and approved August 3, 1903 and amended by an original ordinance passed and approved December 5, 1927.