

CITY OF FIFE, WASHINGTON

ORDINANCE NO. 1896

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIFE, PIERCE COUNTY, WASHINGTON, AUTHORIZING THE USE OF AUTOMATED SCHOOL SPEED ZONE SAFETY CAMERAS, DESIGNATING THE USE OF MONEYS GENERATED THEREFROM, AND AMENDING SECTIONS 10.60.020 AND 3.85.020 OF THE FIFE MUNICIPAL CODE**

WHEREAS, RCW 46.63.170 authorizes the use of automated traffic safety cameras for red light enforcement, railroad crossings, and school speed zones; and

WHEREAS, in 2007 the City Council authorized use of automated traffic safety cameras for red light enforcement; and

WHEREAS, Fife's red light enforcement program has shown to reduce traffic accidents and increase pedestrian safety; and

WHEREAS, Fife High School, Columbia Junior High School and All Saints School are located within the City limits; and

WHEREAS, the safety of school children and other pedestrians is of paramount concern to the City Council; and

WHEREAS, automated school speed zone safety cameras have been shown to reduce speeds and increase safety of school children and other pedestrians; and

WHEREAS, the Public Works Director has prepared an analysis of the locations where school speed zone safety cameras are proposed to be located; and

WHEREAS, the City Council finds that it is in the public interest, welfare, and safety, to authorize the use of automated traffic safety cameras for school speed zone enforcement and to use the surplus moneys to improve pedestrian safety along school zone corridors; now, therefore

THE CITY COUNCIL OF THE CITY OF FIFE, PIERCE COUNTY, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. Section 10.60.020 of the Fife Municipal Code is hereby amended to read as follows:

**10.60.020 Authorized use of automated traffic safety cameras.**

A. Law enforcement officers of the city and persons commissioned by the police chief are authorized to use automated traffic cameras and related automated systems to detect stoplight infractions at two-arterial intersections.

B. The use of automated traffic cameras is subject to the following restrictions:

1. Use of traffic safety cameras is restricted to (i) school speed zones, and (ii) stoplight violations occurring at two-arterial intersections (the intersections of two arterial streets).

2. Automated traffic cameras may only take pictures of the vehicle and the vehicle license plate and only while an infraction is occurring. Pictures taken by automated traffic safety cameras may not reveal the face of the driver or of the passengers in the vehicle.

3. Notwithstanding any other provision of law, all photographs, microphotographs, or electronic images prepared under this chapter are for the exclusive use of law enforcement in the discharge of duties under this chapter and are not open to the public and may not be used in a court in a pending action or proceeding unless the action or proceeding relates to a violation under this chapter. No photograph, microphotograph, or electronic image may be used for any purpose other than enforcement of violations under this chapter nor retained longer than necessary to enforce this chapter pursuant to RCW 46.63.170.

C. The city shall clearly mark all locations where automated traffic safety cameras are in use by placing signs in locations that clearly indicate to a driver that he or she is entering a zone where traffic laws are enforced by an automated traffic safety camera.

D. For the purposes of this chapter, "automated traffic safety camera" means a device that uses a vehicle sensor installed to work in conjunction with an intersection traffic control system or a speed measuring device, and a camera synchronized to automatically record one or more sequenced photographs, microphotographs or electronic images of the rear of a motor vehicle at the time the vehicle fails to stop when facing a steady red traffic control signal, or exceeds a speed limit in a school speed zone as detected by a speed measuring device.

Section 2. Section 3.85.020 of the Fife Municipal Code is hereby amended to read as follows:

**3.85.020 Purpose.**

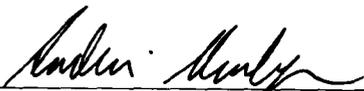
The purpose of the public safety fund is to segregate, budget, expend and account for moneys derived from the automated traffic enforcement program, pursuant to Chapter 10.60 FMC. Expenditures from the public safety fund may only be used for the purpose of paying for the costs of the automated traffic enforcement program, including the city's administrative costs; provided, however, if there are surplus moneys in the fund, then the surplus moneys may only be expended for the following purposes: (1) purchase and installation of school zone signs and lights; (2) pedestrian overpass/underpass design and construction costs; (3) sidewalk design and construction costs; (4) streetlight acquisition, operation and maintenance; (5) signalized pedestrian crosswalks; (6) the purchase, design and construction of pedestrian trails that serve to redirect pedestrian traffic off of streets with high traffic volumes; (7) the design and construction of similar pedestrian safety oriented improvements; and (8) traffic law enforcement by commissioned police officers. The amount of the public safety fund allocated to traffic law enforcement each year shall not exceed the cost of employing two full-time commissioned police officers. Expenditures of surplus moneys from the school speed zone portion of the automated traffic enforcement program shall be limited to the purposes listed above that are within school zone corridors.

Section 3. Each and every provision of this Ordinance shall be deemed severable. In the event that any portion of this Ordinance is determined by final order of a court of competent jurisdiction to be void or unenforceable, such determination shall not affect the validity of the remaining provisions thereof provided the intent of this Ordinance can still be furthered without the invalid provision.

Section 4. This Ordinance shall be in full force and effect five (5) days after publication as required by law. A summary of this Ordinance may be published in lieu of the entire Ordinance, as authorized by State law.

Introduced the 12<sup>th</sup> day of November, 2014.

Passed by the City Council on the 25<sup>th</sup> day of November, 2014.

  
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Subir Mukerjee, Interim City Manager

ATTEST:

  
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Carol Etgen, City Clerk

APPROVED AS TO FORM:

  
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Loren D. Combs, City Attorney

Published: 11/28/14  
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