



Legislation Details (With Text)

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On agenda: 9/5/2023

Final Action: 9/8/2023 **Ord. No.** Ord 126893

Title: AN ORDINANCE relating to financial policies for Automated Traffic Safety Camera revenue; amending Section 5.82.010 of the Seattle Municipal Code; and repealing Chapter 5.81 of the Seattle Municipal Code.

Sponsors: Alex Pedersen

Indexes:

Attachments: 1. Summary and Fiscal Note, 2. Presentation, 3. Signed Ordinance 126893, 4. Affidavit of Publication

| Date | Ver. | Action By | Action | Result |
|-----------|------|---|---------------------------------|--------|
| 9/8/2023 | 1 | City Clerk | attested by City Clerk | |
| 9/8/2023 | 1 | Mayor | returned | |
| 9/8/2023 | 1 | Mayor | Signed | |
| 9/8/2023 | 1 | City Clerk | submitted for Mayor's signature | |
| 9/5/2023 | 1 | City Council | passed | Pass |
| 8/15/2023 | 1 | Transportation and Seattle Public Utilities | pass | Pass |
| 8/8/2023 | 1 | City Council | referred | |
| 8/3/2023 | 1 | Council President's Office | sent for review | |
| 8/3/2023 | 1 | City Clerk | sent for review | |

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to financial policies for Automated Traffic Safety Camera revenue; amending Section 5.82.010 of the Seattle Municipal Code; and repealing Chapter 5.81 of the Seattle Municipal Code.

WHEREAS, following State authorization, the City of Seattle began use of automated cameras for red light enforcement in 2006, school zones in 2012, West Seattle Bridge closure restrictions in 2020 (since removed), and block-the-box and transit-only lane enforcement in 2022; and

WHEREAS, Chapter 5.81 of the Seattle Municipal Code (SMC) was established in 2013 to establish financial

policies governing School Zone Camera revenue and Chapter 5.82 SMC was established in 2015 to establish financial policies governing Red Light Camera revenue; and

WHEREAS, in 2022, the State Legislature passed Engrossed Substitute House Bill (ESSB) 5974 amending Revised Code of Washington (RCW) 46.63.170, authorizing additional uses of automated cameras in specific zones; and

WHEREAS, on July 25, 2023, the Council approved Ordinance 126869, establishing additional uses for automated traffic safety cameras and designating restricted racing zones as allowed by RCW 46.63.170; and

WHEREAS, RCW 46.63.170 requires that, for specified automated traffic safety camera uses, 50 percent of the net revenues be directed to the Washington State Cooper Jones active transportation safety account; and

WHEREAS, the Council wishes to consolidate and update the City's financial policies guiding the use of automated traffic safety camera revenue; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 5.82.010 of the Seattle Municipal Code, last amended by Ordinance 125719, is amended as follows:

5.82.010 Financial policies

The following financial policies govern revenues generated from automated traffic safety camera fines or civil penalties:

~~((A. Spending for school traffic and pedestrian safety: Funding in an amount equal to 20 percent of the revenue generated annually by automated traffic safety camera fines and civil penalties will be spent for school traffic and pedestrian safety and directly related infrastructure projects, as well as pedestrian, bicyclist, and driver education campaigns and installation, administrative, enforcement, operations, and maintenance costs associated with the automated traffic safety cameras (also known as red light cameras).))~~

A. Spending restrictions: Of the net proceeds generated annually by automated traffic safety camera

finances and civil penalties that are available to the City after required contributions to the Washington State Cooper Jones account pursuant to RCW 46.63.170, the following spending restrictions apply:

1. School zone camera revenue: Funding in an amount equal to the revenue generated annually by school zone fixed automated camera fines and civil penalties will be spent for school traffic and pedestrian safety and directly related infrastructure projects; pedestrian, bicyclist, and driver education campaigns; and installation, administrative, enforcement, operations, and maintenance costs associated with the school zone fixed automated cameras.

2. Red light camera revenue: Funding in an amount equal to 20 percent of the revenue generated annually by fines and civil penalties for red light camera violations and red arrow camera violations will be spent for school traffic and pedestrian safety and directly related infrastructure projects, as well as pedestrian, bicyclist, and driver education campaigns and installation, administrative, enforcement, operations, and maintenance costs associated with the red light and red arrow automated cameras.

3. Block the box and obstruction camera revenue: Funding in an amount equal to the local revenue generated annually by fines and civil penalties for obstruction or blocked traffic camera violations will be spent for transportation improvements that support equitable access and mobility for persons with disabilities and installation, administrative, enforcement, operations, and maintenance costs associated with the obstruction or blocked traffic automated cameras.

4. Lane restriction camera revenue: Funding in an amount equal to the local revenue generated annually by fines and civil penalties for restricted lane camera violations will be spent for transportation improvements that support equitable access and mobility for persons with disabilities and installation, administrative, enforcement, operations, and maintenance costs associated with the restricted lane automated cameras.

5. Speed enforcement camera revenue: Funding in an amount equal to the local revenue generated annually by fines and civil penalties for speed enforcement cameras other than school zone cameras

described in subsection 5.82.010.A.1 will be spent on transportation improvements that support traffic safety, bicycle safety, and pedestrian safety and installation, administrative, enforcement, operations, and maintenance costs associated with the speed enforcement cameras.

B. Annual budget revenues and appropriations: The Executive will propose appropriations for the items in subsection 5.82.010.A in its annual budget submittal to the City Council based on the amount of automated traffic safety camera fines and civil penalties projected to be received in the prior budget year.

C. Year-end report: The Executive will provide a year-end report to the City Council on automated traffic safety camera revenue receipts, appropriations, and expenditures by March 1 each year.

D. True-up of revenues and expenditures: To the extent that actual annual revenues from automated traffic safety cameras differ from the appropriations made through the annual budget, the Executive will propose appropriation changes in supplemental legislation to ensure that ~~((funding in an amount equal to 20 percent of the actual revenues generated by automated traffic safety cameras is spent for the purposes described in Section 2 of Ordinance 124230, as amended by Ordinance 124907.))~~ sufficient funding is spent consistent with subsection 5.82.010.A and RCW 46.63.170.

~~((E. Notwithstanding subsections 5.82.010.A, 5.82.010.B, and 5.82.010.D, none of the revenue generated by automatic traffic safety camera fines and civil penalties in 2018, 2019 and 2020 will be directed to the School Safety Traffic and Pedestrian Improvement Fund.))~~

Section 2. Chapter 5.81 of the Seattle Municipal Code, last amended by Ordinance 125719, is repealed:

~~**((Chapter 5.81 SCHOOL ZONE FIXED AUTOMATED CAMERA REVENUES**~~

~~**5.81.010 Financial policies**~~

~~The following financial policies govern revenues generated from school zone fixed automated camera fines or civil penalties:~~

~~A. Spending for School Traffic and Pedestrian Safety: Funding in an amount equal to the revenue generated annually by school zone fixed automated camera fines and civil penalties will be spent for school~~

~~traffic and pedestrian safety and directly related infrastructure projects; pedestrian, bicyclist, and driver education campaigns; and installation, administrative, enforcement, operations and maintenance costs associated with the school zone fixed automated cameras.~~

~~B. Annual Budget Revenues and Appropriations: The Executive will propose appropriations for the items in subsection 5.81.010.A above in its annual budget submittal to the Council based on the amount of school zone fixed automated camera fines and civil penalties projected to be received in the proposed budget year.~~

~~C. Year End Report: The Executive will provide a year end report to the City Council on school zone fixed automated camera revenue receipts, appropriations, and expenditures by March 1 each year.~~

~~D. True-Up of Revenues and Expenditures: To the extent that actual annual revenues from school zone fixed automated cameras differ from the appropriations made through the annual budget, the Executive will propose appropriation changes in supplemental legislation to ensure that funding in an amount at least equal to the actual revenues generated by school zone fixed automated cameras are spent for school traffic and pedestrian safety and directly related infrastructure projects; pedestrian, bicyclist, and driver education campaigns; and installation, administrative, enforcement, operations, and maintenance costs associated with the school zone fixed automated cameras.))~~

Section 3. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 2023, and signed by me in open session in authentication of its passage this _____ day of _____, 2023.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2023.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2023.

Scheereen Dedman, City Clerk

(Seal)