

Ordinance No. 124133

Council Bill No. 117722

Relating to the City's traffic code; amending subsections 11.50.560 and 11.58.005 of the Seattle Municipal Code to correct numbering errors.

Related Legislation File: \_\_\_\_\_

Date Introduced and Referred: <u>2.25.13</u>	To: (committee): <u>Full Council Transportation</u>
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: <u>3/4/13</u>	Date Presented to Mayor: <u>3/5/13</u>
Date Signed by Mayor: <u>3.12.13</u>	Date Returned to City Clerk: <u>3.12.13</u>
Published by Title Only <u>X</u>	Date Vetoed by Mayor:
Published in Full Text	
Date Veto Published:	Date Passed Over Veto:
Date Veto Sustained:	Date Returned Without Signature:

# The City of Seattle – Legislative Department

Council Bill/Ordinance sponsored by: \_\_\_\_\_

## Committee Action:

Date	Recommendation	Vote

This file is complete and ready for presentation to Full Council. \_\_\_\_\_

## Full Council Action:

Date	Decision	Vote
<u>MARCH 4, 2013</u>	<u>Passed</u>	<u>9-0</u>

CITY OF SEATTLE

ORDINANCE 124133

COUNCIL BILL 117722

AN ORDINANCE relating to the City's traffic code; amending subsections 11.50.560 and 11.58.005 of the Seattle Municipal Code to correct numbering errors.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 11.50.560, which section was added to Seattle Municipal Code by Ordinance 123946, is amended as follows:

~~((11.50.560))~~ **11.50.570 Automated traffic safety cameras.**

A. Automated traffic safety cameras may be used to detect one (1) or more of the following: stoplight, railroad crossing or school speed zone violations. Use of automated traffic safety cameras is restricted to the following locations only:

1. Intersections of two (2) arterials with traffic control signals that have yellow change interval durations in accordance with Section 11.50.130, which interval may not be reduced after placement of the cameras;
2. Railroad crossings; and
3. School speed zones.

B. Until June 30, 2013, automated traffic safety cameras may be used to detect speed violations for the purposes of Washington Laws of 2011, chapter 367, section 201(2).

C. Before adding additional automated traffic safety cameras or relocating any existing camera, the City Council must prepare an analysis of the locations within the City where automated traffic safety cameras are proposed to be located. Beginning June 7, 2013, an annual report must be posted on the City's website of the number of traffic accidents that occurred at each location where an automated



1 traffic safety camera is located as well as the number of notices of infraction issued for each camera  
2 and any other relevant information deemed appropriate.

3 D. Automated traffic safety cameras may only take pictures of the vehicle and vehicle license  
4 plate and only while an infraction is occurring. The picture must not reveal the face of the driver or of  
5 passengers in the vehicle. The primary purpose of camera placement is to take pictures of the vehicle  
6 and vehicle license plate when an infraction is occurring. Cameras should be installed in a manner that  
7 minimizes the impact of camera flash on drivers.

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

14 F. All locations where an automated traffic safety camera is used must be clearly marked at least  
15 thirty (30) days prior to activation of the camera by placing signs in locations that clearly indicate to a  
16 driver that he or she is entering a zone where traffic laws are enforced by an automated traffic safety  
17 camera. Signs placed in automated traffic safety camera locations after June 7, 2012 must follow the  
18 specifications and guidelines under the manual of uniform traffic control devices for streets and  
19 highways as adopted by the Washington Department of Transportation under RCW Chapter 47.36.

20 G. The compensation paid to the manufacturer or vendor of automated traffic safety camera  
21 equipment used must be based only upon the value of the equipment and services provided or rendered  
22 in support of the system, and may not be based upon a portion of the fine or civil penalty imposed or the  
23 revenue generated by the equipment.  
24



1 Section 2. Section 11.58.005 of the Seattle Municipal Code, which section was last amended by  
2 Ordinance 123946, is amended as follows:

3 **11.58.005 Operating motor vehicle in a negligent manner -- Penalty.**

4 \* \* \*

5 ~~((C.))~~ D. For the purposes of this section:

6 \* \* \*

7 ~~((5.))~~ 6. "Great bodily harm" and "substantial bodily harm" have the same meaning as provided  
8 in RCW 9A.04.110.

9 ~~((6.))~~ 7. "Vulnerable user of a public way" means a pedestrian, a person riding an animal or a  
10 person operating any of the following on a public way: a farm tractor or implement of husbandry,  
11 without an enclosed shell, a bicycle, an electric-assisted bicycle, an electric personal assistive mobility  
12 device, a moped, a motor-driven cycle, a motorized foot scooter or a motorcycle.

13 \* \* \*



1 Section 3. This ordinance shall take effect and be in force thirty (30) days from and after its  
2 approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after  
3 presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the 4<sup>th</sup> day of March, 2013, and signed by  
5 me in open session in authentication of its passage this 4<sup>th</sup> day of March, 2013.

6  
7   
8 President \_\_\_\_\_ of the City Council

9 Approved by me this 12<sup>th</sup> day of March, 2013.

10  
11   
12 Michael McGinn, Mayor

13 Filed by me this 12<sup>th</sup> day of March, 2013.

14  
15   
16 Monica Martinez Simmons, City Clerk

17 (Seal)

**FISCAL NOTE FOR NON-CAPITAL PROJECTS**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>CBO Analyst/Phone:</b>
LAW-Civil	Sara O'Connor-Kriss 5-0788	

**Legislation Title:**

AN ORDINANCE relating to the City's traffic code; amending subsections 11.50.560 and 11.58.005 of the Seattle Municipal Code.

**Summary of the Legislation:**

To correct numbering errors.

**Background: N/A**

Please check one of the following:

**This legislation does not have any financial implications.**  
 (Please skip to "Other Implications" section at the end of the document and answer questions a-h. Earlier sections that are left blank should be deleted. Please delete the instructions provided in parentheses at the end of each question.)

**This legislation has financial implications.**  
 (If the legislation has direct fiscal impacts (e.g., appropriations, revenue, positions), fill out the relevant sections below. If the financial implications are indirect or longer-term, describe them in narrative in the "Other Implications" Section. Please delete the instructions provided in parentheses at the end of each title and question.)

**Appropriations:**

(This table should reflect appropriations that are a direct result of this legislation. In the event that the project/programs associated with this ordinance had, or will have, appropriations in other legislation please provide details in the Appropriation Notes section below. If the appropriation is not supported by revenue/reimbursements, please confirm that there is available fund balance to cover this appropriation in the note section.)

Fund Name and Number	Department	Budget Control Level*	2013 Appropriation	2014 Anticipated Appropriation
<b>TOTAL</b>				

\*See budget book to obtain the appropriate Budget Control Level for your department.

Appropriations Notes:



**Anticipated Revenue/Reimbursement Resulting from this Legislation:**

(This table should reflect revenues/reimbursements that are a direct result of this legislation. In the event that the issues/projects associated with this ordinance/resolution have revenues or reimbursements that were, or will be, received because of previous or future legislation or budget actions, please provide details in the Notes section below the table.)

Fund Name and Number	Department	Revenue Source	2013 Revenue	2014 Revenue
<b>TOTAL</b>				

Revenue/Reimbursement Notes:

**Total Regular Positions Created, Modified, or Abrogated through this Legislation, Including FTE Impact:**

(This table should only reflect the actual number of positions affected by this legislation. In the event that positions have been, or will be, created as a result of other legislation, please provide details in the Notes section below the table.)

Position Title and Department	Position # for Existing Positions	Fund Name & #	PT/FT	2013 Positions	2013 FTE	2014 Positions*	2014 FTE*
<b>TOTAL</b>							

\* 2014 positions and FTE are total 2014 position changes resulting from this legislation, not incremental changes. Therefore, under 2014, please be sure to include any continuing positions from 2013.

Position Notes:

**Do positions sunset in the future?**

(If yes, identify sunset date)

**Spending/Cash Flow:**

(This table should be completed only in those cases where part or all of the funds authorized by this legislation will be spent in a different year than when they were appropriated (e.g., as in the case of certain grants and capital projects). Details surrounding spending that will occur in future years should be provided in the Notes section below the table.)

Fund Name & #	Department	Budget Control Level*	2013 Expenditures	2014 Anticipated Expenditures
<b>TOTAL</b>				

\* See budget book to obtain the appropriate Budget Control Level for your department.

Spending/Cash Flow Notes:



**Other Implications:**

- a) **Does the legislation have indirect financial implications, or long-term implications?**  
No
- b) **What is the financial cost of not implementing the legislation?**  
None
- c) **Does this legislation affect any departments besides the originating department?** No
- d) **What are the possible alternatives to the legislation that could achieve the same or similar objectives?** No
- e) **Is a public hearing required for this legislation?**  
No
- f) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**  
No
- g) **Does this legislation affect a piece of property?**  
No
- h) **Other Issues:** N/A

**List attachments to the fiscal note below:**



Received  
APR 04 2013  
City of Seattle  
Office of the City Clerk

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STATE OF WASHINGTON -- KING COUNTY

--ss.

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295443  
CITY OF SEATTLE, CLERKS OFFICE

No. 124132,133,134

**Affidavit of Publication**

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12<sup>th</sup> day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT: TITLE ONLY ORDINANCE

was published on

03/25/13

The amount of the fee charged for the foregoing publication is the sum of \$61.71 which amount has been paid in full.



Affidavit of Publication

Subscribed and sworn to before me on

03/25/2013

Notary public for the State of Washington,  
residing in Seattle

## State of Washington, King County

