

**CITY OF KENMORE
WASHINGTON
ORDINANCE NO. 22-0542**

**AN ORDINANCE OF THE CITY OF KENMORE,
WASHINGTON, ADOPTING A NEW CHAPTER 10.45 OF
THE KENMORE MUNICIPAL CODE TO ESTABLISH AN
AUTOMATED TRAFFIC SAFETY CAMERAS
ENFORCEMENT PROGRAM AND REGULATIONS
RELATING TO THE SAME; PROVIDING FOR
SEVERABILITY; AND ESTABLISHING AN EFFECTIVE
DATE.**

WHEREAS, RCW 46.63.170 authorizes the City Council, as the local legislative body, to adopt an ordinance establishing an automated traffic safety cameras program and the regulations relating to the same; and

WHEREAS, pursuant to RCW 46.63.170, the City has prepared an analysis of the locations within the City of Kenmore where automated traffic safety cameras are proposed to be located; and

WHEREAS, in 2014 the Ad Hoc Committee on Pedestrian and Bicycle Safety recommended the implementation of automated traffic safety cameras enforcement; and

WHEREAS, revenue from automated traffic safety cameras enforcement was included in the 2020 Financial Sustainability Plan adopted by City Council; and

WHEREAS, City staff has proposed the adoption of use of automated traffic safety cameras for enforcement of red light violations and school zone speed violations; and

WHEREAS, on November 8, 2021, the City Council was presented with and considered the proposed automated traffic safety cameras enforcement program, entitled “Proposed Photo Enforcement Policy and Program Structure” (“Program”); and

WHEREAS, on December 6, 2021, the City Council was presented with and considered the Program and proposed new Chapter 10.45 KMC, which includes, among other things, the restrictions and provision of public notice and signage as set forth in RCW 46.63.170; and

WHEREAS, on January 24, 2022, the City Council held a public hearing in order to take public testimony regarding the adoption of proposed Chapter 10.45 KMC; and

WHEREAS, the City Council finds it in the interest of the public welfare to adopt this ordinance and implement the proposed Program in the City of Kenmore;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Findings. The City Council adopts the recitals set forth above, incorporated herein by reference, as findings in support of this ordinance.

Section 2. Adoption. The City Council adopts a new Chapter 10.45 to the Kenmore Municipal Code, entitled “Automated Traffic Safety Cameras” as set forth in Attachment A, attached hereto and incorporated herein by reference.

Section 3. Annual posting. Pursuant to RCW 46.63.170, the City Manager, or designee, is directed to post an annual report of the number of the traffic accidents that occurred at each location where an automated traffic safety camera is located as well as the number of notices of infraction issued for each camera and any other relevant information about the automated traffic safety cameras that the City deems appropriate on the City’s website.

Section 4. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid or unconstitutional by a court of competent jurisdiction, the remainder of the ordinance, or the application of the provision to other persons or circumstances, is not affected.

Section 5. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE ____TH DAY OF _____, 2022.

CITY OF KENMORE

Nigel Herbig, Mayor

ATTEST/AUTHENTICATED:

Anastasiya Warhol, City Clerk

Approved as to form:

Dawn Reitan, City Attorney

Filed with the City Clerk:

Passed by the City Council:

Ordinance No.:

Date of Publication:

Effective Date: