



CITY COUNCIL REGULAR MEETING MEMORANDUM

TO: Matthew R. Schmitz, MPA – City Manager

FROM: David Niedert – Police Chief

DATE OF MEETING: June 24, 2024

ITEM TITLE: An Ordinance Amending the Code of Ordinances of the City of Independence, Iowa, by Amending Provisions Pertaining to Fines and Fees Schedule – First Reading

BACKGROUND:

Staff has met with Sensys Gatso representatives and worked with them to make sure that our Automated Traffic Enforcement system follows the new state law. The law was signed by Governor Reynolds on May 17th, 2024. Since then, staff have been working on several items related to this law to be in compliance.

These changes to our fee structure in most areas lessen the amount of money paid by violators, except for extreme speeds. It will also eliminate automated traffic citations for speeds of seven to eleven in the school zone. Council should be aware that this will not halt regular enforcement by officers in the school zone, and normal traffic citations can, and will be issued for speeds between seven to eleven over the speed limit.

DISCUSSION:

At this time, this amendment will be revising Code Section 1.15 Fines and Fees Schedule for Code Section 70.02. Code Section 70.02 Scheduled Violations states the following:

70.02 SCHEDULED VIOLATIONS.

1. For violations of the Traffic Code that are designated by Section 805.8A of the Code of Iowa to be scheduled violations, the scheduled fine for each of those violations shall be as specified in Section 805.8A of the Code of Iowa, except those violations detected by an Automated Traffic Enforcement System, as set forth in Chapter 71 of this Code of Ordinances.

(Code of Iowa, Sec. 805.8 & 805.8A)

2. For violations detected by an Automated Traffic Enforcement System, the schedule of fines as set out in the Fines and Fee Schedule (Section 1.15 of this Code of Ordinances)

RESULTS:

The City has established priorities during strategic planning sessions. This item supports the Vision from that session of Support and Empower Workforce and Engaging and Catalyzing Community. This item helps achieve that vision by providing a fee schedule for fines related to ATE devices and working to keep the community safe through the effective use of these devices.

FINANCIAL CONSIDERATION:

Publication costs related to the ordinance summary will be incurred, and then costs to Simmering-Cory Iowa Codification when the next code supplement is completed.

RECOMMENDATION:

Staff recommends a motion to approve the first reading of an ordinance amending provisions pertaining to the Fines and Fees Schedule.

Staff recommends a motion to suspend the statutory rule requiring an ordinance to be considered and voted on for passage at two council meetings prior to the meeting at which it is to be finally passed.

Staff recommends a motion to have this ordinance, which amends provisions pertaining to the Fines and Fees Schedule, placed on its final passage for adoption pursuant to Iowa Code Section 380.3 and to authorize the Mayor to sign the Ordinance. The changes will be effective upon the ordinance summary being published in the newspapers.