

ORDINANCE NO. 24-1296

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST PARK, WASHINGTON, AMENDING CHAPTER 10.06 OF THE LAKE FOREST PARK MUNICIPAL CODE, RELATED TO AUTOMATED TRAFFIC SAFETY CAMERAS; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Lake Forest Park is a non-charter optional municipal code city as provided in Title 35A RCW, incorporated under the laws of the state of Washington, and has the authority to regulate the use of City streets pursuant to RCW 35A.11.020; and

WHEREAS, the City has an interest in maintaining the safety and welfare of its citizens and to ensure City streets are monitored in a safe manner for their intended use; and

WHEREAS, these amendments to Chapter 10.06 of the Lake Forest Park Municipal Code ("LFPMC"), Automated Traffic Safety Cameras, will update references to 2024 state statutes regarding traffic safety cameras.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKE FOREST PARK, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. AMENDMENT. Section 10.06.010 LFPMC, Automated traffic safety cameras – Detection of violations – Restrictions, is amended as follows:

10.06.010 Automated traffic safety cameras – Detection of violations – Restrictions

A. A City law enforcement officers and persons commissioned by the Lake Forest Park police chief are authorized to use automated traffic cameras and related automated systems to detect and record the image of: (1) stoplight violations at the intersection of two arterials; (2) school speed zone violations; (3) speed zone violations on any roadway identified ~~as in~~ a school walk ~~zone~~ area as defined by RCW ~~46.63.21028A.160.160~~; (4) speed zone violations in public park speed zone as defined in RCW ~~46.63.2100004~~; (5) speed violations when the location is in an area within the city limits designated by ordinance as a zone subject to specified restrictions and penalties on racing and race attendance; (6) violations of traffic ordinances on state highways that are also classified as a city street under chapter 47.24 RCW; (7) speed violations in locations the city council has deemed ~~high~~er crash risks due to excessive vehicle speeds under RCW ~~46.63.2500005(3)~~; and (8) public transportation only lane violations. Provided, however, pictures of the vehicle and the vehicle license plate may be taken only while an infraction is occurring, and the picture shall not reveal the face of the driver or of any passengers in the vehicle.

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Section 2. AMENDMENT. Section 10.06.020 LFPMC, Notice of infraction, is amended as follows:

10.06.020 Notice of Infraction.

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E. 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, as provided in RCW ~~46.63.2200002(11)~~, they 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.

Section 3. SEVERABILITY. Should any portion of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 4. CORRECTIONS. The City Clerk is authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 5. EFFECTIVE DATE. This ordinance shall take effect five (5) days after passage and publication.

APPROVED BY A MAJORITY of the Lake Forest Park City Council this ____ day of _____, 2024, and signed into authentication this _____ day of _____, 2024

APPROVED:

Thomas French
Mayor

ATTEST/AUTHENTICATED:

Matthew McLean
Ordinance 24-1296

City Clerk

APPROVED AS TO FORM:

Kim Adams Pratt
City Attorney

Introduced: _____
Adopted: _____
Posted: _____
Published: _____
Effective: _____