

ANCHORAGE, ALASKA
AO No. 2016-162

AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY TO SUBMIT TO THE QUALIFIED VOTERS OF THE MUNICIPALITY OF ANCHORAGE A BALLOT PROPOSITION TO AMEND THE ANCHORAGE MUNICIPAL CHARTER FOR THE PURPOSE OF AUTHORIZING THE USE OF AUTOMATED TRAFFIC-SAFETY CAMERAS FOR LIMITED PURPOSES.

WHEREAS, some of the worst traffic accidents involve right-angle collisions at high rates of speed and are the result of running red lights: studies have shown that these accidents involve more serious injury and deaths than other kinds of accidents at signalized intersections;

WHEREAS, studies conducted by or reviewed by the National Highway Traffic Safety Administration conclude that the strategic placement of automated red-light cameras at these intersections to record red light running violations has been shown to reduce the frequency of violations, corresponding injuries, and associated economic costs;

WHEREAS, the Anchorage Municipal Charter was amended by voters in 1997 to add Article XXI, Municipal Vehicle Code Enforcement Standards, which provides that “No enforcement of any vehicle violation, whether the vehicle is parked or in motion may be performed by the Municipality of Anchorage by any persons other than a regularly sworn police officer ...”;

WHEREAS, the 1997 Charter Amendment is generally understood to be an effort to require in-person enforcement by police officers and preclude the Municipality from using “photo radar” to police speed-limit infractions;

WHEREAS, the use of a cameras to detect red-light runners is in the public interest; and

WHEREAS, this ordinance will not have significant economic effects; now, therefore,

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. Pursuant to state law and the Anchorage Municipal Charter, a ballot proposition in substantially the following form and substance shall be submitted to the qualified voters of the Municipality at the next regular Municipal election to be held April 4, 2017:

PROPOSITION NO. ____

CHARTER AMENDMENT TO PERMIT THE USE OF AUTOMATED TRAFFIC-SAFETY CAMERAS TO DETECT STOP-LIGHT INFRACTIONS

This proposition would amend the Anchorage Municipal Charter to permit the Municipality to use automated traffic-safety cameras to enforce the prohibition on vehicles facing a steady red light from entering intersection, except to make a lawful turn. It proposes to amend Article XXI of the Anchorage Municipal Charter to read as follows (additions shown in underline and bold; language in brackets and ~~striketrough~~ will be deleted):

Section 21.01. Vehicle violation enforcement.

- (a) **Except for the use of automated traffic-safety cameras to cite for failure to stop at a red light at signalized intersections, n**~~[N]~~o enforcement of any vehicle violation, whether the vehicle is parked or in motion may be performed by the Municipality of Anchorage by any persons other than a regularly sworn police officer who meets the standards set forth in A.S. 18.65.290(**7**~~[5]~~)(A) or (B). Such enforcement includes, but is not limited to, any and all civil or criminal statutes, codes, ordinances or regulations which apply to the regulation of vehicles and which currently exist or may exist in the future.

... ..

Section 21.04. Prohibited enforcement and delegation of enforcement; enforcement in person; prohibited administrative enforcement.

... ..

- (c) **Except for the use of automated traffic-safety cameras to cite for failure to stop at a red light at signalized intersections, a**~~[A]~~ny and all vehicle law or code enforcement activity pursuant to this Article XXI shall be performed in person. Any vehicle law or code enforcement powers which may currently exist, other than those described in Section 21.01 above, are null and void.

... ..

Shall the Anchorage Municipal Charter be amended as set forth above?

YES ☐ NO ☐

Section 2. This ordinance shall be effective immediately upon passage and approval by the Assembly. The proposed amendments to the Anchorage Municipal Charter contained in the proposition set forth in Section 1 of this ordinance shall

1 become effective upon certification of the election if, and only if, the proposition is
2 approved by a majority of the voters voting on the question.

3
4
5 PASSED AND APPROVED by the Anchorage Assembly this _____ day of
6 _____, 2016.

7
8
9
10 _____
11 Chair

12 ATTEST:

13
14
15 _____
16 Municipal Clerk
17