

MARSHALLTOWN

— I O W A —

Joel Greer, Mayor
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TO: Mayor Greer and City Council
FROM: Captain Christopher Jones
DATE: November 8, 2022
RE: Chapter 70 Ordinance Amendment for Automated Traffic Enforcement Regulations

Policy Issue: Council must adopt ordinance amendments.

<input type="checkbox"/> Goal 1: Expand and improve development	<input checked="" type="checkbox"/> Goal 3: Continually improve the City's organization & services
<input type="checkbox"/> Goal 2: Enhance Marshalltown's public image	<input checked="" type="checkbox"/> Goal 4: Partner with others to improve quality of life

Specific Objective/Action: Objective 1: Review policies, procedures, and ordinances for updates.

Recommendation: Approval of the proposed ordinance to implement an automated traffic enforcement program.

Budget Impact: There is no cost to the city to implement the program which will result in generated revenue for the general fund.

Description/Background: Due to limited resources, many local governments have turned to automated traffic enforcement to enforce city ordinance traffic violations without diverting law enforcement resources from other areas. Speeding is a significant problem that negatively impacts the safety of everyone on the road.

By entering into an automated traffic enforcement contract the City of Marshalltown would be required to create an Automated Traffic Enforcement (ATE) ordinance as part of its proposed ATE program.

Working closely with city leadership and Lynch Dallas, P.C., a proposed ordinance was created for council approval. This ordinance was developed by analyzing the needs of the City of Marshalltown in implementing an ATE program in combination with a thorough review of existing city policies received from the following Iowa cities:

- Des Moines
- Cedar Rapids
- Waterloo
- Muscatine
- Oelwein
- Independence
- LeClaire
- Chester

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Jeff Schneider, Gary Thompson, Dex Walker



Utilizing existing civil fine structures currently in place within the State of Iowa for ATE and comparing the proposed civil penalties against state-imposed schedule violations for speeding the following civil infraction schedule was developed.

Speed Over the Limit	Civil Fine	Iowa Scheduled Violation
11 through 20 MPH	\$100	\$175.75 - \$193.00
21 through 25 MPH	\$150	\$216.00-\$239.00
26 through 30 MPH	\$250	\$244.00-\$267.75
Over 30 MPH	\$400	\$5 each mile per hour over

*Iowa scheduled violation total includes mandatory court cost and a 15% surcharge

All imposed fines are considered civil penalties and will not be distributed to the Iowa Department of Transportation or a violator's insurance provider.

Challenges to issued violations will be handled through an administrative review and municipal infraction process to ensure due process.

Non-payment of penalties will be entered into a collections process dictated by the City of Marshalltown.

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