

ORDINANCE NO. 21-\_\_\_\_\_

AN ORDINANCE AMENDING SECTION 115 (AUTOMATED VEHICLE IDENTIFICATION SYSTEM (AVIS)) OF PART 1 (GENERAL PROVISIONS) OF ARTICLE 1 (ADMINISTRATION AND ENFORCEMENT) OF CHAPTER 10 (MOTOR VEHICLES AND TRAFFIC) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO AVIS PROCEDURES

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. Section 115 (Automated Vehicle Identification System (AVIS)) of Part 1 (General Provisions) of Article 1 (Administration and Enforcement) of Chapter 10 (Motor Vehicles and Traffic) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

10.1.115: AUTOMATED VEHICLE IDENTIFICIATON SYSTEM (AVIS)

\* \* \*

B. Procedure, Issuance of Penalty Assessment Notice Or Summons And Complaint:

1. When a ~~police~~**peace** officer, based on evidence obtained in whole or in part by means of an AVIS has probable cause to believe that a vehicle has been driven in violation of subsection 10.5.104F, "Exceeding Posted Speed Limit: AVIS Violations" or 10.17.105C5, "Traffic Control Signal Legend: AVIS Violations", of this chapter, the ~~police~~**peace** officer may issue, or cause to be issued, a penalty assessment notice to the person in whose name the vehicle is registered, based on the license plate or any other identification of the vehicle, with a violation of the applicable section. If, however, the vehicle is registered in more than one person's name, the penalty assessment notice may be issued to the registrant whom the issuing ~~police~~**peace** officer determines, under all the facts and circumstances, was the person most likely depicted in the image produced by the camera.

\* \* \*

Section 2. This ordinance shall be in full force and effect from and after its final adoption and publication as provided by Charter.

Section 3. Council deems it appropriate that this ordinance be published by title and summary prepared by the City Clerk and that this ordinance be available for inspection and acquisition in the office of the City Clerk.

Introduced, read, passed on first reading and ordered published this \_\_\_\_ day of \_\_\_\_\_, 2021.

Finally passed: \_\_\_\_\_

\_\_\_\_\_  
Council President

**Mayor's Action:**

- Approved on \_\_\_\_\_.
- Disapproved on \_\_\_\_\_, based on the following objections:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Mayor

**Council Action After Disapproval:**

- Council did not act to override the Mayor's veto.
- Finally adopted on a vote of \_\_\_\_\_, on \_\_\_\_\_.
- Council action on \_\_\_\_\_ failed to override the Mayor's veto.

\_\_\_\_\_  
Council President

ATTEST:

\_\_\_\_\_  
Sarah B. Johnson, City Clerk