

ORDINANCE NO. 21-17

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 26th day of January, 2021.

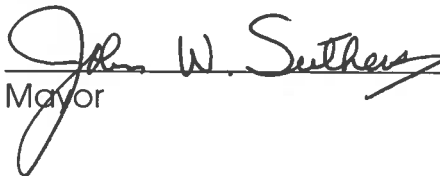
Finally passed: February 9th 2021



Council President

Mayor's Action:

- Approved on February 18, 2021.
- 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

CAO: TJF
COS: GA

I HEREBY CERTIFY, that the foregoing ordinance entitled “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” was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on January 26th, 2021; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 9th day of February 2021, and that the same was published by title and summary, in accordance with Section 3-80 of Article III of the Charter, in the Transcript on January 29th and the Gazette on February 15th, both newspapers published and in general circulation in said City, at least ten days before its passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City, this 11th day of February 2021.


Sarah B. Johnson, City Clerk



1st Publication Date: January 29th, 2021
2nd Publication Date: February 15th, 2021

Effective Date: February 20th, 2021

Initial: SBJ
City Clerk