



Date July 15, 2024

APPROVING AND ADOPTING AN AMENDED SCHEDULE OF ADMINISTRATIVE PENALTIES FOR CIVIL PENALTIES FOR VIOLATION OF THE AUTOMATED TRAFFIC ENFORCEMENT ORDINANCE

WHEREAS, Chapter 114, Article III, Division 3 at section 114-243 of the Municipal Code of the City of Des Moines, entitled "Civil Automated Traffic Enforcement" and referred to as automated traffic enforcement ordinance provides for civil penalties for traffic control violations; and

WHEREAS, by Roll Call No. 09-2023 on November 9, 2009, the City Council approved and adopted the schedule of administrative penalties by resolution; and

WHEREAS, Iowa Code Section 321P.6 was passed by the 90th General Assembly and enacted into law penalty limits for traffic control violations detected by the use of electronic equipment; and

WHEREAS, such an amendment has been prepared for Council consideration and is recommended for adoption, which amendment is appended hereto.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa that said amendment to the schedule of administrative penalties is hereby approved and adopted.

AND BE IT FURTHER RESOLVED that the City Clerk is hereby authorized and directed to incorporate said amendment into the schedule of administrative penalties, and to maintain said schedule of administrative penalties, as amended, on file in the offices of the City Clerk for public reference.

Moved by \_\_\_\_\_ to adopt. Second by \_\_\_\_\_.

APPROVED AS TO FORM:

/s/ Megan Norberg
Megan E. Norberg
Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include BOESEN, SIMONSON, VOSS, COLEMAN, WESTERGAARD, MANDELBAUM, GATTO, TOTAL, MOTION CARRIED, APPROVED.

CERTIFICATE

I, LAURA BAUMGARTNER, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Mayor

City Clerk

## SCHEDULE OF ADMINSTRATIVE PENALTIES

Fire Department			
§38-84.01	False Fire Alarms		
	First false fire alarm in any calendar year	\$100.00	12/18/02
	Second and all subsequent false fire alarms in any calendar year	\$150.00	12/18/02

Police Department			
§38-123.01	False Police Alarms		
	First false police alarm in any calendar year	\$50.00	12/18/02
	Second and all subsequent false police alarms in any calendar year	\$75.00	12/18/02

§114-243	Civil Automated Traffic Enforcement		
	Traffic Control Violations (red light and stop signs)	\$10065.00	<del>11/9/09</del> 07/15/24
	Speeding – <del>11-20</del> 5 MPH over	\$7565.00 ( <del>\$150.00</del> road work zone)	<del>11/9/09</del> 07/15/24
	Speeding – <del>16</del> 21- <del>20</del> 25 MPH over	\$10075.00 ( <del>\$200.00</del> road work zone)	<del>11/9/09</del> 07/15/24
	Speeding – <del>26</del> 1- <del>30</del> MPH <del>and moreover</del>	\$250.00 ( <del>\$500</del> in road work zone) <del>80.00, plus \$2 per MPH in excess of 21MPH over</del>	<del>11/9/09</del> 07/15/24
	<u>Speeding –31 MPH and more</u>	\$500.00 ( <del>\$1,000.00</del> road work zone)	07/15/24

§114-361.02	Illegal Off-Street Parking		
	Illegal off-street parking	\$30.00	12/18/02

**Notice of violation with the applicable penalty for such violation noted thereon shall be issued to the violator. Penalties shall be paid in full within 30 days of the issuance of the notice at the City Clerk's office, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa.**

*Fire and Police Administrative Penalties adopted by Roll Call No. 02-3008 on December 18, 2002, amended by Roll Call 09-2023, November 9, 2009*

*§114-243 adopted by Roll Call No. 02-2023 on November 9, 2009, amended by Roll Call --, ---, on July 15, 2024.*

*§114-361.02 adopted by Roll Call No 14,195 on December 18, 2002.*