

10-0-0889

(Do Not Write Above This Line)

AN ORDINANCE
BY *[Signature]*

AN ORDINANCE TO RETURN TO THE GEORGIA DEPARTMENT OF TRANSPORTATION CERTAIN RED LIGHT CAMERA REVENUES COLLECTED BY THE CITY TOTALING THIRTY FOUR THOUSAND SIX HUNDRED SIXTY TWO DOLLARS AND FIFTY CENTS (\$34,662.50) PURSUANT TO THE PROVISIONS OF ARTICLE 3 ENTITLED "TRAFFIC-CONTROL SIGNAL MONITORING DEVICES") OF CHAPTER FOURTEEN OF TITLE 40 OF THE GEORGIA CODE; AND FOR OTHER PURPOSES.

ADOPTED BY

MAY 17 2010

COUNCIL

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1ST ADOPT 2ND READ & REFER
- PERSONAL PAPER REFER

Date Referred: 5/13/10
Referred To: *[Signature]*
Date Referred:
Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

Committee *Finance*
Date *5/13/10*
Chair *Johnson*
Action _____
Fav, Adv, Hold (see rev. side) _____
Other _____

Fav, Adv, Hold (see rev. side)
Other

Members *[Signatures]*
Refer To _____

Committee

Date _____

Chair _____

Action _____

Fav, Adv, Hold (see rev. side)
Other _____

Members _____

Refer To _____

Committee

Date _____

Chair _____

Action _____

Fav, Adv, Hold (see rev. side)
Other _____

Members _____

Refer To _____

FINAL COUNCIL ACTION
 2nd 1st & 2nd 3rd
Readings
 Consent V Vote RC Vote

CERTIFIED
MAY 17 2010
ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
MAY 17 2010
Ruth Dunbar Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED
MAY 25 2010
[Signature]
MAYOR



AN ORDINANCE
BY

AN ORDINANCE TO RETURN TO THE GEORGIA DEPARTMENT OF TRANSPORTATION CERTAIN RED LIGHT CAMERA REVENUES COLLECTED BY THE CITY TOTALLING THIRTY FOUR THOUSAND SIX HUNDRED SIXTY TWO DOLLARS AND FIFTY CENTS (\$34,662.50) PURSUANT TO THE PROVISIONS OF ARTICLE 3 (ENTITLED "TRAFFIC-CONTROL SIGNAL MONITORING DEVICES") OF CHAPTER FOURTEEN OF TITLE 40 OF THE GEORGIA CODE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta, as of December 31, 2009, had Red Light Running Photo Enforcement installations (hereafter "RLRPES") installed and operational at eight intersections within the city limits, and

WHEREAS, the Georgia Code, at Section 40-14-21(a) requires that all installed RLRPES systems be permitted by the State of Georgia, and Georgia Code Section 40-14-21(m) requires that all permitted installations be reviewed by the Georgia Department of Transportation (hereafter "GDOT") every three years; and

WHEREAS, the City submitted the required permit applications for all eight locations to GDOT on a timely basis in 2009; and

WHEREAS, GDOT, after reviewing the permit applications submitted by the City, sent three letters each dated December 29, 2009 to the City denying the City's renewal applications for three of the eight locations; and

WHEREAS, the three locations for which permits were denied by GDOT were identified as the intersection of SR 10/Freedom Parkway at Boulevard; the intersection of SR 8/North Avenue at Spring Street; and the intersection of Piedmont Avenue at Monroe Drive; and

WHEREAS, GDOT based its denial of permit renewals at the three intersections because the crash history at the three locations indicated that vehicular accidents had increased rather than decreased at the locations after the RLRPES had been installed; and

WHEREAS, the City, pursuant to Georgia Code Section 40-14-26, appealed the GDOT decisions in a timely manner; and

WHEREAS, upon review, GDOT, by letter to the City dated March 8, 2010 (a copy of which is appended hereto as Exhibit "A"), upheld its decision on two of the three



locations, but authorized the continued use of the RLRPES technology at the intersection of SR 8/North Avenue at Spring Street; and

WHEREAS, the City was thereafter required, pursuant to the provisions of Georgia Code Section 40-14-25(c) to turn over to GDOT all revenues received by the City after December 31, 2009 on or before July 1, 2010, from the two locations where GODT denied permit renewals; and

WHEREAS, the amount of revenue received by the City after December 31, 2009 from the RLRPES installations at the intersection of SR 10/Freedom Parkway at Boulevard and the intersection of Piedmont Avenue and Monroe Drive, after December 31, 2009, was thirty four thousand six hundred sixty two dollars and fifty cents (\$34,662.50).

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS, as follows:

SECTION 1: That the Georgia State Code, at Section 40-14-25 authorizes GDOT to order that revenues generated from the unpermitted use of RLRPES devices be turned over to the State of Georgia and GDOT made such a demand the City as of March 8, 2010.

SECTION 2: That the GDOT demand described in Section 1 above, related to all revenues received by the City as of January 1, 2010 from RLRPES locations at the intersection of SR 10/Freedom Parkway at Boulevard and the intersection of Piedmont Avenue and Monroe Drive.

SECTION 3: That the revenues generated at the two locations described in Section 2 above since January 1, 2010 amounted to thirty four thousand six hundred sixty two dollars and fifty cents (\$34,662.50) and are presently deposited in the following described City account:

Fund	7701	Non-Capital Trust Fund
Dept	130308	Department of Public Works
Account	5239004	Service Grants
Function/activity	4270000	Transportation Engineering
Project	600098	Red Light Camera Enforcement
Funding source	69999	Non-Capital Trust

SECTION 4: That authorization is hereby granted to permit the City to withdraw thirty four thousand six hundred sixty two dollars and fifty cents (\$34,662.50) from the fund and account described in Section 3 above and pursuant to GDOT's letter of March 8, 2010, remit said amount to the Georgia Department of Transportation no later than July 1, 2010.

SECTION 5: All ordinances and parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.

A true copy,

Rhonda Daughin Johnson
Municipal Clerk

ADOPTED by the Atlanta City Council
APPROVED by Mayor Kasim Reed

MAY 17, 2010
MAY 25, 2010

RCS# 241
5/17/10
2:50 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

EXCEPT 10-O-0743, 10-R-0839

ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

Y Smith	NV Archibong	Y Moore	Y Bond
Y Hall	Y Wan	Y Martin	NV Watson
Y Young	Y Shook	B Bottoms	Y Willis
Y Winslow	Y Adrean	Y Sheperd	NV Mitchell

CONSENT I

		05-17-10
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 10-O-0741	35.10-R-0903	57. 10-R-0828
2. 10-O-0742	36. 10-R-0868	58. 10-R-0829
3. 10-O-0744	37. 10-R-0869	59. 10-R-0830
4. 10-O-0745	38. 10-R-0871	60. 10-R-0831
5. 10-O-0746	39. 10-R-0872	61. 10-R-0832
6. 10-O-0747	40. 10-R-0873	62. 10-R-0833
7. 10-O-0748	41. 10-R-0809	63. 10-R-0834
8. 10-O-0796	42. 10-R-0810	64. 10-R-0835
9. 10-O-0798	43. 10-R-0811	65. 10-R-0836
10. 10-O-0889	44. 10-R-0812	66. 10-R-0837
11. 10-O-0893	45. 10-R-0814	67. 10-R-0838
12. 10-O-0627	46. 10-R-0815	68. 10-R-0840
13. 10-O-0330	47. 10-R-0816	69. 10-R-0841
14. 10-O-0331	48. 10-R-0819	70. 10-R-0842
15. 10-O-0632	49. 10-R-0820	71. 10-R-0843
16. 10-O-0633	50. 10-R-0821	72. 10-R-0844
17. 10-O-0730	51. 10-R-0822	73. 10-R-0845
18. 10-O-0731	52. 10-R-0823	74. 10-R-0846
19. 10-O-0732	53. 10-R-0824	75. 10-R-0847
20. 10-O-0733	54. 10-R-0825	76. 10-R-0848
21. 10-O-0735	55. 10-R-0826	77. 10-R-0849
22. 10-O-0779	56. 10-R-0827	78. 10-R-0850
23. 10-R-0882		79. 10-R-0851
24. 10-R-0883		80. 10-R-0852
25. 10-R-0884		81. 10-R-0853
26. 10-R-0885		82. 10-R-0854
27. 10-R-0887		83. 10-R-0856
28. 10-R-0638		84. 10-R-0857
29. 10-R-0639		85. 10-R-0858
30. 10-R-0818		
31. 10-R-0859		
32. 10-R-0860		
33. 10-R-0861		
34. 10-R-0862		