

An Ordinance to add new Section 74-92.1 to the Code of the Town of Altavista, 1968, relating to Operation of Vehicles.

Be it ordained by the Town Council of the Town of Altavista:

1. That a new Section 74-92.1 be added to the Code of the Town of Altavista, 1968, as follows:

Sec. 74-92.1 Use of photo speed monitoring devices in school crossing zones.

(a) Pursuant to Section 46.2-882.1 of the Code of Virginia, the Altavista Police Department is hereby authorized to install and operate photo speed monitoring devices in school crossing zones designated by Altavista, or to contract with a private vendor to do so on its behalf, for the purpose of recording violations of Section 46.2-873 of the Code of Virginia or Town Code 74-92.

(b) For purposes of this section, “photo speed monitoring device” means equipment that uses radar or LIDAR-based speed detection and produces one or more photographs, microphotographs, videotapes, or other recorded images of vehicles. “School crossing zone” has the same meaning ascribed to it in Code of Virginia §46.2-873. A state or local law enforcement agency may place and operate a photo speed monitoring device in school crossing zones for the purposes of recording such violations pursuant to §46.2-882.1.

(c) All photo speed monitoring devices placed in school crossing zones shall, at a minimum, produce a certificate or a facsimile thereof, sworn to or affirmed by a law enforcement officer, based upon inspection of photographs, microphotographs, videotapes, or other recorded images produced by a photo speed monitoring device, shall be prima facie evidence of the facts contained therein.

(d) The driver of a motor vehicle found to be in violation of Section 46.2-873 of the Code of Virginia or Town Code 74-92 based upon evidence obtained from a photo speed monitoring device, shall be liable for a civil penalty of one hundred dollars (\$100.00) imposed in accordance with this section if such vehicle is found as evidenced by information obtained from a photo speed monitoring device placed and operated in a school crossing zone to have violated Section 46.2-873 of the Code of Virginia or Town Code 74-92. within the Town of Altavista .

(e) Any person found liable under this ordinance may contest the summons charging the violation, as provided by Code of Virginia Section 46.2-882.1.

(f) Any civil penalty levied for a violation of Code of Virginia § 46.2-882.1 shall be payable to the Town of Altavista.

2. This Ordinance shall become effective immediately upon passage.