COMMON COUNCIL COMMITTEE MEETING

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PUBLIC SAFETY COMMITTEE
Thomas Hoey, Chair

DATE/TIME: Monday, September 11, 2023 at 5:30 PM

LOCATION: Council Chambers-2nd Floor. City Hall

PUBLIC COMMENT PERIOD: YES

TOPIC(S) OF DISCUSSION/CONSIDERATION:

- Violence Prevention Activities in the City of Albany
- ORDINANCE 5.21.23
  AN ORDINANCE AMENDING ARTICLE I (LOITERING; DISTURBANCES; DEFACING PROPERTY) OF CHAPTER 255 (PEACE AND GOOD ORDER) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO SIMPLIFYING THE ENFORCEMENT GUIDELINES FOR LOITERING
- School Speed Zone Camera Demonstration Program
- LOCAL LAW M of 2022
  A LOCAL LAW AMENDING CHAPTER 359 (VEHICLES AND TRAFFIC) REDUCING THE SPEED LIMIT OF THE CITY OF ALBANY FROM 30 TO 25 MILES PER HOUR
- Body-Worn Cameras for Albany Parking Authority and Buildings & Regulatory Compliance Code Enforcement Officers
Council Member Anane introduced the following:

ORDINANCE 5.21.23

AN ORDINANCE AMENDING ARTICLE I (LOITERING; DISTURBANCES; DEFACING PROPERTY) OF CHAPTER 255 (PEACE AND GOOD ORDER) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO SIMPLIFYING THE ENFORCEMENT GUIDELINES FOR LOITERING

The City of Albany, in Common Council convened, does hereby ordain and enact:

Section 1. Section 255-3 (Enforcement Guidelines) of Article I (Loitering; Disturbances; Defacing of Property) of Chapter 255 (Peace and Good Order) of Part II (General Legislation) of the Code of the City of Albany is hereby to read as follows:

§ 255-3 Enforcement Guidelines

A. Probable cause. Probable cause to charge or arrest any person for a violation of this article shall arise only when the law enforcement officer personally has observed either the commission by such person of some definable impermissible or illegal act as set forth herein above.

B. Failure to explain presence. The failure of any person to offer an explanation of his or her purpose in being at a particular place shall not, in and of itself, constitute a violation of this article.

Section 2. This ordinance shall take effect immediately.
To: Danielle Gillespie, City Clerk

From: Jake Eisland, Esq., Research Counsel

Re: Common Council Legislation
Supporting Memorandum

Date: January 24, 2023

Sponsor: Council Member Anane

ORDINANCE 5.21.23

TITLE
AN ORDINANCE AMENDING ARTICLE I (LOITERING; DISTURBANCES; DEFACING PROPERTY) OF CHAPTER 255 (PEACE AND GOOD ORDER) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO SIMPLIFYING THE ENFORCEMENT GUIDELINES FOR LOITERING

GENERAL PURPOSE OF LEGISLATION
The purpose of this legislation is to permit enforcement of Albany’s loitering laws when there is recorded evidence that a suspect has been in violation of the law.

NECESSITY FOR LEGISLATION AND CHANGES TO EXISTING LAW
The recent rise in crime has left citizens feeling less safe than before. Loitering individuals can be harmful to local businesses, deterring prospective customers, particularly when those individuals are engaging in other criminal activity. The current loitering law requires an officer to “personally observe the commission of a criminal or impermissible act. This leaves the police unable to protect businesses if, for instance, the loitering individual is no longer performing the illegal act when the officer arrives. This ordinance would empower the police to better protect local businesses and restore those businesses faith in the police, since they would be better able to enforce our laws.

FISCAL IMPACT(S)
None.
Council Member Zamer introduced the following:

LOCAL LAW M of 2022

A LOCAL LAW AMENDING CHAPTER 359 (VEHICLES AND TRAFFIC) REDUCING THE SPEED LIMIT OF THE CITY OF ALBANY FROM 30 TO 25 MILES PER HOUR

Be it enacted, by the Common Council of the City of Albany, as follows:

Section 1. Subsection A of Section 359-18 (Speed Regulations) of Article II (Traffic Regulations) of Part II of the Code of the City of Albany is amended:

A. The City of Albany speed limit shall be 30 25 miles per hour except it shall be 25 miles per hour on South Pearl Street (State Route 32) from the intersection of South Pearl Street with Old South Pearl Street north to the intersection of South Pearl Street with First Avenue or as otherwise posted.

Section 2. This local law shall take effect upon final passage, public hearing and filing with the Secretary of State.

APPROVED AS TO FORM THIS 22ND DAY OF AUGUST, 2022

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Corporation Counsel
To: Danielle Gillespie, City Clerk
From: John-Raphael Pichardo, Esq., Research Counsel
Re: Common Council Legislation
Supporting Memorandum

Date: August 22, 2022
Sponsor: Council Member Zamer

LOCAL LAW M of 2022

TITLE
A LOCAL LAW AMENDING CHAPTER 359 (VEHICLES AND TRAFFIC) REDUCING THE SPEED LIMIT OF THE CITY OF ALBANY FROM 30 TO 25 MILES PER HOUR

GENERAL PURPOSE OF LEGISLATION
The purpose of this legislation is to reduce the speed limit within city limits to 25 MPH.

NECESSITY FOR LEGISLATION AND CHANGES TO EXISTING LAW
Research shows that faster driving speeds correlate to more serious injuries and fatalities for pedestrians in the event of an accident. The faster a vehicle is traveling, the less time its driver will have to see a pedestrian in the road and stop, and the less time a pedestrian will have to react. According to the AAA Foundation for Traffic Safety, a pedestrian struck by a vehicle going 25mph has a 25 percent risk of sustaining a serious or fatal injury, a 50 percent risk at 33mph and a 75 percent risk at 41mph.

A 2018 study released by the Insurance Institute for Highway Safety found that lowering the speed limit by 5 mph on city streets improves safety outcomes for motorists, pedestrians, and bicyclists by reducing the incidence of speeding. The study focused on Boston, which in 2017 lowered its default speed limit on city streets from 30mph to 25mph. Researchers found that after the city lowered its speed limit, the estimated odds of a vehicle exceeding 35mph fell by 29.3 percent. Also, the odds of a vehicle exceeding 30mph fell by 8.5 percent and by 2.9 percent of exceeding 25mph. These reduced speeds will help to curb the city's incidence of serious injuries and fatalities in pedestrian involved accidents.

In 2014, New York City lowered its speed limit from 30mph to 25mph, as part of a program known as "Vision Zero," aimed at ending all traffic related deaths and serious injuries in the city by 2024. To date, the three years following implementation of the program have been studied and the number of traffic related fatalities declined for these three consecutive years and went down 23 percent overall.

In August of 2022, Governor Hochul signed bill S2021A/A1007, which grants municipalities the authority to lower the speed limit to as low as 25 mph.
FISCAL IMPACT(S)
The amount of signs that need to be replaced is currently unknown. The City of Schenectady recently changed about 200 signs and the cost was about $20,000.00.