

LEGISTAR 49284 – 2nd Substitute Body

DRAFTER'S ANALYSIS: This ordinance requires all convenience stores to have security cameras. The ordinance further requires minimum lighting for the use of security cameras. Under this ordinance, convenience stores are required to have security cameras that provide an overview of transaction counter and register area, a camera that captures an individual's face as they enter or exit the store and cameras at all fuel areas. The cameras must have an image quality of at least fifty pixels per foot and a recorded resolution of 1280 x 720. Convenience stores are required to record images at a rate of at least fifteen frames per second and store the images captured on the cameras and be capable of duplication. The ordinance further requires a notice be posted at all entrances and exits informing individuals that they are being recorded. The ordinance also establishes a penalty and bail deposits for violations. This ordinance shall be effective six months after adoption. This second substitute corrects a typographical error, clarifies that all other ordinances regarding exterior lighting must be followed and provides clarification regarding the position of the security cameras.

The Common Council of the City of Madison do hereby ordain as follows:

1. Section 23.52 entitled "Security Cameras at Convenience Stores" of the Madison General Ordinances is created to read as follows:

"23.52 SECURITY CAMERAS AT CONVENIENCE STORES.

(1) Definitions.

"Convenience Store" shall mean an establishment where motor fuel products or other minor accessories are retailed directly to the public on the premises, in combination with the sale of items typically found in a convenience market or supermarket.

"Lighting" shall mean sufficient lighting to ensure that the security camera is able to produce discernable images, including imagery sufficient to identify persons.

"Security camera" shall mean a high resolution camera that can produce reproducible digital color images and shall display a date and time stamp on each image and that has an image quality of at least fifty (50) pixels per foot and a recorded resolution of 1280 x 720.

(2) All owners of convenience stores shall maintain and operate security cameras during all hours the convenience store is open to customers. Subject to all other ordinances regulating lighting, owners of convenience stores must maintain adequate lighting to ensure that the security camera captures a clear, identifiable image. Security cameras shall be located at all of the following locations:

- (a) At least one security camera shall be positioned to capture an overview of each transaction counter and register area;
- (b) At least one security camera shall be positioned to capture a clear, identifiable full-frame image of an individual's face as they enter or exit the convenience store; and
- (c) At least one security camera shall be positioned to capture the general area surrounding any fuel area to capture an image which identifies the operator and the vehicle.

(3) Storage and Preservation of Records. All digital video records from security cameras must be recorded at a rate of at least fifteen (15) frames per second and stored and maintained in good viewing order for fifteen (15) days after capturing an image. The digital video recorder must be capable of exporting exact duplicates of their recordings to a standard removable media format (e.g. CD, DVD, Flash Drive). When requested by the Madison Police Department, the convenience store owner shall insure that requested record is stored and maintained adequately until retrieved by the Madison Police Department. The convenience store owner shall insure that they are adequate staff trained in the retrieval of digital video records to appropriately respond to a request for said record.

- (4) Notice. All convenience store owners shall conspicuously post a sign at all entrances and exits (excluding emergency exits and employee-only entrances). The sign must contain at least the following language, in lettering that shall be bold and a minimum of two (2) inches in height:

VIDEO RECORDING EQUIPMENT IN USE. YOU MAY BE RECORDED

- (5) Penalty. Whoever violates any provision of this ordinance shall be subject to a penalty of not less than one hundred dollars (\$100) and not more than one thousand dollars (\$1000). Each and every day that a violation exists shall constitute a separate offense.”

2. Subdivision (a) of Subsection (3) entitled “Schedule of Deposits” of Section 1.08 entitled “Issuance of Citations for Violations of Certain Ordinances and Providing a Schedule of Cash Deposits” of the Madison General Ordinances is amended by creating and amending therein the following:

<u>“Offense</u>	<u>Ord. No./Adopted Statute No.</u>	<u>Deposit</u>
Security cameras in convenience stores.	23.52	\$200, 1st \$500, 2nd \$750, 3rd & sub.”

3. This ordinance shall be effective six months after adoption.

EDITOR’S NOTE: New bail deposits must be approved by the Municipal Judge prior to adoption. This deposit has been so approved.