

## **ARTICLE III. SAFETY REQUIREMENTS FOR CONVENIENCE STORES.**

### **SEC. 12B-1. PURPOSE OF CHAPTER.**

The purpose of this chapter is to protect the health, safety, and welfare of the citizens of the city of Dallas by reducing the occurrence of crime, preventing the escalation of crime, and increasing the successful prosecution of crime that occurs in convenience stores in the city. To this end, this chapter establishes a registration program for convenience stores and provides requirements relating to surveillance camera systems, video recording and storage systems, alarm systems, drop safes, security signs, height markers, store visibility, safety training programs, and trespass affidavits. (Ord. 27293)

### **SEC. 12B-2. DEFINITIONS.**

In this chapter:

(1) **CERTIFICATE OF REGISTRATION** means a certificate of registration issued by the chief under this chapter to the owner or operator of a convenience store.

(2) **CHIEF** means the chief of the police department of the city or the chief's authorized representative.

(3) **CIGAR BAR** means a bar that derives 15 percent or more of its gross revenue on a quarterly (three-month) basis from the sale or rental of tobacco, tobacco products, or smoking accessories for on-premises consumption.

(4) **CONVENIENCE GOODS** means basic food, household, tobacco products, paraphernalia, and pharmaceutical items.

(5) **CONVENIENCE STORE** means any business that is primarily engaged in the retail sale of convenience goods, or both convenience goods and gasoline, and has less than 10,000 square feet of retail floor space. A convenience store does not include any business that has no retail floor space accessible to the public.

(6) **DIRECTOR** means the director of the department of code compliance or the director's authorized representative.

(7) **DROP SAFE** means a cash management device in which money can be deposited without the depositor having access to the contents.

(8) **EMPLOYEE** means any person listed on the payroll of a convenience store as an employee, whether part-time, full-time, permanent, or temporary. The term does not include a person providing only janitorial or security services to the convenience store.

(9) HEIGHT MARKER means a measuring strip that may be attached on or near a door frame of a convenience store to aid in identifying the height of a person suspected of committing a crime.

(10) MANAGER means the person designated in the registration application filed under this chapter as being responsible for the daily operation of a convenience store.

(11) PARAPHERNALIA means "illegal smoking paraphernalia" as that term is defined in [Chapter 31](#) of the Dallas City Code or any other smoking paraphernalia that is commonly used, or commonly known to be used, for the inhalation of tobacco or illegal substances. For purposes of this definition, rolling papers, tobacco cigarettes, and tobacco cigars are not considered paraphernalia.

(12) PERSON means any individual, corporation, organization, partnership, association, or any other legal entity.

(13) REGISTERED AGENT means the person identified in the registration application filed under this chapter who is authorized to receive on behalf of the convenience store any legal process or notice required or provided for in this chapter.

(14) REGISTRANT means a person issued a certificate of registration for a convenience store under this chapter and includes all owners, operators, or the person in the care, custody, or control of the convenience store.

(15) TOBACCO PRODUCT means a tobacco product as defined in Chapter 155 of the Texas Tax Code, as amended.

(16) TOBACCO SHOP means a retail or service establishment that derives 90 percent or more of its gross revenue on a quarterly (three-month) basis from the sale of tobacco or tobacco products. (Ord. Nos. 27293; [30472](#); [31867](#))

### **SEC. 12B-3. AUTHORITY OF CHIEF OF POLICE, FIRE DEPARTMENT, AND DEPARTMENT OF CODE COMPLIANCE.**

(a) Except as provided in this section, the chief of police shall implement and enforce this chapter in collaboration with the director and may by written order establish such rules, regulations, or procedures, not inconsistent with this chapter, as the chief determines are necessary to discharge any duty under or to affect the policy of this chapter.

(b) In addition to the chief of police and the director, the chief of the fire department, including representatives, agents, or city employees designated by the chief of the fire department, shall enforce the registration requirement in Section [12B-6](#). (Ord. Nos. 27293; [30472](#); [31867](#))

## **SEC. 12B-14. SURVEILLANCE CAMERA SYSTEM; VIDEO RECORDING AND STORAGE.**

(a) A registrant shall provide, maintain, and operate at least three color digital high-resolution surveillance cameras in the convenience store in compliance with this subsection.

(1) Each camera must be capable of providing a digital image with a minimum resolution of two megapixels, a minimum aspect ratio of 1920 horizontal pixels by 1080 vertical pixels, and a minimum frame rate of 15 frames per second.

(2) One camera must be positioned to provide coverage of the cash register or other area where money is exchanged. The second camera must be positioned to provide a clear and identifiable full frame view of the face of each individual filmed entering the main public entrance of the store. The third camera must be positioned to provide a clear and identifiable full frame of view of the face of each individual filmed exiting the main public exit of the store. The coverage of the cameras required by this paragraph must remain unobstructed by any display, sign, or other item.

(3) Each camera must be operating at all times, including hours when the store is not open for business. Each camera must be operated in a fixed position and not in a panning motion.

(4) Each camera must display the date and time of each recording.

(5) A sign stating "STORE IS UNDER CAMERA SURVEILLANCE," in letters at least two inches high, must be posted at each public entrance and exit of the convenience store and must be readable from inside and outside the store.

(b) A registrant shall provide for video recording and storage in compliance with this subsection.

(1) One or more digital video recording devices must be used to record images from each surveillance camera in the convenience store. Each recording device must be kept in a secured location that is remote from the surveillance cameras.

(2) The video recording devices must be designed, equipped, and operated, at a minimum, to digitally record images from the surveillance cameras every time motion occurs in the convenience store, whether or not the store is open for business.

(3) All digital video recordings must be maintained for at least 30 days.

(4) A digital video recording must be made available to the director and to the chief or any other peace officer for viewing as soon as possible after being requested. A copy of a digital video recording must be provided to the director and to the chief or any other peace officer within 72 hours after being requested. (Ord. Nos. 27293; [31867](#))

## **SEC. 12B-15. ALARM SYSTEM.**

(a) A registrant shall provide, maintain, and operate an alarm system in the convenience store in compliance with this section.

(b) A convenience store must have a silent panic or holdup alarm system for which a valid alarm permit is held in compliance with [Article I, Chapter 15C](#) of this code. The system must, at a minimum, include a panic button located within reach of the cash register and out of view of

the customer. The panic button must generate an alarm signal indicating a holdup or other life-threatening emergency requiring a police department response.

(c) A sign indicating that an alarm system is in use must be posted at each public entrance and exit of the convenience store. (Ord. 27293)

#### **SEC. 12B-16. DROP SAFES.**

(a) A registrant shall provide and maintain drop safes and signs in the convenience store in compliance with this section.

(b) A drop safe or similar device must be bolted to the floor of the convenience store.

(c) A sign indicating that employees cannot open the drop safe must be posted at each public entrance and exit of the convenience store. (Ord. 27293)

#### **SEC. 12B-17. SECURITY SIGNS; HEIGHT MARKERS.**

(a) A registrant shall provide, post, and maintain security signs and height markers in the convenience store in compliance with this section.

(b) Signs stating “NO SOLICITATION” and “NO TRESPASSING,” in letters at least two inches high, must be posted at each public entrance and exit of a convenience store. The signs may contain additional language as required by law and must be in a format approved by the chief.

(c) A height marker must be posted at each public exit of a convenience store. (Ord. 27293)

#### **SEC. 12B-18. STORE VISIBILITY.**

(a) A registrant shall provide for and maintain visibility in a convenience store in compliance with this section.

(b) An unobstructed line of sight that allows a clear view of and from the cash register and sales transaction area through all windows and public entrance and exit doors must be maintained in the convenience store at all times. The unobstructed line of sight must, at a minimum, extend from three feet above the ground to at least six feet above the ground.

(c) Store windows and doors must be maintained clear of all items that would obstruct a clear view, including, but not limited to, signage, advertisements, shelving, and merchandise.

(d) All public entrance and exit doors of a convenience store must be made of glass or another transparent material, except that a convenience store lawfully operating in the city on October 15, 2008 is not required to comply with this subsection until there is a change in the majority ownership of the store. (Ord. 27293)

#### **SEC. 12B-19. EMPLOYEE SAFETY TRAINING; TELEPHONE ACCESS.**

(a) A registrant shall ensure that safety training is provided for and completed by employees of the convenience store in compliance with this section.

(1) Each employee of a convenience store shall annually complete a safety training program offered by the city or otherwise approved by the chief. The safety training program must include, but is not limited to, the following subjects:

(A) Behavior before, during, and after a robbery.

- (B) Opening and closing the store.
- (C) Making a bank deposit.
- (D) Operation of security devices.
- (E) Physical deterrents and preventative measures.
- (F) Knowledge of store policies and training requirements.

(2) Each employee must complete the safety training program within 10 days after beginning employment with the convenience store.

(3) Each employee shall sign a statement indicating the date, time, and place of completion of the safety training program. Copies of each employee's statements must be maintained on file in the convenience store for as long as the employee is employed by the convenience store. The statements must be made available to the director and to the chief or any other peace officer immediately upon request.

(b) Telephone access must be provided at each convenience store for use by employees. (Ord. Nos. 27293; [31867](#))

#### **SEC. 12B-20. TRESPASS AFFIDAVITS.**

A registrant shall execute a trespass affidavit, on a form provided by the chief for that purpose, that authorizes the police department to enforce, on behalf of the registrant, all applicable trespass laws on the premises of the convenience store. (Ord. Nos. 27293; [30472](#))

#### **SEC. 12B-21. COIN-OPERATED AMUSEMENT DEVICES PROHIBITED.**

Coin-operated amusement devices, as defined in Chapter 6A, are prohibited in a convenience store, including the sales floor, office, storage room, and back room areas, whether open or closed to the public.

(Ord. [31620](#))

#### **SEC. 12B-22. EXTERIOR LIGHTING.**

Exterior lighting that illuminates all sides of the main building, parking areas, and fuel pump islands must be provided and maintained. Exterior lighting must be turned on daily between sunset and sunrise. In this section SUNSET and SUNRISE mean the time of day published on the weather page of the *Dallas Morning News* as the time for sunset and sunrise on that day in the city. (Ord. [31867](#))

#### **SEC. 12B-23. AUTOMATIC TELLER MACHINES.**

Automatic teller machines must be:

- (1) secured to the floor of the convenience store using bolts or other similar hardware; and
- (2) located more than 12 feet away from glass windows and doors. (Ord. [31867](#))