

## CHAPTER 126

# SURVEILLANCE CAMERAS IN CONVENIENCE STORES

### 126.01 Definitions

#### 126.02 Surveillance Camera Required

### 126.03 Exemptions

**126.01 DEFINITIONS.** For use in this chapter, the following terms are defined:

1. “Consumer products” means all food which is subject to sales tax and all food which is not subject to sales tax under Chapter 422 of the Code of Iowa, except foods prepared for immediate consumption.
2. “Convenience store” means any business which sells at retail both gasoline and more than 20 consumer products and which routinely remains open for business 20 to 24 hours a day or between the hours of ten o’clock (10:00) p.m. and five o’clock (5:00) a.m.
3. “Surveillance camera” means a video tape camera or similar video recording device.

**126.02 SURVEILLANCE CAMERA REQUIRED.** Every convenience store shall be equipped with a functioning surveillance camera between the hours of eight o’clock (8:00) p.m. and eight o’clock (8:00) a.m. of each day the store is open for business. The surveillance camera shall be positioned so as to film all persons entering the establishment and/or all persons approaching within five feet of the cash register. All proposed installations of surveillance cameras shall be approved in advance by the Police Department as in conformance with the requirements of this chapter prior to actual installation. The Police Chief is hereby authorized and directed to develop departmental rules and regulations setting forth the minimum specifications for surveillance cameras. The specifications shall be developed with the intent to require surveillance cameras which are functionally capable of recording visual activities and reproducing the same with sufficient quality to aid the Police Department in the apprehension of lawbreakers. A 35 mm camera capable of activation will satisfy the requirements of this section. Surveillance cameras installed prior to the passage of the ordinance codified in this chapter will be deemed to be in compliance with this section.

**126.03 EXEMPTIONS.** A business which is required to install a surveillance camera by this chapter may apply to the Police Chief for exemption from the provisions of this chapter. The Police Chief may exempt a business from such requirement if the Police Chief finds that the business has or will undertake alternate security procedures which are substantially equal to or more effective in preventing criminal activity and in assisting in the apprehension of the perpetrators of crime or for protecting employees, or the Police Chief may authorize alternate procedures on an experimental basis. The Police Chief may also authorize temporary extensions of the installation deadline provided in this chapter when a business demonstrates that it is temporarily unable to comply for good cause shown.