

AN ORDINANCE TO AMEND CHAPTER 15 OF THE CODE OF DEKALB COUNTY, GEORGIA, AS REVISED 1988; TO PROVIDE FOR REVISED TECHNICAL REQUIREMENTS FOR THE MANDATORY USE OF VIDEO SURVEILLANCE SYSTEMS AT CONVENIENCE STORES, AND FOR OTHER PURPOSES

WHEREAS, the Governing Authority of DeKalb County is tasked with protecting the health, welfare, and safety of its residents and visitors by ensuring the continued availability of crime free and safe convenience stores within the County; and

WHEREAS, the Governing Authority of DeKalb County declares and finds that a significant number of violent crimes occur at convenience stores; and

WHEREAS, the Governing Authority of DeKalb County adopted an Ordinance requiring the mandatory use of video surveillance systems by June 30, 2023 to reduce, prevent, and combat the significant number of violent crimes that occur at convenience stores; and

WHEREAS, the Governing Authority of DeKalb County has determined that the technical requirements for the mandatory video surveillance systems should be revised;

NOW THEREFORE BE IT ORDAINED by the Governing Authority of DeKalb County, Georgia, and it is hereby ordained by the authority of the same, that Chapter 15 of the Code of DeKalb County, as Revised 1988, is hereby amended as follows:

ARTICLE XV
CONVENIENCE STORES

PART I. ENACTMENT

By amending Chapter 15 of the Code of DeKalb County, as Revised 1988, to delete in its entirety and replace sub-Section. 15-573(c)(3) as follows:

(3) All VSS are required to have no less than one (1) camera and as many other cameras as are necessary to capture images of all pumps located on the property where the convenience store operates;

By amending Chapter 15 of the Code of DeKalb County, as Revised 1988, to delete in their entirety and replace sub-Sections. 15-573(d)(7) and 15-573(d)(8) as follows:

(7) The convenience store shall retain the continuous digital images recorded by this system for no less than thirty (30) days.

(8) A digital video recording must be made available to the Chief or any other peace officer for viewing as soon as possible but no later than seventy-two (72) hours after being requested for voluntary delivery and/or mandatory delivery pursuant to a

warrant issued by a Court of competent jurisdiction unless the warrant provides for delivery in a shorter time period. The County encourages partnerships with private sector companies that will allow county employees to view in real time and if necessary, obtain copies of images captured by the private sectors' VSS.

By amending Chapter 15 of the Code of DeKalb County, as Revised 1988, to delete in their entirety and replace sub-Sections. 15-573(f) and 15-573(g) as follows:

(f) *Inspections.* The VSS shall be subject to regular inspection by the Director, who is authorized to inspect any such system, at reasonable times to determine whether it conforms to the requirement of this section. If the VSS does not conform, the convenience store in question shall take immediate steps to bring the system back into compliance within ninety (90) days of being notified of the VSS's non-compliance. When the only impediment to issuing a business occupation tax certificate (hereinafter referred to as a "business license") and/or alcohol license renewal is compliance with this article, the County may issue a provisional business and/or alcohol license to allow additional time to complete compliance with this article within the ninety (90) day period.

(g) *Grandfathering.* The requirements of this article shall apply to all initial inspections. For subsequent inspections, if the Director determines a VSS is non-compliant due solely to the changes created by updated written VSS Standards effective on May 1st of any given year, then the convenience store will be given 180 days from May 1st of that year to bring the system into compliance with the updated written VSS Standards. When the only impediment to issuing a business and/or alcohol license renewal is compliance with this article, the County may issue a provisional business and/or alcohol license to allow additional time to complete compliance with this article within the 180-day period.

PART II. EFFECTIVE DATE

This ordinance shall become effective upon adoption by the Board of Commissioners and approval by the Chief Executive Officer.

PART III. SEVERABILITY

Should any section or provision of this ordinance be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of the ordinance as a whole nor any part thereof other than the part so declared to be invalid or unconstitutional. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are repealed.

ADOPTED by the DeKalb County Board of Commissioners, this _ day of _____
_____, 2024.

MEREDA DAVIS JOHNSON

Presiding Officer
Board of Commissioners
DeKalb County, Georgia

APPROVED by the Chief Executive Officer of DeKalb County, this _____ day of _____, 2024.

MICHAEL L. THURMOND
Chief Executive Officer
DeKalb County, Georgia

ATTEST:

BARBARA SANDERS-NORWOOD, CCC
Clerk to the Board of Commissioners and Chief Executive Officer
DeKalb County, Georgia

APPROVED AS TO FORM:

APPROVED AS TO SUBSTANCE:

VIVIANE H. ERNSTES
County Attorney
DeKalb County, Georgia

JOSEPH “JACK” LUMPKIN
Director of Public Safety
DeKalb County, Georgia

APPROVED AS TO SUBSTANCE:

APPROVED AS TO SUBSTANCE

MIRTHA RAMOS
Police Chief
DeKalb County, Georgia

CEDRIC HUDSON
Interim Director of Planning and
Sustainability
DeKalb County, Georgia