



# **CITY OF MESA, ARIZONA**

## **CONVENIENCE STORE ORDINANCE UPDATE**

**May 17, 2010**

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# BACKGROUND

- In June 2009 the Police Department gave a presentation to the Public Safety Committee on Crime Prevention Through Environmental Design (CPTED)
- The Committee asked the Department to meet with key stakeholders to resolve any concerns they may have with elements of the program
- The Department has met with key stakeholders and is ready to present a more defined proposal for consideration
- On March 18, 2010 the Police Department presented the defined proposal to the Public Safety Committee. They asked that the Department meet again with the stakeholders that may not have previously been included and this is the current update from that meeting

# PURPOSE

- The concept of this proposal is to protect the health, safety, and welfare of the citizens of the City of Mesa 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 accomplish this we are proposing an ordinance that will:
  - Establish a registration program for convenience stores
  - Provide 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

# MESA CONVENIENCE STORES AT A GLANCE 2009

	CFS	PART 1 CRIMES	PART 1 ARRESTS	PART 2 ARRESTS	UCR THEFTS	
					SHOP- LIFTS	OTHER THEFTS**
<b>Citywide Total*</b>	<b>318,760</b>	<b>18,096</b>	<b>4,441</b>	<b>20,917</b>	<b>4,585</b>	<b>3,330</b>
<b>Total for Convenience Stores*</b>	<b>8,840</b>	<b>1,747</b>	<b>184</b>	<b>476</b>	<b>1,592</b>	<b>43</b>
<b>Total for Top 10 Convenience Stores***</b>	<b>4,110</b>	<b>576</b>	<b>76</b>	<b>134</b>	<b>546</b>	<b>7</b>
<b>Percentage of Convenience Stores to Citywide</b>	<b>2.8%</b>	<b>9.7%</b>	<b>4.1%</b>	<b>2.3%</b>	<b>34.7%</b>	<b>1.3%</b>
<b>Percentage of Top 10 Convenience Stores to Total Convenience Stores</b>	<b>46.5%</b>	<b>33.0%</b>	<b>41.3%</b>	<b>28.2%</b>	<b>34.3%</b>	<b>16.3%</b>

\* Data is preliminary and subject to further review and analysis—CFS data contains TS/SS calls.

\*\* Other Thefts does not include Vehicle Burglaries.

\*\*\* Convenience Store data is based on a listing provided by Crime Prevention.

# ARTICLE I

## GENERAL PROVISIONS

### ○ Definitions

- **Previously agreed upon changes were made**
- **Stakeholders are now okay with this section**

### ○ Authority of the Chief

### ○ Delivery of Notices

### ○ Violations; Penalty

- **Stakeholders would prefer this be a Civil violation, not Criminal, and think it would be best if these requirements were instead only crime prevention recommendations**
- **Stakeholders feel the fines are too high. They believe they should not be per day and should not exceed a \$50.00 one time fee and/or be on an escalating scale like alarm fines**
- **Stakeholders feel this creates an undue hardship in these economic times since sales have dropped from 30-60%**

## ARTICLE II

# REGISTRATION OF CONVENIENCE STORES

- Registration Required; Fees
  - **Changed to no fee for registration**
  - **Only concern was that they were concerned it might go up at some point**
- Registration Application
  - **Stakeholders asked the Police Department to consider an Online Registration**
  - **They said all pertinent info is already on file with the Secretary of State and that the Police Department should just extract it from their databases**
- Issuance, Denial, and Display of Certificate of Registration; Registration Compliance Decal.
- Revocation of Registration
- Appeals
- Expiration and Renewal of Registration
- Non-transferability
- Property Inspections

# ARTICLE III

## MISCELLANEOUS REQUIREMENTS FOR CONVENIENCE STORES

### ○ Surveillance Camera System; Video Recording and Storage

- Stakeholders did not have an issue with cameras, they did however feel the storage requirements would be cost prohibitive and difficult for some to operate and wanted the storage capacity to be changed from 30 days to 15 days
- Stakeholders did not think 24 hours to supply the DVD/CD to Police was enough time and thought they should be given one week

### ○ Alarm System

- Stakeholders felt this was a reasonable request

### ○ Drop Safes

- Stakeholders were concerned this could cause heavy traffic and a backlog of customers distracting the clerk and potentially creating the opportunity for shoplifting

### ○ Security Signs; Height Markers

- Stakeholders feel the sign requirements would be too costly and that the City of Mesa should provide the signage

# ARTICLE III

## MISCELLANEOUS REQUIREMENTS FOR CONVENIENCE STORES - CONTINUED

### o Store Visibility

- **Stakeholders were concerned that the ordinance requirements would effect their overall space for inventory, limiting use of the available space in their stores**

### o Employee Safety Training; Telephone Access

- **Stakeholders were okay with this section**
- **Stakeholders requested that we add: “Training on how to be a good witness” to the Employee Safety Training Requirements list**

# ARTICLE III

## MISCELLANEOUS REQUIREMENTS FOR CONVENIENCE STORES - CONTINUED

- **Trespass Enforcement Program Affidavits**
  - **Stakeholders agreed the Trespass Enforcement Program is a good program**
- **General Safety Conditions**
  - **Requested changes were made – Bollards and Fences sections taken out and changed wording as requested for Address Numbers to be “maintained” not “installed and maintained”**
  - **Stakeholders were okay with this section**

## GENERAL CONCERNS

- Stakeholders feel the new ordinance penalizes all stores when the problem is limited to a very few
- Stakeholders feel evidence, specifically videos, are not being picked up by Police in a timely manner, therefore they do not think the Police Department is doing anything about finding and arresting suspects
- Stakeholders would like the new ordinance to also specify the responsibilities of the Police Department and what they will do to follow up
- Stakeholders would like the new ordinance to be evaluated to determine it's effectiveness and if it is found to not be effective, it should be repealed

## POSSIBLE OPTIONS

- Move forward with Proposed Convenience Store Ordinance
- Revisit the option of Security Plans as needed for stores whose prevention efforts are not effective or are not complying with recommendations
  - This would replace the ordinance and target only problem stores
- Others?

# QUESTIONS?

# City of Mesa, Arizona

## Convenience Store Ordinance

City of Mesa  
Commander Kathy Kirkham, Mesa Police Department  
Patty Gallagher, Crime Prevention Officer

# DRAFT

**04/29/2010**

**WHEREAS**, the Mesa Police Department studied methods for reducing the occurrence of crime, preventing the escalation of crime, and increasing the successful prosecution of crime that occurs in convenience stores; and

**WHEREAS**, the Mesa Police Department determined in a review of numerous studies, practices of other jurisdictions, its own research, and the experience of Task Force members that convenience store owners play a key role in promoting safety in their establishments; and

**WHEREAS**, training employees in safety procedures, posting notice of crime prevention strategies in use, increasing visibility, and utilizing safety devices can increase the safety of store employees and customers; and

**WHEREAS**, the registration of convenience stores with the police official would facilitate the application and enforcement of this ordinance and other laws;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESA, ARIZONA:**

**Section 1.** That the findings contained in the preamble of this Ordinance are determined to be true and correct and are hereby adopted as a part of this Ordinance.

**Section 2.** That Title 6 of the Mesa City Code of Ordinances, Mesa, Arizona, is hereby amended by adding a new Chapter 20 that reads as follows:

ORDINANCE NO. \_\_\_\_\_

An ordinance adding CHAPTER \_\_\_\_\_, "CONVENIENCE STORES," composed of Sections \_\_\_\_\_ through \_\_\_\_\_, to the Mesa, Arizona City Code, as amended; defining terms; providing requirements and procedures for the registration of convenience stores in the city; providing requirements for convenience stores 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; providing a penalty not to exceed \$500; providing a saving clause; providing a severability clause; and providing an effective date.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESA, ARIZONA:

SECTION 1. That the Mesa City Code, as amended, is amended by adding new CHAPTER 20, "CONVENIENCE STORES," composed of Sections \_\_\_\_\_ through \_\_\_\_\_, to read as follows:

**"CHAPTER \_\_\_\_\_**

**CONVENIENCE STORES**

**ARTICLE I.**

**GENERAL PROVISIONS.**

**SEC. \_\_\_\_\_ PURPOSE OF CHAPTER.**

The purpose of this chapter is to protect the health, safety, and welfare of the citizens of the City of Mesa 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.

**SEC. \_\_\_\_\_ 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 of Mesa or the Chief's authorized representative.

(3) CONVENIENCE GOODS means basic food, household, health and beauty aids, and over the counter medications.

(4) CONVENIENCE STORE means retail establishments that sell a limited line of groceries, prepackaged food items, tobacco, magazines, and other household goods, primarily for off-premises consumption and typically found in establishments with long or late hours of operation and a relatively small building of less than 7,500 square feet. This classification includes small retail stores located on the same parcel as or operated in conjunction with a service station.

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

(6) 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.

(7) 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 entering or exiting the convenience store to assist later identification if the person is suspected of committing a crime.

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

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

(10) 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.

(11) REGISTRANT means a person issued a certificate of registration for a convenience store under this chapter and includes all owners and operators of the convenience store identified in the registration application filed under this chapter.

**SEC. \_\_\_\_\_ AUTHORITY OF CHIEF.**

The Chief shall implement and enforce this chapter 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.

**SEC. \_\_\_\_\_ SEVERABILITY.**

If any section, subsection, sentence, clause, or phrase of this Chapter is for any reason held to be illegal or unconstitutional, such decision shall not affect the validity of the remaining portions.

**SEC. \_\_\_\_\_ DELIVERY OF NOTICES.**

Any written notice that the Chief is required to give an applicant or registrant under this chapter is deemed to be delivered:

(1) on the date the notice is hand delivered to the applicant or registrant or the applicant or registrant's registered agent; or

(2) when a notice is placed in the United States mail with postage affixed thereto and addressed to the applicant or registrant or the applicant or registrant's registered agent at the address provided for the applicant or registrant or the registered agent in the most recent registration application, the notice is considered delivered.

**SEC. \_\_\_\_\_ VIOLATIONS; PENALTY.**

(a) A person who violates a provision of this chapter, or who fails to perform an act required of the person by this chapter, commits a civil offense. A first offense shall result in a warning which allows the registrant to correct the violation within fourteen (14) calendar days. If the violation

is corrected within the allotted time, no fine will be assessed. If the violation is not corrected within the allotted time, each day thereafter is a continuing violation and shall constitute a separate offense.

- (b) An offense under this chapter is punishable by a fine of not less than two hundred fifty dollars (\$250) or more than five hundred dollars (\$500).
- (c) The penalties provided for in Subsection (b) are in addition to any other enforcement remedies that the city may have under city ordinances and state law.

## ARTICLE II.

### REGISTRATION OF CONVENIENCE STORES.

#### SEC. \_\_\_\_\_ REGISTRATION REQUIRED; FEES.

(a) A person commits an offense if the person owns or operates a convenience store without a valid certificate of registration. A separate certificate of registration is required for each convenience store.

(b) It is a defense to prosecution under Subsection (a) that at the time of the alleged offense:

(1) an open convenience store that had not been previously licensed and had been open for business less than thirty (30) calendar days; or

(2) fifty percent (50%) or more of the ownership of the convenience store had changed and the store had been open for business under the new ownership for less than thirty (30) calendar days.

(c) Effective 01/01/2011, all convenience stores will be required to pay a fee in accordance with the schedule of fees and charges under this chapter.

#### SEC. \_\_\_\_\_ REGISTRATION APPLICATION.

(a) To obtain a certificate of registration for a convenience store, a person must submit a notarized application on a form provided by City of Mesa Tax & Licensing for that purpose to the Chief. The applicant must be the person who will own, operate, or

manage the convenience store. The application must contain all of, but not limited to, the following information:

(1) The name, street address, mailing address, electronic address, and telephone number of the applicant.

(2) The name, street address, mailing address, facsimile number, electronic address, and telephone number of the convenience store.

(3) The names, street addresses, mailing addresses, electronic addresses, and telephone numbers of all persons owning twenty percent (20%) or more of the convenience store and any lien holders and other persons with a financial interest in the convenience store, and the nature and extent of each person's interest in the convenience store.

(4) The name, street address, mailing address, electronic address, and telephone number of the manager of the convenience store.

(5) The name, street address, mailing address, electronic address, and telephone number of a person or persons who can be contacted twenty-four (24) hours a day, seven (7) days a week, in the event of an emergency condition involving the convenience store.

(6) The name, street address, mailing address, electronic address, and telephone number of the registered agent for the convenience store.

(7) The form of business of the applicant (and owner, if different from the applicant); the name, street address, mailing address, electronic address, and telephone number of a high managerial agent of the business, and, if the business is a corporation or association, a copy of the documents establishing the business.

(8) The total area in square feet of the convenience store.

(9) Such additional information as the applicant desires to include or that the chief deems necessary to aid in the determination of whether the requested certificate of registration should be granted.

(b) A registrant shall notify the Chief or his or her designee in writing within thirty (30) calendar days after any change in the information contained in the application for a certificate of registration for a convenience store, including, but not limited to, any changes in ownership of the property and any changes in the registered agent, manager, or emergency contact person for the property. It is incumbent upon the prior owner to advise the police official that he or she no longer holds any ownership interest in the property.

**SEC. \_\_\_\_\_ ISSUANCE, DENIAL, AND DISPLAY OF CERTIFICATE OF REGISTRATION; REGISTRATION COMPLIANCE DECAL.**

(a) The Chief shall issue to the applicant a certificate of registration for a convenience store, along with a registration compliance decal, if the Chief determines that:

(1) the applicant has complied with all requirements for issuance of the certificate of registration; and

(2) the applicant has not made a false statement as to a matter in an application for a certificate of registration. An applicant making such false statement is subject to criminal prosecution for perjury.

(b) If the Chief determines that the requirements of Subsection (a) have not been met,  
the chief shall deny a certificate of registration to the applicant.

(c) If the Chief determines that an applicant should be denied a certificate of registration, the Chief shall deliver written notice to the applicant that the application is denied and include in the notice the reason for denial and a statement informing the applicant of the right of appeal. Delivery of notice shall comply with **Section \_\_\_\_\_ DELIVERY OF NOTICES.**

(d) A certificate of registration issued under this section must be displayed to the public in a conspicuous manner and location approved by the Chief. The certificate of registration must be presented upon request to the Chief or any other peace officer or regulatory officer or official having responsibility for enforcement of this code for examination. If the applicant or any person engaged or employed by the licensee shall refuse or neglect to exhibit the certificate, such person shall be guilty of a violation of this Chapter.

(e) A registration compliance decal must be continuously and conspicuously displayed inside the building above the main public entrance door to the convenience store.

**SEC. \_\_\_\_\_ REVOCATION AND ENFORCEMENT OF REGISTRATION.**

(a) The chief shall revoke a certificate of registration for a convenience store if the chief determines that the registrant:

(1) failed to comply with any provision of this chapter or any other city ordinance or state or federal law applicable to the convenience store; or

(2) committed fraud, a misrepresentation, or intentionally made a false statement as to a material matter in the application or in a hearing concerning the certificate of registration.

(b) Before revoking a certificate of registration under Subsection (a), the Chief shall deliver written notice, pursuant to **Section \_\_\_\_\_ DELIVERY OF NOTICES**, to the registrant that the certificate of registration may be revoked. The notice must include the reason for the proposed revocation, action the registrant may take to prevent the revocation, and a statement that the registrant has ten (10) calendar days after the date of mailing or delivery to comply with the notice. The registrant then must file a notarized, certified letter with the Chief that they have completed these corrections.

(c) If, after ten (10) calendar days from the date the notice required in Subsection (b) is delivered, the registrant has not complied with the notice, the Chief shall revoke the certificate of registration and deliver written notice of the revocation to the registrant. The notice must include the reason for the revocation, the date the chief orders the revocation, and a statement informing the registrant of the right of appeal.

#### **SEC. \_\_\_\_\_ APPEALS.**

If the Chief denies issuance or renewal of a certificate of registration or revokes a certificate of registration, this action is final unless the applicant or registrant files an appeal with the Business License & Revenue Collections Administrator or designee in accordance with Section \_\_\_\_\_ of this Code.

#### **SEC. \_\_\_\_\_ EXPIRATION AND RENEWAL OF REGISTRATION.**

(a) A certificate of registration for a convenience store expires one (1) year after the date of issuance. A renewal fee in accordance with the schedule of fees and charges shall apply.

(b) A certificate of registration may be renewed by making application in accordance with Section \_\_\_\_\_. A registrant shall apply for renewal at least thirty (30) calendar days before the expiration of the certificate of registration. Registrants who fail to apply for renewal prior to the renewal date shall be subject to a late renewal fee in accordance with the current schedule of fees and charges. If the Registrant fails to renew the license within thirty (30) calendar days of the renewal deadline, the license shall expire and become null and void. Registrants who fail to apply to renew their licenses after the end of the thirty (30) calendar day grace period, but who continuously operate after the expiration, must file a new application for license,

submit the application fee, and pay the late renewal fees imposed for the nonrenewal of their previous license.

**SEC. \_\_\_\_\_ NONTRANSFERABILITY.**

A certificate of registration for a convenience store is not transferable.

**SEC. \_\_\_\_\_ PROPERTY INSPECTIONS.**

An applicant or registrant shall permit, at reasonable times upon request and without notice during business hours, representatives of the police department to inspect the interior and exterior of the convenience store, including but not limited to surveillance camera systems, for the purpose of ensuring compliance with this chapter and other city ordinances and state and federal laws applicable to convenience stores. The applicant or registrant commits an offense if, either personally or through an agent or employee, the applicant or registrant refuses to permit an inspection of the convenience store as required by this section.

**ARTICLE III.**

**MISCELLANEOUS REQUIREMENTS  
FOR CONVENIENCE STORES.**

**SEC. \_\_\_\_\_ SURVEILLANCE CAMERA SYSTEM; VIDEO RECORDING AND STORAGE.**

(a) A registrant shall provide, maintain, and operate a minimum of two (2) color digital high resolution surveillance cameras inside the convenience store in compliance with this subsection and a minimum of two (2) color or black & white digital high resolution surveillance cameras on the exterior of the building viewing the parking lot and/or gas pump area.

(1) Each camera must be capable of providing a digital image that clearly depicts the facial features of the person being filmed. The recorded image must be of such clarity, quality, and detail that it is useful in identifying a person suspected of committing a crime.

(2) One (1) camera must be positioned to provide coverage of the cash register or other area where money is exchanged. The other camera must be positioned to provide a clear and identifiable full frame view of the face of each individual filmed entering or exiting the main public entrance or exit of the store. The coverage of the cameras required by this paragraph must remain unobstructed by any display, sign, or other item. The camera lenses and monitors must be kept clean and well maintained at all times.

(3) Each camera must be operating and recording 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 correct date and time of each recording.

(5) A sign stating "STORE IS UNDER VIDEO SURVEILLANCE," in letters at least two (2) 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 (1) 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 thirty (30) calendar days.

(4) 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 twenty-four (24) hours after being requested.

**SEC. \_\_\_\_\_ 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 \_\_\_\_ 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 a silent alarm signal indicating a holdup or other life-threatening emergency requiring an immediate 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.

**SEC. \_\_\_\_\_ DROP SAFES.**

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

(b) A convenience store shall have a cash accountability policy mandating the maximum amounts of cash that can be kept in cash registers.

(c) A drop safe or similar device must be bolted to the floor of the convenience store. A drop safe may have a time-delay mechanism to allow small amounts of change to be removed.

(d) A sign indicating that employees cannot open the drop safe and that employees have minimum cash on hand must be posted at each public entrance and exit of the convenience store.

**SEC. \_\_\_\_\_ 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, in both English and Spanish and containing the A.R.S. Code References must be posted at each public entrance and exit of a convenience store. Metal "NO TRESPASSING" in English and Spanish with "A.R.S. 13-1502" signs shall also be placed on each of the exterior sides of the building. The signs may contain additional language as required by law and must be in a format approved by the chief. For convenience stores located in a strip mall and not having more than two (2) exterior walls, one (1) of the above mentioned metal "NO TRESPASSING" signs shall be affixed to the back door side of the building and one (1) current Mesa Police

Department provided Trespass Enforcement Program sticker shall be affixed to the glass front door next to or below the entrance door handle.

(c) A height marker must be posted at each public exit door of a convenience store depicting the actual height of an individual exiting the store.

**SEC. \_\_\_\_\_ 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 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 four (4) feet above the ground to at least seven (7) 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 January 1, 2010 is not required to comply with this subsection until there is a change in the majority ownership of the store.

**SEC. \_\_\_\_\_ 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 of Mesa Police Department 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 as determined by management.
- (E) Physical deterrents and preventative measures.

(F) Knowledge of store policies and training requirements.

(G) Training on how to be a good witness.

(2) Each employee must complete the safety training program within thirty (30) calendar 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 or electronically for as long as the employee is employed by the convenience store. The statements must be made available to the chief or any other peace officer within a reasonable timeframe, not to exceed fourteen (14) calendar days, upon request.

(b) Telephone access must be provided at each convenience store for use by employees.

**SEC. \_\_\_\_\_ TRESPASS ENFORCEMENT PROGRAM AFFIDAVITS.**

(a) A registrant shall execute a Trespass Enforcement Program 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. This form expires one (1) year from the date of the application. A renewal application for this affidavit shall be submitted thirty (30) calendar days prior to the expiration date each year.

(b) A true and correct copy of the Trespass Enforcement Program sticker must be posted at the convenience store in a manner and location so that it is clearly visible to the public at all times.

(c) A Trespass Enforcement Log will be kept on the premises at all times out of public view, but accessible to staff and representatives of the Mesa Police Department on request. This log is a form provided by the Mesa Police Department where the trespassed individuals, along with their pertinent information, are listed for future reference in case of any further violations.

**SEC. \_\_\_\_\_ GENERAL SAFETY CONDITIONS**

(a) Exterior entrances shall be illuminated with a minimum of five (5) footcandles of light at ground level to six (6) feet vertical between the hours of sunset and sunrise.

(b) Existing exterior lamps provided on the building and in the parking areas for security

of patrons and employees shall be repaired within forty-eight (48) hours when the light is not operational to maximize the lighting efficiency.

(c) If the store has outdoor pay phones, they must be lit from dusk to dawn with a minimum of five (5) footcandles of light.

(d) Any graffiti that may appear on the Permittee's property shall be removed or covered within forty-eight (48) hours, upon discovery or when notice is given by the Police Department.

(e) Beer Coolers will be locked from:

2:00 a.m. to 6:00 a.m. (Monday through Saturday)

2:00 a.m. to 10:00 a.m. (Sunday)

(f) Beer Floor Displays will be netted or otherwise secured from:

2:00 a.m. to 6:00 a.m. (Monday through Saturday)

2:00 a.m. to 10:00 a.m. (Sunday)

(g) Anytime the lobby or area open to the public is unattended and void of customers, the lock on the entry doors will be engaged. A "Reopen in 10 Minutes" or similar sign will be acceptable to have on customer entrance door during this time. An audible door alarm on entry doors that can be heard in each individual area of the store can serve as an alternative to locking the entry doors. Employees are then required to make every effort to return to the lobby or area open to the public as soon as the door alarm is activated, so as not to leave the area unattended when occupied by customers.

(h) The refuse area must be lit from dusk to dawn with a minimum of five (5) footcandles of light. A six (6) inch x six (6) inch vision portal is required on all refuse enclosure gates.

(i) Eight (8) inch tall address numbers must be ~~installed and~~ maintained on each street facing side of building or on a stand-alone sign for emergency address identification.

**SECTION \_\_\_\_\_.** That the Mesa City Code, as amended, will remain in full force and effect, save and except as amended by this ordinance.

**SECTION \_\_\_\_\_.** That the terms and provisions of this ordinance are severable and are governed by Section \_\_\_\_\_ of CHAPTER \_\_\_\_\_ of the Mesa City Code, as amended.

**SECTION \_\_\_\_\_.** That this ordinance will take effect on \_\_\_\_\_, except that Section \_\_\_\_\_(a) (employee safety training) will take effect on \_\_\_\_\_ and Section \_\_\_\_\_ (surveillance camera system and video recording

and storage system requirements), Section \_\_\_\_\_ (alarm system requirements),  
and Section \_\_\_\_\_ (drop safe requirements) will take effect on \_\_\_\_\_, and  
it is accordingly so ordained.

APPROVED AS TO FORM:

\_\_\_\_\_, City Attorney

By

\_\_\_\_\_, Assistant City Attorney