

A Guide for Businesses about the El Cerrito Video Surveillance Act of 2007



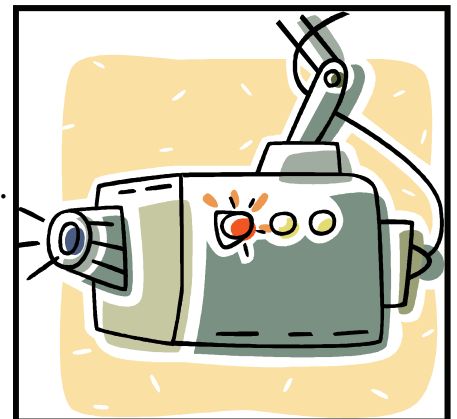
The El Cerrito Video Surveillance Act of 2007 (Act) requires certain businesses in El Cerrito to use a video surveillance system which meets the minimum technical standards set by the City. The Act went into effect on October 31, 2007. Businesses have one year (until October 31, 2008) to comply with the new law.

This guide is intended to assist business owners to understand their responsibilities under the Act and the resources available from the City.

Why did the City establish the Act?

The City of El Cerrito created the Video Surveillance Act to aid in the apprehension and prosecution of criminals as well as to support local businesses that are affected by employee and customer safety.

Many businesses have existing video surveillance systems; however, unless the system meets the minimum technical standards, those systems may not produce images clear enough to be useful for the police when investigating a crime.



What does the Act say?

In brief, the Act requires certain businesses to install and operate a continuous digital surveillance system (system) that meets or exceeds these requirements:

- Be a continuous digital surveillance system that records in color.
- Be capable of producing identifiable images and video recordings of activity and physical features of persons or areas within the premises.
- Be able to playback video as well as record such images on an approved form of media.

The system includes cabling, monitor, digital video recorder (DVR), as well as cameras and lens of a type, minimum resolution, number and location approved by the El Cerrito Police Department.

Dedicated cameras are required for the entrances and exits to the establishment, each register, loading dock areas, customer or employee parking areas, and the entrances and exits to the parking lot.

Which Businesses are required to have a System?

The types of businesses that are required to use a system under the new ordinance are:



Stores that the sell beer, wine, or distilled spirits

“to go” (a.k.a. Off-Sale Liquor Business): Those required to obtain a type 20 or 21 license from the California Department of Alcohol Beverage Control.

Stores that the sell firearms: Those required to obtain a license from California Department of Justice, pursuant to California Penal Code Sec. 12071

Pawnbrokers, secondhand dealers, coin dealers: Those required to obtain a license from California Department of Justice pursuant to Business & Professions Code Sec. 21640. The term “Secondhand Dealer” includes pawnbrokers subject to Financial Code Sec. 21000 – 21002 and coin dealers defined in Business & Professions Code Sec. 21626(b).

Check cashing businesses: Those required to obtain a license from California Department of Justice, pursuant to Ca. Civil Code Sec. 1789.30-1789.38.

Banks and Credit Unions: Any establishment whose primary function is the custody, loan, exchange, issuance of money, extension of credit, or transmission of funds.

Fast Food restaurants: Any restaurant that sell prepared foods and beverages in disposable containers (for eat-in or carry-out)

Convenience stores: Any business which sells at retail both gasoline and at least 20 consumer products.

Shopping centers that include one or more establishment listed above. Shopping Centers are a building or series of buildings containing a mix of four or more commercial establishments in a single development or on a single parcel.



What are the requirements for the system?

The system must be configured and installed in a way that meets the technical guidelines outlined below:

The Digital Video Recorder (DVR) needs to:

- Have **one dedicated channel** for each camera in operation.
- Have recording resolution level of **640 x 480** or better.
- Be able to record at **fifteen frames per second**, per camera. For example, a system with 10 cameras would need to have a DVR capable of recording at least 150 frames per second.
- Have **enough memory** to retain data from all cameras for a period of thirty days.
(One estimate is approximately 40 GB of hard drive memory per camera.)
- Be able to **view and retrieve data** while the system remains in operation.
- Be able to **time stamp** and “watermark” the recorded images.
- Be able to **burn DVD-R copies** (to be played in a standard DVD player or Windows Media Player).



The cameras need to:

- Operate with a minimum of **480 Total Vertical Lines** (TVL) of resolution.
- Be able to record **color** images and switch to black and white recording in low light.
- The following should be taken into consideration when selecting the **camera type** for each location:
 - Distance to target image.
 - “Lux rating” or compatibility with the amount of light available to include excessive amounts of sunlight.
 - View angle of camera in relation to area of desired coverage.

The monitor needs to:

- Be a **15”** Liquid Crystal Display (LCD) screen or larger. (Size measured diagonally)

The power supply needs to

- Be a **dedicated power source** for the system.

Camera Placement

The placement of each camera is very important. Each camera must have a clear and unobstructed view of the area of desired coverage. The cameras at exits, entrances and point of sale locations shall be positioned to capture “Head and Shoulder” images. The placement of cameras must be approved by the Police Department **prior to installation.**

At minimum, the system must have separate cameras dedicated to:

- **each register/check-out stand,**
- **entrance/exit,**
- **loading dock, and**
- **parking lot or area designated for customer and/or employee parking use.**

If the business is located in a shopping center, the Shopping Center owner is required by the Act to install and use a video surveillance system with cameras dedicated to the entrances and exits to the Shopping Center parking lot, loading dock areas, areas designated for customer and/or employee parking use, as well as the exterior entrances and exits of establishments subject to the provisions of this chapter as an individual business.

Placement of other system components

- The DVR needs to be **locked in a secure location** to prevent destruction or tampering.
- As needed, the monitor must be available to the Police Department for viewing of the recorded images.

Use and Maintenance

The systems must be in **continuous operation** (24 hours a day, 7 days a week) and maintained in proper working order **at all times.** The business must keep a copy of the recording for at least thirty (30) days.

ECPD Access to Video Footage

If a crime occurs, or someone reports they believe a crime has occurred, the business must provide immediate access to the media containing the recorded event to the Police Department, such as a DVD copy.

If the system is web-enabled or has wireless capability, the business shall provide the El Cerrito Police Department with the ability to access the live system during incidents requiring a police response or intervention.



Inspections



A Police Officer will conduct a **pre-installation assessment** of each business required by the Act to have a system. Once the system has been installed, a Police Officer will conduct another inspection. Once approved, the Police Department will issue an approval notice. This notice must be placed in plain view inside the premises to inform customers and employees of the existence of the video surveillance system.

The City will provide additional signs for outdoor parking area to be maintained by the business.

Enforcement and Fines

The video surveillance system is **subject to regular inspection** by the Police Department to determine if the system meets the requirements of the Act. If the system does not, the business must take immediate steps to bring the system back into conformance.

If any business violates the Act, a notice of violation will be issued by the Police Department . If the violation is not corrected within 30 days, the Police Department will issue a citation and have to pay a penalty of up to \$500 per day.

There is an appeal process. Please refer to El Cerrito Municipal Code Section 6.90 for details.

The Chief of Police may authorize temporary extensions of time for installation when a business demonstrates that it is temporarily unable to comply for good cause shown.

Exemptions

A required business may apply annually to the Chief of Police for exemption from the Act if the business has 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 the protection of employees.



What is a “Fast Food” Restaurant?

The Act is intended to include establishments whose business is primarily the sale of prepared food and beverages **in disposable containers** for consumption either within the building or off the premises, whose cash register is visible to the public view. If you own a restaurant and are not sure if your business is required to comply with the Act, you should contact the Police Department to determine status. The Police Department will issue a written one-year exemption for restaurants who wish to clarify their status and are deemed exempt.



How Long Will the Process Take?

Once you have selected a vendor, you should expect the process (design, installation and inspection/approval by ECPD) to take **four months or longer**. You are encouraged to start now in order to have your system in place and approved before the October 31, 2008 deadline.

Is Financial Assistance Available?

Yes! The City established a financial assistance program for small businesses which are required or voluntarily want to conform to the ordinance. Independently-owned business owners, or franchisee/small chain owners with no more than three locations, may apply to the City to receive a loan for 50% of the cost of video surveillance equipment, up to a maximum of \$5,000. Shopping center owners may apply if the land area of the center, or their portion of the center, is less than one acre. Corporate-owned, chain retail stores or restaurants are not eligible to participate in the Video Surveillance Loan Program.

Eligible applicants can receive a loan for up to 50% of the cost of the video surveillance equipment, up to a maximum of \$5,000.



The loan term will be for four years with zero percent interest rate. Loan funds will be disbursed to reimburse applicants for funds spent after the applicant has submitted documentation showing their video surveillance system has received final inspection and approval from the ECPD.

There is limited funding for the program, and applications will be considered on a **first come, first served basis**. For more information about the Video Surveillance Loan Program, contact Dwayne Dalman, Economic Development Project Manager at (510) 215-4362.

Before you Buy

There are many places where you can buy the necessary equipment for your business to comply with the Act. There are also numerous companies that can design, install, maintain and monitor your system if you so choose.

The City does not have a preferred vendors list and will not make recommendations for vendors. The City has however, developed a list of video surveillance system providers who successfully completed an exercise demonstrating their understanding of the Act. You may wish to review this list, but are not required to select a listed vendor.

To learn more, you are encouraged to go online to <http://www.el-cerrito.org/police> and click on “Video Surveillance Systems for Certain Businesses”. The webpage includes more detailed information as well as links to download the following helpful guides:

A Users Guide to Digital Video
by Conrad Steffen and Donald Cogswell
of Aventura Technologies, Inc. and

Tips for Buying Video Surveillance Gear
by Jake Lahmann
Law and Order Magazine - May, 2007.



Who do I contact with questions?

The El Cerrito Police Department is available to assist businesses in complying with the Act. You are encouraged to contact the El Cerrito Police Department during regular business hours at (510) 215-4400 if you have any questions during the process.

Estamos aquí para ayudarle! Si usted tiene preguntas sobre el Acto de la Vigilancia de Video 2007 de El Cerrito, y requiere ayuda en una idioma que no sea inglés, por favor comuníquese con el Departamento de Policía de El Cerrito al (510) 215-4400 para hacer una cita. Interpretación en su idioma puede ser disponible.

如您對有關於El Cerrito錄影監視2007法案有問題提出, 並需要除英語之外
的語言協助, 請與 El Cerrito 警察局聯繫, 電 (510) 215-4400 預約見面, 可能安排翻譯。

We're here to help! If you have questions about the Video Surveillance program, and require assistance in a language other than English, please contact the El Cerrito Police Department at (510) 215-4400 to schedule an appointment. Language interpretation may be available.

The City of El Cerrito is here to help you!



EL CERRITO

Police Department Contact:

Video Surveillance Act Assistance:
Commander Michael Regan
El Cerrito Police Department
(510) 215-4400
mregan@ci.el-cerrito.ca.us

*To report a crime in progress
in El Cerrito from a cell phone,
call dispatch at (510) 237-3233*

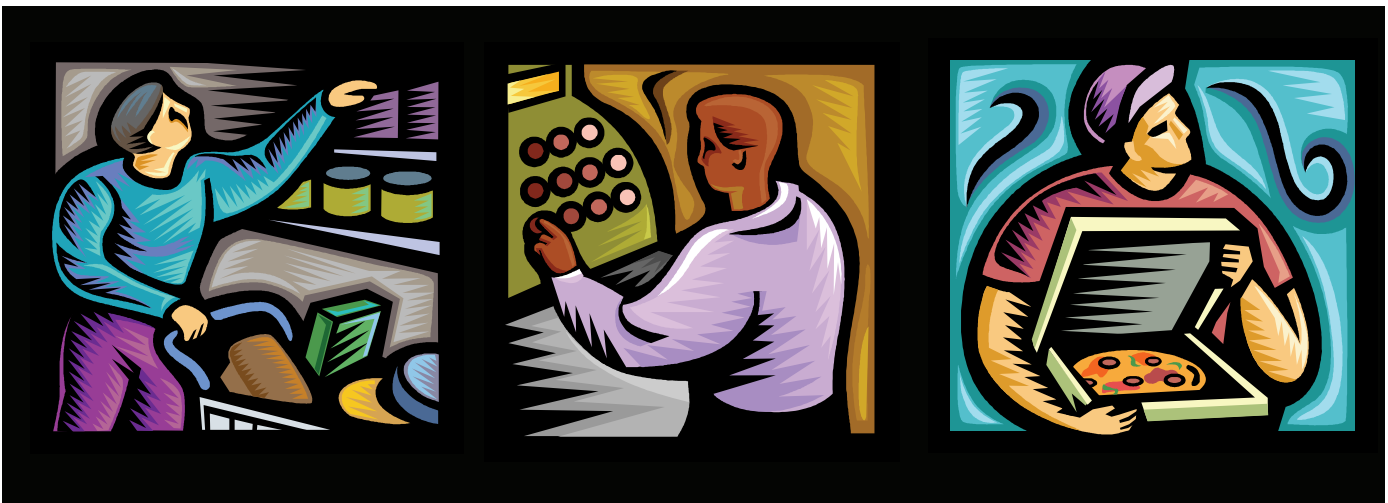
City Hall Contact:

Loan Assistance Program:
Dwayne Dalman
Economic Development Project Manager
Community Development Department
(510) 215-4362
ddalman@ci.el-cerrito.ca.us

Visit us online:
www.el-cerrito.org

In an emergency, call 9-1-1

Explain situation and describe person top to bottom



Disclaimer: This brochure is intended as an informational guide only. Please refer to Ordinance 2007-06 and resolution 2007-79 for detailed information about the Act.