

ORDINANCE OF THE TOWNSHIP OF DEPTFORD CREATING REGULATIONS RELATED TO RETAIL BUSINESS CENTERS WITH PARKING LOTS CONTAINING 25 OR MORE PARKING SPACES AND PROVIDING FOR INSTALLATION OF SECURITY CAMERA SYSTEMS

WHEREAS, the Township Council of the Township of Deptford in the County of Gloucester, State of New Jersey (the "Township") deems it to be in the best interest of the health, safety, and welfare of its citizens, businesses, and visitors to provide safer environments for customers and employees in its community; and

WHEREAS, the Township finds that parking lots of retail, restaurant, and service establishments ("Retail Business Centers") may expose people to the risk of robberies and other similar criminal acts; and

WHEREAS, a study conducted by the U.S. Department of Justice's Community Oriented Policing Services (the "USDOJ Study") has determined that there is a reduced level of fear amongst people who are aware they are under video surveillance, while also encouraging people to be more security conscious; and

WHEREAS, the USDOJ Study also concluded that those security camera systems may drive offenders away from committing offenses that take time, as they run a greater risk of capture; and

WHEREAS, the USDOJ Study also concluded that there is an actual investigative benefit provided by these security camera systems once an offense has been committed; and

WHEREAS, the Township, in consultation with the Township's Police Department, finds that certain minimum security standards, including the installation of security cameras to monitor the parking lots of Retail Business Centers, should both improve the clearance of crimes in those areas and deter and prevent future crimes in those areas; and

WHEREAS, the threat of liability to Retail Business Center owners for criminal incidents is very significant and could undermine the economic health of the Township's business community; and

WHEREAS, by installing the security cameras now, rather than after an incident takes place, owners of Retail Business Centers may take affirmative steps to not only protect their loyal customers and employees but also to help insulate themselves from liability; and

WHEREAS, the installation of security cameras would be a valuable tool for protecting customers and employees from harm and to help protect owners of Retail Business Centers from liability.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Township Council of the Township of Deptford, in the County of Gloucester, State of New Jersey, as follows

Section 1. Recitals Adopted. That the recitals set forth above are true and correct and incorporated herein by reference.

Section 2. Cameras in Retail Business Centers.

(1) Title. This Section shall be known as the “Township of Deptford Parking Lot Security Ordinance.”

(2) Findings. The Township Council finds that the installation of security cameras to monitor the parking lots of those facilities in commercial zoned areas under common ownership or control whose primary use is to provide space for retail, restaurant, and service establishments (“Retail Business Centers”), will help to protect the Township’s citizens, visitors, and business employees from abductions, robberies, and other similar criminal acts, supplementing existing law enforcement services. The Township Council, in consultation with the Deptford Township Police Department, finds that the installation of security cameras to monitor the parking lots of Retail Business Centers may improve both the solvability of crimes in those areas and, more importantly, deter future crime. The Township Council also finds that certain minimum-security requirements are beneficial to better protect the health, welfare, and safety of residents and visitors to the Township.

(3) Intent. It is the Township Council’s intent that the parking lots of Retail Business Centers that have twenty-five (25) or more parking spaces be equipped with a security camera system that may assist law enforcement personnel in offender identification, apprehension, and conviction. It is the Township Council’s intent that security cameras required hereunder shall significantly improve solvability of crimes committed in parking lots.

(4) Exemptions. This ordinance shall not apply to parking areas that solely service facilities whose primary function are office or residential uses.

(5) Required Security Camera System for Retail Business Centers.

(a) Every Retail Business Center shall install, maintain, and operate a security camera system capable of producing retrievable and identifiable images and storing them on digital video recorders, or other comparable media, that can be enlarged and used to assist law enforcement in offender identification, apprehension, and prosecution (“Security Camera System”).

(b) The Security Camera System must be capable of identifying all vehicles entering and leaving the parking area/lot(s) of the Retail Business Center. The minimum technical specifications of the Security Camera System shall be:

(i) Camera – 480 Total Vertical Lines (TVL) of resolution.

(ii) Recording Device – 640 x 480 recording resolution.

(iii) Recording Capability – Retain data from all cameras for thirty (30) days or more.

(6) Every Retail Business Center shall operate its security camera for no less than two (2) hours before the opening of the first business in the Retail Business Center and two (2) hours after the closing of the last business in the Retail Business Center, seven (7) days per week.

(7) Implementation Schedule. Retail Business Centers that commence operations after the effective date of this ordinance shall comply with the requirements of this ordinance upon commencement of operation. Retail Business Centers which exist as of the effective date of this ordinance shall come into compliance with this ordinance when a change in operation, expansion of operation, change of use, or any other circumstance necessitates an approval from the Deptford Township Planning Board or Deptford Township Zoning Board of Adjustment.

(8) Signage Requirement. Every Retail Business Center subject to the provisions of this ordinance shall post signs that are clearly visible from the parking area/lot(s) that state: "This outdoor area is being monitored by surveillance cameras by order of Deptford Township and criminal acts committed herein will be punished to the fullest extent of the law." There shall be a minimum of one sign for every 250 parking spaces, which signs shall be evenly placed throughout the parking area/lot(s), provided that no parking area/lot(s) subject to this ordinance shall have less than one (1) sign.

(9) Landscaping. Nothing in this ordinance shall require a Retail Business Center to remove any Township required landscaping.

(10) Exception. It shall not be a violation of this ordinance if the Security Camera System is inoperable as a result of an act of God, including, but not limited to, weather activity.

(11) Violations and Penalties. Each and every person, firm or corporation violating any of the provisions of this section shall, upon conviction thereof, be subject to the General Penalty established in Section 1-5 of this Code.

Section 3. Repealer. All ordinances or parts of ordinances inconsistent or in conflict with this Ordinance are hereby repealed as to said inconsistencies and conflict.

Section 4. Severability. If any section, part of any section, or clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this ordinance. The governing body of the Township of Deptford declares that it would have passed the ordinance and each section and subsection thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.



TOWNSHIP OF DEPTFORD

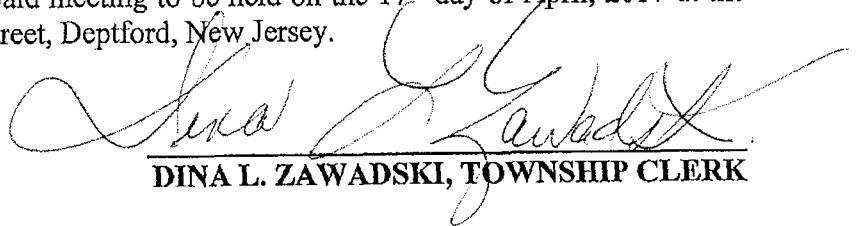

MAYOR PAUL MEDANY

ATTEST:


DINA L. ZAWADSKI, TOWNSHIP CLERK

CERTIFICATION

The foregoing Ordinance was introduced at a Regular Meeting of Township Council of the Township of Deptford held on the 3rd day of April, 2017 and will be considered for final passage and adoption at a Work Session Meeting at which time any person interested therein will be given an opportunity to be heard. Said meeting to be held on the 17th day of April, 2017 at the Municipal Building, 1011 Cooper Street, Deptford, New Jersey.


DINA L. ZAWADSKI, TOWNSHIP CLERK

Introduction

RECORD OF VOTE						
Council Member	Resolution No.	Ordinance No.	Yes	No	Abstain	Absent
		0.09.17				
Medany			✓			
Hufnell			✓			
Barnshaw			✓			
Lamb			✓			
Love			✓			
Schocklin			✓			
Scott			✓			

Adoption

RECORD OF VOTE						
Council Member	Resolution No.	Ordinance No.	Yes	No	Abstain	Absent
		0.09.17				
Medany			✓			
Hufnell			✓			
Barnshaw			✓			
Lamb			✓			
Love			✓			
Schocklin			✓			
Scott			✓			