

**AN ORDINANCE ADDING CHAPTER 4-25 TO THE WHITE PLAINS  
MUNICIPAL CODE IN RELATION TO REQUIRING CERTAIN  
ESTABLISHMENTS TO INSTALL VIDEO CAMERA SYSTEMS.**

The Common Council of the City of White Plains hereby ordains and enacts as follows:

**Section 1.** The White Plains Municipal Code is hereby amended by adding a new Chapter 4-25 to read as follows:

**Chapter 4-25 VIDEO CAMERA SYSTEMS.**

**SECTION 4-25-1. REQUIREMENTS FOR VIDEO CAMERA SYSTEMS**

It shall be required that the following business establishments: businesses that are licensed to sell alcohol by the State of New York to the public for consumption, either on or off premises; businesses whose premises are regularly open to the public for any amount of time between the hours of 12:00 a.m. midnight and 4:00 a.m.; check cashing businesses; licensed second hand dealers that buy and sell precious metals, pharmacies that are licensed by the State of New York; and pawn shops that are licensed by the City of White of Plains, (hereinafter collectively referred to in this Chapter as "businesses") install and maintain a video camera system (hereinafter referred to as "system") that conforms with the following requirements:

- (a.) The video cameras shall be installed at or near each entrance or exit regularly used by customers or employees. Said cameras shall be positioned so as to view and record a full frame of the individual's face as he/she is entering the business establishment, and, to the extent practicable, activity within 15 feet of the area around each entrance or exit;
- (b.) The video cameras shall be sufficiently light sensitive and provide sufficient image resolution (supported by additional lighting if necessary) to produce easily discernible images recorded at all times;
- (c.) The video cameras shall record at a minimum speed of eight frames per second;
- (d.) The video camera images shall be capable of being viewed through use of appropriate technology, including but not limited to a computer screen or closed circuit television monitor;
- (e.) The video recorder shall be digital in nature and be capable of transferring the recorded images to a portable, digital form of media;
- (f.) The video cameras shall not have an audio capability;
- (g.) The video cameras shall be maintained in good working condition;
- (h.) The video cameras shall be in operation and recording during all hours of operation of the business and for two hours after the business closes;

(i.) The recordings made by video cameras installed and maintained pursuant to this section shall be indexed by dates and times.

## **SECTION 4-25-2. OPERATING PROCEDURES**

The businesses subject to the provisions of this Chapter must comply with the following requirements in relation to the preservation of the recordings, storage of the system, availability of recordings, dissemination of recordings, inspections of systems, and certification of compliance:

(a.) The recordings made by video cameras installed and maintained pursuant to this Chapter must be preserved for a minimum of seven (7) days.

(b.) The recordings made by video cameras installed and maintained pursuant to this Chapter must be made available to the White Plains Department of Public Safety for purposes of an official investigation or when approved by the Commissioner of Public Safety or his/her designee.

(c.) The recordings must be turned over to the White Plains Department of Public Safety upon its demand while the business is open and or as soon as possible if the business is closed.

(d.) All recordings made by video cameras installed and maintained pursuant to this Chapter while in the possession of the business shall be stored in a locked receptacle, preferably located in a controlled access area, to which only authorized personnel have access, or shall otherwise be secured so that only authorized personnel may access such video recordings.

(e.) The establishment shall keep a log of all instances of requests for, access to, dissemination and use of, recorded materials made by video cameras installed and maintained pursuant to this Chapter. Copies of the access log shall be provided to the White Plains Department of Public Safety upon demand.

(f.) The video camera system must be available to the White Plains Building and Public Safety Departments for inspections, at all times, during which the business is open to the public to ensure compliance with the requirements set forth in this chapter.

(g.) Each business establishment subject to the provisions of this chapter shall submit a Certification Report to the Department of Public Safety, on a form prescribed by said department by January 31 of each year. The report shall certify that the business has complied with this section.

## **SECTION 4-25-3. INSTALLATION OF VIDEO CAMERA SYSTEMS**

The businesses subject to the provisions of this Chapter must comply with the Building Code and Electrical Code of the State of New York and the City of White Plains' Supplemental Building Code when installing and maintaining the video camera system.

#### **SECTION 4-25-4. PENALTIES**

Any person or business who shall violate any of the provisions of this Chapter or fails to comply with any of the requirements thereof, shall be subject to a fine of two hundred and fifty dollars (\$250.00) per day for each day said violation continues to exist, or be subject to imprisonment not exceeding fifteen (15) days, or both such fine and imprisonment. Each day said violation continues to exist shall constitute a separate and distinct offense.

**Section 2.** The Ordinance shall take effect one year from the date of enactment.