

Appendix H

Copy of Dallas and Houston convenience store safety ordinances

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8/13/08

ORDINANCE NO. 27293

An ordinance adding CHAPTER 12B, "CONVENIENCE STORES," composed of Sections 12B-1 through 12B-20, to the Dallas 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 DALLAS:

SECTION 1. That the Dallas City Code, as amended, is amended by adding new CHAPTER 12B, "CONVENIENCE STORES," composed of Sections 12B-1 through 12B-20, to read as follows:

"CHAPTER 12B

CONVENIENCE STORES

ARTICLE I.

GENERAL PROVISIONS.

SEC. 12B-1. PURPOSE OF CHAPTER.

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

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SEC. 12B-2. 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 or the chief's authorized representative.

(3) CONVENIENCE GOODS means basic food, household, and pharmaceutical items.

(4) CONVENIENCE STORE means any business that is primarily engaged in the retail sale of convenience goods, or both convenience goods and gasoline, and has less than 10,000 square feet of retail floor space. The term does not include any business that has no retail floor space accessible to the public.

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

(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.

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SEC. 12B-3. 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 effect the policy of this chapter.

SEC. 12B-4. 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) three days after the date the notice is placed in the United States mail with proper postage and properly 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.

SEC. 12B-5. 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 an offense. A person commits a separate offense each day or portion of a day during which a violation is committed, permitted, or continued.

(b) An offense under this chapter is punishable by a fine of not less than \$250 or more than \$500.

(c) The culpable mental state required for the commission of an offense under this chapter is governed by Section 1-5.1 of this code.

(d) 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. 12B-6. 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 physically separate convenience store.

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

(1) the convenience store had been open for business less than 45 days; or

(2) the majority ownership of the convenience store had changed and the store had been open for business under the new ownership for less than 45 days.

(c) No fee is required for registration of a convenience store under this chapter.

SEC. 12B-7. REGISTRATION APPLICATION.

(a) To obtain a certificate of registration for a convenience store, a person must submit an application on a form provided for that purpose to the chief. The applicant must be the person who will own or operate the convenience store. The application must contain all of the following information:

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

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

(3) The names, street addresses, mailing addresses, and telephone numbers of all owners 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, and telephone number of the manager of the convenience store.

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

(6) The name, street address, mailing 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, 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.

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(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 director within 45 days after any material 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.

SEC. 12B-8. 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 material matter in an application for a certificate of registration.

(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.

(d) A certificate of registration issued under this section must be displayed to the public in a manner and location approved by the chief. The certificate of registration must be presented upon request to the chief or any other peace officer for examination.

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

SEC. 12B-9. REVOCATION 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

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(2) 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 to the registrant that the certificate of registration is being considered for revocation. The notice must include the reason for the proposed revocation, action the registrant must take to prevent the revocation, and a statement that the registrant has 10 days after the date of delivery to comply with the notice.

(c) If, after 10 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. 12B-10. 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 permit and license appeal board in accordance with Section 2-96 of this code.

SEC. 12B-11. EXPIRATION AND RENEWAL OF REGISTRATION.

(a) A certificate of registration for a convenience store expires one year after the date of issuance.

(b) A certificate of registration may be renewed by making application in accordance with Section 12B-7. A registrant shall apply for renewal at least 30 days before the expiration of the certificate of registration.

SEC. 12B-12. NONTRANSFERABILITY.

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

SEC. 12B-13. PROPERTY INSPECTIONS.

An applicant or registrant shall permit, at reasonable times upon request, 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 a lawful inspection of the convenience store as required by this section.

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ARTICLE III.

MISCELLANEOUS REQUIREMENTS
FOR CONVENIENCE STORES.

SEC. 12B-14. SURVEILLANCE CAMERA SYSTEM; VIDEO RECORDING AND STORAGE.

(a) A registrant shall provide, maintain, and operate at least two color digital high-resolution surveillance cameras in the convenience store in compliance with this subsection.

(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 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.

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

(5) A sign stating "STORE IS UNDER CAMERA SURVEILLANCE." in letters at least two 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 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 30 days.

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(4) A digital video recording must be made available to the chief or any other peace officer for viewing as soon as possible after being requested. A copy of a digital video recording must be provided to the chief or any other peace officer within 72 hours after being requested.

SEC. 12B-15. 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 15C 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 an alarm signal indicating a holdup or other life-threatening emergency requiring a 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. 12B-16. DROP SAFES.

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

(b) A drop safe or similar device must be bolted to the floor of the convenience store.

(c) A sign indicating that employees cannot open the drop safe must be posted at each public entrance and exit of the convenience store.

SEC. 12B-17. 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, must be posted at each public entrance and exit of a convenience store. The signs may contain additional language as required by law and must be in a format approved by the chief.

(c) A height marker must be posted at each public exit of a convenience store.

SEC. 12B-18. STORE VISIBILITY.

(a) A registrant shall provide for and maintain visibility in a convenience store in compliance with this section.

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(b) An unobstructed line of sight that allows a clear 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 three feet above the ground to at least six 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 October 15, 2008 is not required to comply with this subsection until there is a change in the majority ownership of the store.

SEC. 12B-19. 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 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.
- (E) Physical deterrents and preventative measures.
- (F) Knowledge of store policies and training requirements.

(2) Each employee must complete the safety training program within 10 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 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 immediately upon request.

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

SEC. 12B-20. TRESPASS AFFIDAVITS.

(a) A registrant shall execute a trespass 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.

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

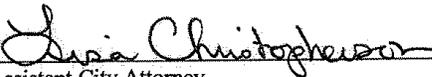
SECTION 2. That the Dallas City Code, as amended, will remain in full force and effect, save and except as amended by this ordinance.

SECTION 3. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of CHAPTER 1 of the Dallas City Code, as amended.

SECTION 4. That this ordinance will take effect on October 15, 2008, except that Section 12B-19(a) (employee safety training) will take effect on January 15, 2009 and Section 12B-14 (surveillance camera system and video recording and storage system requirements), Section 12B-15 (alarm system requirements), and Section 12B-16 (drop safe requirements) will take effect on May 1, 2010, and it is accordingly so ordained.

APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

By 
Assistant City Attorney

Passed **AUG 27 2008**

LC/DCC/00447A

City of Houston, Texas, Ordinance No. 2008- 248

AN ORDINANCE AMENDING CHAPTER 28 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, RELATING TO CONVENIENCE STORES; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

* * * * *

WHEREAS, the Mayor's Task Force on Convenience Store Security 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 Task Force 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; and

WHEREAS, because wireless/video technology and Next Generation 911 technology are developing at such a rapid pace, the Mayor's Office or the Mayor's designee should conduct a periodic review of these technologies to ensure technological advancements are communicated to the convenience store community with the goal of further increases in safety and security; **NOW, THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, TEXAS:

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 Chapter 28 of the Code of Ordinances, Houston, Texas, is hereby amended by adding a new Article XIII that reads as follows:

"ARTICLE XIII. CONVENIENCE STORES

Sec. 28-401. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Convenience goods means basic food, household and/or pharmaceutical items.

Convenience store means any business that is primarily engaged in the retail sale of convenience goods, or both convenience goods and gasoline, and has less than 10,000 square feet of retail floor space. *Convenience store* does not include any business where there is no retail floor space accessible to the public.

Drop safe means a cash management device where money can be deposited without the depositor having access to the contents.

Employee means any person who is employed in consideration of direct or indirect monetary wages, commissions, or profits, any contract employee, and any other person engaged in the operation of a convenience store.

Health officer means the director of the department of health and human services or his designee.

Height strip means markings to aid in estimating the height of suspects.

Manager means the person designated by the owner to be responsible for the daily operation of a convenience store.

Owner means the person or persons who hold title to or leases property for the purpose of operating a convenience store.

Police official means the chief of police or person he may designate to act as the official primarily responsible for the administration of this article or the official's designees.

Registered agent means the person identified by the owner of a convenience store in the registration filed pursuant to this article that is authorized to receive on behalf of the owner any legal process and/or notice required or provided for in this article.

Safety training program means the training program promulgated by the police department for convenience stores or a

nationally recognized training program that includes all the training elements of the police department's training program.

Sec. 28-402. Registration of convenience stores.

(a) It shall be unlawful for any person to operate a convenience store in the city that has not been registered as required by this section. No fee shall be charged for the registration required by this section.

(b) The owner of a convenience store shall register by providing to the police official the following information regarding the convenience store:

- (1) The name, telephone number, facsimile number and business or residence address of the owner; and, if the owner is a corporation, whether foreign or domestic, the name of the registered agent of the owner and the telephone number and facsimile number and business or residence address of the registered agent, which address information shall include the street name and number, office or suite number if a business address, and the city, state, and zip code.
- (2) The nature and extent of the owner's interest in the property. If there is only one owner, the extent of the owner's interest is 100%; and
- (3) The name, telephone number, facsimile number, and business or residence address, including street name and number, city, state and zip code, of the current manager and, if the manager is other than an individual, the name, title, telephone number, facsimile number and business or residence address, including street name and number, city, state and zip code, of the individual to be contacted for any purpose under this article relating to the convenience store.

The use of a public or private post office box or other similar address shall not be sufficient for the purposes of complying with this subsection.

(c) Any change of ownership of a convenience store, including, but not limited to, the sale of the convenience store or any ownership interest therein, shall require the purchaser or transferee to update the information provided under subsection (b) of this section and to file the updated information with the police official within 30 days of the effective date of the ownership change. The same requirement shall apply to any change relating

to the owner's registered agent and manager. A prior owner shall advise the police official that he no longer holds any ownership interest in the property.

(d) The owner of a newly constructed or established convenience store shall comply with the provisions of this section not later than the thirtieth day following completion of construction or new opening of the convenience store, whichever occurs first.

(e) After a convenience store complies with the provisions of this section, the police official will provide to the convenience store:

- (1) A registration compliance decal which shall be displayed above a public entrance door to the convenience store; and
- (2) A registration statement, a true and correct copy of which shall be posted in the convenience store at all times in a conspicuous place accessible at all times to the public.

(f) Compliance with the requirements of this section shall be deemed to meet the requirements of 250.003 and 250.004 of the Texas Local Government Code.

Sec. 28-403. Employee, manager, supervisor safety training.

(a) All newly-hired employees, managers, and immediate supervisors of managers must complete a safety training program before reporting for duty and at least annually thereafter. Employees, managers and immediate supervisors of managers who are employed by a convenience store on the effective date of this ordinance must complete a safety training program not later than the ninetieth day following the effective date of this ordinance.

(b) All persons who complete the required safety training program shall sign a statement indicating the date, time and place the safety training program was completed. The owner shall keep the statements or copies of the statements on file in the convenience store for at least two years and make them available to the police official or the health officer immediately upon request.

Sec. 28-404. Trespass affidavit.

The owner of a convenience store shall execute a trespass affidavit as promulgated by the police department in order to enforce all applicable trespass laws on the owner's behalf at such property. A true and correct

copy of the trespass affidavit shall be posted at the convenience store at all times in a conspicuous place accessible at all times to the public.

Sec. 28-405. Security signs; height strips.

(a) A convenience store shall have posted at all public exits and entrances 'No Loitering' and 'No Trespassing' signs in lettering two inches or larger, in English and in Spanish. Additionally, a convenience store shall post such signs on the front, sides, and rear of the convenience store.

(b) A convenience store shall have height strips posted at all public exits.

Sec. 28-406. Visibility.

A convenience store shall maintain an unobstructed line of sight allowing a clear view of and from the cash register and sales transaction area through all windows and public access doors. Such windows and doors must be clear of all items that would obstruct a clear view including, but not limited to, tinting, signage, advertisements, shelving, and merchandise. Such unobstructed line of sight must, at a minimum, extend from three feet above the ground to at least six feet above the ground.

Sec. 28-407. Alarm system.

(a) A convenience store shall have a silent panic or holdup alarm system for which a permit has been issued in accordance with Chapter 11 of this Code. This system shall, at a minimum, include a panic button located within reach of the cash register and out of view of the customer. Such panic button will generate an alarm signal indicating a holdup or other life-threatening emergency requiring a police department response.

(b) A convenience store shall have posted at all public exits and entrances signs or decals indicating that a security alarm system is in use.

Sec. 28-408. Drop safe.

(a) A convenience store shall have a drop safe on the premises to keep the amount of cash available to employees to a minimum. A drop safe must be bolted to the floor. A drop safe may have a time-delay mechanism to allow small amounts of change to be removed.

(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 convenience store shall have posted at all public exits and entrances signs or decals indicating that employees cannot open the safe and that employees have minimum cash on hand.

Sec. 28-409. Surveillance camera system.

(a) A convenience store shall have a minimum of two color digital high-resolution surveillance cameras. One camera must have an overall view of the counter/register area and the other camera a view of the main entrance/exit area and both shall display the date and time of the recording.

(b) The entrance/exit area camera shall be placed to provide a clear and identifiable full frame of the filmed individual's face.

(c) The cameras shall be operated at all times, including hours when the store is not open for business.

(d) The owner shall provide the police department with digital color images in connection with crime investigations upon request.

(e) The owner shall maintain a library of the recorded digital images for not less than 30 days.

(f) A convenience store shall have posted at all public exits and entrances signs or decals indicating that surveillance cameras are in use.

Sec. 28-410. Violation.

Any failure to comply with any applicable provision of this article shall be an offense punishable as provided in section 1-6 of this Code."

Section 3. That in this Section all references to Sections of the Code of Ordinances are to those Sections as adopted in **Section 2** of this Ordinance. The definitions established in Section 46-401 of the Code of Ordinances shall be applicable to this Section. This Ordinance shall take effect as follows:

a. **For convenience stores in operation on the date of passage and approval of this Ordinance:**

- (1) All employees, managers and owners shall receive training as required in Section 28-403 of the Code of Ordinances not later than the ninetieth day following the effective date of this Ordinance.
- (2) Sections 28-407 (alarm system), 28-408 (drop safe), and 28-409 (surveillance camera system) of the Code of Ordinances shall become effective January 1, 2010.
- (3) All other Sections of Article VII of the Code of Ordinances shall become effective on the thirtieth day next following the date of passage and approval of his Ordinance.

b. **For convenience stores not yet in operation on the date of passage and approval of this Ordinance:**

- (1) All Sections of Article VII of the Code of Ordinances shall become effective on the thirtieth day next following the date of passage and approval of this Ordinance.

As soon as practicable following the passage and approval of this Ordinance, the Chief of Police or his designee shall commence accepting registrations and taking other actions required to implement this Ordinance upon its effective date.

Section 4. That as the state of the wireless/video technology and Next Generation 911 technology develops, the Mayor's Office or the Mayor's designee shall undertake

periodic assessment of changes in these technologies and may recommend action as appropriate.

Section 5. That, if any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

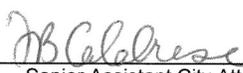
Section 6. That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect as provided in

Section 3, above.

PASSED AND APPROVED this 26th day of March, 2008.



Mayor of the City of Houston

 Prepared by Legal Dept. 
TBC:asw 3/25/2008 Senior Assistant City Attorney 
Requested by Chief Hurtt, HPD
L.D. File No. 0620701400001

CAPTION PUBLISHED IN DAILY COURT
REVIEW
DATE: APR 01 2008