

Review of Alcoholic Beverage Outlet Camera Requirements in 50 Largest U.S. Cities and Comparison to Ordinance #32,107

On December 1st, Councilmember Head introduced Ordinance #32,107, a 22 page ordinance which includes a requirement that all businesses that sell alcohol in New Orleans install surveillance cameras that would be linked to the Real Time Crime Center. This center would monitor the cameras 24/7 and give ‘security partners’, including the State Police, the FBI and Homeland Security access to the footage.

This requirement is on page 15 of the ordinance, lines 346-349, and reads:

“Outlets shall install City approved video security systems outside the premises that archive video footage for a period of not less than fourteen (14) days to a cloud based platform integrated with the City’s system.”

Ordinance #32,107 also includes language that would mandate monitored cameras inside businesses if they were found guilty of a violation. This language is on page 18, lines 404-407, and reads:

“requiring that the alcoholic beverage outlet install video surveillance systems both inside and outside the premises, as dictated by the City, that archives video footage for a period of not less than fourteen (14) days to a cloud based platform integrated with the City’s system.”

You can read the full ordinance here: <http://bit.ly/2C8Bpl4>

In response to this proposal, the Music and Culture Coalition of New Orleans reviewed alcoholic beverage outlet camera requirements in the 50 largest cities in the U.S. **Based on this review, it is clear that if ordinance #32,107 is approved, New Orleans would have the most heavily surveilled alcoholic beverage outlets in the nation.**

Key findings:

- No cities mandate participation of all ABOs in a real-time monitoring system.
- No cities require monitored cameras inside bars or other businesses.
- 33 of the 50 cities surveyed had no specific camera requirements for alcoholic beverage outlets.
- Only one city, Long Beach, required businesses to link cameras to real time monitoring by the local police department—and these were only businesses with an entertainment permit in one specific district. Businesses in Long

- Beach with entertainment permits and liquor stores have to be able to provide footage to the police department over the internet, but are not required to submit to real time monitoring.
- 2 cities, Houston and Detroit, allowed private businesses to voluntarily link to a real time crime-monitoring center, though Houston requires the business to pay all expenses when doing so.
 - Only 1 city, Fresno, requires all ABOs to have cameras. They must keep footage for at least 2 weeks.
 - With the exception of some businesses in Long Beach, when cities require cameras at businesses, the businesses keep the footage and turn it over to the police department (or in some cases the licensing commission) upon request. Several cities include language that the request for footage must be in conjunction with an active investigation.
 - San Francisco cancelled requirements for ABOs to have surveillance cameras due to privacy concerns from the LGBTQ community.
 - Seattle and Oakland have both passed ordinances that require oversight and public input into decisions regarding public surveillance. Neither requires cameras at ABOs.

ABO/ Camera Ordinances in 50 Largest U.S. Cities
(Ordinance numbers listed where applicable)

New York:

“Eating or drinking establishments with entertainment and a capacity of more than 200 persons, or establishments of any capacity with dancing” must have surveillance cameras subject to a number of conditions. (Ord 10-177)

Los Angeles:

No mandated camera requirements for ABOs.

Chicago:

Late Night Liquor sales—1AM to 6AM must have cameras, keep footage for 30 days, make footage available to police. (4-60-130)

Houston:

Convenience stores must have cameras pointing to entrance/exits, keep footage for 30 days, provide footage to police on request. (Sec 28-409)

With approved application, private businesses can join public surveillance network at their own expense. (Code of Ordinances, Article VII-Public Safety Video Program)

Phoenix:

No mandated camera requirements for ABOs.

Philadelphia:

No mandated requirements for ABOs.
Legislation proposed in 2015 but did not advance.

San Antonio:

No mandated camera requirements for ABOs.

San Diego:

No mandated camera requirements for ABOs.

Dallas:

No mandated camera requirements for ABOs.

San Jose:

No mandated camera requirements for ABOs.

Austin:

No mandated camera requirements for ABOs.

Jacksonville:

Convenience stores, grocery stores and restaurants required to have cameras capable of recording and retrieving image. (equivalent to F.S. §§ 812.173 and 812.174)

San Francisco:

No specific camera requirements for ABOs.
Final camera requirements dictated by Alcoholic Beverage Control Board.
Proposal for all entertainment venues to have cameras derailed by privacy concerns in 2011.

Columbus:

No mandated camera requirements for ABOs.

Indianapolis:

No mandated camera requirements for ABOs.

Fort Worth:

No mandated camera requirements for ABOs.

Charlotte:

No mandated camera requirements for ABOs.

Seattle:

No mandated camera requirements for ABOs.
Requirements governing use of surveillance technology, including impact on disadvantaged groups and communities, and an equity impact assessment. (Chapter 14.18—Acquisition and Use of Surveillance Technology).

Denver:

No mandated camera requirement for ABOs.

El Paso:

No mandated camera requirements for ABOs.

Washington D.C.

No mandated requirements for ABOs.

Boston:

No mandated requirements for ABOs.

Detroit:

Self-service gas stations have mandatory surveillance cameras, and must turn over footage to police when asked (subject to constitutional restrictions). (Ord 13-17)

Nashville:

No mandated camera requirement for ABOs.

Memphis:

No mandated camera requirement for ABOs.

Portland:

No mandated camera requirement for ABOs.

Oklahoma City:

No mandated camera requirement for ABOs.

Las Vegas:

No mandated camera requirement for ABOs.

Louisville:

No mandated camera requirement for ABOs.

Baltimore:

No mandated camera requirement for ABOs.

Milwaukee:

All businesses that have 3 'qualified incidents' within a year are required to install surveillance cameras, keep footage for a minimum of 30 days, and turn over footage to licensing committee and law enforcement officers on request. (105-91)

All convenience stores must install at least 2 cameras, keep footage for 30 days, turn over footage on request. (68-55)

All 24 hour filling stations must install a camera, keep footage for at least 24 hours. (84-45)

Albuquerque:

No mandated camera requirements for ABOs.

Tuscon:

'Late Night Retail Establishments' must have at least one camera recording activity by the cash register. (Sec 7-411)

Fresno:

Camera requirement for all ABOs. 4 exterior cameras plus one interior camera per cash register. Must keep all footage for at least 2 weeks. (Sec 15-2706)

Sacramento:

No mandated camera requirements for ABOs.

Mesa:

Convenience Stores must have at least 2 cameras inside and 2 cameras outside. Footage must be given to law enforcement within 72 hours upon request. (6-22-10)

Kansas City:

No mandated camera requirements for ABOs.

Atlanta:

No mandated camera requirement for ABOS.

Long Beach:

Businesses with entertainment permits in the Downtown Dining and Entertainment District must have surveillance camera system, retain footage for 30 days and allow access to Long Beach PD of live and recorded video over the internet. (5.72.200)

Businesses with entertainment permits must have surveillance camera system, with recordings accessible to Long Beach PD via the internet. (5.72.120)

Liquor stores selling hard alcohol for off-site consumption must have a surveillance camera system, keep footage for 30 days, and give login and password info to Long Beach PD. (21.57.020)

Tasting rooms of alcoholic beverage manufacturers must have surveillance camera system and keep footage for 30 days. (21.45.114)

Colorado Springs

No mandated camera requirements for ABOs.

Raleigh

No mandated camera requirements for ABOs.

Miami

Convenience stores must have surveillance camera system as per Florida law (F.S. § 812.173)

No additional camera requirements for ABOs.

Virginia Beach

No mandated camera requirements for ABOs.

Omaha

No mandated camera requirements for ABOs.

Oakland

No mandated camera requirements for ABOs.

Ordinance 13457 requires City Council approval and public comment for partnership with any other governmental agency, as well as a report to ensure that all safeguards have been adhered to.

Ordinance 13349 establishes the Privacy Advisory Committee.

Minneapolis

Grocery stores, tobacco dealers, food confectionary stores, off sale liquor establishments, and gas stations must have a camera surveillance system.

Businesses must provide footage to MPD or licensing officials within 8 hours of a request, and keep footage for 1 month. (259.230)

Tulsa

No mandated camera requirements for ABOs.

Arlington

No mandated camera requirements for ABOs.

New Orleans

Wichita

No mandated camera requirements for ABOs.

Methodology

Ordinances were gathered using key word searches of online versions of each city's Code of Ordinances. The following words were used in searches: 'camera', 'surveillance', 'video', 'convenience store', 'nightclub', 'cabaret', and 'alcohol'. Examination of code of ordinances was supplemented by Google searches when appropriate.