



MEMORANDUM

To: Mayor and City Council
From: Billy Grogan, Chief of Police
Date: August 28, 2023

Subject: Discussion of Ordinance to Provide for the Mandatory Use of Video Surveillance Systems at Multifamily Rental Dwellings

ACTION

Approve an ordinance to require mandatory use of video surveillance systems at multifamily rental dwellings.

BACKGROUND/SUMMARY

One of the most basic, fundamental responsibilities of government is to provide for the health, safety and welfare of all citizens and visitors to the City of Dunwoody.

Multifamily rental dwellings generally experience a high level of crime in and around their premises. In order to improve the safety of those individuals staying or visiting these locations, the City believes the installation of a video surveillance system is a necessary requirement. Although some multifamily rental dwellings already have a video surveillance system, establishing certain requirements for these systems will be beneficial.

Some requirements of the ordinance include the establishment of camera technological standards, capabilities and placement, a requirement that cameras work 24/7, a requirement that all broken or non-functioning cameras be repaired within 10 days, and a notice of the use of a video surveillance system (VSS) be placed in a conspicuous place near the entrance.

This ordinance will be enforced by the Dunwoody Police Department and by Code Enforcement. The effective date of the ordinance for current multifamily rental dwellings is January 1, 2024. They will have 90 days from this date to comply with



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the ordinance. All new multifamily rental dwellings must be in compliance prior to opening.

RECOMMENDATION

Staff recommends the City Council adopt the ordinance adding Sec. 8-92 Video Surveillance Systems for Multifamily Rental Dwellings.

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AN ORDINANCE OF THE CITY OF DUNWOODY TO PROVIDE FOR THE MANDATORY USE OF VIDEO SURVEILLANCE SYSTEMS AT MULTIFAMILY RENTAL DWELLINGS

WHEREAS, the City of Dunwoody is charged with preserving the health, safety and welfare of the citizens of the City;

WHEREAS, the Mayor and City Council find that a significant number of violent crimes occur at multifamily rental dwellings; and

WHEREAS, the Mayor and City Council find that in order to improve the health, safety and welfare of the citizens of the City residing in such communities, the installation of the video surveillance system is a necessary requirement.

NOW, THEREFORE, the Mayor and City Council of the City of Dunwoody, Georgia, hereby Ordains as follows:

Section 1: Chapter 8 (Building Code) of The City of Dunwoody, Georgia, Code of Ordinances is hereby amended by revising Article IV ("Miscellaneous Provisions"), by adding new Section 8-92 to read as follows:

Sec. 8-92. Video Surveillance Systems.

- (a) *Applicability.* The following regulations apply to all multifamily rental dwellings.
- (b) *Definition of Terms.*

Chief means the Chief of the Dunwoody Police Department or their designee, ~~or such other director as authorized by the chief executive officer or the executive assistant.~~

City employee means ~~any city employee or agent authorized by the chief executive officer, the executive assistant and/or the Chief to act, perform inspections, issue citations for violations of this Code, including but not limited to code compliance officers, inspectors, and police officers.~~

Multifamily rental dwelling means, ~~for purposes of this section, any multifamily structure, multifamily building, or other facility building containing four or more separate residential dwelling units which are promised and/or leased to a residential tenants for use as a home, residence, or sleeping unit.~~ This definition includes, but is not limited to,

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~~multiple-family dwellings, multiple-family apartment units, apartment buildings, boardinghouses, rooming houses, group homes, and flats and any other structure containing four (4) or more residential dwellings.~~

Commented [BD1]: I changed this to eliminate duplexes, triplexes, houses with basement apartments, etc.

Premises means any lot or parcel of real property on which exists one or more multifamily rental dwellings or multifamily rental units.

Recreational Facility for the purpose of this ordinance shall mean any indoor and/or outdoor space available to all tenants for fitness and/or recreational purposes. This definition includes, but is not limited to, fitness facility, gaming/billiards room, playground, swimming pool area, tennis courts, terrace, and patio.

Video Surveillance System (VSS) for the purpose of this ordinance shall mean a continuous digital surveillance system including cameras, cabling, monitors, and digital video recorders (DVR). This also includes Wi-Fi network cameras, provided that all footage can be saved and ~~made available to the City of Dunwoody Police Department or any other law enforcement agency for review exported to an external storage device.~~

(c) *Video Surveillance Requirements.* All multifamily rental dwellings must:

- (1) Maintain a VSS in proper working order at all times, including outside of business hours;
- (2) Keep a VSS in continuous operation twenty-four (24) hours a day, seven (7) days a week;
- (3) Meet the minimum standards for placement of video cameras;
- (4) Meet the minimum technological standards established in this section;
- (5) Request an inspection of new construction plans or a one-time initial inspection of their VSS by the Chief for the approval of the placement of all VSS;
- ~~(6)~~ After the initial inspection, the applicant must submit an affidavit with each application for a renewal of their business license that the VSS is operational and in full compliance;
- ~~(6)~~~~(7)~~ Repair any broken or non-functioning item of VSS equipment within ten (10) days of receiving notice or discovering that the item is broken or not functioning properly; and
- ~~(7)~~~~(8)~~ Place their approved notice and notice of presence of VSS at the register. Post a conspicuous notice at the entrance and exit of the

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premises that informs the public that ~~the premises are monitored by the premises is monitored by a VSS system that is operational and recording.~~

(d) *Minimum Standards.* All VSS must comply with the following minimum standards of placement of video cameras:

- (1) All VSS are required to have no less than one (1) cameras dedicated to each entrance/exit to each building located on the premises;
- (2) All VSS are required to have no less than one (1) camera dedicated to each leasing office and/or lobby, if applicable;
- (3) All VSS are required to have no less than one (1) camera dedicated to each interior hallway, if applicable;
- (4) All VSS are required to have no less than one (1) camera dedicated to each recreational facility, if applicable;
- (5) All VSS are required to have no less than one (1) camera dedicated to the parking lots and/or areas designated for tenant and guest parking and/or employee parking located on the premises, with sufficient cameras to cover all parking spaces within each parking lot and/or designated parking area;
- ~~(6)~~ All VSS are required to have no less than one (1) camera dedicated to each of the entrances and exits to the premises; ~~and,~~
- ~~(7)~~ All VSS cameras must be capable of producing a retrievable and identifiable image on film, tape, or other recording medium that can be made a permanent record and that can be enlarged through projection or other means;
- ~~(6)~~
- ~~(8)~~ All VSS cameras must remain unobstructed by any display, sign, or other item; ~~;~~
- ~~(9)~~ Existing VSS at multifamily rental dwellings shall be evaluated and upgraded if necessary to ensure full compliance with this section; ~~and~~
- ~~(7)(10)~~ VSS cameras must be situated so that they do not observe, capture, or record activities or conversations of persons within dwellings or other private places.
- ~~(8)~~ Approval Notice and Notice of Presence of VSS:

~~(A) The approval notice and a notice to the public that a VSS is operational, and recording must be prominently displayed at the entrance and exit of the premises.~~

Commented [BD2]: Needed for compliance with OCGA 16-11-62

Commented [BD3]: Consolidated with (c)(7) above.

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~~(B) — Existing VSS at multifamily rental dwellings as of the effective date of this ordinance will be evaluated to ensure full compliance with this section by the applicable effective date of this ordinance.~~

- (e) *Minimal Technological Standards.*
 - (1) All VSS cameras must be high resolution color cameras capable of providing:
 - (A) Instant screen captures upon request;
 - (B) A digital image that clearly depicts the facial features of a person filmed; and,
 - (C) Capable of producing images with InfraRed (IR)/night vision camera features, as necessary during low light to satisfy the foregoing subsections.
 - (2) All VSS cameras must have at least the following standards:
 - (A) Minimum Resolution: 4MP (1440p);
 - (B) Image Size: 2560 x 1440;
 - (C) Pixels per image: 5,017,600;
 - (D) Aspect Ratio: 16:9;
 - (E) A minimum of 24 Frames Per Second (24 FPS);
 - (F) Convert video files to mp4 standard software files and convert picture files to JPG, JPEG, or TIP standard software files; and,
 - (G) The aforementioned technological standards are subject to change pursuant to subsection (f) of this section.
 - (3) All VSS cameras must have a capability to record an area that extends no less than seventy-five (75) feet;
 - (4) All VSS cameras must be operated in a fixed position and not in a panning motion;
 - (5) All VSS cameras must display the correct date and time of each recording;
 - (6) All VSS must use a digital video recording device to record images from each surveillance camera on the premises, and each

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recording device must be kept in a secured location that is remote from the surveillance cameras; and

(7) The multifamily rental dwelling shall retain the continuous digital images recorded by this system for no less than thirty (30) days;

~~(8) A digital video recording must be made available to the Chief or any other peace officer for viewing as soon as possible but no later than seventy-two (72) hours after being requested.~~

Commented [BD4]: Need consent, a warrant, or some exception to the Fourth Amendment.

(f) *Inspections.* The VSS shall be subject to regular inspection by the Dunwoody Police Department, who-which is authorized to inspect any such system, at reasonable times to determine whether it conforms to the requirements of this section. If the VSS does not conform to the standards set forth in this ordinance, the owner or operator of the multifamily rental dwelling shall take immediate steps to bring the system back into compliance within sixty-ten (610) days of being notified of the VSS's non-compliance.

(g) *VSS Standards.* The Dunwoody Police Department will develop, maintain, and publish on the City website dated, written VSS standards that provide the minimum standards of VSS equipment, installation, and maintenance. Any new standards or changes to existing standards will become effective on May 1st of each year.

Commented [BD5]: Is this necessary in light of sections (d) and (e)? Suggest removing this to avoid inconsistent sets of standards.

(h) *Effective Date.* ~~This ordinance shall be effective beginning on January 1, 2024. All existing multifamily rental dwellings that have VSS installed prior to the effective date of this ordinance shall ensure said systems are in full compliance with this section and article and obtain an assessment approval from the Dunwoody Police Department within one hundred-eightyninety (18090) days of the effective date of this ordinance, the date upon which all multifamily rental dwellings must be compliant with the provisions of this ordinance. After the effective date of this ordinance, all new multifamily rental dwellings shall ensure that VSS systems are installed and operating in full compliance with this section and obtain an assessment approval from the Dunwoody Police Department before opening for business.~~

(i) *Enforcement, Violations, and Penalties.* The provisions of this ordinance may be enforced by any city-employee code compliance officer, inspector, or police officer. Any person who does anything prohibited or fails to do anything required by this ordinance, upon citation by a city employee and conviction of the violation in a court of competent jurisdiction, which includes the Municipal Court of the City of Dunwoody shall be subject to fine and/or imprisonment in accordance with Section 1-6 of this Code.

SO ORDAINED and effective this ___th day of ___ 2023.

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Approved By:

Lynn P. Deutsch, Mayor

Attest:

Approved as to Form and Content:

Sharon Lowery, City Clerk
(SEAL)

City Attorney