



Convenience Store Crime Prevention Ordinance

Goal 2. Set the standard for a safe and secure city

City of El Paso Cross Functional Team



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Purpose on Convenience Store Ordinance

The purpose of this chapter is to protect the health, safety, and welfare of the citizens of the City of El Paso by reducing the occurrence of crime, preventing the escalation of crime, and increasing the successful prosecution of crime that occurs in convenience stores within the city limits. 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, protection of inventory, store visibility, safety training programs, and prosecution statements/trespass affidavits.

Theft Class C's – Texas Penal Code

A beer run is usually when a individual(s) walks into a convenience store and takes beer or any alcoholic beverage without paying for the merchandise. The offense is a Class C misdemeanor if the value of the property stolen is less than \$100

If guilty of a Class C misdemeanor, punished by a fine not to exceed \$500. Most beer runs fall into this category based on dollar amount of property taken.

Beer run thefts in the City of El Paso for the previous 3 years – 5,777



1904

2018

City Wide Beer runs

1971

2019

City Wide Beer runs

1902

2020

City Wide Beer runs

Convenience Store



Definition: Means any business with extended hours and convenient location that is primarily engaged in the retail sale of convenience goods and gasoline, designed to accommodate a large volume of stop and go traffic.

Convenience store does not include any business where there is no retail floor space accessible to the public even if gasoline is sold.

The previous number of beer runs at all convenience was 5,777 over three years.

With the definition under the proposed ordinance only 194 convenience stores engaged in the retail sale of convenience goods and gasoline. These convenience stores alone account for 5,378 over the same three years. Which is 21.9% of our larcenies under UCR.



2018

City Wide Beer runs



2019

City Wide Beer runs



2020

City Wide Beer runs



Convenience Stores – Alcohol Prohibited/Sales Hours

Monday – Friday	0700 until Midnight
Saturdays	0700 until 0100
Sundays	*1200 until Midnight
*Sundays 9/21	1000 until Midnight

The hours where sales are prohibited account for 38.39% of beer runs (2018-2020).

Survey Highlights

- 1 hour and 49 minutes, an average cost of \$67.03 for the initial patrol investigation.
- 3 hours and 34 minutes, an average cost of \$131.61 for the criminal investigation.

Total \$198.64

In comparison to the cost for a convenience store that will eventually be reimbursed.

- EPPD Case 21-102261
- Date/Location/Time 04-12-2021, 17:40 hours, Circle K at 3910 Dyer
- Property 1- Can of Bud Light Beer - **value \$2.75**

Convenience Store Crime Prevention Ordinance

Chapter 5.18

- Convenience store owners play a key role in promoting safety in their establishments, in addition to a responsibility to both the community and their employees to ensure safety in their establishments.
- The regulation of convenience stores outlined in this ordinance will protect the health, safety and welfare of the citizens of the City of El Paso.

Registration of Convenience Stores and Fees

- To obtain a valid certificate of registration for a convenience store and a registration compliance decal, the owner of the store must apply on the form provided by the El Paso Police Department.
- The owner shall pay to the City all established fees for the registration provided in accordance with this chapter.
- The certificate of registration, if granted, shall state on its face the name and address of the convenience store, the name of the owner(s) or registered agent, the name of the manager, and the expiration date. The certificate of registration shall be posted in a conspicuous place accessible at all times to the public. The registration compliance decal must be continuously and conspicuously displayed above the main public entrance door to the convenience store and in a manner as to not obstruct the view into the store.

Requirements for Convenience Stores

- Surveillance Camera Systems, Recording, and Storage-

Surveillance Camera Systems, Recordings, and Storage. The owner shall provide, maintain, and operate at least four (4) color digital high-resolution surveillance cameras with a minimum resolution of two (2) mega pixels, a minimum aspect ratio of 1920 horizontal pixels by 1080 vertical pixels, and a minimum frame rate of 15 frames per second. The owner shall also provide one or more digital video recording devices (NVR/DVR) in a secure location in the convenience store.

The position of the first camera must have an overall view of the counter/register area and the other (2nd) camera a view of the main entrance and exit area. The position of the second camera at the entrance /exit area must be done in a way 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 third camera should capture the exterior front of the business, to include parking lot area. The fourth camera should cover the sales floor leading to the beer coolers.

A fifth (5) camera is required if the store is equipped with an additional entrance and exit.

Requirements for Convenience Stores

- **Alarm Systems**

An owner shall provide, maintain, and operate an alarm system in the convenience store in compliance with Chapter 5.13 Security Alarm Systems of the El Paso Municipal Code and with this section. 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 hold-up or other life-threatening emergency requiring an emergency response. A convenience store shall have posted at all public entrances and exits signs or decals both in English and Spanish indicating that a security alarm system is in use.

- **Drop Safes**

An owner shall provide and maintain a drop safe on the premises of the convenience store to keep the amount of cash available to employees to a minimum. A drop safe must be bolted to the floor of the convenience store. A convenience store shall have posted at all public entrances and exits signs or decals in English and Spanish indicating that employees cannot open the safe and that employees have minimum cash on hand.

Requirements for Convenience Stores

- Security Signs

An owner shall provide, post, and maintain security signs in the convenience store. Signs stating in both English and Spanish, “NO SOLICITATION” and “NO TRESPASSING,” in letters at least two (2) inches high must be posted at each public entrance and exit of the convenience store.

- Height Markers

Convenience stores shall install two height markers at the entry and exit doors of the business to aid in the estimation of an individual’s height. These markers will be multi-colored to designate different heights. The markers must be visible and not obstructed by any display or other such covering.

Requirements for Convenience Stores

- Protection of Inventory

An owner, manager, or employee of a convenience store shall secure, lock, block or otherwise mark off goods and inventory not available for sale in such a manner that customers cannot access such items while the store is open for business. When it is not logistically possible to secure and lock the goods or inventory, the owner or operator of a convenience store will block, cover, or mark off goods and inventory not available for sale in such a manner that customers cannot access such items while the store is open for business.



Requirements for Convenience Stores

- Employee Safety Training

An owner shall ensure that safety training is provided for and completed by employees of the convenience store. Each employee of a convenience store shall annually complete a safety-training program approved by the Chief of Police or his designee. The safety training program must include, but is not limited to, the following subjects: (1) Texas Penal Code in reference to Theft and Robbery chapters, (2) basic safety awareness tactics, (3) mental preparation when dealing with a theft, (4) operation of security devices, (5) knowledge of this Chapter and how it pertains to their duties as a store employee, and (6) knowledge of store policies and training requirements. Each employee must complete the safety-training program within ten (10) days after beginning employment with the convenience store. The El Paso Police Department will provide online training and testing for the employees.

Requirements for Convenience Stores

- Trespass Affidavit and Prosecution Statement

An owner of a convenience store shall execute a trespass affidavit and prosecution statement on a form provided by the El Paso Police Department, that authorizes the Police Department to enforce, on behalf of the owner, all applicable trespass laws on the premises of the convenience store. 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.

- Store Visibility

The owner or manager shall provide for and 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.

Virtual Business and Community Meetings

- On September 29, 2021 and October 1, 2021 Assistant Chief V. Zarur and Officer P. Smith met with the invited convenience store business community virtually.
- Key points of the ordinance were introduced and addressed.
- Between both meetings, 6 members of the business community attended expressing the prospect of an ordinance addressing those issued was much needed, well received and long overdue.
- Community meetings were also held to answer questions, the timeline for implementation and grace period, the definition of a convenience store and the general agreement of the need for the crime prevention measures addressed.

Virtual Regional Community Meetings

- The EPPD PIO announced via local press release.
- 5 Virtual meeting were held on MS Teams. The meeting included A/C Chief Zarur, the Commander of the region being addressed and Officer Smith to offer the perspective of the patrol officer.
- The meetings were each started 6:00 pm and were led by host Sergeant J. Sambrano.

10/5- Northeast Regional Command with Commander J. Inciriaga

10/6- Pebble Hills Regional Command with Commander F. Briones

10/7- Westside Regional Command with Commander S. Lopez

10/12- Central Regional Command with Commander T. Pena

10/13- Mission Valley Regional Command with Commander D. Ramos



Conclusion:

The primary goal is to establish a partnership with the business/community with a crime prevention ordinance.

- Class C citations can be issued on violations
- Suspensions and Revocations - Appeals Process
- Grace period was established and effective date is June 7, 2022

Questions?



Mission

Deliver exceptional services to support a high quality of life and place for our community



Vision

Develop a vibrant regional economy, safe and beautiful neighborhoods and exceptional recreational, cultural and educational opportunities powered by a high performing government



Values

Integrity, Respect, Excellence, Accountability, People