

CITY OF HUMBLE

ORDINANCE NO. 25-287

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HUMBLE, TEXAS, BY AMENDING CHAPTER 4 "BUILDING REGULATIONS" ARTICLE XII "EXTERIOR SECURITY CAMERAS"; PROVIDING A PENALTY AND PUBLICATION; PROVIDING FOR SEVERABILITY; AND MAKING OTHER FINDINGS AND PROVISIONS RELATED THERETO.

WHEREAS, the City Council adopted Ordinance 22-929 on April 22, 2022 requiring exterior security cameras and lighting be installed on certain places of business; and

WHEREAS, excessive levels of violence and criminal activity are detrimental to human health and welfare and result in impaired health, safety, and welfare for residents of the City, and

WHEREAS, the use of technology, including but not limited to video camera footage, is helpful to law enforcement in identifying and apprehending persons alleged to have committed violent crimes; and

WHEREAS, at the request of the Administration the City Council finds it necessary to make certain amendments to the requirements to the existing ordinance therein to improve the practical application and enforcement of the ordinance; and

WHEREAS, the City of Humble, Texas, is a home-rule municipality pursuant to Section 5, Article 11 of the Texas Constitution and as such, is vested with the power of local self-government; and

WHEREAS, Section 54.004 of the Texas Local Government Code authorizes home-rule municipalities to enforce ordinances necessary to protect health, life, and property and to preserve the good government, order, and security of the municipality and its inhabitants;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUMBLE, TEXAS, THAT:

Section 1. That the findings contained in the preamble of this Ordinance are determined to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. That Chapter 4, Article XII of the Code of Ordinances of the City of Humble be amended to read as follows:

"Sec. 4.12.001. Applicable businesses.

The following types of businesses and property uses shall be subject to the requirements of this article:

- (1) Convenience stores or 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;
- (2) Bars (including taverns, nightclubs, cocktail lounges and cabarets), as defined in section 28-701 of this Code
- ~~(3) Multifamily dwelling developments, as defined in Section 12-500 (4) of this Code;~~
- (3) Apartment complexes being any building or group of buildings, or portion thereof, which is design built, rented, leased, let, or hired out to be occupied as greater than four (4) dwelling units or which is occupied as the home or residence of greater than four (4) families living independently from each other and maintaining separate cooking facilities.
- (4) Hotels (including motels, inns and rooming houses), as defined in Section 40-10(a) of this Code;
- (5) Amusement redemption machine game rooms or game room, as defined in Section 8-200 of this Code;
- (6) Sexually oriented businesses, which shall mean those businesses listed in Section 8-127 of this Code;

Sec. 4.12.002. Camera required.

- (a) A business subject to the requirements of this article shall have digital high-resolution surveillance cameras system sufficient to provide an overall view from the exterior of the building to the property line including: all parking areas, gate entries and exit points, building doorways and exterior ancillary spaces. ~~and each camera shall be placed in consultation with the Humble Police Department.~~ Each camera location shall be confirmed by the inspection of the system by the Humble Police Department or the Humble Fire Marshal's Office. The number of cameras may be required to be increased, at any time, if it is determined that the coverage is insufficient at the determination of the Chief of Police, the Fire Marshal or their designee. Each camera system shall display the date and time of the recording for each camera. The camera system must be capable of providing a digital image

with a minimum resolution of two megapixels, a minimum aspect ratio of 1920 horizontal pixels by 1080 vertical pixels, and a minimum frame rate of 30 frames per second. The camera system shall have Wide Dynamic Range capabilities. The camera system shall be capable of exporting video footage in a non-proprietary MPEG-4 format.

- (b) Each camera system shall be maintained in proper working order at all times. Each camera shall be operating at all times, including hours when the facility is not open for business.
- (c) The owner shall, within 72 hours of a request, provide digital color video footage in connection with crime investigations to the police department to any State of Texas Law Enforcement Agency or Federal Law Enforcement Agency. Camera video data must be transferred to these organizations via a USB drive, Electronic Mail or digital file sharing transfer.
- (d) The owner or operator shall maintain a library of the recorded digital footage for not less than 30 days.
- (e) A business subject to the requirements of this article shall have posted at all public exits and entrances signs or decals indicating that surveillance cameras are in use.

Sec. 4.12.003. Violation.

Any person who shall willfully, intentionally, or with criminal negligence violate any provision of this Article shall be deemed guilty of a misdemeanor and, upon conviction shall be fined by an amount ~~not more than \$500.00 in accordance with Chapter 1, Section 11 of the Code of Ordinances~~ in accordance with section 1.01.009 of the Code of Ordinances. Each day of violation shall constitute a separate offense.”

Section 3. That, notwithstanding the effective date set forth below, the Police Chief, Fire Marshal and other officials responsible for administering this Ordinance shall, soon as practicable following the passage and approval of this Ordinance, commence actions required to implement this Ordinance upon its effective date.

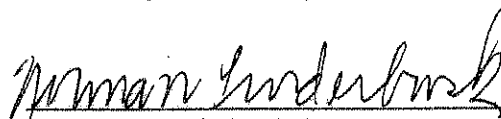
Section 4. That, as the state of the video camera technology develops, the Chief of Police, Fire Marshal or their designee shall undertake periodic assessment of changes in these technologies and may recommend updates to the provisions adopted in this ordinance to City Council as appropriate.

Section 5. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other

than the part declared to be invalid or unconstitutional; and the City Council of the City of Humble, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

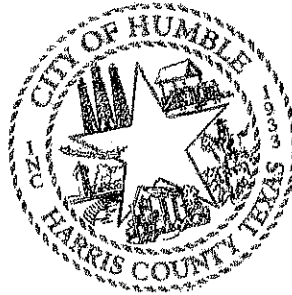
Section 6. This Ordinance shall become effective upon final reading and adoption of this Ordinance when the caption hereof is caused to be published once in the official newspaper of the City, by the City Secretary, within ten days after the passage of the ordinance, as required by law and Article II, Section 12 of the City Charter.

PASSED, APPROVED, AND ADOPTED this 27th day of February, 2025.


Norman Funderburk, Mayor

ATTEST:


Maria Jackson, City Secretary



PUBLICATION CERTIFICATION

THIS ORDINANCE WAS PUBLISHED IN THE OFFICIAL NEWSPAPER OF THE CITY OF HUMBLE IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 13 OF THE CHARTER OF THE CITY OF HUMBLE TEXAS ON:

ATTEST:

Maria Jackson, City Secretary