

CITY OF BEDFORD, OHIO

ORDINANCE NO. 075-23

**AMENDED**

AN ORDINANCE ENACTING CHAPTER 751 "VIDEO SURVEILLANCE SYSTEMS FOR APARTMENT COMPLEXES" OF THE BUSINESS REGULATION AND BUILDING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF BEDFORD TO REQUIRE APARTMENT COMPLEXES TO INSTALL VIDEO SURVEILLANCE SYSTEMS AND PROVIDE ACCESS TO THE BEDFORD POLICE DEPARTMENT

WHEREAS, the Chief of Police has recommended that the City of Bedford enact legislation requiring video surveillance for apartment complexes to enhance the safety and welfare of the community and assist the City in providing effective policing to the citizens of Bedford;

WHEREAS, with an increase in crimes and vehicle thefts, security and surveillance cameras would be helpful in preventing and solving crimes; and

WHEREAS, surveillance cameras would be mandated at building entrances and exits and in parking lots and parking garages; and

WHEREAS, several communities have implemented this ordinance and it has been helpful to the Police Department in solving crimes.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Bedford, County of Cuyahoga, and the State of Ohio:

Section 1: That Chapter 751 "Video Surveillance Systems for Apartment Complexes" of the Business Regulation and Building Code of the Codified Ordinances of the City of Bedford be and the same is hereby enacted to read as follows:

**CHAPTER 751**

**VIDEO SURVEILLANCE SYSTEMS FOR APARTMENT COMPLEXES**

**751.01 Video Surveillance Systems required for Apartment Complexes.**

**751.02 Access to video.**

**751.03 Minimum technological standards.**

**751.04 Minimum coverage standards, site assessment, signage.**

**751.05 Inspections.**

**751.06 Enforcement; civil penalties.**

**751.07 Exemptions.**

**751.08 Appeal process.**

**751.09 Severability.**

**751.01 VIDEO SURVEILLANCE SYSTEMS REQUIRED FOR APARTMENT COMPLEXES.**

CITY OF BEDFORD, OHIO

ORDINANCE NO. 075-23

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Every apartment complex in the City is required to install a video surveillance system. For the purposes of this chapter, “apartment complex” shall mean any building or group of buildings comprised of ten (10) or more individual rental units. Any apartment complex which installed surveillance systems prior to the effective date of this chapter must ensure the systems are in full compliance with this chapter. Video surveillance systems shall be in operation twenty-four (24) hours a day, seven (7) days a week, and shall meet the minimum technological standards established in this chapter.

**751.02 ACCESS TO VIDEO.**

If a crime occurs on the complex property, the owner or management shall provide access to the video containing the recorded event to the Bedford Police Department. The apartment complex shall retain the continuous digital images recorded by its system(s) for not less than thirty (30) days. The owner or management shall also provide an emergency contact telephone number for use by the Bedford Police Department.

**751.03 MINIMUM TECHNOLOGICAL STANDARDS.**

The video surveillance system must be capable of delineating on playback of the system the activity and physical features of persons or areas within the premises and must be able to record such images on a constant recording on a form of media as approved by the Bedford Police Department upon inspection thereof. The Bedford Police Department shall review the video surveillance system standards annually to ensure that they are consistent with current technology. If the video surveillance system is web-enabled or has wireless capability, the Bedford Police Department shall be provided the ability to access the live system upon initiation by the apartment complex during incidents requiring a police response or intervention.

**751.04 MINIMUM COVERAGE STANDARDS, SITE ASSESSMENT, SIGNAGE.**

The video surveillance system shall have, at a minimum, a camera at each exterior entrance and exit positioned to capture people and vehicles entering and exiting the property. Cameras must also be placed at entrances and exits of parking lots and parking garages. The placement of cameras included in video surveillance systems required under this chapter must be approved by the Bedford Police Department IT. Proper signage must be erected in the public viewing area(s) informing the general public and visitors of the existence of the surveillance cameras.

**751.05 INSPECTIONS.**

The video surveillance system shall be subject to regular inspection by the Bedford Police Department, which shall be authorized to inspect at all reasonable times any video surveillance system to determine if the system conforms with this chapter and regulations adopted by Council resolution. If the video surveillance system does not so conform the apartment complex owner must take immediate steps to bring the system into conformance.

**751.06 ENFORCEMENT; CIVIL PENALTIES.**

CITY OF BEDFORD, OHIO

ORDINANCE NO. 075-23

**AMENDED**

- (a) Apartment complexes subject to the mandatory requirements of this chapter shall have six (6) months from the effective date of this chapter to comply with the regulations set forth in this chapter.
- (b) The violation of any provision of this chapter by any owner or management of an apartment complex subject to this chapter shall result in a notice of violation from the Bedford Police Department. The Bedford Police Department is authorized to investigate all alleged violations. Violators shall have thirty (30) days after receipt of the notice to provide proof of compliance to the Bedford Police Department. If the violation continues after the thirty (30)-day period, the Chief of Police or his/her designee shall issue a citation against the violator and the violator shall pay a fine in the amount of five hundred dollars (\$500.00).
- (c) In addition to the foregoing, the violation of any provision of this chapter shall be and is hereby declared to be a public nuisance and contrary to the public interest and shall, at the discretion of the City, create a cause of action for injunctive relief.
- (d) For purposes of this chapter, each day that a violation continues shall be a separate violation.

**751.07 EXEMPTIONS.**

An apartment complex which is required to install a video surveillance system may, on an annual basis, apply to the Bedford Police Department for an exemption from the provisions of this chapter. The Chief of Police or his/her designee may exempt an apartment complex for a period of twelve (12) months if the Chief of Police or his/her designee finds that the apartment complex has or will undertake alternate security procedures which are substantially equal to or more effective in preventing criminal activity and in assisting in the apprehension of the perpetrators of crime or for the protection of residents and the community. The Chief of Police may also authorize alternate procedures on an experimental basis. Such an exemption shall carry a maximum duration of twelve (12) months, and an owner or management must reapply for an exemption at the end of the exemption period or bring the system into conformance with this chapter. The Chief of Police may also authorize temporary extensions of time for installation when an apartment complex owner or management demonstrates that it is temporarily unable to comply for good cause shown.

**751.08 APPEAL PROCESS.**

- (a) Any apartment complex found to be in violation of this chapter by the Chief of Police or his/her designee shall have the right to a hearing before the Board of Zoning Appeals.
- (b) The Chief of Police or his/her designee shall give the applicant written notice of the violation. The notice shall set forth the grounds for the violation, and shall inform the owner or management of the apartment complex that he/she has ten (10) days from the date of mailing of the notice to file a written request for a hearing before the Board of Zoning Appeals.

CITY OF BEDFORD, OHIO

ORDINANCE NO. 075-23

**AMENDED**

- (c) Within ten (10) days of mailing of the written notice of violation by the Chief of Police or his/her designee, the owner or management of the apartment complex may appeal by requesting a hearing before the Board of Zoning Appeals. Such a request must be made in writing and must set forth the specific grounds for the appeal. If the owner or management of the apartment complex files a timely request for a hearing, the Board of Zoning Appeals shall set a time and place for the hearing at their next regularly scheduled meeting. All parties involved shall have the right to offer testimonial, documentary and tangible evidence bearing on the issues, to be represented by counsel, and to confront and cross-examine any witness against them. The decision of the Board of Zoning Appeals as to whether there was a violation of this chapter shall be in writing, is final and shall be rendered at the conclusion of the hearing.

**751.09 SEVERABILITY.**

If any section, subsection, sentence, clause or phrase of this chapter is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter.

Section 2: That Chapter 751 “Video Surveillance Systems for Apartment Complexes” of the Business Regulation and Taxation Code of the Codified Ordinances of the City of Bedford be and the same is hereby enacted.

Section 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4: This ordinance is hereby declared to be an emergency measure immediately necessary for the public peace, health, safety, and welfare and for the further reason that it is immediately necessary to ensure the safety of the public.

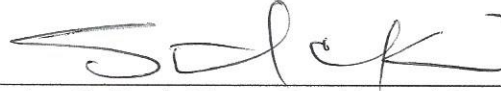
1<sup>st</sup> Rdg.: 9/18/23

2<sup>nd</sup> Rdg. 10/2/23

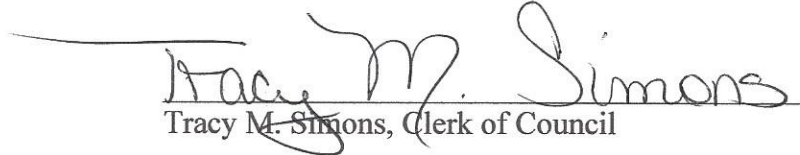
CITY OF BEDFORD, OHIO

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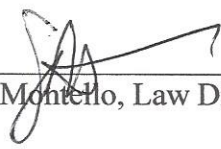


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Stanley C. Koci, Mayor-President of Council



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Tracy M. Simons, Clerk of Council

Prepared and approved as to legal content by: \_\_\_\_\_



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John J. Montello, Law Director

PASSED: October 16, 2023