

ORDINANCE NO. 008-26

AN ORDINANCE REPEALING CHAPTER 60A OF THE CEDAR RAPIDS  
MUNICIPAL CODE AND ENACTING AND ADOPTING IN ITS PLACE A NEW  
CHAPTER 60A SURVEILLANCE CAMERAS FOR BUSINESSES.

WHEREAS, the City adopted a new Chapter 60A Surveillance Cameras For Businesses with an effective date of May 12, 2015

WHEREAS, as part of the implementation of Chapter 60A the City has identified several corrections and clarification to be made to Ordinance to improve its use; and

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA as follows:

Section 1. Chapter 60A of the Cedar Rapids Municipal Code is hereby repealed and in its place a new Chapter 60A is enacted as follows:

**“Chapter 60A  
SURVEILLANCE CAMERAS FOR BUSINESSES**

**60A.1 PURPOSE.**

The City Council recognizes that certain businesses have characteristics which may tend to increase the potential risk of criminal activity on their premises. This Chapter is enacted to reduce the likelihood that employees and patrons of those businesses will be exposed to potential death and/or injuries because of crime occurring on the premises. It is also intended to assist law enforcement with the criminal investigation of crimes on the premises of the businesses which are the subject of this Chapter.

**60A.2 DEFINITIONS.**

The definitions and provisions contained in this section shall govern the construction, meaning, and application of the following words and phrases used in this Chapter.

1. "Business Establishment" or "Establishment" means an establishment listed and defined in this subsection as follows:
  - a. "After Hours Business" has the meaning as stated in Section 48.01 of this Code, as may be amended from time to time.
  - b. "Bank or Credit Union" means an establishment whose primary function is related to the custody, loan, exchange, or issuance of money, extension of credit, or transmission of funds.
  - c. "Carry Out - Food and Drink Establishment" means an establishment whose principal business is the sale of food and beverages in disposable containers in a ready-to-consume state for consumption either within the building or for carry-out with consumption off the premises, whose Point of

Sale system is visible to the public view. Notwithstanding the foregoing, a Carry Out - Food and Drink Establishment shall not be subject to this Chapter if it either (i) shares a common operational space with other businesses or (ii) does not have its own entrance or exit. Strictly for purposes of illustration, a business which is part of a so-called food court shall not be subject to this Chapter. For purposes of this Chapter, mobile food vending units and food stands, as defined in Section 42A.02 of this Code, as may be amended from time to time, are not Carry Out - Food and Drink Establishments.

- d. "Coin Dealer" means any business which buys and sells coins, gold or any other "precious metals," as that term is defined by Section 502A.1 of the Iowa Code, as may be amended from time to time, or any applicable successor law.
- e. "Convenience Store" means any business which sells at retail both gasoline and more than 20 "consumer products," as that term is defined by 15 USC § 2052, as may be amended from time to time, or any applicable successor law.
- f. "Delayed Deposit Services Business" means a business which, for a fee, does either of the following:
  - i. Accepts a check dated subsequent to the date it was written.
  - ii. Accepts a check dated on the date it was written and holds the check for a period of time prior to deposit or presentment pursuant to an agreement with, or any representation made to, the maker of the check, whether express or implied.
- g. "Firearm Dealer" means an establishment required to obtain a Federal Firearms License to sell firearms.
- h. "Hotel or Motel" means any building or structure, licensed by the State of Iowa, that is equipped, used, advertised as, or held out to the public as an inn, hotel, motor inn, or similar establishment where temporary sleeping accommodations are provided for a fee to transient guests, typically on a daily or short-term basis and not intended for permanent or long-term residential occupancy. For purposes of this Chapter, bed and breakfast inns are excluded from the definition of Hotel or Motel.
- i. "Liquor or Alcohol Business" means any retail stores, bars, or establishments licensed by the State of Iowa to sell alcoholic beverages to be consumed either (i) off premises, or (ii) on premises and the business is open to the public after 11:00 p.m..
- j. "Mobile Communications Retailer" means a business that is engaged in the sale of cellular or mobile communication devices and services, but does not include kiosk stores located in a shopping mall or other business for which the sale of cellular devices or services is only incidental.
- k. "Money Transmission Service" means a business required to obtain a license issued by the State of Iowa pursuant to the Iowa Code Chapter 533C, as may be amended from time to time, or any applicable successor law, to operate a money transmission service.

- l. "Pawn Broker" means a business required to obtain a license issued by the City of Cedar Rapids, pursuant to Chapter 43 of this Code, as may be amended from time to time, or any applicable successor law.
- m. "Pharmacy" has the meaning as stated in Section 155A.3 of the Iowa Code, as may be amended from time to time, or any applicable successor law.
- n. "Scrap metal dealer" means any person operating a business at a fixed or mobile location that is engaged in one of the following activities:
  - i. Buying, selling, procuring, collecting, gathering, soliciting, or dealing in scrap metal.
  - ii. Operating, managing, or maintaining a scrap metal yard.
- o. "Smoke Shop" means any retailer required to obtain a permit issued by the State of Iowa Department of Revenue, or its related successor department established by the State in its sole discretion, from time to time, to sell cigarette, tobacco, nicotine, and vapor products.
- 2. "Media" means material conforming to the Minimum Technical Standards of this Chapter on which audio, video, and electronic data can all be recorded for the purpose of making a permanent record.
- 3. "Plan of Action" means a written document developed and submitted by a Business Establishment in response to identified violations, which outlines corrective measures and ensures timely compliance. A Plan of Action shall include the following information:
  - a. A list of violation(s) and a clear and detailed explanation of how each violation will be remedied
  - b. Date by which the remedy to each violation will be completed
  - c. Date by which entire property will be compliant
- 4. "Point of Sale system" means the central hub(s) for handling cash, credit cards, and mobile payment for processing sales.
- 5. "Video Surveillance System" (or VSS) means a network of equipment used to visually monitor, record, and store footage of activities occurring within or around a property. Such systems include, but are not limited to, Digital Video Recorder (DVR), Network Video Recorder (NVR), or a Cloud-Based Recording System.

### **60A.3 VIDEO SURVEILLANCE SYSTEMS REQUIRED FOR BUSINESS ESTABLISHMENTS.**

- 1. Every Business Establishment, as defined in this Chapter, is hereby required to install a Video Surveillance System in accordance with this Chapter and to provide to the Chief of Police or designee an address and phone number to be used for purposes of official notifications regarding enforcement of this Chapter.
- 2. All Establishments which have installed a Video Surveillance System prior to the effective date of this ordinance shall ensure said Systems are in full compliance with this Chapter.

3. All Video Surveillance Systems shall:
  - a. meet the minimum technological standards established pursuant to Section 60A.5 of this Chapter.
  - b. be maintained in proper working order at all times; and
  - c. be kept in continuous operation 24 hours a day, 7 days a week
    - i. During designated business or operational hours, Video Surveillance Systems shall continuously record; and
    - ii. Outside of normal operation hours or when the premises is closed, Video Surveillance Systems shall either continuously record, or record via motion-activation.
4. Each Establishment shall retain the images recorded by its Video Surveillance System for no less than thirty (30) days.

#### **60A.4 NOTIFICATION OF INCIDENTS; ACCESS TO MEDIA, IMAGES AND DATA.**

1. If a crime occurs, or any employee of a Business Establishment believes or suspects a crime has occurred at its premises, the Establishment shall contact the Police Department immediately and the Establishment shall provide the Police immediate access to the Media containing the recorded event.
2. The Establishment shall provide a video recording to the peace officer for viewing as soon as possible after being requested. A copy of a video recording must be provided to the police chief or any other peace officer within 48 hours after being requested.
3. If the Video Surveillance System is web-enabled or has wireless capability, the Establishment shall enable the Police Department to directly access the live system during incidents requiring a police response or intervention.

#### **60A.5 MINIMUM TECHNOLOGICAL STANDARDS.**

Minimum Technological Standards required for Video Surveillance Systems shall be established by resolution of the City Council, which may be updated periodically. The Police Department shall review the Minimum Technical Standards at least annually to ensure they are consistent with current technology and shall recommend appropriate updates to the Council.

#### **60A.6 MINIMUM COVERAGE STANDARDS.**

The Video Surveillance System shall have no less than one camera dedicated to:

1. each Point of Sale system
2. each entrance/exit
3. parking lot or area designated for customer and/or employee parking use

## **60A.7 INSPECTIONS.**

The Video Surveillance System shall be subject to inspection by the Chief of Police or designee, who is authorized to inspect any such System at reasonable times to determine whether it conforms with this Chapter and any regulations and Standards adopted by Council resolution pursuant hereto. If the Video Surveillance System does not so conform, the Establishment in question shall take immediate steps to bring the system back into compliance therewith.

## **60A.8 ENFORCEMENT; CIVIL PENALTIES.**

1. Establishments subject to the mandatory requirements of this Chapter shall have one (1) year from the effective date of this ordinance to comply with the regulations set forth in this Chapter.
2. A violation of any provision of this Chapter by any owner or principal operator of an Establishment shall result in a Notice of Violation from the Chief of Police or designee to said Establishment at the address provided by the Establishment pursuant to Section 60A.3 of this Chapter.
3. The Notice of Violation shall be served under this Chapter by mailing by both regular and certified mail, as defined in Iowa Code Section 618.15, as may be amended from time to time, to the owner or principal business operator at the last known address of the owner or principal business operator. A courtesy copy of the notice shall also be sent by regular mail to the physical address of the subject property. Notice served by mail under this Chapter is deemed received ten business days after the notice is postmarked for delivery, whether or not the recipient signs a receipt for the notice.
4. The Notice of Violation required under this section shall be in writing, set forth the basis of the violation, and inform the owner or principal business operator of the Establishment that they have fifteen (15) days from the date the notice is received to file a written request for an administrative hearing to appeal the finding of a violation to the City Manager or designee.
5. The administrative hearing shall be held within 30 days. The requesting party shall receive at least 10 days' notice of the time, date, and location of said hearing. The hearing may be reset by written agreement of the requesting party, the City, and the hearing officer, but in no event shall the hearing be held later than 60 days after the date of the action or decision being appealed.
6. At the administrative hearing, formal rules of evidence shall not apply. The Establishment shall be entitled to present evidence, including the testimony of witnesses, and argument as to why the finding of a violation was incorrect.
7. Within 30 days after the conclusion of the hearing, the City Manager or designee shall render a written decision either sustaining or reversing the finding of a violation. Within one week following the receipt of the written decision, the Police Department shall send the written decision to the Establishment. The decision of the City Manager is the final decision of the City.
8. If no request for an administrative hearing is filed, or if a hearing is requested but the finding of a violation is thereafter sustained, the violating Establishment shall have 30 days after receipt of the Notice of Violation or decision sustaining the finding to provide the Police Department with proof that the violation has been corrected. If the violation has not been corrected, the owner or principal business

owner shall submit a written Plan of Action addressing all violations. If the violation continues after the 30-day period described herein and the Establishment fails to provide a Plan of Action, or if the Establishment fails to abide by its submitted Plan of Action, the Chief of Police or designee shall refer the matter to the City Attorney for prosecution as provided by law.

9. Any violation of or failure to comply with this Chapter or any of the requirements thereof, shall be prosecuted within the limits provided by state and local laws. Said prosecution may be by means of a misdemeanor citation or a citation for municipal infraction. For purposes of this Chapter, each day that a violation continues shall be a separate violation.

#### **60A.9 EXEMPTIONS.**

1. An Establishment which is otherwise required to install a Video Surveillance System may be exempt from the requirements of this ordinance if:
  - a. the Establishment is not regularly open to the public (e.g., a home-based business);
  - b. the Establishment has taken or will take alternative security measures and procedures which are substantially equal to or more effective than the requirements of this Chapter in preventing criminal activity and assisting in the apprehension of the perpetrators of crime or the protection of employees and patrons; or
  - c. the Establishment has been authorized by the Chief of Police or designee to implement alternative security measures and procedures on an experimental basis.
2. An Establishment which seeks an exemption pursuant to this Section shall apply, on an annual basis, to the Chief of Police or designee for exemption from the provisions of this Chapter. The application shall be in writing and shall state the basis for the exemption sought in sufficient detail to enable the Chief of Police or designee to determine whether the purposes of this Chapter would still be met if the exemption were granted.
3. An exemption granted pursuant to this section shall carry a maximum duration of twelve months. Any Establishment seeking to extend its exempt status must reapply for an exemption no later than 30 days prior to the end of the exemption period.
4. Any Establishment which has been granted an exemption under this section, or an extension thereof, which does not seek to further extend the exemption pursuant to subsection (3) of this Section, shall obtain the City's approval of a Video Surveillance System no later than 30 days prior to the end of the exemption period.
5. The Chief of Police or designee may authorize temporary extensions of time for installation of a Video Surveillance System when an Establishment demonstrates to the satisfaction of the City that it is temporarily unable to comply for good cause shown.
6. Any party aggrieved by the denial of an exemption under this section may request a hearing as provided in Section 60A.8 of this Chapter. The decision rendered pursuant to subsection (7) of Section 60A.8 shall be the final decision of the City."

Section 2. It is the intention of the Council that each section, paragraph, sentence, clause, and provision of this Ordinance is separable, and, if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance nor any part thereof other than that provision affected by such decision.

Section 3. All ordinances or parts of ordinances in conflict with any provision of this Ordinance are hereby repealed.

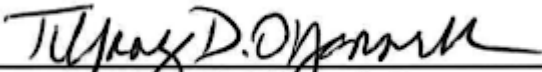
Section 4. The changes as provided in this Ordinance shall be made a part of the replacement pages of the Cedar Rapids Municipal Code and made a part of said Code as provided by law.

Section 5. This Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

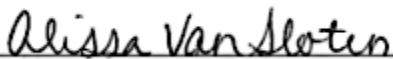
Introduced this 24th day of March, 2026.

Passed this 14th day of April, 2026.

Voting: Council member Poe moved the adoption of the ordinance; seconded by Council member Overland. Adopted, Ayes, Council members Maier, Olson (Scott), Olson (Tyler), Overland, Poe, Todd, Vanorny and Mayor O'Donnell.

  
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Tiffany D. O'Donnell, Mayor

Attest:

  
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Alissa Van Sloten, City Clerk