ORDINANCE NO. _____, SERIES 2025

AN ORDINANCE ENACTING A NEW CHAPTER OF TITLE XI OF THE LOUISVILLE METRO CODE OF ORDINANCES RELATING TO IN-PERSON SECURITY AT LATE-NIGHT BUSINESSES.

SPONSORED BY: COUNCIL MEMBERS HAWKINS AND RUHE

WHEREAS, the Louisville Metro Council recognizes that late-night businesses open during overnight hours are at a higher risk for criminal activity, including theft, assault, and property damage; and

WHEREAS, recent incidents at convenience stores, gas stations, and other late-night establishments have raised serious concerns regarding the safety of both employees and patrons; and

WHEREAS, the Louisville Metro Council is committed to promoting public safety by ensuring that businesses operating during late-night hours provide adequate security measures to deter criminal activity; and

WHEREAS, requiring trained and licensed security personnel during late-night hours will serve as both a preventative and responsive measure to violent or unlawful acts occurring on business premises; and

WHEREAS, security camera systems have proven effective in assisting law enforcement investigations, identifying suspects, and providing evidence in criminal cases; and

WHEREAS, the presence of visible security cameras and personnel can deter potential criminal activity and contribute to a safer environment for workers and customers alike; and

WHEREAS, the Louisville Metro Police Department has expended significant resources responding to calls for service at certain late-night businesses, demonstrating the need for proactive safety requirements; and

WHEREAS, establishing uniform standards for in-person security and surveillance at late-night businesses will promote fairness and consistency in business operations while enhancing community safety; and

WHEREAS, the Louisville Metro Council finds that such measures are necessary and proper to protect the health, welfare, and safety of the residents and visitors of Louisville.

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:

SECTION I: A new chapter of the Louisville Metro Code of Ordinances ("LMCO"), Chapter 117, is hereby created as follows:

Chapter 117: Late Night Businesses

117.01 Definitions

117.03 Security requirement for late night business

117.05 Camera requirement for late night business

117.99 Penalty

§ 117.01 Definitions

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

LATE NIGHT BUSINESS. Any business open to the public for any portion of the hours between 10:00 p.m. and 5:00 a.m. and which allows patrons to enter the business

establishment. Those businesses which only transact business through an indirect pass-through trough, trapdoor, or bullet-proof safety enclosure are excluded from this definition.

SECURITY PROVIDER. A person directed by the owner or manager of a late night business entity to perform security services at the late night business, and who is:

(1) An armed security guard licensed pursuant to LMCO 124.05; or

(2) A person with prior commissioned law enforcement experience from any federal, state, or local jurisdiction occurring within five years prior to the date security services are performed.

SECURITY SERVICES. Performing at least one of the following activities at a late night business establishment:

(1) Protecting other individuals from harm;

(2) Possessing authority to physically detain or eject persons from the business premises;

(3) Controlling access to a business premises;

(4) Observing, investigating, or reporting unlawful activity;

(5) Protecting property from harm or misappropriation; or

(6) Preventing or detecting theft or misappropriation of goods, money, or other items of value.

§ 117.03 Security requirement for late night business

All late night business establishments shall utilize one or more security providers during the hours between 10:00 p.m. and 5:00 a.m. while the establishment is open to the public.

§ 117.05 Camera requirement for late night business

(A) Every late night business shall be equipped with a security camera system that is operational and capable of recording and storing a clear image of any portion of the

establishment open to the public in order to assist in the identification and apprehension of persons engaged in crime.

(B) At least one camera shall be positioned and adjusted so that each entry and/or exit door is completely visible in a camera's field of view and shall be placed so that any visible camera is located between seven and one-half and eight feet from the floor level to clearly capture images of persons entering or existing, or, if the camera is covert, the camera shall be located at eye level, which for the purposes of this chapter is between five and six feet above the floor of the convenience store.

(C) In addition to the cameras at doors required by subsection (B) of this section, cameras shall be positioned and adjusted so that other portions of the establishment open to the public are captured.

(D) The security camera system may consist of either a video tape recording system or a digital video recording system and it shall be stored in a locked area away from the cash register. Each camera’s image resolution shall be acute enough that the facial features of a person in its field of view are distinguishable and recognizable. The video recording tapes shall be kept for a period of seven days before the tape may be reused or discarded. The digital video recording system shall have the capacity to retain digital images for a period of seven days before being overwritten or discarded.

§ 117.99 Penalty

(A) Any violation Section 117.02 shall be classified as a civil offense and shall be enforced through the Code Enforcement Board as provided in §§ 32.275 et seq. or as it may be amended.

(B) For a first offense, the penalty for violating Section 117.02 shall be a warning citation issued to the business owner.

(C) For a second or subsequent offense, the business owner shall be subject to a civil fine of $500, and each day of violation shall constitute a separate offense.

SECTION II: This Ordinance shall take effect upon its passage and approval or otherwise becoming law.

_____	_____
Sonya Harward Metro Council Clerk	Brent Ackerson President of the Council
_____	_____
Craig Greenberg Mayor	Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

By: _____

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