

ORDINANCE NO. 91-5

AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA RELATING TO RETAIL GROCERS; CREATING THE ST. JOHNS COUNTY CONVENIENCE STORE SECURITY ORDINANCE; PROVIDING FINDINGS; DEFINING "CONVENIENCE STORE"; REQUIRING CERTAIN RETAIL GROCERY STORES TO BE EQUIPPED WITH SPECIFIED SECURITY DEVICES; REQUIRING CERTAIN LEVELS OF LIGHTING FOR PARKING LOTS; REQUIRING POSTING OF CERTAIN SIGNS; REQUIRING POSTING OF SPECIFIED SIGNS; PROHIBITING WINDOW TINTING; REQUIRING TRAINING FOR CERTAIN EMPLOYEES; PROVIDING FOR CIVIL FINES; PROVIDING FOR NONCOMPLIANCE FEES; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, as follows:

Section 1. The Board of County Commissioners of St. Johns County, Florida hereby finds and determines that the Florida legislature, through passage of Chapter 90-346 Laws of Florida, directed the Board of County Commissioners of St. Johns County to enact an ordinance containing the provisions in Sections 2 through 9 below.

Section 2. Definition. - As used in this act, the term "convenience store" means any place of business that is engaged in the retail sale of groceries, including the sale of prepared foods, and gasoline and services, that is regularly open for business at any time between the hours of 10 p.m. and 5 a.m., and that is attended during such hours by one employee. The term "convenience store" does not include a store which is solely or primarily a restaurant. The term "convenience store" does not include any store in which the owner and members of his family work in the store between the hours of 10 p.m. and 5 a.m.

Section 3. Convenience store security. - Each convenience store located within the unincorporated area of St. Johns County, Florida shall:

- (1) Be equipped with the following devices:

- (a) A silent alarm that notifies the Sheriff of St. Johns County or a private security agency that a robbery is taking place.
 - (b) A security camera system capable of retrieving an image to assist in the identification and apprehension of a robber.
 - (c) A drop safe or cash management device that provides minimum access to the facility's cash receipts.
- (2) Have lighted parking lots illuminated at an intensity of 2 foot candles per square foot with a uniformity ratio of no more than 5 to 1 at 18 inches above the surface.
 - (3) Post a conspicuous sign in the convenience store entrance which states that the cash register contains \$50 or less.
 - (4) Maintain window signage so that there is a clear and unobstructed view of the cash register and transaction area.
 - (5) Prohibit window tinting on the windows of the establishment if such tinting reduces exterior or interior viewing between the hours of 9 p.m. and 6 a.m.
 - (6) Install height markers at the entrance of the establishment which display height measures from the floor.
 - (7) Establish a cash management policy to limit the amount of available cash on hand between the hours of 9 p.m. and 6 a.m.

Section 4. Training of employees. - No later than June 30, 1991, the owner or principal operator of a convenience store located within the unincorporated area of St. Johns County, Florida shall provide proper robbery deterrence and safety training to at least its employees who work between the hours of 9 p.m. and 6 a.m. Any proposed program of training shall be submitted in writing to the Attorney General of the State of Florida.

Section 5. The owner and principal operator of a convenience store shall pay the following indicated fees to the Clerk of Courts of St. Johns County, Florida for non compliance after January 1, _____, 1995 with the following subparagraphs of section 3 above.

- (1)(a) "silent alarm". \$ 50.00
- (1)(b) "security camera system". \$ 50.00
- (1)(c) "drop safe" or "cash management device" . . \$ 50.00
- (2) "lighted parking lots". \$ 50.00
- (3) "conspicuous sign". \$ 50.00
- (4) "unobstructed window view". \$ 50.00
- (5) "non window tints". \$ 50.00
- (6) "height markers". \$ 50.00
- (7) "cash management policy". \$ 50.00

Section 6. The owner and principal operator of a convenience store shall pay a \$ 50.00 non compliance fee to the Clerk of Courts of St. Johns County, Florida for non compliance with section 4 above.

Section 7. Payment in full of a non compliance fee by either the owner or principal operator or a combination thereof shall satisfy the payment requirement for the non compliance event for which the payment was received. If a non compliance is corrected within 10 days after receipt by the owner, principal operator, or employee of the convenience store of written notice of the non compliance, the non compliance fee for such non compliance shall not be assessed. Each eleven day period that a non compliance continues or re-occurs shall constitute a separate non compliance.

Section 8. Any owner or principal operator of a convenience store who willfully and deliberately violates the requirements of this ordinance or who deliberately fails to initially implement the requirements hereof shall be required to pay

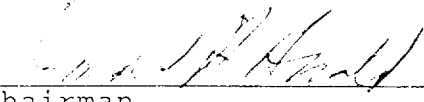
St. Johns County, upon complaint filed by the county with the state attorneys office, a fine of \$5000.00

Section 9. The Clerk of Court of St. Johns County, Florida shall send a copy of this ordinance to the Attorney General of the State of Florida within 30 days after its adoption.


Section 10. This ordinance shall take effect immediately upon receipt of official acknowledgment by the Office of the Department of State to the Clerk of the Board of County Commissioners that same has been filed.

Passed by the Board of County Commissioners of St. Johns County, State of Florida this 12th day of February, ^{1991.} ~~1990~~

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: 
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

BY: 
Clerk

EFFECTIVE DATE: February 22, 1991

The St. Augustine Record

PUBLISHED EVERY AFTERNOON MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA, COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared _____

SHERRY L. RAUCH

who on oath says that she is

ACCOUNTING CLERK

of the St. Augustine Record, a

daily newspaper published at St. Augustine in St. Johns County, Florida: that

the attached copy of advertisement, being a _____

NOTICE TO INTENT

in the matter of _____

Ordinance Relating to Convenience Store

in the _____ Court,

was published in said newspaper in the issues of _____

January 24, 1991

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper has heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

Sherry L. Rauch

Sworn to and subscribed before me _____ Zoe Ann Johns

this _____ 24th _____ day of _____ January _____

A.D. 19 91

(SEAL) [Signature] Notary Public 8122193

NOTICE OF INTENT TO CONSIDER ENACTMENT OF ORDINANCE

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON TUESDAY, FEBRUARY 13, 1991, AT 9:30 O'CLOCK A.M. IN THE COUNTY AUDITORIUM, COUNTY ADMINISTRATION BUILDING, 4020 LEWIS SPEEDWAY (COUNTY ROAD 16-A) AND U.S. #1 NORTH, ST. AUGUSTINE, FLORIDA, WILL HOLD A PUBLIC HEARING TO CONSIDER THE PASSAGE OF THE FOLLOWING ORDINANCE:

ORDINANCE NO. _____ AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA RELATING TO RETAIL GROCERS; CREATING THE ST. JOHNS COUNTY CONVENIENCE STORE SECURITY ORDINANCE; PROVIDING FINDINGS; DEFINING "CONVENIENCE STORE"; REQUIRING CERTAIN RETAIL GROCERY STORES TO BE EQUIPPED WITH SPECIFIED SECURITY DEVICES; REQUIRING CERTAIN LEVELS OF LIGHTING FOR PARKING LOTS; REQUIRING POSTING OF CERTAIN SIGNS; REQUIRING POSTING OF SPECIFIED SIGNS; PROHIBITING WINDOW TINTING; REQUIRING TRAINING FOR CERTAIN EMPLOYEES; PROVIDING FOR CIVIL FINES; PROVIDING FOR NONCOMPLIANCE FEES; AND PROVIDING AN EFFECTIVE DATE.

The proposed Ordinance is on file in the office of the Clerk of the Circuit Court, St. Johns County, Florida, St. Johns County Administration Building, Lewis Speedway, and may be examined by parties interested prior to said public hearing.

All parties having any interest in said Ordinance will be afforded an opportunity to be heard at the public hearing.

If a person decides to appeal any decision made by the Board of County Commissioners with respect to any matter considered at the meeting or hearing, he will need a record of the proceedings, and for such purposes he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA Carl "Bud" Markel, Its Clerk By Annette Williams Deputy Clerk L371 Jan. 24, 1991