



CITY OF LYNN

RECEIVED
BUILDING DEPARTMENT

In City Council

2004 DEC 23 A 10:59

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LYNN, MA

IN THE YEAR TWO THOUSAND AND FOUR AN ORDINANCE REGULATING PUBLIC SAFETY WITHIN CONVENIENCE STORES IN THE CITY OF LYNN

Be it ordained by the City Council of the City of Lynn and by the authority of the same as follows, to wit:-

SECTION 1. An Ordinance Regulation Convenience Stores in the City of Lynn is hereby established.

SECTION 2. A convenience store shall mean:

- a. A retail establishment that has as its primary business the sale of basic food items and in addition sells household products. Basic food items may include, but are not limited to, milk and dairy products, bread products, prepared sandwiches, frozen entrees, refrigerated food and baby food. Household products may include, but are not limited to, cleaning products, paper products, baby products and pet foods; and/or
- b. A filling station that sells basic food items and in addition sells household products as described in Section 2a.

SECTION 3. All convenient food stores shall

- a. Locate the cash register in a manner so that at the time of a sales transaction, the employee and the customer are both visible from the sidewalk. If there is no sidewalk, the cash register shall be located so that at the time of a sales transaction, a person directly outside the store has an unobstructed view of the employee and the customer.
- b. Keep glass entrance and exit doors clear of any signs or advertisements.
- c. Maintain signage and advertisements covering no more than 30% of the exterior windows or glass within and upon the building.



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- d. Maintain a conspicuous sign near the convenience store entrance which states that the cash register contains Fifty (\$50.00) Dollars or less and that the safe is not accessible to employees.
- e. Maintain one of the following on the licensed premise:
 - 1. A safe in existence at the time of adoption of this Ordinance that is inaccessible and has been modified to be used as a drop safe which has been approved by the Lynn Police Department.
 - 2. A drop-safe or time release safe that weighs at least 200 pounds or which is attached to or set into the floor in a manner approved by the Lynn Police Department
- f. Provide lighting for the store's parking area during all hours of darkness when employees and customers are on the premises at a minimum average of 2 foot candles per square foot with a uniformity ration of no more than 5 to 1 at 18 inches above the surface, unless the store is not open for business after sunset or before sunrise.
- g. Install, maintain in proper working order and operate during all hours the store is open to customers a security camera which can produce a color retrieval image on film or tape. Said security camera should offer continuous VHS images and be available for inspection by the Lynn Police Department. All used video films or tapes shall be maintained locked and secured by the store. The store shall provide the Lynn Police Department with a master key which shall permit the Lynn Police Department access to the video films or tapes.
- h. Install, maintain in proper working order and operate a silent alarm that notifies local law enforcement or a private security agency that a robbery is taking place.
- i. Maintain window signage so that there is a clear and unobstructed view of the cash register and transaction area.



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- j. Prohibit window tinting on the windows of the establishment if such tinting reduces exterior or interior viewing during the hours of operation to which this Ordinance is applicable.
- k. Install height markers at the entrance of the establishment which display height measures from the floor.
- l. Establish a cash management policy to limit the amount of available cash on hand between the hours of 9:00 p.m. and 6:00 a.m.
- m. Maintain a conspicuous sign near the entrance area which states that sunglasses, hats, facemasks, ski masks and the like are prohibited from being worn inside the establishment.

SECTION 4. The Lynn Police and the Department of Inspectional Services shall have enforcement authority over the provisions of this Ordinance.

SECTION 5. Violation of the provisions of this Ordinance, or failure to comply with any of the requirements, shall be punishable by a fine of three hundred (\$300.00) dollars. Each day that a violation exists shall constitute a separate offense.

SECTION 6. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 7. This ordinance shall take effect thirty-one (31) days after its final approval as adopted and advertised.

DISPOSITION FOR VIOL. OF ORD.
 BY-LAWS, RULES & REG. No. _____
 CITY OF LYNN IN THE AUTHORITY

ORDER

Offered by Councillor COMM. ON ORD.
 In City Council
 NOV. 9, 2004 _____,20

Advertised _____,20

AS AMENDED NOV. 23, 2004
 Adopted _____,20

Councillor	YES	NO
COLUCCI	X	
COWDELL	X	
CUFFE-O'DONNELL	X	
DIVIRGILIO	X	
ELLIS	X	
FORD	X	
KENNEDY	X	
LOZZI	X	
O'BRIEN	X	
PHELAN	X	
TRAHANT	X	
	11	0

Mary F. Audley

Mary F. Audley
 City Clerk
 Approved _____ 2004

 Mayor

In City Council _____
 Immediate Reconsideration _____
 Notice of Reconsideration _____

Councillor	YES	NO
COLUCCI		
COWDELL		
CUFFE-O'DONNELL		
DIVIRGILIO		
ELLIS		
FORD		
KENNEDY		
LOZZI		
O'BRIEN		
PHELAN		
TRAHANT		

EFFECTIVE DECEMBER 23, 2004

LAW, PARKING, INSP. SERVICES,
 Referred to DPW, FIRE, Department
 POLICE, LYNN HOUSING, DOG
 OFFICER
 Date DECEMBER 23, 2004