

## Memorandum



CITY OF DALLAS

DATE August 7, 2020

SUBJECT **Proposed Amendments to: Chapter 6A, “Amusement Centers” and Chapter 12B, “Convenience Stores,” of the Dallas City Code.**

The following item has been prepared in response to ongoing criminal activity at convenience stores:

Proposed amendments to:

1. Chapter 6A, “Amusement Centers,” to update the definition of coin-operated amusement device; and
2. Chapter 12B, “Convenience Stores,” to prohibit coin-operated amusement devices in convenience stores.

Convenience stores are highly utilized retail businesses with a primary emphasis on providing the public with convenient locations to quickly purchase a wide array of consumer products, such as basic food, household, tobacco products, paraphernalia, and pharmaceutical items. As a result, these stores, and its consumers, are especially vulnerable to victimization – especially those that have large amounts of cash, low security, and few staff and customers likely to resist.

The purpose of Chapter 12B is to protect the health, safety, and welfare of the citizens of the city of Dallas by reducing the occurrence of crime, preventing the escalation of crime, and increasing the successful prosecution of crime that occurs in convenience stores in the city. To accomplish this purpose, Chapter 12B establishes a registration program for convenience stores and provides requirements relating to surveillance camera systems, video recording and storage systems, alarm systems, drop safes, security signs, height markers, store visibility, safety training programs, and trespass affidavits.

Coin-operated amusement devices contribute to criminal activity – gambling, narcotics, and violent crime – at these locations. The proposed amendment aims to further reduce the occurrence of crime at the properties by prohibiting coin-operated amusement devices, including eight-liner machines, in convenience stores.

ORDINANCE NO. \_\_\_\_\_

An ordinance amending Chapter 6A, “Amusement Centers,” and Chapter 12B, “Convenience Stores,” of the Dallas City Code by amending Section 6A-1 and adding Section 12B-21; clarifying the definition of coin-operated amusement device; prohibiting coin-operated amusement devices in convenience stores; providing a penalty not to exceed \$500; providing a saving clause; providing a severability clause; and providing an effective date.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That Paragraph (2) of Section 6A-1, “Definitions,” of Chapter 6A, “Amusement Centers,” of the Dallas City Code is amended to read as follows:

“(2) COIN-OPERATED AMUSEMENT DEVICE means a machine or device operated by electronic transfer of funds or by insertion of a coin, bill, token, card, or similar object, for the purpose of amusement or skill. This term does not include:

- (A) musical devices;
- (B) billiard tables;
- (C) machines designed exclusively for children; or
- (D) devices designed to train persons in athletic skills or golf, tennis, baseball, archery, or other similar sports.”

SECTION 2. That Article III, “Safety Requirements for Convenience Stores,” of Chapter 12B, “Convenience Stores,” of the Dallas City Code is amended by adding a new Section 12B-21, “Coin-Operated Amusement Devices Prohibited,” to read as follows:

**“SEC. 12B-21. COIN-OPERATED AMUSEMENT DEVICES PROHIBITED.**

Coin-operated amusement devices, as defined in Chapter 6A, are prohibited in a convenience store, including the sales floor, office, storage room, and back room areas, whether open or closed to the public.”

SECTION 3. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$500.

SECTION 4. That Chapters 6A and 12B of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 5. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 6. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 7. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

CHRISTOPHER J. CASO, City Attorney

By \_\_\_\_\_  
Assistant City Attorney

Passed \_\_\_\_\_