

**RESOLUTION 2017-44**

**A RESOLUTION ADOPTING A POLICY FOR THE USE, MAINTENANCE, AND RETENTION  
OF SECURITY VIDEO CAMERAS ON CITY-OWNED PROPERTIES**

**WHEREAS**, the City of Franklin owns many garages, parking lots, and other facilities; and

**WHEREAS**, safety and security at these City facilities is of utmost concern; and

**WHEREAS**, the installation of Video Security Systems will enhance security for the citizens, visitors, and employees of the City of Franklin; and

**WHEREAS**, the Board of Mayor and Aldermen find that it is in the best interest of the City, and will promote safety and security for City-owned facilities, to install Video Security Systems and adopt a policy for the use, maintenance, and retention of such Video Security Systems.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY  
OF FRANKLIN, TENNESSEE, AS FOLLOWS:**

**Section 1.** The Board of Mayor and Aldermen hereby adopts the City of Franklin Security Video Policy ("Policy"), attached to this Resolution as Exhibit A.

**Section 2.** Changes or revisions to the Policy hereby adopted may be made by the City Administrator.

**Section 3.** The Policy shall be effective upon its adoption.

ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2017

**CITY OF FRANKLIN, TENNESSEE**

**Attest:**

\_\_\_\_\_  
**Dr. Ken Moore**  
**Mayor**

\_\_\_\_\_  
**Eric S. Stuckey**  
**City Administrator**

**APPROVED AS TO FORM BY:**

\_\_\_\_\_  
**Kristen L. Corn, Assistant City Attorney**

City of Franklin  
Policy for the Use, Maintenance, and Retention of  
Security Video Cameras on City-Owned Properties

**PURPOSE**

The purpose of this policy is to govern the use of the City's Video Security System (VSS) cameras and overt electronic recording. This policy applies to all use of the City's monitoring and/or recording of City-owned garages and parking lots, and other City-owned facilities for safety and security purposes.

**SCOPE/BACKGROUND**

The City is implementing this method of crime deterrence by strategic placement of Video Security System (VSS) cameras in the City of Franklin.

This policy applies to systems that enable continuous or periodic routine video monitoring on a sustained basis. Legitimate uses of this technology are covered by this policy and applicable state and federal law.

**GENERAL PRINCIPLES**

The principle objectives of security video monitoring and/or recording in public areas include:

1. Promote a safe environment by preventing/deterring acts of theft, vandalism, harassment, and/or assault.
2. Assist in identification of individuals involved in criminal activity on City owned or managed property.
3. Assist in the safe daily operation of City parks and related facilities.
4. Assist law enforcement agencies in investigating criminal activity.

To assure there is no violation of a person's reasonable expectation of privacy, VSS cameras shall be focused on public areas and the images shall not be used or disseminated improperly. Safeguards will ensure that the technology is not abused.

The City shall comply with all local, federal and state case law applicable to the use of surveillance cameras in public space.

VSS monitoring and/or recording will be conducted in a professional, ethical, and legal manner. Personnel using the VSS camera system will be appropriately trained and supervised in the responsible use of this system. Violations of this policy and procedures may result in disciplinary action and may subject those involved to criminal and/or civil liability under applicable state and federal law.

Information obtained through video monitoring and/or recording will be used exclusively for safety, security, and other legitimate purposes. Information obtained through monitoring and/or recording will only be released in accordance with this policy or as required by law.

VSS monitoring and/or recording of public areas will be conducted in a manner consistent with all City policies, including the Human Resources Manual and other relevant policies. Except for police investigations involving person(s) whose description is known, this policy prohibits monitoring and/or recording based solely on characteristics and classifications (e.g., race, gender, sexual orientation, national origin, disability, etc.).

All recording or monitoring of public areas for security and safety purposes by City authorized cameras is limited exclusively to practices that will not violate the standards of a reasonable expectation of privacy as defined by law.

## **RESPONSIBILITIES**

### City of Franklin Information Technology (IT) Department:

The IT Department is the department authorized and responsible to oversee and coordinate the use of public cameras in the City. The IT Department has primary responsibility for ensuring adherence to this policy and for disseminating the policy to persons requesting information on the policy and procedures.

The IT Department is responsible for following new developments in the relevant laws and in security industry practices to ensure that VSS monitoring and/or recording in the City is consistent with high standards and protections.

The IT Department is responsible for reviewing request(s) for installation and or placement of security cameras, developing a recommendation on the request(s), and forwarding that recommendation to the City Administrator. The IT Department will assist in aiming and focusing the cameras during the installation phase and will view and manage data from the cameras.

## **INSTALLATION APPROVAL**

Placement at City facilities or buildings, such as City Hall, other City properties, public parks, open space areas, public streets or other public locations, requires approval by the City Administrator.

When seeking approval, Department Heads will address the following issues and concerns in supporting their request:

1. Objectives for implementing the system.
2. Use of equipment, including:
  - a. Location of cameras.
  - b. Location of equipment.
  - c. Personnel authorized to operate the system.
  - d. Times when monitoring will be in effect (and staffed, if applicable).
3. Other deterrence or detection measures that were considered, and why video monitoring is the best solution.
4. Any specific, verifiable reports of incidents of crime or significant safety concerns that have occurred in the location to be placed under video monitoring.
5. Possible effects of the proposed video monitoring system on personal privacy, if any, and how they will be mitigated.
6. Appropriate consultation with stakeholders, including the public or reasons why this is not necessary.
7. Signage strategy advising the public that video monitoring is occurring.
8. Approach to installing and maintaining the system.
9. Fiscal impact and availability of funding.

## **OPERATING PROCEDURES**

Nothing in this policy is intended to limit the reasonable and legal use of the VSS cameras during exigent circumstances involving matters of public and/or law enforcement safety.

1. The VSS cameras will be managed by IT department personnel. The City Administrator will assign a designee to periodically review video systems to insure they are functioning properly and recording correctly using the proper date/time stamp.
2. VSS cameras shall be used to observe locations that are in public view and where there is no reasonable expectation of privacy. Any view provided by a VSS camera shall be no greater than what is available from the public vantage point.
3. Personnel shall not monitor/record individuals based on characteristics of race, gender, ethnicity, sexual orientation, disability, or classification such as national origin, etc. protected by state and federal laws. Personnel will monitor/record based on suspicious behavior, not individual characteristics. **EXCEPTION:** Police investigations involving person(s) whose description is known.
4. The monitoring equipment will be configured to prevent personnel from tampering or duplicating recorded information without authorization.
5. Personnel shall not disseminate information learned from monitoring VSS public cameras unless such release complies with the law, this policy or other information release laws or policies.

## **LOCATION AND DIRECTION OF VIDEO MONITORING EQUIPMENT**

Permanent, fixed-mounted cameras will not be placed in areas where a reasonable expectation of privacy is standard, such as inside restrooms.

1. Cameras located internally will not be directed to look through windows to areas outside the building, unless necessary to protect external assets, provide for the personal safety of individuals or deter criminal activity from occurring.
2. Cameras will not be directed to look into adjacent, non-City owned buildings.
3. Placement of cameras will also take into consideration physical limitations such as availability of power, cell reception and reasonable mounting facilities.

## **NOTIFICATION PROCEDURES**

1. Clearly written signs will be prominently displayed at the perimeter of video monitoring areas advising the public that video monitoring is occurring.
2. The City will post signage at appropriate locations. Signage will state:

**THIS AREA IS SUBJECT TO SECURITY VIDEO MONITORING  
BY THE CITY OF FRANKLIN**

## **RETENTION, EXTRACTION AND STORAGE PROCEDURES**

Recorded video records will be stored as provided by the City's Records Retention Policy, unless retained as part of a criminal investigation or court proceedings (criminal or civil), or other bona fide use as approved by the City Administrator. Images obtained through video camera monitoring/recording must be retained for a length of time deemed appropriate for the lawful purpose of monitoring, but not to exceed 30 days, unless such images need to be retained longer for the final resolution of a case or other bona fide use.

Video recorded images will be stored in a secure location with access by authorized personnel only. Only trained Staff authorized by the City Administrator shall be authorized to extract video from footage from the Internet, computer disk, or drive.

Any video footage extracted for investigation purposes shall be stored in a manner that will exclude access by unauthorized personnel. Video footage, which is evidence, will be processed and stored in the evidence room with access by authorized personnel only.

Records will be securely and permanently disposed of in a manner appropriate to their storage media.

**EXCLUSIONS**

This policy does not apply to the use of surveillance, or to the conduct of surveillance monitoring or recording by a law enforcement agency engaged in a legitimate criminal investigation.