

BOROUGH OF NORTH CALDWELL
ORDINANCE NO. O-8-14

AN ORDINANCE REQUIRING THE
INSTALLATION OF KEY LOCK BOXES FOR
RAPID ENTRY OF FIRE DEPARTMENT AND
PUBLIC SAFETY PERSONNEL

WHEREAS, the Governing Body has determined that the health, welfare and safety of the Borough's residents are promoted by requiring certain structures within the Borough to install and maintain a rapid entry system in the form of a key lock box system on the exterior of the structure, which will permit the Borough's Fire Department and other public safety departments of the Borough to gain immediate and unfettered access to the structure when responding and reporting to the structure; and

WHEREAS, the Chief of the Borough's Fire Department has requested that an Ordinance providing for the installation of key lock boxes be adopted by the Governing Body;

NOW, THEREFORE, BE IT ORDAINED By the Mayor and Council of the Borough of North Caldwell, County of Essex and State of New Jersey as follows:

1. Chapter 44, Fire Prevention, of the Code of the Borough of North Caldwell be and is hereby amended to add as Article III the following:

ARTICLE III
KEY LOCK BOXES

§44-16. Purpose.

The Governing Body has determined that the health, welfare and safety of the Borough's residents are promoted by requiring certain structures within the Borough to install and maintain a rapid entry system in the form of a key lock box system on the exterior of the structure, which will permit the Borough's Fire Department and other public safety departments of the Borough to gain immediate and unfettered access to the structure when responding and reporting to the structure.

§44-17. Definitions.

As used in this Article, the following terms shall have the meanings indicated:

KEY LOCK BOX SYSTEM - As used herein, a secured, locked device affixed to the exterior of the structure(s) identified below, and, as necessary, the entry to the property on which the structure(s) is situated.

OWNER - As used herein, shall mean and include a person, corporation, partnership or any other similar entity.

PREMISES or PROPERTY - As used herein, shall mean and include any premises and property on which the structures identified below are situated that have security or other gated properties impeding unfettered ingress and egress.

SECURITY OR OTHER FORM OF GATE - As used herein, shall mean and include property the entrance to which having limited access due to a vehicular gate.

STRUCTURE - As used herein, shall mean and include those structures identified below, and shall be afforded the meaning as is afforded elsewhere throughout this Code.

§44-18. Structures required to install key lock boxes.

The owner of the following types of structures shall be required to install and maintain a key lock box system that will provide the Borough's Fire Department and other public safety departments with immediate and unfettered access to the structure and property on which the structure is situated:

- A. Any and all commercial or industrial structures protected by an automatic activated alarm system, an automatic dialer, an automatic fire-suppression system, and/or such structures that are secured in a manner that restricts access during an emergency;
- B. Any and all residential structures with a fire suppression system which includes a sprinkler riser.
- C. Any and all facilities providing medical, nursing, congregate and/or other care;
- D. Any and all multi-residential structures, including apartment and condominium complexes, that have restricted access through locked doors and have a common corridor for access to the individual residential units;
- E. Any and all nursing homes, assisted-living residences, hospice facilities, and/or other structures providing for long-term care for senior citizens;
- F. Any and all newly constructed buildings of the type and kind identified in §1-3 A through E. All newly constructed buildings of the type and kind identified in §1-3 A through E shall comply with the provisions of this Article before a certificate of occupancy or temporary certificate of occupancy may be granted.

§44-19. Location of the key lock box system.

The key lock box system shall be located at or near the main entrance to the structure, or at another location approved by the Chief of Police or Fire Official. If the structure is located on the property, ingress and egress to which is inhibited by a security or other form of gate, then two lock box systems shall be installed: the first at or near the main entrance to the property on which the structure is situated, and the second at or near the main entrance to the actual structure. The key lock box system shall be mounted at a height of six feet above the final grade or as otherwise designated by the Chief of Police or Fire Official.

§44-20. Contents of key lock box system; necessity of HAZMAT document storage box system.

- A. The key lock box system shall contain the following:
 1. Labeled keys to locked points of ingress and egress, whether interior or exterior; labeled keys to locked mechanical rooms; labeled keys to any gate or secured areas; labeled keys to any other areas that may be required by the Chief of Police or Fire Official.
 2. Keys to fire alarm control panels, keys necessary to operate or service fire alarm control panels and keys necessary to operate or service fire protection systems.
 3. Electronic entry cards.

4. Elevator and emergency information.
 5. Floor plans.
 6. Any other pertinent information which may be needed in an emergency or as required by the Fire Official or Chief of Police.
- B. If the structure contains or otherwise stores hazardous materials as defined by the Code or the State of New Jersey, then the structure must also install and maintain a HAZMAT document storage box system immediately adjacent to the key lock box system. The document storage box system shall contain material safety data sheets; blueprints and/or floor plans of the structure illustrating the location of the hazardous materials; and any other information as required by the Chief of Police or Fire Official.
- C. The above list of contents of the key lock box system and the HAZMAT document storage box system should not be construed an exhaustive list.

§44-21. Contact person.

Within 30 days after the installation of the key lock box system, each person or entity using such system shall provide to the Chief of Police a list of the name(s), address(es), and telephone number(s), including cellular, of at least one contact person who may be contacted by the reporting public safety agency. If no contact person is provided as required by this section, then the owner of the structure shall be designated the contact person.

§44-22. Testing.

A test of the key lock box system, and a walk-through of the structure, shall be conducted by the Chief of Police or Fire Official, in the presence of and with the participation of the structure's authorized contact person(s), upon completion of the installation of the key lock box system. Such testing and walk-through shall occur annually or when required by the Chief of Police or Fire Official.

§44-23. Enforcement.

The Chief of Police or Fire Official shall enforce the provisions of this Article.

§44-24. Violations and penalties.

Any owner of a structure identified in this Article who violates any portion or section of this Article shall, upon conviction, be subject to a fine not to exceed \$2,000.00, or imprisonment in the County jail for a period not to exceed 90 days, or by both such fine and imprisonment, and each violation of any of the provisions of this article of the Code and each day the same is violated shall be deemed and taken to be a separate and distinct offense.

2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
3. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to that section, paragraph, subdivision, clause or provision so adjudged, and the remainder of this ordinance shall be deemed to be valid and effective.
4. This Ordinance shall take effect immediately upon passage and publication in accordance with law.

INTRODUCED: September 23, 2014

APPROVED: October 28, 2014

ATTEST:



NANCY A. PRAVATA, BOROUGH CLERK

APPROVED:



JOSEPH H. ALESSI, MAYOR