

Ordinance #35

An ordinance requiring buildings/structures to have a key lock box installed on the exterior of the structure for Fire/Life Safety purposes.

1. Intent

The Township of Mussey recognizes the importance and need of providing the fire department rapid entry into locked buildings/structures. Delays in the fire department gaining rapid entry reduces the occupants chance for survival in a fire, the chances for substantial property damage increases because of delays, and for fire fighter safety and survival may be compromised because of said entry delays. Additionally, delays in providing prompt pre-hospital care to the sick and injured as a result of locked/secured structures may/will have a negative outcome on patient recovery.

To assist the fire department in gaining rapid entry into locked/secured buildings/structures, the Township of Mussey hereby adopts a Rapid Entry System Ordinance utilizing the "Knox Box" Rapid Entry Key Box System.

2. Key Lock Box System

- a. As per Section 506, "Key Boxes", 506.1 thru 506.2, 2015 International Fire Code and Chapter 18, "Fire Department Access and Water Supply", 18.2.2 thru 18.2.2.1, 2015 NFPA 1 National Fire Code, the following buildings/structures shall be equipped with a key lock box at or near the main entrance or such other location required by the Mussey Township Fire Chief, his/her designee or Authority Having Jurisdiction, AHJ. The required key lock box shall become effective as stated upon ordinance acceptance.

1. All Commercial and Industrial Buildings

All commercial and industrial buildings/structures shall mean buildings where industry, trade, or business is carried on or where any process or operation, directly or indirectly related to any industry, trade or business, is carried on and where any person is employed by another for direct or indirect gain or profit.

2. All Multi-Family Residential Buildings

All Multi-Family residential structures comprised of four (4) or more units in which access to the buildings or common areas or mechanical or electrical rooms within the building are denied through locked doors.

3. Any Buildings or Facilities with Hazardous Materials

Any buildings/structures or facility which handles, uses, or stores hazardous materials and/or is required to prepare the emergency services, Material Safety Data Sheets (MSDS) or Hazardous Chemical Inventory Forms under the Superfund Amendments and Reauthorization Act of 1986 (SARA Title III). This includes any facility, firm or corporation operating structures that handle, use or store hazardous materials.

4. Governmental Structures

5. Municipal Structures

6. Nursing Care Facilities

7. Educational Facilities

8. All Places of Assembly, including Churches

9. All Buildings/Structures which are protected with an automatic fire suppression or standpipe system and is not manned during a 24 hour, 7 day a week operation, shall be equipped with a key lock box.

10. All buildings/structures which are protected by an automatic fire alarm system (auto dialer, central station, external audible alarm) shall be equipped with a key lock box.

- b. All newly constructed buildings/structures subject to this ordinance shall have the key lock box installed and operational prior to the final inspection and final occupancy. The Building Code Official shall not issue Final Occupancy Permit for said Building/Structure until it has final written approval for key lock box from the Mussey Township Fire Department.

- c. All existing buildings/structures subject to this ordinance shall have the key lock box installed and operational as stated in Section 11., Compliance of this Ordinance
- d. The Mussey Township Fire Chief, his/her designee, or the Authority Having Jurisdiction, AHJ, shall designate the type of key lock box system to be implemented with the Township and shall have authority to require all structures to use the designated Rapid Entry System.
- e. The owner operator of a building/structure required to have a key lock box shall, at all times, keep keys and information in the key lock box that will allow for access to the following:
 - i. Keys to locked points of egress, whether on the interior or exterior of such building/structures;
 - ii. Keys to locked mechanical equipment rooms
 - iii. Keys to lock electrical rooms;
 - iv. Keys to elevator controls, elevator machine rooms;
 - v. Keys to other areas as required by the Mussey Township Fire Chief after written notice;
 - vi. Keys to any fenced or secured exterior areas;
 - vii. A card containing the emergency contact people and phone numbers for such building/structure;
 - viii. Keys to areas of the building/structure where fire alarm panels and fire protection systems are located;
 - ix. An inventory of keys is to be posed inside all key lock boxes;
 - x. In lieu of having the interior building/structure keys in the exterior key lock box, a second key lock box may be located within the main lobby of the building/structure to hold these keys.
- f. The Mussey Township Fire Chief, his/her designee, or the Authority Having Jurisdiction, AHJ, shall be authorized to implement rules and regulations for the use of the key lock box system.

3. Installation and Location

- a. All "Knox Boxes" (and or Knox Locking Vaults) shall be recessed or surfaced mounted into/onto the building/structure at a height or not less than 6 feet above finish surface grade. All Knox Boxes (and or Knox Locking Vaults) shall be located directly or as close as reasonably possible to the main entrance to the building/structure.

- b. A permit/registration with the Mussey Township Fire Department is required prior to installation of a Knox Box in order to verify the proper mounting location and installation of said Knox Box. If a permit/registration fee is required, the fee will be set in a corresponding resolution as periodically amended.

4. Enforcement

- a. Enforcement of this Ordinance shall be accomplished through citations issued by the Mussey Township Fire Chief, his/her designee, or by the Authority Having Jurisdiction, AHJ, or by the Mussey Township Building Official.

5. Fines

- a. Any Violation of this Ordinance shall be punishable by a fine of not less than \$50.00, plus costs of enforcement, including reasonable attorney fees and court costs.

6. Penalties

- a. Failure to install the Key Lock Box after 30 days according to the written direction of the Mussey Township Fire Department shall enable the Mussey Township Fire Department to purchase and install said key lock box at the owner's expense. The owner of a building/structure so designated to install a key lock box can appeal the Mussey Township Fire Department written direction to the Mussey Township Appeals Board within 30 days after notification to do so.

7. Applicability

- a. This Ordinance shall not apply to owner occupied one and two family dwellings and individual townhouse units. For the purpose of this ordinance individual townhouse units are to be considered single family units.
- b. This Ordinance includes any commercial and industrial buildings/structures, multi-family residential and apartment complexes, building/structures that have restricted access through locked doors, governmental and municipal buildings/structures, nursing care facilities, educational buildings/structures, and places of assembly including churches and other at risk properties.

8. Optional Applicability

- a. Owners or occupants of one and two family dwellings and townhouse units may utilize the key lock box system upon consultation and with issuance of a proper

permit/registration by the Mussey Township Fire Department Chief, his/her designee, or the Authority Having Jurisdiction, AHJ. The key lock box shall be a Knox brand of a type and size for a residential structure.

9. Security

- a. No steps, displays, signs, fixtures, plantings, or structure protrusions shall be located under the key lock box which would allow intruders to access/vandalize the key lock box without assistance.

10. Repealed

- a. Any and all ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of their inconsistency. The Mussey Township Board may from time to time amend, supplement, change, modify, or repeal this ordinance pursuant to the provisions of federal, state, or local laws.

11. Compliance

- a. All newly constructed buildings/structures not yet occupied or buildings/structures currently under construction and all buildings/structures or businesses applying for final certificate of occupancy, shall comply immediately approval of this ordinance.

ADOPTION: Made and passed by the Township Board of Trustees of the Township of Mussey, St. Clair County, Michigan on this 9th day of March, 2016 A.D.

- 1. Date of Public Hearing: February 23, 2016
- 2. Date of Adoption by Township Board: March 09, 2016
- 3. Date of Publication: March 16, 2016
- 4. Effective date of Ordinance March 30, 2016

Certification:

I, Sheila McDonald, Clerk of the Township of Mussey, do hereby certify that Ordinance #35 - key lock box was adopted by the Township Board at a regular meeting of the Township Board held at the Mussey Township Fire Hall on the 9th day of March, 2016.

Vote on this Ordinance, 3 members being present, was as follows:

Ayes: McDonald, Standel & Lauwers

Nays: None

Absent: Downey & Libkie

I further certify that the said Ordinance was adopted by the Township Board on the 9th day of March, 2016 and was published once in the Tri-City Times, a paper published and circulated in the Township of Mussey, County of St. Clair on the 16th. day of March, 2016 this being the first and final day of publication of this Ordinance.

Sheila McDonald - Mussey Township Clerk
