

ORDINANCE NO. 2019-25

**TOWNSHIP OF BLAIRSTOWN
COUNTY OF WARREN
STATE OF NEW JERSEY**

**AN ORDINANCE TO AMEND CHAPTER 109 “FIRE PREVENTION” OF THE
CODE OF THE TOWNSHIP OF BLAIRSTOWN TO ADD A NEW SECTION 109-
12 ENTITLED “KEY LOCK BOX ENTRY SYSTEM”**

WHEREAS, Blairstown Hose Company No. 1. (the “Hose Company”) is an independent volunteer fire company that provides fire suppression and emergency services in and around the Township of Blairstown (the “Township”); and

WHEREAS, pursuant to Section 506 of the International Fire Code (which was adopted as New Jersey’s Uniform Fire Code pursuant to N.J.A.C. 5:70-3.1) certain structures, as determined by the fire official, are required to have installed a key lock box system; and

WHEREAS, Section 202 of the International Fire Code defines “fire official” as “[t]he fire chief or other designated authority charged with the administration and enforcement of the code...”; and

WHEREAS, N.J.A.C. 5:18-4.1 provides that a municipality may, by ordinance, make its fire code more restrictive than the Uniform Fire Code; and

WHEREAS, the Township Committee of the Township of Blairstown has determined that the health, safety, and welfare of the citizens and business owners of the Township of Blairstown are promoted and safeguarded by encouraging the owners of certain structures to have a key lock box installed on the exterior of the structure to aid the Hose Company to gain access to the structure when the structure is not occupied or when the occupants are unable to grant ingress to the Fire Company; and

WHEREAS, the key lock box system will reduce the need for forced entry into structures and should avoid costly and time-consuming efforts in gaining access to locked structures during an emergency; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Township Committee of the Township of Blairstown, the County of Warren, that Chapter 109 entitled “Fire Prevention” of the Code of the Township of Blairstown is hereby amended as follows:

SECTION 1. Chapter 109 of the Blairstown Township Code entitled “Fire Prevention” is amended by adding section 109-12 as follows:

§109-12 **Key Lock Box Entry System**

A. Definitions.

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

FIRE CHIEF

The Chief of Blairstown Hose Company No. 1.

HOSE COMPANY

Blairstown Hose Company No. 1

LOCK BOX

An Underwriter's-Laboratory-type secured box or vault of a size and style approved by the Fire Chief or his designee, which contains key(s) for the exclusive use of Blairstown Hose Company No. 1. to access the premises in an emergency.

B. Key lock box required.

The following structures equipped with or required to be equipped with fire detection or fire suppression systems or equipment shall have a key lock box installed at or near the main entrance of each structure or such other location as required by the Fire Chief or his designee:

- (1) Commercial or business structures protected by an automatic alarm system or automatic suppression system, or such structures that are secured in a manner that restricts access during an emergency.
- (2) Governmental structures, churches, schools and nursing care facilities.
- (3) Multifamily residential structures that have restricted access through locked doors and have a common corridor for access to living units.

C. Key lock box location, contents and installation.

(1) The Fire Chief or his designee shall approve in writing the type of key lock box to be installed.

(2) The Fire Chief or his designee shall approve the installation location of the key lock box.

(3) The key lock box shall be installed as per manufacturer specifications and installation approved by the Fire Chief or his designee.

(4) The owner of each structure required to have a key lock box shall, at all times, be required to keep the following in the key lockbox, as required by the Fire Chief or his designee:

(i) Keys to locked points of ingress, whether on interior or exterior of such buildings.

(ii) Keys to the locked mechanical rooms.

(iii) Keys to the locked elevator rooms.

(iv) Keys to the elevator controls.

(v) Keys to any fence or secured areas.

(vi) All access or combination codes to locked points of egress or ingress, whether on interior or exterior of such buildings.

(vii) A "business size" card containing the emergency contact person and phone number for such building or unit.

(viii) Keys to any and all alarm system panels, alarm controls, alarm annunciators, and/or alarm devices (i.e. pull stations) that the Hose Company would need to access or to reset to allow for alarm system restoration.

(ix) Keys or reset codes for alarm system

(x) If not visible on the alarm panel, contact information for the alarm system provider or monitoring company

C. Maintenance and associated cost.

In the event the key to the structure is changed or rekeyed, the owner/operator of the building shall immediately notify the Fire Chief or his designee and provide the updated access key. The key to the lock shall be secured in the key lock box. The

property owner shall assume all associated costs for the purchase and installation of a key lock box(es).

D. Compliance.

(1) The owner(s) of a structure in existence on the effective date of this Section shall be exempt from compliance with this Section. However, such owner(s) that do not have a key lock box installed or elect not to voluntarily install a key lock box shall execute a Release Agreement which shall release the Township and Hose Company from all liability for any damages resulting from the Township and the Hose Company gaining access to such property in the case of an emergency. Additionally, such Release Agreement shall state that the Township and Hose Company are not responsible for securing such property after entry is made. The Release Agreement shall be a form to be provided by the Township and available from the Township Clerk.

(2) In the case of any structure(s) which is exempt from the requirements of this Section as set forth in paragraph (1) above, said owner(s) shall be required to comply with this Section in the following instances:

- (i) There is a change in ownership of the structure(s).
- (ii) If the current owner(s) makes any application to the Land Use Board in connection with the structure(s).

(3) The owner(s) of each newly constructed structure subject to this Section shall have a key lock box installed and operational in accordance with this Section prior to issuance of a certificate of occupancy.

E. Exceptions to requirement to execute a Release Agreement.

The following structures are exempt from the mandate of subsection D(1) hereunder to execute a Release Agreement in the event the property owner(s) does not install a key lock box system:

- (1) Headquarters of the Hose Company; and
- (2) Rental storage facilities where there is a single lock on the separate storage pods that are renter supplied; provided, however, the entry security gates(s) have a key lock box if electronically controlled, or locked with a master key issued by the landlord to all tenants.
- (3) Mixed-Use Buildings that are occupied by the owner or operator as a primary residence.

F. Time for compliance.

All new construction subject to this Section shall have a key lock box installed and operational as required hereunder prior to occupancy. All structures in existence on the effective date of this section shall have sixty (60) days from enactment date of this ordinance to execute the Release Agreement required by subsection D(1) hereunder.

G. Violations and penalties.

Any building owner(s) or operator(s) violating any provision of this key lock box ordinance shall be subject to a fine of \$100 for every violation of this Section. The existence of a violation for a period of up to 30 continuous days shall constitute a single violation. The Fire Chief shall notify the responsible party(ies) of any violation in writing. Within 30 days of the service of such notice, the owner/operator shall correct the violation or show why the structure was not subject to this Section. The Fire Chief shall consider such information, reaffirm or rescind the key lock box fine and notify the owner(s) of his/her decision by mail.

All other portions of this Chapter remain unchanged.

SECTION 2. All ordinances or parts of ordinances of the Township of Blirstown inconsistent herewith are repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this Ordinance.

SECTION 4. This law shall take effect immediately upon final passage, approval and publication as required by law.

Everett Falt, RMC
Township Clerk