

## **Record of Ordinances**

Ordinance No.: 2022-70

Passed: December 12, 2022

### **AN ORDINANCE REQUIRING KNOX BOXES AT ALL COMMERCIAL BUILDINGS AND FACTORIES HAVING A FIRE SUPPRESSION SYSTEM OR FIRE ALARM SYSTEM**

**WHEREAS**, The Council of The Village of West Lafayette has determined that an ordinance is necessary to require all commercial buildings and factories having a fire suppression system or fire alarm system to install Key Lock (Knox) Boxes, and:

**WHEREAS**, the benefits of installing Key Lock (Knox) Boxes include providing immediate emergency access to emergency services personnel leading to increasing efficiency; preventing costly forced entry damage and allowing undamaged doors to be re-secured after the emergency; and protecting property, inventory, equipment and supplies as well as emergency services personnel against injury.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL** of the Village of West Lafayette, Coshocton County, Ohio that:

**SECTION 1. DEFINITIONS.** To this ordinance the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**Fire Chief:** The person duly appointed Fire Chief by The Mayor of The Village of West Lafayette Ohio and Approved by The Council of The Village of West Lafayette, Ohio.

**Key Lock Box (Knox):** means a secure rapid entry system that is designed to be used by Emergency Personnel in the event of an emergency to enter a structure by using the enclosed owner provided key(s). This box is usually mounted on the exterior of the building/structure or entrance to the property in a location that is specified by the local Fire Chief. All boxes shall be UL (Underwriter Laboratories) certified and approved by the Fire Chief.

**Owner:** Shall mean the individual who holds the record title to the real estate as of the date of the offence, and if the real estate is not owned by individual's person(s), with respect to corporations. Means the chief executive officer of the corporation, and with respect to partnerships and joint ventures, means each partner or joint venture except that in limited partnership situations, the words "owner" shall be a managing partner(s) and shall exclude limited partners unless they are also managing partners.

**Operator:** Shall mean the "person in control" of the building or facilities in regard to day-to-day operations and functioning of the building or facility, An owner may designate the operator by submitting a written and signed communication to the Fire Chief advising of the name, address, day and night time telephone numbers of said person and if

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designation is made, the owner(s) of the real estate shall not be subject to responsibility for compliance with this ordinance unless the designated operator no longer in charge of day-to-day operation and functioning of the building or facility at the time of the violation.

### **Section 2. Installation Required:**

- A. **Knox Box Required for New Buildings:** All new commercial and governmental buildings having a fire suppression system or fire alarm system shall have installed a Knox Box, of a UL type and size approved by The Village of West Lafayette Fire Chief or his/her designee, in a location specified by the Fire Official prior to the issuance of the Certificate of Occupancy.
- B. **Knox Box Required for Existing Commercial Building:** All commercial and governmental buildings having a fire suppression system or fire alarm system shall have installed a Knox Box, of UL type and size approved by The Village of West Lafayette Fire Chief or his/her designee, in a location specified by the Fire Official within twelve (12) months of the effective date of this ordinance.
- C. **Knox Box Contents:** All Knox boxes shall contain labeled key(s), easily identified in the field to provide access into the property and/or building, and to any locked areas within the said building as the Fire Chief or his/her designee may direct.

### **Section 3. General Requirements:**

- A. The owner or operator of a structure required to have a Knox Box installed shall, at all times, keep a key(s), access card and or key codes in the lock box that will allow for full access to the structure.
- B. The Knox Box from the Knox Company, with hinged door is the only approved manufacturer of the lock box system to be used in The Village of West Lafayette, further it shall be installed to meet the following criteria:
  - 1. Located at or near the recognized public entrance.
  - 2. Located at a height of not less than four feet and not more than six feet.
  - 3. No steps, displays, signs, or other fixtures, or structures protrusions shall be located under the box, which would block access to the box.
  - 4. A key box tamper switch will be allowed to be connected to the building alarm system if deemed necessary.
  - 5. The box shall contain clearly labeled keys, devices and/or information as deemed necessary by the West Lafayette Fire Department.

## **Record of Ordinances**

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- C. The Fire Chief or his/her designee shall have the authority to approve the location and style of the key lock box. Lock boxes shall be installed between five (5) and seven (7) feet above the ground unless approved at a higher level by the Fire Official.
- D. All properties with an electronic security gate shall have a lock box installed outside of the gate with access code and required key(s) inside.
- E. Purchase, installation, and maintenance of any required lock box is the sole responsibility of the property owner, operator and/or occupant.
- F. On any building or premises that contains a business where hazardous materials are located on site, a lock box (Knox Box) document vault must also be installed. The vault shall contain the copies of the material safety data sheets (MSDS), or Safety Data Sheets (SDS) that are required to be on file within the building as well as a floor plan or written description that includes the location of the general areas in the building where such materials are located. The MSDS and/or SDS shall be kept current.

### **Section 4. Maintenance:**

The owner, operator and/or occupant of the property shall immediately notify the Fire Chief or his/her designee when any locks are added, changed, or rekeyed. Additional labeled keys, access cards or access codes shall be added to the lock box immediately, if old keys, access cards or codes are no longer effective they shall be removed immediately.

### **Section 5. Violations:**

Any entity, person found in violation of any provision of this Ordinance or failing, neglecting, or refusing to obey any order or notice of the Fire Chief or his/her designee as related to this Ordinance, hereunder shall be subject to a penalty as provided herein.

- A. Penalties: A violation of the provisions of this section shall be a misdemeanor of the first degree. And a fine of \$500.00 Each day a violation exists shall be considered a separate offence.

### **Section 6. Unlawful access/Vandalism:**

Any person found tampering with or obtaining unauthorized access to key boxes may be subject to any applicable criminal penalties, including both misdemeanors and felony offenses.

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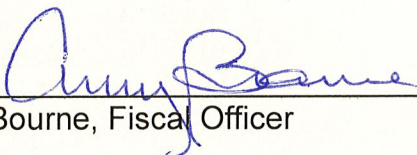
**Section 7. Use and Type of Knox Box System:** The Fire Chief may promulgate from time to time with the approval of The Council of The Village of West Lafayette the rules and regulations which are reasonably required for the installation and operation of the Knox Box System. The Fire Chief may promulgate rules and regulations with the approval of The Council of The Village of West Lafayette the rules and regulations to designate the type of Knox Box System.

- A. Exceptions: Any building or structure that has on the premises a twenty-four-hour-a-day, seven-days-a-week security or personnel who have on their persons access keys shall be exempt from the requirements of this article.

PASSED IN COUNCIL THIS 12 day of December, 2022

  
Stephen R. Bordenkircher, Mayor

ATTEST:

  
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Amy Bourne, Fiscal Officer