

## AN ORDINANCE

NO. \_\_\_\_\_

**AN ORDINANCE To Amend The Code Of The Township Of Lower Merion, Chapter 78, Fire Prevention, by the addition of a new Article V, Key Lock Box Systems, To Provide Definitions For Key Lock Box System And Regulated Buildings; To Required That All Regulated Buildings In Lower Merion Township Be Fitted With A Key Lock Box System; To Provide For The Required Contents Of The Key Lock Box And Its Required Location At Building Entrances; To Authorize The Fire Marshal To Establish And Implement Regulations Related To Key Lock Box Systems And To Enforce The Provisions Of This Article.**

The Board of Commissioners of the Township of Lower Merion does hereby enact and ordain:

**Section 1.** The Code of the Township of Lower Merion, Chapter 78, Fire Protection, Article V thereof, presently Reserved, shall be amended by the addition of a new Article V, Key Lock Box Systems, to provide as follows:

### **ARTICLE V      Key Lock Box Systems**

**§78-38. Purpose-** The purpose of this Article is to implement the installation of secured boxes containing keys, plans, and other items of critical significance in emergency response to structures in Lower Merion Township. The use of the secured boxes will allow first responders to enter properties safely and without the damage attendant to forced entry.

### **§78-39. Definitions**

**Key Lock Box System-** A small or large box of Knox Box brand, or similar brand authorized by the Fire Marshall, comprised of steel or other secure material with locking mechanism.

**Regulated Buildings** Any building in Lower Merion Township used for commercial, institutional, industrial or municipal purposes, with or without a residential component, and which is protected by an alarm system, central station protective system or automatic sprinkler system, or such structures that are secured in a manner that restricts access during an emergency, together with all multi-family dwellings having four or more units.

### **§78-40. Required Installation of Key Lock Box Systems**

- A. **Installation.** Within two years from the effective date of this Article, the owner or manager of a regulated building shall be required to place a Key Lock Box System on all regulated buildings currently located in Lower Merion Township. Properties with multiple regulated buildings must be equipped with a single Key

Lock Box System for each building on the Property. Key Lock Box Systems shall be placed on all regulated buildings hereafter constructed or substantially altered prior to receiving a certificate of occupancy.

- B. **Contents.** Key Lock Boxes shall contain labeled keys to access: locked points of entrance and egress, mechanical rooms, elevator rooms and control rooms, fenced and secured areas, and any other areas which may need to be accessed by first responders as directed by the Fire Marshal. If required by the Fire Marshal, a Key Lock Box System shall also contain a list of emergency contacts, floor plans showing locations of shutoffs, and a list of hazardous materials on the property, if applicable.
- C. **Exemptions** – Application for exemption from the requirements of this Article can be made to the Lower Merion Fire Department on a form provided by them and will be granted upon a determination by the Fire Marshal that ready access to a regulated building is continuously available without use of a Key Lock Box System

#### **§ 78-41 Installation.**

- A. **Mounting Location and Inspection-** Key Lock Box Systems shall be mounted near the main entry door on the address side of the property between five and six feet above ground level, where possible, or placed at the direction of the Fire Marshal. Upon installation of the Key Lock Box System, the property owner or manager shall notify the Lower Merion Fire Department to have the Key Lock Box System secured.
- D. **Access-** The owner or manager of a Key Lock Box System equipped property shall provide means of access to the Key Lock Box System to the Lower Merion Fire Department. Only the Fire Marshal, the Fire Department, the EMS Provider and the Police Department of Lower Merion Township shall be authorized to possess a key to the Key Lock Box.
- E. **Duty of Maintenance-** It shall be the duty of the property owner or manager to assure the Key Lock Box System is properly secured and its contents currently applicable.

#### **§78-42. Implementation**

The Fire Marshal is authorized to establish and implement rules and regulations for the use of the Key Lock Box System and to create educational material for the owners and managers of properties with Regulated Buildings.

#### **§78-43. Violations and penalties**

Any person, firm, or corporation owning or managing a property with a regulated building who shall violate any provision of this Article, in lieu of any other penalty provision in this Chapter, shall be subject to a fine or penalty not exceeding \$1000 for each and every

offense; and whenever notice of the violation is given by service of process or otherwise, each day that such violation continues shall constitute a separate offense punishable by a like fine or penalty. Such fines or penalties shall be collected as like fines or penalties are now by law collected.

**Section 2.** Nothing in this Ordinance or in Chapter 78 of the Code of the Township of Lower Merion, as hereby amended, shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 78 prior to the adoption of this amendment.

**Section 3.** The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of this court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this ordinance. It is hereby declared to be the intent of the Board that this ordinance would have been adopted if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

**Section 4.** This Ordinance shall take effect and be in force from and after its approval as required by law.

Approved by the Board this       day of       , 2020.

BOARD OF COMMISSIONERS OF THE  
TOWNSHIP OF LOWER MERION

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Daniel S. Bernheim, President

ATTEST:

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Jody L. Kelley, Secretary