

# **ORDINANCE**

## **REQUIRING STRUCTURES TO HAVE A KEY LOCK BOX INSTALLED**

**WHEREAS**, the Ossining Town Board has determined that the health, safety, and welfare of the citizens of the Town of Ossining are promoted by requiring certain structures to have a key lock box installed on the exterior of the structure to aid emergency services personnel in gaining access to the structure when responding to calls for emergency service; and

**WHEREAS**, the key lock box system will eliminate forced entries into structures thereby avoiding costly and time-consuming efforts in gaining access to locked structures during an emergency; and

**WHEREAS**, many properties are equipped with automatic alarm systems and/or sprinkler/standpipe systems, and these automatic systems may cause the Fire Department to be summoned at a time when the building or business is not occupied or when the occupant is not available to provide entry for the fire department; and

**WHEREAS**, the Town of Ossining is authorized to adopt this ordinance pursuant to its police power and its home rule power.

**THEREBY**, be it enacted on this day \_\_\_\_\_ of \_\_\_\_\_, 2015 the following requirements go into effect:

### **I        Lock Boxes**

1. The following structures shall be equipped with a key lock box at or near the main entrance or such other location as determined by the Code Enforcement Official:
  - a. Commercial or industrial 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;
  - b. Multi-family residential structures consisting of three or more dwelling units that have restricted access through locked doors and have a common corridor for access to the living units;
  - c. Government structures and nursing care facilities.
2. The cost of purchasing and installing, along with any cost associated with implementation of the program at a specific property, will be born by the property owner.
3. When a property is protected through a locked gate and where immediate access to the property is necessary for life saving and firefighting purposes, it shall be equipped with a Security Padlock to be installed in a location approved by the Code Enforcement Official. In lieu of a key lock box an optional system approved by the Code Enforcement Official may be implemented.

4. When a construction site is to be secured by a locked fence or gate, that site will fall under Section #3 above during the duration of the construction or until said fence or gate is removed.
5. This ordinance shall not apply to those structures where a 24 hours, 7 days a week, on site police force is present, provided members of that police force respond to all fire department responses with the correct means of accessing the effected structures.
6. All newly constructed structures subject to this ordinance shall have the key lock box installed and operational prior to the issuance of a certificate of occupancy by the Code Enforcement Official. All structures in existence on the effective date of this law and subject to this law shall have three months from the effective date of this ordinance to have a key lock box installed and operational.
7. The Code Enforcement Official shall designate the type of key lock box system to be implemented within the Town of Ossining and shall have the authority to require all structures to use the designated system.
8. The owner or operator of a structure required to have a key lock box shall, at all times, keep the following in the lock box:
  - a. Labeled keys to locked access points of egress, whether interior or exterior of such buildings.
  - b. Labeled keys to the locked mechanical rooms.
  - c. Labeled keys to any fenced or secured areas on the property.
  - d. Labeled keys to any other areas that may be required by the Code Enforcement Official.
  - e. A card containing a minimum of 3 emergency contact people and phone numbers for each contact.
  - f. Hazardous Materials MSDS as requested.
  - g. Keys to the locked elevator rooms.
  - h. Keys to the locked elevator controls.
9. Floor plans of the rooms within the building may also be required to be submitted to the Code Enforcement Official.
10. The Code Enforcement Official shall be authorized to implement rules and regulations for the use of the lock box system.

## **II SECURITY CAPS.**

When a building is protected by an automatic sprinkler system or standpipe system and the fire department connection is exposed to undue vandalism, the Code Enforcement Official may require that a Fire Department Connection Security Cap(s) be installed. The Fire Department Connection Security Cap(s) shall be a type approved by the Code Enforcement Official. Existing sprinkler installations will require approved locking fire department connection caps to be installed when directed by the Code Enforcement Official.

### **III Penalties For Offenses**

A. It shall be the duty of the Code Enforcement Official to enforce the provisions of this chapter and of all rules, conditions and requirements adopted or specified pursuant thereto.

B. The Code Enforcement Official or his duly authorized assistant(s), shall have the right to enter any building or enter upon any land at any reasonable hour as necessary in the execution of their duties.

A. Violation of any provision or requirement of this chapter shall constitute a violation pursuant to penal law.

B. The owner, general agent or contractor of a building, premises or part thereof where such a violation has been committed or does exist shall be guilty of such an offense.

C. Any agent, contractor, architect, builder, corporation or other person who commits, takes part or assists in such violation shall also be guilty of such an offense.

D. Any person who shall violate any provision of this chapter, or who shall knowingly assist therein, shall be liable to a minimum fine of \$100 and a maximum fine of \$1000 or imprisonment not exceeding 15 days, or both such fine and imprisonment. Each and every day that any such violation continues shall constitute a separate offense.