

CECIL TOWNSHIP
WASHINGTON COUNTY, PENNSYLVANIA

ORDINANCE NO. 2 - 2019

AN ORDINANCE OF CECIL TOWNSHIP, WASHINGTON COUNTY, REQUIRING CERTAIN STRUCTURES TO HAVE A KEY LOCK BOX (KNOX BOX) INSTALLED ON THE EXTERIOR OF THE STRUCTURE FOR FIRE SAFETY PURPOSES; PROVIDING FOR SEVERABILITY; REPEALING PRIOR ORDINANCES TO THE CONTRARY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Board of Supervisors of Cecil Township believes that the health, safety and welfare of the residents of Cecil Township generally and of the fire fighters serving the Township, specifically, will be promoted by requiring certain structures to have a key lock box installed on the exterior of the structure to aid the fire departments serving the Township in gaining prompt access to the structure and vital information concerning the structure and its contents when responding to calls for emergency service; and

WHEREAS, the key lock box system will operate on a master key basis that will expedite entry and eliminate forced entries into structures and the damage resulting therefrom, thereby avoiding costly and time-consuming efforts in gaining access to locked and/or unoccupied structures during an emergency.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED and it is hereby ordained and enacted by the Board of Supervisors of Cecil Township, Washington County, Pennsylvania as follows:

SECTION 1. FINDINGS; PURPOSE.

The Board of Supervisors of Cecil Township have determined that the health, welfare and safety of the citizens of the Cecil Township are promoted by requiring certain structures to have a key lock box installed on the exterior of the structure to aid the Fire Departments servicing the Township in gaining access to or within a structure when responding to calls for an emergency service and to aid access into or within a structure that is secured or is unduly difficult to gain entry due to being either unoccupied or the occupants are unable to respond.

SECTION 2. DEFINITIONS.

- A. "Owner" shall mean each individual person who holds record title to the real estate as of the date of the offense and, if the real estate is not owned by individual 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 venturer except that in limited partnership situations, the word "owner" shall mean managing partner(s) and shall exclude limited partners unless they are also managing partners.
- B. "Operator" of structures, buildings or facilities shall mean the person in charge of the day-to-day operation and functioning of the structure, building or facility. A business organization may designate the "Operator" by submitting a written and signed

communication to the Fire Code Official advising of the name, address and daytime and nighttime telephone numbers of said person and, if such 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" is no longer in charge of the day-to-day operation and functioning of the building or facility at the time of the violation.

- C. "Fire Chief" shall mean the Fire Chief of the Fire Company designated as the primary responder to the applicable structure, building or facility. The Township is served by several different Fire Companies who have divided the Township into separate geographical areas based upon which Fire Company is closest and therefore likely to be able to respond most quickly.
- D. "Fire Code Official (FCO)" shall mean the designated official charged with the administration and enforcement of the fire code. It shall be the responsibility of the Owner(s) of any structures, buildings or facilities subject to this Ordinance to coordinate compliance with this Ordinance with the Fire Code Official.

SECTION 3. APPLICABILITY; TIME FOR INSTALLATION; SYSTEM REQUIREMENTS.

- A. The following structures shall be equipped with an approved rapid access device or an approved key lock box at or near the main entrance or such other location as required by the Fire Code Official:
 - 1. Commercial properties equipped with a fire alarm or suppression system.
 - 2. Multifamily residential structures that have restricted access through locked doors but have a common corridor for access to the living units.
 - 3. Schools, whether public or private.
 - 4. Governmental structures and nursing care facilities, unless the building is staffed or open 24 hours.
 - 5. Facilities storing bulk hazardous materials as defined by 49 CFR 171.8. These include quantities exceeding 119 gallons of wet product, 882 pounds of dry product, or 1000 pounds of a gas product.
 - 6. Commercial properties with restricted access due to the installation of a gate and/or fence.
- B. All new construction subject to Subsection A of this section shall have a key lock box installed and operational prior to the issuance of an occupancy permit. All structures in existence on the effective date of this section and subject to Subsection A of this section shall have six months from the enactment date of this article to have a key lock box installed and operational.
- C. The type of key lock boxes to be implemented within the Township shall be a Knox-Box® brand system or such other rapid entry system of comparable quality which has

been specifically authorized in writing by the Fire Code Official as being an acceptable substitution for the Knox-Box® brand system.

SECTION 4. INSTALLATION REQUIREMENTS.

- A. All Knox-Boxes®, or their approved substitute, shall be installed near the main business doors. The final mounting location shall be approved by the Fire Code Official.
- B. All Knox-Boxes®, or their approved substitute, shall be mounted 60 inches from the ground to the center of the entry, if possible.
- C. In the event that the rapid entry box system cannot be installed at the aforesaid location and/or height, the Fire Code Official may designate, in writing, a different location and installation specifications.
- D. All realty and/or property with an electronic security gate shall have the Knox Gate Key Switch® installed outside of the gate at an approved location, and shall be installed in an approved manner.
- E. The Fire Code Official must approve any changes in the installation.
- F. All manually locked gates/fences on commercial properties must be secured with a Knox Padlock®. "Daisy Chaining" locks are acceptable.

SECTION 5. NOTIFICATION OF CHANGES.

- A. The Owner and Operator of the building shall immediately notify the Fire Code Official and provide the new key when a lock box is changed or rekeyed. The key to such lock shall be secured in the Knox-Box®.

SECTION 6. CONTENTS OF LOCK BOX.

- A. The contents of the lock box are as follows:
 - 1. Keys to locked points of ingress or egress, whether on the interior or exterior of such building(s).
 - 2. Keys to all locked mechanical rooms.
 - 3. Keys to all locked electrical rooms.
 - 4. Keys to elevators and their control rooms.
 - 5. Keys to the fire alarm panels.
 - 6. Keys (special) to reset pull stations or other fire-protection devices.
 - 7. Keys to any other areas as requested by the Fire Chief and/or the Fire Code Official.
- B. The labeling and tagging of keys within the lock box shall be kept current.

SECTION 7. KEYS TO LOCK BOX.

- A. All Knox-Box® access keys shall be installed in a Knox-Box® KeySecure system installed in the fire apparatus and township vehicles.
- B. No Fire Department personnel shall carry a Knox-Box® key for use other than emergencies and inspections. Master Keys shall be secured in the Knox-Box® KeySecure system at all other times.
- C. Master Key usage shall be monitored by the Fire Code Official.

SECTION 8. EXCEPTIONS.

The following structures are exempt from the mandate to install a key lock box system:

- A. Single-family structures and multifamily structures that do not meet the definition set forth in Section 3(A)(2) of this Ordinance.
- B. Structures that have twenty-four-hour, three-hundred-sixty-five-day on-site security personnel or have other personnel on site. The Owner must certify and demonstrate to the Fire Code Official that the structure qualifies for this exception.
- C. Businesses that are open and staffed 24 hours, 365 days per year (which may include, but are not limited to, nursing homes, hospitals, police stations, etc.). The Owner must certify and demonstrate to the Fire Code Official that the structure qualifies for this exception.
- D. Rental storage facilities where there is a single lock on the separate storage pods that are renter supplied; provided, however, the entry security gate(s) will require a Knox Gate Key Switch® if electronically controlled or locked with a master key issued by the landlord to all tenants. The Owner must certify and demonstrate to the Fire Code Official that the structure qualifies for this exception.
- E. In the event that a structure previously qualified for exemption pursuant to this Section has its use altered so as to no longer qualify for the exemption specified herein, such structure shall have a key lock box rapid entry system installed within 60 days of such alteration of use.

SECTION 9. VIOLATIONS AND PENALTIES.

- A. Any person who owns or operates a structure subject to this Ordinance shall be subject to the penalties set forth herein.
- B. Enforcement of this Ordinance shall be effected by an action brought by the Township or Township Solicitor (on information received, if necessary) before the District Justice having jurisdiction in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure.
- B. The Township Solicitor may assume charge of the prosecution without the consent of the District Attorney (as required under Pa. R. Crim. P. No. 83(c) relating to trial in summary cases).

C. Any person(s) found guilty of violation of this public safety Ordinance shall be liable to pay a fine of not more than One Thousand Dollars (\$1,000.00) per violation to be paid to the Township Treasurer and for conviction of a second offense shall also be subject to imprisonment to the extent allowed by law for the punishment of summary offenses.

SECTION 10. REPEALER.

Any ordinance, chapter, section, subsection, paragraph, sentence, clause, phrase or portion of any ordinance conflicting with the provisions of this Ordinance is hereby repealed to the extent of such conflict.

SECTION 11. SEVERABILITY.

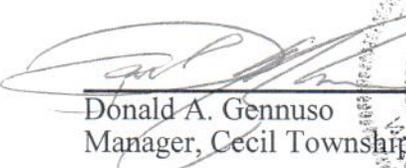
If any section, subsection, paragraph, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion thereof.

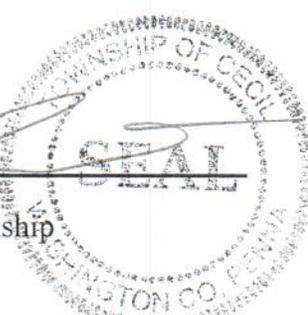
SECTION 12. EFFECTIVE DATE.

This Ordinance shall take effect five (5) days after the date of adoption by the Board of Supervisors of Cecil Township, set forth below.

ORDAINED, ADOPTED AND ENACTED, by the Board of Supervisors of Cecil Township, Washington County, Pennsylvania the 4th day of NOVEMBER, 2019.

BOARD OF SUPERVISORS
CECIL TOWNSHIP


Donald A. Gennuso
Manager, Cecil Township



The seal is circular with the text "TOWNSHIP OF CECIL" at the top and "WASHINGTON CO. PENN." at the bottom. In the center, the word "SEAL" is written in a stylized font.


Cindy Fisher
Chair, Board of Supervisors