

ORDINANCE 2023-05

ORDINANCE OF THE BOROUGH OF SHIP BOTTOM, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING TITLE 8, WHICH PERTAINS TO HEALTH AND SAFETY, AND AMENDING CHAPTER 8.08, WHICH PERTAINS TO FIRE SAFETY REGULATIONS

WHEREAS, volunteer fireman, emergency medical technicians, and paramedics are frequently unable to access structures without causing damage when responding to emergencies and alarms; and

WHEREAS, the necessity of forcible entry not only causes property damage, but, more importantly, it also risks injury to essential first responders; and

WHEREAS, the installation of a small, wall-mounted safe that holds building keys and which is referenced by the brand name “Knox Box” would eliminate such damage and risk of injury by allowing first responders access to a key to the property; and

WHEREAS, a growing number of New Jersey municipalities have elected to require the installation of “Knox Box” systems; and

WHEREAS, the Mayor and Council find that the installation of such security boxes will protect the health, welfare, and safety, of the first responders and the public and reduce the potential for property damage; and

NOW THEREFORE, BE IT ORDAINED by the Mayor and Commissioners of the Township of Long Beach, Ocean County, State of New Jersey, in accordance with the aforesaid Recitals, which are incorporated herein by reference, as follows.

STATEMENT OF PURPOSE

The purposes of this Ordinance is to reformat Chapter 8.08 and amend the Chapter to require certain properties to install wall mounted safes to hold building keys (“Knox Box”) to protect the property owners, the first responders, and the public health, welfare, and safety.

SECTION I

The following Article I is created in and added to Chapter 8.08 and §8.08.010 through §8.08.080 are made a part of the following Article I.

ARTICLE I Licenses and General Regulations

SECTION II

The following Article II is created in and added to Chapter 8.08.

ARTICLE II Knox Box Entry Systems

§8.08.090 Purpose.

The health, welfare, and safety of the first responders, the public, and are promoted by requiring certain structures to have a key Knox-Box-type safe installed on the exterior of the structure to aid first responders in gaining access to or within a structure when responding to calls for an emergency service, and to aid access into or within a building that is secured or into which it is unduly difficult to gain entry due either to being unoccupied or to the occupants being unable to respond.

§8.08.100 Definitions.

KNOX BOX

A secure rapid entry system that is designed to be used by the fire department, emergency medical services, and first responders in the event of an emergency to gain entry into a structure by using the enclosed owner-provided key(s). This box is mounted on the exterior of the building in a location that is specified by the Borough. All boxes shall be UL (Underwriters' Laboratories) certified and approved by the Fire Chief.

SYSTEM ADMINISTRATOR

A member of the Fire Department who is recommended by the Fire Department with confirmation by the Mayor and Council and who is in charge of the Knox Box program, subject to the authority and supervision of the Fire Chief.

§8.08.110. Structures requiring Knox Box system; time limit for installation.

- A. The following structures shall be equipped with a Knox Box, of a UL type and size approved and specified by the Fire Chief or System Administrator.
 - 1. All commercial buildings within six (6) months of the effective date of this Chapter.
 - 2. All multi-family residential structures that have restricted access through locked doors and have a common corridor for access to the living units within six (6) months of the effective date of this Chapter.
- B. Any building may be equipped with a Knox Box, of a UL type and size specified by the Fire Chief or System Administrator, at the discretion of the building owner.

§8.08.120. Installation requirements.

- A. Purchase and installation of the Knox Box will be the sole responsibility of the building owner in accordance with the requirements herein.
- B. It shall be the responsibility of the Fire Chief or System Administrator to approve all purchases of Knox Box systems. Property owners shall secure approval of the type of Knox Box and devices prior to purchase. When purchased, the owner shall identify Ship Bottom Volunteer Fire Company # 1 as the servicing company in area code 08008. Mail-in forms will be made available in the office of the Municipal Clerk.
- C. The size and model of the Knox Box installed shall be determined by the number of keys to be placed in the box and the specifications set forth by the Knox Box manufacturer.
- D. The number of keys in the Knox Box cannot exceed the maximum number recommended by the box manufacturer.
- E. All Knox Boxes shall be installed to the side of the main door and shall be mounted 50 to 60 inches from the ground and shall be kept free of any obstructions, including snow and ice. In the event the Knox Box cannot be installed at the aforesaid location and/or height, the Fire Chief or System Administrator may designate in writing a different location and installation specifications.
- F. All Knox Boxes may have a tamper switch installed in the building as an intrusion/burglar alarm.
- G. Ship Bottom Volunteer Fire Company # 1 shall be contacted prior to installation.

§8.08.130. Notification of changes.

The operator of the building shall immediately notify the Fire Chief or System Administrator when any locks are added, changed, or rekeyed which cannot currently be opened by the current key set in the Knox Box. Additional keys shall be added to the Knox Box immediately.

§8.08.140. Contents of lock box.

- A. All Knox Box shall contain labeled keys, 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 may direct and consistent with the following.
 - 1. Keys to locked points of ingress or egress, whether on the interior or exterior of such buildings.
 - 2. Keys to all mechanical rooms and locked electrical and utility rooms.
 - 3. Keys to elevators and their control rooms.
 - 4. Keys to the fire alarm panels and fire suppression systems.
 - 5. Keys to reset pull stations or other fire protective devices.

6. Building access cards, devices, or methods as needed.

§8.08.140. Fire Department responsibilities.

- A. Access to the Knox Box Master Key will be limited to the Fire Chief and the System Administrator.
- B. No fire personnel shall carry a Knox Box Master Key unless at an emergency scene.
- C. All fire personnel having access to the Knox Box Master Key will be subject to a comprehensive background check annually or until they have relinquished the position and no longer have access to the key.
- D. All fire personnel with access to the Knox Box Master Key must notify the Chief of Police immediately of any charges pending, whether civil or criminal, or any other event that would jeopardize their ability to have access to the key.
- E. All Knox Box Master Keys shall be installed in a Knox KeySecure or similar system installed in the fire apparatus.

§8.08.150. Violations and penalties.

Any person who is convicted of a violation of this Chapter shall be punishable as provided in Chapter 1.08, General Penalty.

SECTION II

All ordinances, or parts of ordinances, inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION III

If any word, phrase, clause, section, or provision of this ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal, or unconstitutional, such word, phrase, clause, section, or provision shall be severable from the balance of the ordinance and the remainder of the ordinance shall remain in full force and effect.

SECTION IV

This repeal and replacement of Chapter 8.16 as set forth herein shall be contingent upon the State's approval of this ordinance. In the event the State does not approve this ordinance, the existing Chapter 8.16 shall remain in place.

Effective date.

This ordinance shall take effect after final adoption and publication as required by law.

NOTICE

Public Notice is hereby given that the foregoing Ordinance was introduced and passed on the first reading at a regular meeting of the Mayor and Council of the Borough of Ship Bottom, County of Ocean, State of New Jersey, held on Tuesday, February 28, 2023, at 6:30 p.m.

Further public notice is hereby given that said ordinance shall be considered for final passage and adoption at a regular meeting of the Mayor and Council to be held on Tuesday, March 28, 2023, at 6:30 p.m. at the Municipal Building, 1621 Long Beach Boulevard, Ship Bottom, New Jersey 08008.

Kristy DeBoer, RMC
Municipal Clerk

