

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

ORDINANCE # 2017- 02

AN ORDINANCE OF THE TOWNSHIP OF LOWER ESTABLISHING REQUIREMENTS FOR THE INSTALLATION OF A KEY BOX RAPID ENTRY SYSTEM ON CERTAIN INDUSTRIAL, COMMERCIAL AND RESIDENTIAL STRUCTURES.

WHEREAS, the Council of the Township of Lower, County of Cape May, State of New Jersey desires to promote the health, safety and welfare of the residents of the Township of Lower, by requiring certain structures to have a key box rapid entry system installed on the exterior of the structure to aid the Township of Lower Fire Departments and Police Department in gaining access to the structure when responding to calls for emergency service; and

WHEREAS, the key box rapid entry system, hereafter termed "key box" is being adopted nationally and will expedite entry into a structure during an emergency by eliminating the necessity of a forced entry into structures thereby avoiding costly and time-consuming efforts to gain access to locked structures during an emergency and reducing unnecessary property damage; and

WHEREAS, the key box system is in compliance with N.J.A.C. 5:70-3 and section 506 of the International Fire Code 2006, New Jersey Edition, New Jersey Uniform Fire Code.

NOW, THEREFORE BE IT ORDAINED, by the Council of the Township of Lower, County of Cape May, State of New Jersey, as follows:

SECTION 1. A new section, Section 340-18, is hereby added to Chapter 340, Article II of the Code of the Township of Lower, which shall read as follows:

§ 340-18. Key Box Rapid Entry System.

- A. The following structures shall be equipped with a key box installed at a location that is approved by the Fire Official, which shall be at the main entrance or such other location or locations as required by the Fire Official:
- (1) Residential rental properties 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;
 - (2) Commercial and 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;
 - (3) Multi-dwelling unit structures that have restricted access through locked doors and have a common corridor for access to the dwelling units;
 - (4) Government owned structures, assisted living or nursing care facilities.
 - (5) Other structures including but not limited to: Airport Hangers, Gated Nature Trails, Gated Sportsman's Clubs, Water Towers, Solar Fields or Utility Enclosures, Educational Facilities (public and private) and places of worship that have been determined to be secured in a manner that restricts access during an emergency;
- B. The owner of the structure shall be responsible for the cost of installation and maintenance of the key box. For the purpose of this Section, owner shall mean the individual or legal entity holding title to the structure or the property upon which the structure is located. In the case of a condominium, the owner shall mean the condominium association or, in the event there is no condominium association, the owner shall mean all of the condominium owners collectively.

- C. All newly constructed structures subject to this Section shall have the key box installed and operational prior to the issuance of a certificate of occupancy. All structures in existence on the effective date of this Section and subject to this Section shall have one hundred eighty (180) days from the effective date of this Section to have a key box installed and operational.
- D. As used in this Section, the term key box shall mean a type of key lock box system capable of storing keys for the purposes set forth in this Section, the exact type and manufacturer of which shall be approved by the Fire Official.
- E. The owner or operator of a structure required to have a key box shall, at all times, keep a key or keys in the key box that will allow for access to all points of egress capable of being locked, whether on the interior or exterior of the structure, mechanical equipment rooms, electrical rooms, elevator controls, fenced or secured areas, or any other room, enclosure or area as required by the Fire Official.
- F. The Fire Official is authorized to promulgate administrative rules, regulations and procedures to further the purposes of this Section and to file same with the Township Clerk.
- G. For the violation of any provision of this Section, the maximum penalty, upon conviction of the violation, shall be a fine of not less than \$100.00. Each day that violation of any provision of this article exists shall be deemed a separate offense.
- H. This Ordinance shall not apply to Owner-Occupied one (1) and two (2) family dwellings.

SECTION 2. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby, and shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable.

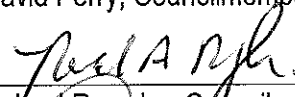
SECTION 4. This Ordinance shall take effect immediately after final passage and publication as provided by law.



 Thomas Conrad, Councilmember




 David Perry, Councilmember



 Roland Roy, Jr., Councilmember



 Frank Sippel, Deputy Mayor



 Erik Simonsen, Mayor

1st Reading: 2-22-2017

Adopted: 3-20-2017

Attest: 

 Julie A Picard, Township Clerk