

23-18

**AN ORDINANCE REQUIRING THE INSTALLATION OF A  
KEY BOX EMERGENCY ACCESS SYSTEM FOR USE BY THE  
SPARTA TOWNSHIP FIRE DEPARTMENT DURING AN EMERGENCY  
OR ANY OTHER ACTION DEEMED NECESSARY BY THE  
SPARTA TOWNSHIP FIRE DEPARTMENT**

**WHEREAS**, the health, safety, and welfare of the citizens of the Sparta Township (“Township”) are promoted by requiring certain structures to have a key box installed on the exterior of the structure to aid the Township Fire Department in gaining access to the structure when responding to calls for emergency service; and

**WHEREAS**, many buildings are equipped with automatic systems that may cause the Township Fire Department to be summoned at a time of emergency when the building or business is not occupied or when the occupant is not available to provide the Township Fire Department entry into the building; and

**WHEREAS**, the key box emergency access system will eliminate costly damage from forcible entry into buildings equipped with automatic systems by the Township Fire Department checking for fire or other dangerous conditions; and

**WHEREAS**, the Township Fire Department can reduce the potential for rapid expansion of fire and other hazardous conditions by quick access and decrease dangers for firefighters; and

**WHEREAS**, the key box emergency access system has been adopted by Section 506 of the International Fire Code 2015 , New Jersey Edition; and

**WHEREAS**, the key box emergency access system will operate on a controlled master key basis by the Township Fire Department; and

**WHEREAS**, the Township is authorized to pass this Ordinance pursuant to N.J.S.A. 40:48-2, and pursuant to the Township's police powers.

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Council of the Township of Sparta in the County of Sussex and the State of New Jersey, that there should be created a Section of the Revised General Ordinances of the Township, entitled "Key Box Emergency Access System," which shall provide as follows:

## **KEY BOX EMERGENCY ACCESS SYSTEM**

### **Section I: Definitions**

*Automatic Dialer* shall refer to a device that automatically dials and relays a prerecorded message to a central station or the fire department.

*Automatic Fire Suppression System* refers to a system or assembly of piping, valves, controls, and sprinklers, which are designed and installed to comply with the National Fire Protection Association (NFPA) standards, which utilize water, foam, carbon dioxide, or other gas to automatically react to suppress fire.

*Automatic Fire-Extinguishing System*. An approved system of devices and equipment which automatically detects a fire and discharges an approved fire-extinguishing agent onto or in the area of a fire.

*Automatic Smoke Detection System*. A fire alarm system that has initiation devices that utilize smoke detectors for protection of an area such as a room or space with detectors to provide early warning of fire.

*Automatic Sprinkler system*. An automatic sprinkler system, for fire protection purposes, is an integrated system of underground and overhead piping designed in accordance with fire protection engineering standards. The system includes a suitable water supply. The portion of the system above the ground is a network of specially sized or hydraulically designed piping installed in a structure or area, generally overhead, and to which automatic sprinklers are connected in a systematic pattern. They system is usually activated by heat from a fire and discharges water or the fire area.

*Fire Official* shall refer to the Fire Chief or his/her designee.

*Fire Code Official*. The fire official or fire inspector certified by the Commissioner of the Department of Community Affairs and appointed or designated to direct the enforcement of the code by the appointing authority of a local enforcing agency.

Central Station. A central office, connected to remote alarm and supervisory signaling devices, where personnel is in attendance at all times to monitor the system activity and investigate signals. The central-station personnel take immediate and appropriate action upon receipt of an alarm signal.

Key – hard cut physical key; electronic locking keys e.g. fobs, key cards, etc.

Key Box. A secure device with a lock operable only by a fire department master key, and containing building entry keys and other keys that may be required for access in an emergency. This box is usually mounted on the exterior of the building in a location that is specified by the Fire Official and Construction Official.

Fire Department Master Key. A limited issue key of special or controlled design to be carried by fire department officials in command which will open key boxes on specified properties.

*Standpipe System* shall refer to a wet or dry system of piping, valves, outlets and related equipment designed to provide water at specified pressures and installed exclusively for the fighting of fires.

## **Section II: Structures to Be Equipped with a Key Lock Box**

Where required. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type listed in accordance with UL 1037, as same may be updated, amended or replaced, and shall contain keys to gain necessary access as required by the fire code official.

Unless otherwise determined in writing by the Fire Official, the following structures shall be equipped with a Key Lock Box of a type and size and at a location approved by the Fire Official and Construction Official:

- (a) All new commercial buildings shall be equipped with a Key Box prior to the issuance of the certificate of occupancy.
- (b) All existing commercial buildings constructing additions, major renovations, or changes of use that require Township Zoning or Planning Board approval, shall be equipped with a Key Box prior to the issuance of any necessary permits.
- (c) All existing commercial buildings with new occupancies by tenants shall be equipped with a Key Box prior to the issuance of a Certificate of Continued Occupancy.
- (d) Each building protected by an automatic fire suppression and/or standpipe system and not manned 24 hours a day, 7 days a week.

- (e) Each building protected by an automatic fire alarm system (automatic dialer, central station, external audible/visual alarm) and not manned 24 hours a day, 7 days a week.
- (f) Multi-family residential structures that have restricted access through locked doors but have a common corridor for access to the living units, including but not limited to condominium buildings.
- (g) Schools, whether public or private.
- (h) Governmental structures and nursing care facilities, unless the building is staffed or open 24 hours a day, 7 days a week.
- (i) Driveways to structures defined above with controlled access (fences, gates, etc) shall have a Key Box installed at the gate to facilitate entry in to the property.

**Section III: Key Box Contents**

The property owner is required at all times to keep a key(s) in the Key Box that will allow access to the structure. The Key Box shall contain, but not be limited to, the following items as designated by the Fire Official:

- (a) Labeled keys to locked points of ingress and egress, whether in interior or exterior of such buildings;
- (b) Labeled keys to the locked mechanical rooms;
- (c) Labeled keys to locked elevator rooms and controls;
- (d) Labeled keys to any fence or secured areas;
- (e) Labeled keys to areas of the building where fire alarm panels and fire protection systems are located;
- (f) Labeled keys and access codes to any other areas that may be required by the Fire Official;
- (g) A card containing the emergency contact names and phone numbers for such buildings;
- (h) Floor plans of the rooms within the building showing locations of shut-offs;
- (i) Hazardous materials information; and
- (j) An inventory of the keys.

- (k) Fire protection system reset codes and written instructions

The property owner shall notify the Township Fire Department when any or all of the locks or keys have been changed and shall keep the immediate area of the Key Box free and clear of any and all obstructions.

Key Box maintenance. The operator of the building shall immediately notify the fire code official and provide the new key where a lock is changed or rekeyed. The key to such lock shall be secured in the Key Box.

#### **Section IV: Registration and Installation of Key Lock Boxes**

The property owner shall apply for a registration for a Key Box on forms provided by and obtained from the Fire Official. A registration is required prior to the installation of a Key Box in order to verify the proper size, mounting location and installation of said Key Box. The Key Box shall be installed at a location approved by the Fire Official and the Construction Official. No Key Box shall be installed, voluntarily or otherwise, without first obtaining the approval of the Fire Official and the Construction Official. The property owner shall be responsible for the cost to purchase, install, and maintain the Key Box.

#### **Section V: Compliance**

All existing buildings required to have a Key Box shall comply with this Ordinance one (1) year from its effective date. All newly constructed buildings not yet occupied or buildings currently under construction and all buildings or businesses applying for a certificate of occupancy shall comply immediately upon passage of this Ordinance. In any event, the owner of any structure in the Township shall comply with this ordinance within sixty (60) days from receipt of written notice from the Fire Official. The cost of purchasing and installing, along with any cost associated with implementation of the program at a specific property, will be borne by the property owner.

#### **Section VI: Penalties**

Any property owner that fails to comply with this Ordinance shall be subject to the penalties and dedicated penalties as provided for under the New Jersey Fire Code, N.J.A.C. 5:70-2.12 and N.J.A.C. 5:70-2.12A.

#### **Section VII. Severability**

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

**Section VIII. Repealer**

All Ordinances or parts of ordinances inconsistent herewith are repealed as to such inconsistencies.

**Section IX. Effective Date**

**NOTICE**

**PLEASE TAKE NOTICE** that the above ordinance was introduced and passed upon first reading at a regular meeting of the Sparta Township Council held at the Municipal Building, 65 Main Street, Sparta, New Jersey on **August 8, 2023**, and will be considered for final passage and adoption at the regularly scheduled meeting of the Township Council of the Township of Sparta to be held at the Municipal Building, 65 Main Street, Sparta, New Jersey, on **August 22, 2023** at 7:00 p.m., at which time and place all persons interested therein or affected thereby will be given an opportunity to be heard concerning the same.

BY ORDER OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF SPARTA.

Roxanne Landy, RMC, CMR, Township Clerk