

**LOWER SAUCON TOWNSHIP
NORTHAMPTON COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2006-07

**AN ORDINANCE OF THE TOWNSHIP OF LOWER SAUCON,
NORTHAMPTON COUNTY, PENNSYLVANIA REQUIRING THAT
CERTAIN BUILDINGS HAVE A KEY LOCK BOX INSTALLED ON THE
EXTERIOR OF THE BUILDINGS FOR FIRE SAFETY PURPOSES;
ESTABLISHING A PENALTY FOR A VIOLATION; AND
ESTABLISHING AN EFFECTIVE DATE**

WHEREAS, Lower Saucon Township (“Township”) is a Township of the Second Class located within Northampton County, Commonwealth of Pennsylvania; and

WHEREAS, the Lower Saucon Township Council has determined that when fires or other emergencies occur in locked buildings, all the Lower Saucon Township Volunteer Fire Companies (“Companies”) are faced with the difficult task of gaining entry into the buildings; and

WHEREAS, Entry into the buildings in some cases must be made by force, which is time consuming and may cause unnecessary damage; and

WHEREAS, In some cases valuable time is wasted waiting for a key holder to arrive on the scene; and

WHEREAS, the purpose of this Ordinance is to require the installation of emergency access lock boxes; and

WHEREAS, the Lower Saucon Township Council has determined that the adoption of this Ordinance is in the best interest of the public safety and welfare.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, and it is hereby enacted and ordained by the Council of the Township of Lower Saucon, Northampton County, Pennsylvania as follows:

**ARTICLE I
BUILDINGS AND GATES REQUIRED AND RECOMMENDED
TO USE LOCK BOXES**

Section 1. General Requirement. An approved emergency access lock box shall be installed on the outside of all existing buildings containing five thousand (5,000) square feet or more; all existing gates that prevent access to buildings; and all new buildings and gates that prevent access to buildings in the Township. However, a lock box is not required to be installed on single-family and two-family dwellings, or multi-family

dwelling which have no enclosed common areas (i.e., no lock box is required for a multi-family dwelling which consists entirely of individual dwellings), or agricultural buildings, or on accessory buildings related to those dwellings or buildings.

Section 2. Renovated or Expanded Buildings and/or New Gates. If a building or gate would be required by Section 1 to have an approved emergency access lock box but for the fact that the building or gate is not new, and if the building or gate is thereafter expanded or otherwise renovated or repaired in a way which requires a building permit from the Township, the building or gate shall at that time be equipped with an approved emergency access lock box.

Section 3. Recommendation for Existing Buildings and Gates. An approved emergency access lock box is recommended for all existing buildings in the Township that are equipped with an automatic fire suppression system, an automatic fire detection system, or a medical emergency alarm system and all gates that prevent access to any building.

Section 4. Recommendation for Additional Buildings and Structures. An approved emergency access lock box is recommended for all buildings, structures, and gates in the Township that will require access with a key during a fire or medical emergency or any other emergency situation.

ARTICLE II APPROVAL AND INSPECTION OF LOCK BOXES

Section 1. Written Approval. Whenever this Ordinance would require the installation of an approved emergency access lock box, written approval of a proposed emergency access lock box shall be obtained from the Fire Company's Fire Chief or the Fire Chief's designee before an emergency access lock box is installed.

Section 2. Occupancy Permit. No occupancy permit shall be issued for any building in the Township that is required to have an approved emergency access lock box until such a lock box has been installed for that building and/or its associated gate.

Section 3. Responsibility. It shall be the responsibility of the owner, lessee, tenant, occupant or other party in control of a building, jointly or severally, to assume all costs and obligations associated with the purchase and installation of an approved emergency access lock box required by this Ordinance. Further, they shall all, jointly or severally, be responsible to maintain the lock box in good condition, and to ensure that all keys and information in the lock box are correct.

Section 4. **Inspection.** The Fire Company will have the right to periodically inspect property in the Township for:

- (A) Proper maintenance of the lock box;
- (B) Visibility of the lock box;
- (C) Accessibility of the lock box; and
- (D) Proper contents of the lock box.

ARTICLE III

LOCK BOX LOCATION AND CONTENTS

Section 1. **Location.** An approved emergency access lock box required by this Ordinance shall be installed on the outside of the building, structure or gate, in a location approved by the Fire Company's Fire Chief or the Fire Chief's designee in advance. Written approval of a proposed location for a lock box shall be obtained from the Fire Chief or the Fire Chief's designee before a lock box is installed.

Section 2. **Contents.** The contents of an approved emergency access lock box may include any or all of the following at the sole discretion of the Company's Fire Chief or the Fire Chief's designee:

- (A) Keys to the building, structure or gate which may include keys to the exterior and interior doors, keys for doors to individual residences within a multi-family building (if a master key is available, then it shall be provided to eliminate multiple keys);
- (B) Keys to mechanical and equipment rooms;
- (C) Keys to elevator controls;
- (D) Keys to specific areas as required and deemed necessary by the Fire Chief or the Fire Chief's designee;
- (E) Keys necessary for the control of a fire protection system; and
- (F) A list of names and contact numbers of three people familiar with the building, structure or gate who may be contacted in an emergency.

ARTICLE IV

MISCELLANEOUS

Section 1. **Penalty.** Any person who violates a provision of this Ordinance or fails to comply with any of its requirements shall be responsible for any fines or penalties as authorized by the Pennsylvania Second Class Township Code subject to enforcement procedures as set forth in Section 180-10 of the Township Zoning Ordinance adopted by the Township, and subject to a written warning for a person's first violation. Each day during which any violation continues after a written warning has been served shall be deemed a separate offense. Increased civil fines may be imposed for repeat violations of this Ordinance; a repeat violation means a

violation committed by a person within any twelve month period after the issuance of a written warning to that person and for which a person admits responsibility or is determined to be responsible. The increased civil fine for repeat violations shall be as follows:

- (A) The fine for any offense which is a first repeat offense shall be \$25.00, plus costs and other sanctions; and
- (B) The fine for any offense which is a second repeat offense or any subsequent repeat offense shall be \$50.00, plus costs and other sanctions.

Section 2. Severability and Captions. This Ordinance and its various parts, sections, subsections, sentences, phrases and clauses are declared to be severable. If any part, section, subsection, sentence, phrase or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected. The captions included at the beginning of each Section are for convenience only and shall not be considered a part of this Ordinance.

Section 3. Repeal. All resolutions, ordinances or orders in conflict in whole or in part with any of the provisions of this Ordinance are, to the extent of such conflict, repealed.

Section 4. Administrative Liability. No officer, agent, employee, or Council member of the Township shall be personally liable for any damage which may occur to any person or entity as a result of any act or decision performed in the discharge of duties and responsibilities pursuant to this Ordinance.

Section 5. Effective Date. This Ordinance shall become effective five (5) days after adoption thereof.

ENACTED and ORDAINED this 16th day of August, 2006.

ATTEST

TOWNSHIP OF LOWER SAUCON

Glenn Kern
President of Council