

**Township of Dallas
Luzerne County, Pennsylvania**

Ordinance No. 2 of 2024

AN ORDINANCE OF THE TOWNSHIP OF DALLAS, LUZERNE COUNTY, PENNSYLVANIA, TO ESTABLISH REGULATIONS AND REQUIREMENTS TO INSTALL A KEY LOCK BOX SYSTEM

WHEREAS, local fire companies have experienced trouble, at times, accessing and entering commercial and industrial properties during fires and other emergency situations; and

WHEREAS, this lack of access delays response times by emergency personnel; and

WHEREAS, this lack of access poses a clear threat to the public's health, safety, and welfare; and

WHEREAS, the Township receives fire service from two designated fire companies, namely the Back Mountain Regional Fire & EMS and the Kunkle Fire & Ambulance, Inc; and

WHEREAS, the Back Mountain Regional Fire & EMS Chief (the "BMR Chief") and the Kunkle Fire & Ambulance, Inc. Chief (the "KFA Chief") have recommended the establishment of regulations concerning the installation of key lock box systems to facilitate access to certain properties; and

WHEREAS, the Board of Supervisors finds that it is in the best interests of the Township to require the installation of key lock box systems on certain properties in the Township.

NOW, THEREFORE, it is hereby **ENACTED** and **ORDAINED** by the Board of Supervisors of the Township of Dallas, as follows:

Key Lock Box Systems

SECTION 1 Purpose and Intent

The purpose and intent of this Ordinance is to ensure that when fire breaks out or any other emergency situation exists within a structure, firefighters are not blocked or delayed from combating the fire or addressing the emergency by locked doors or gates. To help reduce these types of delays, the Township has adopted this Ordinance establishing a key lock box system for certain structures or properties within the Township to provide firefighters access for these structures while still ensuring the privacy and security of the owners and occupants of such a structure.

SECTION 2 Definitions

FIRE CHIEF – The BMR Chief and/or the KFA Chief. The BMR Chief shall exercise authority and discretion under this Ordinance where appropriate, in its designated coverage area within the Township and the KFA Chief shall exercise authority and discretion under this Ordinance where appropriate, in its designated coverage area within the Township.

OWNER – Any person or entity which owns, leases, manages, and/or is in control of a structure, building, facility, or property, which shall include the agent of such person or entity designated in writing and delivered to the Fire Chief and the Zoning/Code Enforcement Officer.

STRUCTURE – Any building, facility, or man-made object.

ZONING/CODE ENFORCEMENT OFFICER – The Dallas Township Zoning/Code Enforcement Officer.

SECTION 3 Required Installation of Lock Box

A. The following structures shall be equipped with a key lock box at or near the main entrance or such other location as may be jointly required by the Fire Chief and the Zoning/Code Enforcement Officer:

1. Commercial or industrial structures.
2. Multi-family residential structures that have restricted access through locked doors but have a common corridor for access to the living units.
3. Schools, colleges, and universities, whether public or private.
4. Commercial, industrial, and governmental structures and/or properties where access to or within a structure or area is restricted because of secured openings or where immediate access is necessary for lifesaving or fire-fighting purposes.
5. Such other structure as the Township may determine to be necessary and advisable in connection with a subdivision or land development plan.

B. Owners of existing structures or properties which are subject to the requirements of this Ordinance shall have one (1) year from the effective date hereof to comply with the requirements. Persons or entities who construct structures and/or develop properties which would be subject to the requirements of this Ordinance shall comply with the requirements at the time of construction and/or development.

SECTION 4 Installation

A. Owners of structures or properties required to install a key lock box under this Ordinance shall install such key lock box in accordance with the following:

1. The lock box shall be a Knox Box® brand system (the “Knox Box®”) that meets or exceeds the specifications jointly approved by the Fire Chief and Zoning/Code Enforcement Officer.
2. The Owner is responsible for ordering and installing the Knox Box® and associated signage as deemed necessary by the Fire Chief and Zoning/Code Enforcement Officer.
3. Unless otherwise jointly determined by the Fire Chief and Zoning/Code Enforcement Officer, the Knox Box® shall be installed on the front of the structure near the main entry door, on the right-hand side, five (5’) feet above the ground within ten (10’) feet of entrance, unless jointly approved at a higher or lower level by the Fire Chief and Zoning/Code Enforcement Officer. The Fire Chief and Zoning/Code Enforcement Officer may jointly require the Knox Box® to be installed in a different location in some cases. The Owner shall contact the Fire Chief and Zoning/Code Enforcement Officer prior to mounting the Knox Box® for approval of the proposed location of the Knox Box® and shall allow the Fire Chief and Zoning/Code Enforcement Officer to observe the installation of the Knox Box® to ensure proper location and installation. The approved location for the installation of the Knox Box® shall be in the complete joint discretion of the Fire Chief and Zoning/Code Enforcement Officer.

B. The Knox Box® shall contain the key(s) for all exterior doors and gates, the keys for all interior doors and gates within the building, and the keys to all doors or panels which control access to shared systems (i.e. HVAC, alarm panels, sprinkler controls and electrical panels). Each key shall be clearly labeled and easily identifiable.

SECTION 5 Access to Knox Box ®

A. The Owner of any structure or property required to have a Knox Box® shall ensure that the fire department has completely unobstructed access to the Knox Box® at all times.

B. The Owner of any structure or property required to have a fire department rapid entry key lock box or his/her/its agent shall be present whenever the fire department(s) accesses the lock box of the Owner’s structure or property except when the fire department(s) has responded to an emergency at the structure or property.

C. The BMR Chief and the KFA Chief shall maintain a written record of when a Knox Box® key is accessed, removed, or used for entry, including the name of the individual removing the key, the time and date of the access and the reason for such removal.

D. All access keys to a Knox Box® shall be stored by the Fire Chief and the Township in a Knox Box® brand Key Secure system installed in a fire department vehicle and/or a Township vehicle.

SECTION 6 Rules and Regulations

The Township may establish uniform rules and regulations governing all structures required to install a Knox Box® system with regards to the type, location, installation, use, maintenance, and replacement of Knox Boxes® within the Township, including, but not limited to, the specification of approved types of Knox Box® (the “Knox Box® Rules and Regulations”). The Township may modify the Knox Box® Rules and Regulations from time to time, upon the recommendations of the BMR Chief, the KFA Chief and the Zoning/Code Enforcement Officer.

SECTION 7 Updating Keys and Information

- A. The Owner of any structure of property required to have a Knox Box® shall ensure that the keys contained within the lock box are up-to-date and provide access to all required areas within the structure or property. Whenever a lock is changed or new doors, gates, or panels are installed within a structure or property, the Owner shall immediately notify the Township’s Zoning/Code Enforcement Officer to coordinate the placement of items within the Knox Box®.
- B. The Owner of any structure or property required to have a Knox Box® shall provide the Fire Chief and Zoning/Code Enforcement Officer with up-to-date contact information that includes the Owner’s name; addresses; email; and facsimile, telephone, mobile phone, and pager numbers. Any change in this information must be provided in writing to the Fire Chief and Zoning/Code Enforcement Officer at least forty-eight (48) hours in advance of the change occurring, along with the date such change will take place.

SECTION 8 Violations and Penalties

Any person violating any provision of this Ordinance, upon conviction in a summary proceeding before a Magisterial District Judge, shall be sentenced to pay a fine to the Township of Five Hundred Dollars (\$500) per day in violation together with all court costs actually incurred by the Township as provided for in the Pennsylvania Uniform Construction Code, Act 45 of 1999.

SECTION 9 Repealer

All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

SECTION 10 Severability

If any sentence, clause, section, or part of this Ordinance is, for any reason, found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been

adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not been included herein.

SECTION 11 Effective Date

This Ordinance shall become effective immediately.

ENACTED AND ORDAINED THIS 22nd day of May, 2024

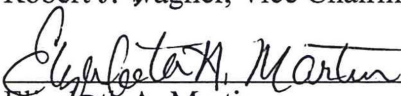
DALLAS TOWNSHIP BOARD OF SUPERVISORS



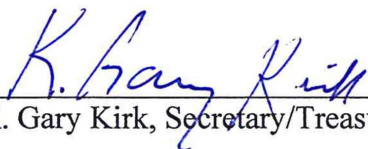
William J. Grant, Chairman



Robert J. Wagner, Vice Chairman



Elizabeth A. Martin

Attest: 

K. Gary Kirk, Secretary/Treasurer

Seal:

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