

NOTICE OF PENDING ORDINANCE #11-05

This ordinance published herewith was introduced and passed upon first reading at a meeting of the Borough Council of the Borough of Oradell, in the County of Bergen and State of New Jersey, held on August 23, 2011. It will be further considered for final passage after public hearing thereon, at a regular Meeting of said Borough Council to be held in the Town Hall, on September 27, 2011, at 7:00 P.M. and during the week prior to and up to and including the date of such meeting, copies of said ordinance will be made available at the Clerk's Office in said Town Hall to the members of the general public who shall request the same.

LAURA J. GRAHAM, RMC
Administrator/Borough Clerk

BOROUGH OF ORADELL

ORDINANCE 11-5

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF ORADELL
TO ADD A NEW SECTION TO BE DESIGNATED AS ORDINANCE 121-13,
TITLED "KNOX BOX ENTRY SYSTEM"**

WHEREAS, Council of the Borough of Oradell has determined that the health, safety, and welfare of the citizens and business owners of the Borough of Oradell are promoted and safeguarded by requiring certain structures to have a key lock box installed on the exterior of the structure to aid the Oradell Volunteer Fire Department to gain access to the structure when the same is not occupied or when the occupants are unable to grant ingress to the Fire Department; and

WHEREAS, the key lock box system will reduce the need for forced entry into structures and should avoid costly and time-consuming efforts in gaining access to locked structures during an emergency.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Council of the Borough of Oradell, New Jersey that Chapter 121 of the Code of the Borough of Oradell, titled "Fire Prevention" is amended by adding a new section, to be designated as Ordinance 121-13, titled "Knox Box Entry System," to read as follows:

121-13 - Knox Box Entry System.

121-13A - PURPOSE

Council of the Borough of Oradell determined that the health welfare and safety of the citizens and business owners of the Borough of Oradell are promoted by requiring certain structures to have a key lock box installed on the exterior of the structure to aid the Oradell Volunteer Fire Department 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 is unduly difficult to gain entry due to being either unoccupied or the occupants are unable to respond.

121-13B - KEY LOCKBOX SYSTEM

1. The following structures shall be equipped with a key lock box at or near the main entrance or such other location as required by the Fire Official, Fire Chief, or Building Official:
 - (a) Commercial or industrial structures.
 - (b) Multi-family-residential structures that have restricted access through locked doors but have a common corridor for access to the living units
 - (c) Schools, whether public or private.
 - (d) Governmental structures and nursing care facilities unless the building is staffed or open 24 hours.
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2. All new construction and new occupancies by tenants subject to Section 2.1 shall have a key lock installed and operational prior to the issuance of an occupancy permit. All structures in existence on the effective date of this section and subject to Section 2.1 shall have twelve (12) months from enactment date of this ordinance to have a key lock box installed and operational.
3. The type of key lock boxes to be implemented within the Borough shall be a Knox Box brand system.

121-13C – INSTALLATION

1. 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.
2. Number of keys in the Knox Box cannot exceed the maximum number recommended by the box manufacturer.
3. All Knox Boxes shall be installed to the left side of the main business door.
4. All Knox Boxes shall be mounted sixty inches from the ground.
5. In the event that the Knox Box cannot be installed at the aforesaid location and/or height, the Fire Official, Fire Chief, or Building Official may designate in writing a different location and installation specifications.
6. All Knox Boxes may have a Tamper Switch installed in the building as an intrusion/burglar alarm.
7. All realty and/or property with an electronic security gate shall have the Knox Box installed OUTSIDE of the gate.
8. The Fire Official, Fire Chief, or Building Official must approve any changes in the installation.
9. Purchase and installation of the Knox Box will be the sole responsibility of the building owner.

121-13D - MAINTENANCE

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

121-13E - CONTENTS OF LOCK BOX

The contents of the lock box should include (but not limited to) 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.
 3. Keys to all locked electrical and utility rooms.
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4. Keys to elevator and their control rooms.
5. Keys to the Fire Alarm panels and Fire Suppression Systems.
6. Keys to re-set pull stations or other Fire Protective devices.
7. Building Access Cards, as needed.
8. Keys to any other areas as requested by the Fire Official, Fire Chief, or Building Official.

121-13F – FIRE DEPARTMENT RESPONSIBILITIES

1. No fire department personnel shall carry a Knox Box Master Key unless at an emergency scene.
2. All Knox Box Master Keys shall be installed in a Knox Box Sentra-Loc or similar system installed in the Fire Apparatus.

121-13G - EXCEPTIONS TO REQUIREMENT TO INSTALL A KEY LOCK BOX SYSTEM

The following structures are exempt from the mandate to install a key lock box system:

1. Single family structures and multi-family structures that do not meet the definition set forth in Section 1 (b).
2. Structures that have 24 hours, 365 day on-site security personnel, or have other personnel on site.
3. Businesses that are open and staffed 24 hours, 365 days per year (which may include but are not limited to, Nursing Homes, Hospitals, Police & Fire Stations. etc.).
4. Rental storage facilities where there is a single lock on the separate storage pods that are renter supplied; provided, however, the entry security gates(s) will require a Knox Box if electronically controlled, or locked with a master key issued by the landlord to all tenants

121-13H – PENALTIES

1. Any person, entity or corporation who has violated any provisions of this ordinance or who has failed to comply with any order issued by Fire Official, Fire Chief, or Building Official or has failed to comply with any order issued pursuant to any Section thereof, shall upon conviction before the proper judicial authority, be punished by a fine of not more than Three Hundred (\$300.00) Dollars. Each day a violation continues shall be considered a separate offense.
 2. If any sentence, clause or section or any 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 or sections or parts of the same contained in this Ordinance. It is hereby declared as the intent of Council of the Borough of Oradell that this Ordinance would have been adopted has
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such unconstitutionality, illegality or invalidity sentence, clause or section or part thereof and not been included therein.

Section 2. If any part of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 3. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed or amended to the extent of such inconsistency.

Section 4. This Ordinance shall take effect upon final passage and publication according to law.

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TO ADD A NEW SECTION TO BE DESIGNATED AS ORDINANCE 121-13,
TITLED "KNOX BOX ENTRY SYSTEM"**

Introduced: August 23, 2011

Passed 1st Reading: August 23, 2011

Public Hearing: September 27, 2011

Adopted: September 27, 2011

Approved: September 27, 2011

DIANNE CAMELO DIDIO, MAYOR

ATTEST:

Laura J. Graham, Borough Clerk

This to certify that the foregoing ordinance was finally passed and adopted at the Regular Meeting of the Borough Council of the Borough of Oradell, New Jersey on September 27, 2011, and the same was approved by the Mayor of the Borough of Oradell on September 27, 2011

Laura J. Graham, RMC
Administrator/Borough Clerk
