



BOROUGH OF TARENTUM

Allegheny County, Pennsylvania



ORDINANCE #21-06

ORDINANCE OF THE BOROUGH OF TARENTUM, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, AMENDING ITS FIRE PREVENTION ORDINANCE, AS CODIFIED AT CHAPTER 127 OF THE BOROUGH CODE OF ORDINANCES, TO PROVIDE FOR THE REGULATION OF KEY LOCK BOXES WITHIN THE BOROUGH.

WHEREAS, the Council of the Borough of Tarentum, County of Allegheny, Commonwealth of Pennsylvania further desires to promote the health, safety and welfare of the residents of the Borough; and has Health, Safety and Welfare for its citizens as a primary concern; and

WHEREAS, the Council of the Borough of Tarentum has determined that the health, welfare and safety of the citizens of the Borough are promoted by requiring certain structures to have a key lock box installed on the exterior of the structure to aid the Tarentum Borough Volunteer Fire Departments 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.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by Council of the Borough of Tarentum, and it is hereby ordained and enacted by authority of same as follows:

Section 1. Amendments

The Tarentum Borough Code Section 127-##, Definitions, shall be amended as follows:

The following definition shall be added and included as follows:

KNOX-BOXES®, OR THEIR APPROVED SUBSTITUTE: A small wall mounted safe that holds building keys for fire departments, emergency medical services and sometimes police to retrieve in emergency situations. The fire department can hold master keys to all boxes within the Borough so that they can quickly enter buildings without having to force entry or find individual keys.

OWNER: Any person or entity which owns, leases, manages, and/or is in control of a structure, building, facility, or property.

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

The Tarentum Borough Code, Chapter 127, **Article II**, Key Lock Boxes shall be added as follows:

§127-21. Findings; purpose.

The Council of the Borough of Tarentum has determined that the health, welfare and safety of the citizens of the Borough are promoted by requiring certain structures to have a key lock box installed



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on the exterior of the structure to aid the Tarentum Borough Volunteer Fire Departments 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.

§127-22. Required Installation.

- A. 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 Borough Code Officer:
 - a. Commercial or industrial structures.
 - b. Multifamily residential structures that have restricted access through locked doors but have a common corridor for access to the living units.
 - c. Schools.
 - d. 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.
- B. All new construction subject to Subsection A of this section shall have a key lock box installed and operational prior to the issuance of an occupancy permit.
- C. All structures in existence on the effective date of this section and subject to Subsection A of this section shall have a key lock box installed and operational prior to the issuance of any new certificate(s) of occupancy.
- D. The following structures are exempt from the mandate to install a key lock box system:
 - a. Detached residential one-family and two-family dwellings and one family townhouses that are not more than three (3) stories in height and their accessory structures.
 - b. Any structure or property having twenty-four (24) hour on-site security personnel who have full access to the entire structure or property may be exempt from the requirement of this Ordinance at the discretion of the Borough Fire Department or Code Enforcement Officer.
 - c. Rental storage facilities where there is a single lock on the separate storage pods that are renter supplied; provided, however, the entry security gate(s) will require a Knox-Box® if electronically controlled or locked with a master key issued by the landlord to all tenants.

§127-23. Installation.

- A. The Owner is responsible for ordering and installing the lock box.



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- B. The type of key lock boxes to be implemented with the Borough shall be a Knox-Box® brand system or such other rapid entry system of comparable quality which has been specifically authorized in writing by the Code Officer as being an acceptable substitution for the Knox- Box® brand system.
- C. The Owner of any structure or property required to have a fire department rapid entry key lock box shall ensure that the fire department has completely unobstructed access to the lock box at all times.
- D. All Knox-Boxes®, or their approved substitute, shall be installed to the left side of the main business doors, if possible.
- E. All Knox-Boxes®, or their approved substitute, shall be flush mounted 60 inches from the ground to the center of the entry, if possible.
- F. In the event that the rapid entry box system cannot be installed at the aforesaid location and/or height, the Code Enforcement Officer may designate, in writing, a different location and installation specifications.
- G. All Knox-Boxes®, or their substitute, shall have a tamper switch installed if the building has an instruction/burglar alarm.
- H. All realty and/or property with an electronic security gate shall have the Knox-Box® installed outside of the gate.
- I. The Code Enforcement Officer of the Borough must approve any changes in the installation.

§127-24. Notification of changes; updating information.

- A. The Owner of any structure of property required to have a fire department rapid entry key lock 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 Borough's Code Enforcement Official to coordinate the placement of items within the lock box.
- B. The Owner of any structure or property required to have a fire department rapid entry key lock box shall provide the Borough Fire Department or Borough Code Official with up-to-date contact information that includes the owner's name; addresses; email; and mobile phone



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numbers. Any change in this information must be provided in writing to the Borough Code Official at least forty-eight (48) hours in advance of the change occurring, along with the date such change will take place.

§127-25. Contents of lock box.

The contents of the lock box are as follows:

- A. The lock 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, including but not limited to the following:
 - a. Mechanical rooms.
 - b. Electrical rooms.
 - c. Elevators and elevator control rooms.
 - d. Fire alarm panels.
 - e. Special reset pull stations or other fire-protection devices.
 - f. All other keys as requested by the Borough's Code Official.
- B. Each key shall be clearly labeled and easily identifiable.

§127-26: Keys to lock box.

- A. No Fire Department personnel shall carry a Knox-Box® key.
- B. All Knox-Box® access keys shall be installed in a Knox-Box® Sentra-Loc system installed in the fire apparatus.

§127.27: Rules and regulations.

The Fire Department and/or Code Enforcement Officer shall be authorized to implement rules and regulations for the use of the key lock box system, which rules and regulations shall be posted by the Borough.

§127.28: Limitations of Liability.

The Borough incorporates the immunity and regulations set forth in the Political Subdivision Tort Claims Act, 42 Pa.C.S.A. §§ 8541 et seq.

§127.29: Violations and penalties.

Any person, entity or corporation who has violated any provisions of this article or who has failed to comply with any order issued by the Borough Code Officer 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. -



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§127-30. 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 Borough Council that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

§127-31. Penalty.

It shall be unlawful for any person to violate the provisions of this Ordinance. Any person violating the provisions of this Ordinance shall be fined \$300.00 per violation and, if in default of payment thereof, subject to prosecution for a summary offense under Pennsylvania Law. The fines under this Ordinance are cumulative, meaning violators will be subject to additional fines and costs for every additional daily violation of this Ordinance.

IN WITNESS WHEREOF, this Ordinance is duly Ordained and Enacted by the Council of the Borough of Tarentum at a public meeting held this 9th day of November, 2021.

ATTEST:

BOROUGH OF TARENTUM

Michael L. Nestico, Borough Manager

Scott Dadowski, President of Council

EXAMINED AND APPROVED by me this 9th day of November, 2021.

David A. Regoli, Esq., Solicitor

_____, Mayor