

**HARDYSTON TOWNSHIP**

**ORDINANCE #2011-16**

**AN ORDINANCE OF THE TOWNSHIP OF HARDYSTON, COUNTY OF SUSSEX, STATE OF NEW JERSEY AMENDING CHAPTER 94 “FIRE PREVENTION”, OF THE TOWNSHIP CODE TO ADD SUBSECTION 94-11, “KEY LOCK BOX SYSTEM”**

**WHEREAS**, the Township Council of the Township of Hardyston, New Jersey has determined that the health, safety and welfare of the citizens of Township of Hardyston are promoted by requiring certain structures to have key lock box entry systems installed on the exterior; and

**WHEREAS**, the key lock box entry system is being adopted nationally and will operate on a master key basis that will expedite entry into structures by the Hardyston Township Fire Department during times of emergency; and

**WHEREAS**, the key lock box entry system will eliminate forced entries into structures thereby avoiding costly and time-consuming efforts in gaining access to locked structures during an emergency; and

**WHEREAS**, the Township Council of the Township of Hardyston, New Jersey is authorized to pass this ordinance.

**NOW THEREFORE, BE IT ORDAINED** by the Municipal Council of the Township of Hardyston, County of Sussex, State of New Jersey, as follows:

**SECTION 1.** Chapter 94, Fire Prevention, of the aforesaid Revised General Ordinances is hereby amended and supplemented with the addition of Subsection 94-11, Key Lock Box System” to read as follows:

**94-11 Key Lock Box System**

**94-11.1 Definition:**

*Lock Box:* An Underwriter’s Laboratory type secured box or vault of a size and style approved by the Township Fire Marshal or his designee, which contains key(s) for the exclusive use of the Hardyston Township Fire Department to access the premises in an emergency.

**94-11.2 Key Lock Box Required**

The following structures equipped with or required to be equipped with fire detection or fire suppression systems or equipment shall have a Key Lock Box installed at or near the main entrance of each structure or such other location if requested by the Township Fire Marshal or his designee:

- a. Commercial or business structures protected by an automatic alarm system or automatic suppression system, or such structures that are secured in a manner that restricts access during an emergency.
- b. Governmental structures, churches, schools and nursing care facilities.

c. Multi-family residential structures that have restricted access through locked doors and have a common corridor for access to living units.

### **94-11.3 Key Lock Box location contents and installation**

1. The Township Fire Marshal or his designee shall approve in writing the type of Lock Box.
2. The Township Fire Marshal or his designee shall approve the installation location of the Lock Box.
3. The Lock Box shall be installed as per manufacturer specifications and approved by the Fire Marshal or his designee.
4. The owner of each structure required to have a Lock Box shall, at all times, be required to keep the following in the Lock Box, as required by the Township Fire Marshal or his designee.
  - (a) Keys to locked points of ingress, whether on interior or exterior of such buildings.
  - (b) Keys to the locked mechanical rooms.
  - (c) Keys to the locked elevator rooms.
  - (d) Keys to the elevator controls.
  - (e) Keys to any fence or secured areas.
  - (f) All access or combination codes to locked points of egress or ingress, whether on interior or exterior of such buildings.
  - (g) A “business size” card containing the emergency contact person and phone number for such building or unit.

### **94-11.4 Maintenance and Associated Cost**

In the event, the key to the structure is changed or re-keyed, the owner/operator of the building shall immediately notify the Township Fire Marshal or his designee and provide the updated access key. The key to the lock shall be secured in the key box. The property owner shall assume all associated costs for the purchase and installation of a Key Box(s).

### **94-11.5 Exemption; Compliance**

- (a) The owner(s) of a structure subject to this ordinance in existence on the effective date of this ordinance shall be exempt from compliance with this ordinance.
- (b) The owner(s) of each newly constructed structure subject to this ordinance shall have a lock box installed and operational in accordance with this ordinance prior to issuance of a certificate of occupancy.

### **94-11.6 Violations and Penalties**

Any building owner or operator violating any provision of this Lock Box Ordinance shall be subject to a fine of \$100.00 for every violation of this ordinance. The existence of a violation for a period of up to 30 continuous days shall constitute a single violation. The Township Fire Marshal shall notify the responsible party of any violation in writing. Within 30 days of the service of such notice, the owner/operator shall correct the violation or show why the structure was not subject to this ordinance. The Township Fire Marshal shall consider such information, reaffirm or rescind the Lock Box fine and notify the owner of his/her decision by mail. The owner/operator may appeal the

decision of the Township Fire Marshal within 20 days after service of the notice of decision by submitting an appeal in writing to the Township Council which shall hold a hearing thereon and shall affirm, reverse or modify the decision of the Township Fire Marshal.

**SECTION 2.** All ordinances of the Township of Hardyston which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 11.** If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

**SECTION 4.** This Ordinance may be renumbered for purposes of codification.

**SECTION 5.** This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

**NOTICE**

**PLEASE TAKE NOTICE** that notice is hereby given that the above ordinance was introduced and passed at the regular meeting of the Hardyston Township Council held at the Municipal Building, 149 Wheatsworth Road, Hardyston, New Jersey, on November 1, 2011. The same came up for final adoption at a meeting of the Township Council of the Township of Hardyston held on November 22, 2011, and after all persons present were given the opportunity to be heard concerning the same, it was finally passed, adopted and will be in full force and effect in the Township according to law.

**BY ORDER OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF HARDYSTON.**

**JANE BAKALARCZYK, RMC/CMC  
TOWNSHIP CLERK**