



BOROUGH OF BERLIN
COUNTY OF CAMDEN

ORDINANCE 2021-03

**AN ORDINANCE REQUIRING THE INSTALLATION OF A
KEY LOCK BOX EMERGENCY ACCESS SYSTEM FOR USE BY THE
BERLIN BOROUGH FIRE COMPANY NO. 1 DURING AN EMERGENCY OR ANY
OTHER ACTION DEEMED NECESSARY BY THE BERLIN BOROUGH FIRE
COMPANY NO. 1 AND ADDING PART II, SECTION 80 TO
THE CODE OF THE BOROUGH OF BERLIN**

WHEREAS, the health, safety, and welfare of the citizens of the Borough of Berlin (“Borough”) are promoted by requiring certain structures to have a key lock box installed on the exterior of the structure to aid the Berlin Borough Fire Company No. 1 (“Fire Company”) in gaining access to the structure when responding to calls for emergency service; and

WHEREAS, many buildings are equipped with automatic systems that may cause the Fire Company to be summoned at a time of emergency when the building or business is not occupied or when the occupant is not available to provide the Fire Company entry into the building; and

WHEREAS, the key lock box emergency access system will eliminate costly damage from forcible entry into buildings equipped with automatic systems by the Fire Company checking for fire or other dangerous conditions; and

WHEREAS, the Fire Company can reduce the potential for rapid expansion of fire and other hazardous conditions by quick access and decrease dangers for firefighters; and

WHEREAS, the key lock box emergency access system has been adopted by Section 506 of the International Fire Code 2015, New Jersey Edition; and

WHEREAS, the key lock box emergency access system will operate on a controlled master key basis by the Fire Company; and

WHEREAS, the Borough is authorized to pass this Ordinance pursuant to N.J.S.A. 40:48-2, and pursuant to the Borough’s police powers.

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Berlin, County of Camden and State of New Jersey as follows:

SECTION 1: There is hereby created a Part II, Chapter 80 of the Code of the Borough of Berlin, entitled “Key Lock Box Emergency Access System,” which shall provide as follows:

KEY LOCK BOX EMERGENCY ACCESS SYSTEM

§80-1 Definitions

“*Automatic Dialer*” shall refer to a device that automatically dials and relays a prerecorded message to a central station or the fire company.

“*Automatic Fire Suppression System*” refers to a system or assembly of piping, valves, controls, and sprinklers, which are designed and installed to comply with the National Fire Protection Association (NFPA) standards, which utilize water, foam, carbon dioxide, or other gas to automatically react to suppress fire.

“*Fire Official*” shall refer to the person certified by the Commissioner of the Department of Community Affairs and appointed or designated to direct the enforcement of the code by the appointing authority of the local enforcing agency. This term shall also include “Fire Marshal” where the fire official has been appointed pursuant to N.J.A.C. 5:71-3.2.

“*Central Station*” shall refer to an office of a private company to which remote alarm and supervisory signaling devices are transmitted and where personnel are in attendance at all times to supervise the circuits and investigate signals.

“*Key Lock Box*” shall refer to a secure rapid entry system that is designed to be used by Fire Company Personnel in the event of an emergency to gain entry into a structure by using the enclosed owner-provided key(s). This box is usually mounted on the exterior of the building in a location that is specified by the Fire Official and Construction Official. All boxes shall be UL (Underwriters Laboratories) certified, Knox Box brand, and approved by the Fire Official and Construction Official.

“*Standpipe System*” shall refer to a wet or dry system of piping, valves, outlets and related equipment designed to provide water at specified pressures and installed exclusively for the fighting of fires.

§80-2 Structures to Be Equipped with a Key Lock Box

Unless otherwise determined in writing by the Fire Official, the following structures shall be equipped with a Key Lock Box of a type and size and at a location approved by the Fire Official and Construction Official:

- (a) All new commercial buildings shall be equipped with a Key Lock Box prior to the issuance of the certificate of occupancy.
- (b) All existing commercial buildings constructing additions, major renovations, or changes of use that require Township Zoning or Planning Board approval, shall be equipped with a Key Lock Box prior to the issuance of any necessary permits.
- (c) All existing commercial buildings with new occupancies by tenants shall be equipped with a Key Lock Box prior to the issuance of a Certificate of Continued

Occupancy.

- (d) Each building protected by an automatic fire suppression and/or standpipe system and not manned 24 hours a day, 7 days a week.
- (e) Each building protected by an automatic fire alarm system (automatic dialer, central station, external audible/visual alarm) and not manned 24 hours a day, 7 days a week.
- (f) Multi-family residential structures that have restricted access through locked doors but have a common corridor for access to the living units, including but not limited to condominium buildings.
- (g) Schools, whether public or private.
- (h) Governmental structures and nursing care facilities, unless the building is staffed or open 24 hours a day, 7 days a week.

§80-3 Key Lock Box Contents

The property owner is required at all times to keep a key(s) in the Key Lock Box that will allow access to the structure. The Key Lock Box shall contain, but not be limited to, the following items as designated by the Fire Official:

- (a) Labeled keys to locked points of ingress and egress, whether in interior or exterior of such buildings;
- (b) Labeled keys to the locked mechanical rooms;
- (c) Labeled keys to locked elevator rooms and controls;
- (d) Labeled keys to any fence or secured areas;
- (e) Labeled keys to areas of the building fire alarm panels and fire protection systems are located;

- (f) Labeled keys to any other areas that may be required by the Fire Official;
- (g) A card containing the emergency contact names and phone numbers for such buildings;
- (h) Floor plans of the rooms within the building showing locations of shut-offs;
- (i) Hazardous materials information; and
- (j) An inventory of the keys.

The property owner shall notify the Fire Official when any or all of the locks or keys have been changed and shall keep the immediate area of the Key Lock Box free and clear of any and all obstructions.

§80-4 Registration and Installation of Key Lock Boxes

The property owner shall apply for a registration for a Key Lock Box on forms provided by and obtained from the Fire Official. A registration is required prior to the installation of a Key Lock Box in order to verify the proper size, mounting location and installation of said Key Lock Box. The Key Lock Box shall be installed at a location approved by the Fire Official and the Construction Official. No Key Lock Box shall be installed, voluntarily or otherwise, without first obtaining the approval of the Fire Official and the Construction Official. The property owner shall be responsible for the cost to purchase, install, and maintain the Key Lock Box.

§80-5 Compliance

All existing buildings required to have a Key Lock Box shall comply with this Ordinance one (1) year from its effective date. All newly constructed buildings not yet occupied or buildings currently under construction and all buildings or businesses applying for a certificate of occupancy shall comply immediately upon passage of this Ordinance. In any event, the owner of any structure

in the Borough shall comply with this ordinance within sixty (60) days from receipt of written notice from the Fire Official. The cost of purchasing and installing, along with any cost associated with implementation of the program at a specific property, will be borne by the property owner.

§80-6 Penalties

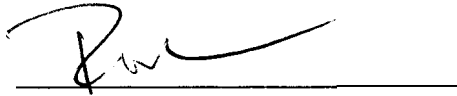
Any property owner failing to comply with this Ordinance shall be subject to a fine of not more than One Thousand (\$1,000) Dollars for each day of violation or non-compliance.

Section 2: All other Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Section 3: If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

Section 4: This Ordinance shall take effect immediately upon final passage and publication as required by law.

BOROUGH OF BERLIN



Rick Miller, Mayor

Introduction:

Moved by: Councilwoman Pearce; **Seconded by:** Councilman Simone
Vote: Motion carried by roll call vote (summary: Yes = 6 No= 0 Absent=0).
Yes: Councilmembers: Badolato, Cummings Simone, Hohing, Miller, Pearce
No: None
Abstain: None
Absent: None

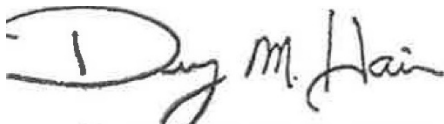
Having been properly introduced, this Ordinance will have a second reading, public hearing and possible adoption will be on March 11, 2021.

I, Dwayne M. Harris, RMC, Municipal Clerk of the Borough of Berlin, hereby certifies the foregoing to be the true and correct actions by the Governing Body at its meeting on Thursday, February 11, 2021.

Adoption:

Moved by: Councilmember Pearce; **Seconded by:** Councilmember Cummings
Vote: Motion carried by roll call vote (summary: Yes = 6; Absent = 0).
Yes: Council members, Badolato, Cummings, Hohing, Miller, Simone, Pearce
No: None
Abstain: None
Absent: None

I, Dwayne M. Harris, RMC, Municipal Clerk of the Borough of Berlin, hereby certifies the foregoing to be a true action of the Governing Body at its Meeting of Thursday, March 11, 2021. WITNESS my hand this 16th day of March 2021.



Dwayne M. Harris, RMC