

MICHIGAN CITY COMMON COUNCIL

ORDINANCE NO. 4077

AN ORDINANCE REQUIRING THE INSTALLATION OF A KEY BOX EMERGENCY ACCESS SYSTEM FOR USE BY THE MICHIGAN CITY FIRE DEPARTMENT DURING AN EMERGENCY OR ANY OTHER ACTION DEEMED NECESSARY BY THE MICHIGAN CITY FIRE DEPARTMENT AND ADDING ARTICLE V TO CHAPTER 54 OF THE MUNICIPAL CODE OF THE CITY OF MICHIGAN CITY, INDIANA

WHEREAS, many buildings are equipped with automatic systems that may cause the Michigan City Fire Department 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 Michigan City Fire Department entry into the building; and

WHEREAS, the health, safety, and welfare of the citizens of Michigan City are promoted by requiring a building equipped with automatic systems to have a key box emergency access system installed on the exterior of the structure to provide the Michigan City Fire Department rapid entry into the building during a time of emergency; and

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

WHEREAS, the Michigan City Fire Department can reduce the potential for rapid extension of fire and other hazardous conditions by quick access and decreasing dangers for firefighters; and

WHEREAS, the key box emergency access system has been adopted by Section 902.4 of the Indiana Fire Code, and the key box emergency access system will operate on a controlled master key basis by the Michigan City Fire Department.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Michigan City that Article V, which shall be entitled “Key Box Emergency Access System” is added to Chapter 54 of the Michigan City Municipal Code and shall read as follows:

Sec. 54-271. Definitions.

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

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 Fire Chief or his designee.

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.

Knox Box (Lock or Key Box) – A high security key vault, which shall refer to a UL type box, standards, size, and style approved by the Fire Official.

Responsible Party shall refer to the property owner of a building subject to this Ordinance.

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.

Sec. 54-272. Mandatory Key Boxes for Fire Suppression and Standpipe Systems.

Each building protected by an automatic fire suppression and/or standpipe system and not manned during a 24 hour, 7-day a week operation, shall be equipped with a key box. The key box shall be a Knox Box type and size approved by the Fire Official.

Sec. 54-273. Mandatory Key Boxes for Fire Alarm System.

Each building protected by an automatic fire alarm system (automatic dialer, central station, external audible/visual alarm) and not manned during a 24 hour, 7-day a week operation, shall be equipped with a key lock box. The key lock box shall be a Knox Box type and size approved by the Fire Official.

Sec. 54-274. Non-Applicability to Certain Dwellings.

This Ordinance shall not apply to owner occupied one and two family dwellings.

Sec. 54-275. Key Lock Boxes.

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

- a. Labeled keys to locked points of 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 where 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 people 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 is to be placed inside all lock boxes.

The responsible party shall notify the Michigan City Fire Department 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.

Sec. 54-276. Registration and Installation of Key Lock Boxes.

The responsible party shall apply for a registration for a lock box on forms provided by and obtained from the Fire Official of the Michigan City Fire Department. A registration is required prior to the installation of a key lock box in order to verify the proper mounting location and installation of said key lock box. The key lock box shall be installed on the front exterior of the building near the main entry door at a location approved by the Fire Official. No key lock box shall be installed, voluntarily or otherwise, without first obtaining the approval of the Fire Official of the Michigan City Fire Department. The responsible party shall be responsible for the cost to purchase, install, and maintain the key lock box.

Sec. 54-277. Compliance.

All existing buildings 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. The cost of purchasing and installing, along with any cost associated with implementation of the program at a specific property, will be born by the responsible party.

Sec. 54-278. Penalty.

The responsible party shall be subject to a fine of \$50.00 for each day of non-compliance with this Ordinance and said total fines shall not exceed \$2,500.00.

This Ordinance shall take effect after the same has been passed by the Council, approved by the Mayor, and any necessary publication.

INTRODUCED BY: /s/ Willie Milsap, Member
Michigan City Common Council

Passed by the Common Council of the City of Michigan City, Indiana, this 1st day of, 2009 by a vote of 9 to 0.

/s/ Robert McKee
President, Common Council

Approved by me, this 2nd day of December, 2009.

/s/ Charles Oberlie
Mayor of Michigan City

ATTEST:

/s/ Thomas F. Fedder, City Clerk