

ARTICLE II  
**Rapid Entry Systems**  
**[Adopted 1-4-2021 by Ord. No. 701]**

**§ 109-8. Purpose.**

- A. The purpose of this article is to protect and promote health, safety, and welfare of the residents of the Borough and particularly commercial businesses.
- B. An ordinance is necessary to require certain commercial and certain residential buildings to install Knox-Boxes<sup>®</sup>.
- C. The benefits of installing Knox-Boxes<sup>®</sup> include providing immediate emergency access to firefighters, leading to increasing Fire Department efficiency; preventing costly forced entry damage and allowing undamaged doors to be secured after the emergency; and protecting property, inventory, equipment and supplies as well as firefighters against possible injury.

**§ 109-9. Definitions.**

As used in this article, the following terms shall have the meanings indicated:

**BUILDING/ZONING OFFICER** — An individual employed by the Borough to oversee and enforce Borough building codes, ordinances, and property maintenance.

**COMMERCIAL BUILDINGS** — Include, and are not limited to, office buildings, industrial property, medical centers, hotels, motels, malls, retail stores, civic buildings, and warehouses.

**FIRE CHIEF, DEPUTY CHIEF** — An appointed/elected head and or deputy head of the Fire Department as voted or appointed by the Department membership.

**KNOX-BOX<sup>®</sup>** — A rapid entry system of secure lock boxes allowing fire personnel the ability to quickly enter a building, minimizing the chance damage to the property or personnel. The Knox-Box<sup>®</sup> brand of system is currently installed in Honesdale fire apparatus, and no other brand of system is compatible.

**RESIDENTIAL PROPERTIES** — Residential properties containing four or more units shall be considered as commercial property for the intent of this article.

**§ 109-10. Knox-Boxes.**

- A. Knox-Box<sup>®</sup> required for new commercial buildings. All new commercial buildings shall have installed a Knox-Box<sup>®</sup>, of an Underwriters' Laboratories (UL) type and size approved by the Borough Fire Chief, in a location specified by the Borough Code Enforcement Office, prior to the issuance of the permit to occupy.
- B. Knox-Box<sup>®</sup> required for existing commercial buildings with improvements. All existing commercial buildings constructing improvements that require Planning Board approval shall have installed a Knox-Box<sup>®</sup>, of an Underwriters' Laboratories (UL) type and size approved by the Borough Fire Chief, in a location specified by

the Borough Code Enforcement Office, prior to the issuance of the construction permit.

- C. Knox-Box<sup>®</sup> required for existing commercial buildings. All existing commercial buildings equipped with automatic fire-detection and/or -suppression systems shall have installed a Knox-Box<sup>®</sup>, of a UL type and size approved by the Borough Fire Chief, in a location specified by the Borough Fire Chief, or other Borough designee, in a timely basis following enactment of this article. A property owner shall also register with the Borough the names, addresses and contact numbers of authorized key holders to the property.
- D. Knox-Box<sup>®</sup> required for multifamily residential structures. All multifamily residential structures of four or more units that have restricted access through locked doors and have a common corridor for access to the living units shall have installed a Knox-Box<sup>®</sup>, of a UL type and size approved by the Borough Fire Chief, in a location specified by the Borough Code Enforcement Office, within six months of the effective date of this article.
- E. Knox-Box<sup>®</sup> contents. All Knox-Boxes<sup>®</sup> shall contain labeled keys, easily identified in the field, to provide access into the property and/or building and to any locked areas within the said building, as the Borough Fire Chief may direct.
- F. Locked gates or driveways. Any locked gates or driveways which allow access to a commercial business are required to place a Fire Department access lock on the said access point to allow immediate emergency access to the commercial property. All locks are to be approved by the Borough Fire Chief.
- G. Violations. Any building owner that violates any part of this article shall be subject to a fine not to exceed \$500 and/or revocation of the certificate of use and/or occupancy relative to the subject premises.

#### **§ 109-11. New buildings.**

All new commercial, industrial storage facilities and apartment buildings with four or more dwelling units shall be required to install a Knox-Box<sup>®</sup> rapid entry system with a tamper switch. Said regulations are as follows:

- A. The Knox-Box<sup>®</sup> shall be located at or near the recognized public entrance of the structure, the specific location to be determined by the Fire Chief or the Code Enforcement Officer.
- B. The specific model of the Knox-Box<sup>®</sup> which is selected by the property owner must have a tamper switch, and the model must be approved by the Fire Chief or Borough Code Enforcement Officer.
- C. The Knox-Box<sup>®</sup> is not required to be connected to an automatic fire alarm.
- D. A use and occupancy permit will not be issued until the Knox-Box<sup>®</sup> has been inspected by the Code Enforcement Officer.

**§ 109-12. Existing buildings.**

All existing commercial, industrial, storage facilities and apartment buildings with four or more dwelling units shall be required to install a Knox-Box<sup>®</sup> rapid entry system with a tamper switch, or register the name, address and contact numbers of authorized key holders to the property with the Borough Fire Chief and Borough Zoning Office. Said regulations are as follows:

- A. The Knox-Box<sup>®</sup> shall be located at or near the recognized public entrance of the structure, the specific location to be determined by the Fire Chief or the Fire Chief's or the Borough's designee.
- B. The specific model of the Knox-Box<sup>®</sup>, which is selected by the property owner, must have a tamper switch, and the model must be approved by the Fire Chief.
- C. The Knox-Box<sup>®</sup> is not required to be connected to an automatic fire alarm.
- D. A use and occupancy permit will not be renewed until the Knox-Box<sup>®</sup> has been inspected by the Code Enforcement Officer.
- E. Owners of existing structures must comply with this section within 12 months of its adoption or face possible violations.

**§ 109-13. Records and forms.**

It is the duty and responsibility of the Fire Chief and the Borough Secretary to maintain all records and forms pertaining to the Knox-Box<sup>®</sup> rapid entry systems.

**§ 109-14. Keys to lockbox.**

- A. The Fire Chief shall hold a Knox-Box<sup>®</sup> key. The Knox-Box<sup>®</sup> keys shall be turned over to acting personnel only if the Fire Chief is unavailable.
- B. The Honesdale Fire Company shall hold a key in each apparatus that is equipped with a Knox-Box<sup>®</sup> lockbox. The Fire Chief will be notified as to which apparatus contains the keys. If, for any reason, the apparatus is out of service, the keys shall be placed on another available apparatus. If there is no available apparatus, the keys will be returned to the Fire Chief.
- C. The Fire Chief shall be responsible for the placement of the keys on the apparatus.

**§ 109-15. Building keys.**

The Honesdale Borough Fire Chief shall place all building keys within the Knox-Box<sup>®</sup>. The Fire Chief shall follow the regulations as outlined by the Knox-Box<sup>®</sup> manufacturer when ordering keys and boxes. In the Fire Chief's absence, the Deputy Fire Chief shall perform these duties.

**§ 109-16. Access to lockbox.**

- A. No member or police officer, other than the Fire Chief and designated officers

deemed by the Fire Chief, may gain entry to a Knox-Box<sup>®</sup> unless there is an alarm activation or other emergency to the life and/or safety of the building occupants.

- B. Upon activation of an alarm which is connected to a Knox-Box<sup>®</sup>, the Fire Chief or any other line officer of the Fire Company shall enter the box to secure a key for entry into the building. When all Fire Company activity is complete at the designated location, it shall be the responsibility of the Fire Chief or, in their absence, the officer in charge, to ensure that the keys to the building have been placed in the box and the box is secure.
- C. No member or officer of the Fire Company, including the Fire Chief, may access a Knox-Box<sup>®</sup> to allow a building owner or a company representative, contractor or any other person, including any Borough official or employee, access to the structure.
- D. No member or officer of the Fire Company and no other Borough official or employee shall duplicate any access key to a Knox-Box<sup>®</sup>.

#### **§ 109-17. Contents of box.**

The box shall contain the following:

- A. Keys. Keys shall be labeled so as to be easily identified in the field. The following keys shall be included:
  - (1) The main entrance door.
  - (2) Alarm room (if one exists).
  - (3) Mechanical rooms and sprinkler control rooms (if one exists).
  - (4) Fire alarm control panel (if one exists).
  - (5) Electrical rooms (if one exists).
  - (6) Special keys to reset pull-stations or other fire protection devices.
  - (7) Elevator keys, if required.
  - (8) All other rooms as directed by the Fire Chief.
- B. A current list of key facility personnel knowledgeable about safety procedures of materials on-site, complete with telephone numbers of such personnel in the event of an incident after normal hours of operation.

#### **§ 109-18. Chained gates and chained areas.**

Methods of opening gates or areas for emergency access must be one of the following:

- A. Padlock and chain with links no larger than one-fourth inch in diameter. In case of emergency, the Fire Company will utilize bolt cutters and cut the chain in order to gain access.

- B. Knox<sup>®</sup> padlock.
- C. Knox<sup>®</sup> lockbox.

**§ 109-19. Exceptions.**

The following types of properties are exempt from this article:

- A. Private residence in single-family homes.
- B. Multifamily homes of less than four units.
- C. Buildings that are open and manned 24 hours a day.

**§ 109-20. Optional exemptions.**

- A. Although not encouraged, the owner of a premises required to install a Knox-Box<sup>®</sup> under § 109-12 may elect an exemption under the terms of this article by signing a waiver/release/hold harmless form adopted by the Borough. In that event, the subject property shall be exempt from installing a Knock Box.
- B. In the event an owner elects an exemption as provided for herein, the emergency services unit responding to an emergency at an "exemption" premises shall employ any and all necessary force to gain access to the subject premises. It is also understood by execution of an exemption that emergency services responding to the subject premises may be delayed in providing emergency services necessitated by their presence.
- C. Execution of the waiver/release/hold harmless form and the general exemption provided for herein shall constitute a full and complete waiver of any claims, actions, suits, or similar demands of Honesdale Borough, the Honesdale Fire Department, any ambulance service or any other emergency service provider.
- D. Execution of the waiver/release/hold harmless form and the general exemption provided for herein shall constitute a full and complete assumption of any and all risk or risks associated with the property owner's request for exemption under the rapid entry provisions contemplated hereunder.

**§ 109-21. Repealer.**

Any ordinance or part(s) thereof inconsistent herewith are hereby repealed.

**§ 109-22. Saving provisions.**

Should any section, subsection, clause, provision or other portion of this article be declared invalid by any court of competent jurisdiction, such decision shall not affect the validity of the remainder of this article, the Borough Council of Honesdale Borough having adopted this article as if such invalid portions had not been included therein.

**§ 109-23. When effective.**

This article shall become effective five days after the adoption thereof.