

# TOWN OF KENNEBUNKPORT

## *KEY LOCK BOX ORDINANCE*

### SECTION 1: TITLE.

This Ordinance shall be known as the Town of Kennebunkport Key Lock Box Ordinance (the "Ordinance").

### SECTION 2: AUTHORITY.

This Ordinance is enacted in accordance with 30-A M.R.S.A 3001 *et. seq.*, as may be amended.

### SECTION 3: PURPOSE.

The Town of Kennebunkport determines that the health, safety and welfare of residents and property owners of the Town are promoted by a requirement that certain properties shall have a key lock box installed on the exterior of the structure(s) or at the gated entrance to aid the Kennebunkport Fire Department (KPF) and Kennebunkport Emergency Medical Services (KEMS) with gaining access to or within a structure when responding to calls for emergency service, and to aid access into or within a building that is secured or is unduly difficult to gain entry to due to being either unoccupied or the occupants being unable to respond.

### SECTION 4: DEFINITIONS.

Fire Chief: the person duly appointed as the Fire Chief of the Town of Kennebunkport.

Structure(s): a habitable space with floor to ceiling height of over 7'-0".

Key Lock Box: a secured box or vault of a size and style approved by the Fire Chief or his/her designee, which contains key(s) for the exclusive use of the KPF and KEMS to access the property and premises in an emergency.

## **SECTION 5: INSTALLATION REQUIRED.**

New Structures: The following structures built after October 1, 2017 shall be equipped with a key lock box at or near the main entrance or such other location as required by the Fire Chief or his/her designee:

- Commercial and industrial structure; and
- All structures, including residential structures, protected by an automatic fire alarm system or automatic suppression system; and
- All properties having a security gate at the vehicular entrance to the property.

Existing Structures: Additions or renovations greater than \$20,000 to any structure that has an automatic fire alarm system or an automatic suppression system existing as of October 1, 2017, shall be equipped with a key lock box at or near the main entrance or such other location as required by the Fire Chief or his/her designee.

## **SECTION 6: GENERAL REQUIREMENTS.**

- A. The approved manufacturer of the lock box system used in the Town of Kennebunkport shall be by the Knox Company of Phoenix, AZ. Brand name "Knox Box".
- B. The Fire Chief or his/her designee shall approve the location and style of the key lock box at the time the building permit is issued. All properties subject to this Ordinance shall have the key lock box installed and operational prior to the issuance of an occupancy permit. Or soon as the property is monitored by a 3<sup>rd</sup> party company.
- C. The number of keys in the lock box cannot exceed the maximum number recommended by the Knox Company. Each key shall be labeled.
- D. All properties with an electronic security gate shall have the lock box installed outside of the gate with the gate access code and required keys inside.
- E. The Fire Chief or his/her designee shall approve any changes in the lock box installation.
- F. Purchase, installation and maintenance of any required lock box is the sole responsibility of the property owner and/or occupant.

## **SECTION 7: MAINTENANCE.**

The owner or operator of the property shall immediately notify the Fire Chief or his/her designee when any locks are added, changed or rekeyed. Additional labeled keys, access cards or access codes shall be added to the lock box immediately, if old keys, access cards or access codes are no longer effective.

## **SECTION 8: VIOLATIONS.**

Any entity violating any of the provisions of this Ordinance or failing or neglecting or refusing to obey any order or notice of the Fire Chief or his/her designee issues hereunder shall be subject to a penalty as provided herein.

## **SECTION 9. CIVIL PENALTIES.**

Any person who is found to be in violation of any provision of this Ordinance shall be subject to a civil penalty of not less than five hundred dollars (\$500.00) and not more than two thousand five hundred dollars (\$2,500.00), or as otherwise provided by 30-A M.R.S.A. §4452, as may be amended from time to time. Each violation of a separate provision of this Ordinance, and each day of violation, shall constitute separate offenses. In addition, if the Town is the prevailing party in an enforcement action, said person shall also be liable for all reasonable expenses incurred by the Town in the enforcement of this Ordinance, including, but not limited to, attorney's fees and costs. All civil penalties shall inure to the benefit of the Town of Kennebunkport.

## **SECTION 10: SEVERABILITY, AMENDMENTS AND ADOPTION.**

Severability: The invalidity of any portion of this Ordinance shall not invalidate any other part thereof.

Amendments: This Ordinance may be amended from time to time in accordance with the provisions of 30-A M.R.S.A. §3002, as may be amended.

Adoption: This Ordinance was submitted to the voters of the Town of Kennebunkport and shall be effective upon its adoption by Town Meeting.

ADOPTED: June 13, 2017

