

SECOND READING OF AN ORDINANCE REQUIRING STRUCTURES TO HAVE A KEY
LOCK BOX INSTALLED ON THE EXTERIOR OF THE STRUCTURE FOR FIRE SAFETY
PURPOSE

The Common Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, do ordain as follows:

SECTION 1. Whitewater Municipal Code Chapter 14.15 is hereby created to read as follows:

14.15.010	Declaration of Purpose
14.15.020	Key Lock Box System
14.15.030	Installation
14.15.040	Maintenance
14.15.050	Contents of Lock Box
14.15.060	Fire Department Responsibilities
14.15.070	Exceptions to Requirement to Install a Key Lock Box System
14.15.080	Penalties
14.15.090	Invalid Provisions

14.15.010 Declaration of Purpose.

- a. The City of Whitewater, Wisconsin Common Council hereby determines that the health, safety, and welfare of the citizens of the City of Whitewater, Wisconsin are promoted and safeguarded by requiring certain structures to have a key lock box installed on the exterior of the structure to aid the City of Whitewater, Wisconsin Fire Department to gain access to the structure when the same is not occupied or when the occupants are unable to grant ingress to the Fire Department.
- b. The key lock box system will reduce the need for forced entry into structures and should avoid costly and time-consuming efforts in gaining access to locked structures during an emergency.
- c. This section will provide for effective fire protection by providing a method for rapid response entry into and throughout locked buildings in emergency situations where time may be of the essence.

14.15.20 Key Lock Box System. The following structures shall be equipped with a key lock box at or near the main entrance or such other location as required by the Fire Chief.

14.15.21 Commercial and Industrial Structures.

- a. Multi-family-residential structures that have restricted access through locked doors but have a common corridor for access to the living units.
Schools, whether public or private.
Government structures and nursing care facilities
- b. All new construction of structures listed above, and remodeling of structures listed above that are required to have a building permit issued, shall have a key lock box installed and operational, based on the discretion of the Fire Chief, prior to the issuance of an occupancy permit. All structures in existence on the effective date of this section shall have a key lock box installed and operational within six months of the effective date of the Ordinance, unless an extension is granted by the Fire Chief.

- c. The type of key lock boxes to be implemented within the City of Whitewater, Wisconsin shall be subject to the approval of the Fire Chief.

14.15.30 Installation.

- a. All lock boxes shall be installed on the lock side of the main business door.
- b. All lock boxes shall be flush or surface mounted between five (5) and seven (7) feet from the ground to the center of the entry if possible.
- c. In the event that the rapid entry box system cannot be installed at the aforesaid location and/or height, the City of Whitewater Fire Chief may designate in writing a different location and installation specifications.
- d. All realty and/or property with an electronic security gate shall have the lock box installed outside of the gate.
- e. A window decal that is included when the lock box is delivered shall be placed on the exterior access door to alert the fire department that a key box is provided.
- f. The Fire Chief must approve any changes in the installation.

14.15.040 Maintenance. The operator of the building shall immediately notify the Fire Chief and provide the new keys when a lock box key is changed or rekeyed.

14.15.050 Contents of Lock Box. The contents of the lock box shall be as follows:

- a. Keys to locked points of ingress or egress, whether on the interior or exterior of such buildings.
- b. Keys to all mechanical rooms.
- c. Keys to all locked electrical rooms.
- d. Keys to elevator and their control rooms.
- e. Keys to the Fire Alarm panels.
- f. Keys (special) to re-set pull stations or other Fire Protective devices.
- g. Keys to any other areas as requested by the Fire Chief.

14.15.60 Fire Department Responsibilities.

- a. No fire department personnel shall carry a lock box key.
- b. All lock box access keys shall be installed in a lock box Key Secure system installed in the Fire Apparatus.

14.15.070 Exceptions To Requirement To Install A Key Lock Box System. The following structures are encouraged to, but are exempt from the mandate to install a key lock box system:

- a. Single family structures and multi-family structures that do not meet the definition set forth in Section 14.15.20.
- b. Structures that have 24 hour, 365 day on-site security personnel, or have other personnel on site.
- c. Businesses that are open and staffed 24 hours, 365 days per year (which may include but are not limited to, Nursing Homes, Hospitals, Police Stations. etc.).
- d. Rental storage facilities where there are locks on the separate storage pods, however, locked entry security gates will require a lock box.

14.15.080 Penalties. The penalty for any person, entity or corporation who has violated any provisions of this ordinance or who has failed to comply with any order issued by Fire Chief, or

his designee, or has failed to comply with any order issued pursuant to any section thereof shall, upon conviction before the proper judicial authority, pay a forfeiture of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) per day for each violation, together with cost of prosecution. Each day a violation continues shall be considered a separate offense.

15.15.090 Invalid Provisions. If any sentence, clause or section or any part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses or sections or parts of the same contained in this Ordinance. It is hereby declared as the intent of City of Whitewater, Wisconsin Common Council that this Ordinance would have been adopted even if such unconstitutionality, illegality or invalid sentence, clause or section or part thereof had not been included therein.

Ordinance introduced by Councilmember Abbott, who moved its adoption. Seconded by Councilmember Binnie. AYES: Stauffer, Abbott, Grady, Binnie, Singer, Kidd, Langnes. NOES: None. ABSENT: None. ADOPTED: July 7, 2015.

Cameron L. Clapper, City Manager

Michele R. Smith, City Clerk