

ORDINANCE 13-12

AN ORDINANCE OF THE CITY OF SOUTH PADRE ISLAND, TEXAS, AMENDING CHAPTER 8, FIRE PROTECTION AND PREVENTION, OF THE CODE OF ORDINANCES OF THE CITY OF SOUTH PADRE ISLAND TO ADD SECTION 8-25 REQUIRING INSTALLATION OF KEY LOCK BOX SYSTEMS (KNOX BOX) FOR MULTIFAMILY RESIDENTIAL AND COMMERCIAL BUILDINGS FOR BOTH NEW CONSTRUCTION AND EXISTING STRUCTURES; PROVIDING A PENALTY NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH VIOLATION; PROVIDING FOR THE EFFECTIVE DATE OF THE ORDINANCE; AND PROVIDING PUBLICATION IN CAPTION FORM.

WHEREAS, an ordinance is necessary to require certain commercial and multifamily residential buildings to install Knox Boxes (key lock box systems); and

WHEREAS, the benefits of installing Knox Boxes include providing immediate emergency access to firefighters leading to increasing Fire Department efficiency; preventing costly forced entry damage and allowing undamaged doors to be re-secured after the emergency; and protecting property, inventory, equipment, and supplies, as well as firefighters and the general public against possible injuries.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOUTH PADRE ISLAND, TEXAS:

Section 1. The Code of Ordinances of the City of South Padre Island is hereby amended to add new Sec. 8-25 to Chapter 8 to read as follows, to-wit:

"Sec.8-25 - Knox Box Entry System - Required.

(A) PURPOSE

The City Council of South Padre Island determined that the health welfare and safety of the citizens and business owners of the City of South Padre Island are promoted by requiring certain structures to have a key lock box installed on the exterior of the structure to aid the South Padre Island Fire Department with gaining access to or within a structure when responding to calls for an emergency service, and to aid access into or within a building that is secured or is unduly difficult to gain entry due to being either unoccupied or the occupants are unable to respond.

(B) LOCKBOX SYSTEM (KNOX BOX)

1. The following structures shall be equipped with a lock box at or near the main entrance or such other location as required by the Fire Chief or designee:
 - (a) Commercial or industrial structures protected by an automatic fire alarm system or automatic suppression system, or such structures that are secured in such a manner that restricts access during an emergency. (metal roll up entry doors, etc.)

(b) Multi-family-residential structures comprised of four or more units that have restricted access through locked main complex entry access doors and have a common corridor for access to the living units.

(c) All multiple story commercial/business occupancies that have elevators serving upper floors

(d) Any premises with manual or power operated gates necessary to be opened for Fire Department access.

2. All new construction and new occupancies by tenants subject to this section shall have a key lock box installed and operational prior to the issuance of an occupancy permit. All structures in existence on the effective date of this section and subject to this Section shall have three (3) months from enactment date of this ordinance to have a key lock box installed and operational.
3. The type of lock boxes to be implemented within the City shall be a Knox Box brand system.

(C) INSTALLATION

1. The size and model of the Knox Box installed shall be determined by the number of keys to be placed in the box and the specifications set forth by the Knox Box manufacturer.
2. Number of keys in the Knox Box cannot exceed the maximum number recommended by the box manufacturer. Each key must be labeled.
3. All Knox Boxes shall be installed to the left side of the main business door or in a specified location as directed by the Fire Chief or his/her designee.
4. All Knox Boxes shall be mounted sixty inches from the ground.
5. In the event that the Knox Box cannot be installed at the aforesaid location and/or height, the Fire Chief or his/her designee may designate in writing a different location and installation specifications.
6. All Knox Boxes may have a Tamper Switch installed in the building as an intrusion/burglar alarm.
7. All realty and/or property with an electronic security gate shall have the Knox Box installed OUTSIDE of the gate with the access code and required keys inside.
8. The Fire Chief or designee must approve any changes in the installation.
9. Purchase and installation of the Knox Box will be the sole responsibility of the building owner, property owner, condominium association or property owner association.

(D) MAINTENANCE. The operator of the building shall immediately notify the Fire Chief or designee when any locks are added, changed or rekeyed. Additional labeled keys, access cards or access codes should be added to the Knox Box immediately if the old keys, access cards or access codes are no longer effective.

(E) CONTENTS OF LOCK BOX. The contents of the lock box should include, but are not limited to, the following:

1. Keys to locked main points of ingress or egress, whether on the interior or exterior of such buildings.
2. Keys to all mechanical rooms.
3. Keys to all locked electrical and utility rooms.
4. Keys to elevator and their control rooms.
5. Keys to the Fire Alarm panels and Fire Suppression Systems.
6. Keys to re-set pull stations or other Fire Protective devices.
7. Building Access Cards, as needed.
8. Keys to any other areas as requested by the Fire Chief or designee.

9. Card containing the names of building emergency contact personnel and their telephone numbers in the event of an emergency
10. Any fenced or secured areas

Note: The contents of the lock box must be *labeled* whether they are keys, cards or codes.

(F) FIRE DEPARTMENT RESPONSIBILITIES. No fire department personnel shall carry a Knox Box Master Key unless at an emergency scene.

(G) EXCEPTIONS TO REQUIREMENT TO INSTALL A LOCK BOX SYSTEM

The following structures are exempt from the mandate to install a key lock box system:

1. Single-family structures and multi-family structures that do not meet the definition set forth in Sec. 8-25 (B)1.
2. Businesses or properties that are open and staffed 24 hours, 365 days per year.
3. Rental storage facilities where there is a single lock on the separate storage pods that are renter supplied; provided, however, the entry security gates(s) will require a Knox Box if electronically controlled, or locked with a master key issued by the landlord to all tenants."

Section 2. Any violation of this Ordinance may be punished by a fine not to exceed Two Thousand Dollars (\$2,000.00) for each offense or for each day such offense shall continue, and the penalty provisions of Section 21-1 of the Code of Ordinances is hereby adopted and incorporated for all purposes.

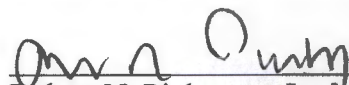
Section 3. If for any reasons, any section, paragraph, subdivision, clause, phrase, word, or provision of this Ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word, or provisions of this Ordinance, for it is the definite intent of this City Council that every section, paragraph, subdivision, clause, phrase, word, or provision hereof be given full force and effect for its purpose.

Section 4. This Ordinance shall become effective when published by publishing its caption.

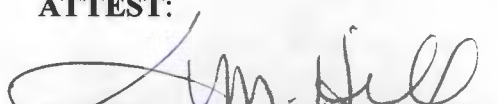
PASSED, APPROVED AND ADOPTED on First Reading this 18th day of September, 2013.

PASSED, APPROVED AND ADOPTED on Second Reading this 2nd day of October, 2013.

CITY OF SOUTH PADRE ISLAND, TEXAS


Robert N. Pinkerton, Jr., Mayor

ATTEST:


Susan M. Hill, City Secretary

