

ORDINANCE NO. 3 of 2025

AN ORDINANCE OF BOARD OF COMMISSIONERS OF THE TOWNSHIP OF NEWPORT ADOPTING AN ORDINANCE REQUIRING CERTAIN STRUCTURES WITHIN THE TOWNSHIP OF NEWPORT TO HAVE A KNOX BOX INSTALLED ON THE EXTERIOR OF THE STRUCTURE FOR FIRE SAFETY PURPOSES

WHEREAS, the Township of Newport believes that the health, safety and welfare of the residents of the Township of Newport generally, and of the fire fighters serving the Township specifically, will be promoted by requiring certain structures to have a Knox Box installed on the exterior of the structure to aid the fire departments serving the Township to be able to gain prompt access to the structure and vital information concerning the structure and its contents when responding to calls for emergency service; and

WHEREAS, the Knox Box will operate on a master key basis which will expedite entry and eliminate forced entries into structures and the damage resulting therefrom, thereby avoiding costly and time-consuming efforts in gaining access to locked and/or unoccupied structures during an emergency.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Commissioners of the Township of Newport and it is hereby Ordained and Enacted by the authority of the same as follows:

SECTION 1. TITLE.

The Ordinance shall be known and may be cited as the "Township of Newport Knox Box System Ordinance".

SECTION 2. PURPOSE.

The purpose of this Ordinance is to protect the health, safety, and welfare of persons and property within the Township of Newport by requiring certain structures to have a Knox Box installed on the exterior of the structure. A Knox Box will allow the Newport Township Fire Department to gain access to a structure when responding to a call for emergency service. The implementation of a Knox Box System by the Township will eliminate forced entries into structures thereby avoiding costly and time-consuming efforts by the Fire Department to gain access to locked structures during an emergency.

SECTION 3. DEFINITIONS.

- A. **BUILDING** means any structure intended for shelter, housing or enclosure of persons, animals, or property.
- B. **COMMERCIAL USE** means a building where an occupation, employment, or enterprise is carried by the owner, lessee, or licensee. The use includes, but is not

limited to, retail sales, offices, warehouses, services, and the sale of goods or services.

- C. DESIGNATED FIRE DEPARTMENT means the Fire Department designated by the Township of Newport to provide fire protection within the Township of Newport. The Fire Department designated by the Township at the time of adoption of this Ordinance is the Newport Township Fire Department and mutual aid departments designated by the Fire Chief.
- D. FIRE CHIEF means the Fire Chief of the Fire Department designated by the Township of Newport to provide fire protection within the Township of Newport. The Fire Chief at the time of the adoption of this Ordinance means the Fire Chief or the Fire Chief's designee of the Township of Newport.
- E. INDUSTRIAL means a use engaged in the processing, manufacturing, or warehousing of goods, including processing, fabrication, assembly, treatment, packaging, storage, sales, or distribution of goods.
- F. INSTITUTIONAL USE means a use which provides medical, educational, social, health, governmental, or rehabilitative services.
- G. KNOX BOX is a small, wall-mounted safe that holds building keys for fire departments, emergency medical services, and sometimes police to retrieve in emergency situations. Local fire departments hold master keys to all Knox Boxes in their response area, enabling them to quickly enter buildings in their area without having to force entry or find individual keys held in deposit at the station.
- H. OWNER shall mean each individual person who holds record title to the real estate as of the date of the offense and, if the real estate is not owned by individual person(s), with respect to corporations, means the chief executive officer of the corporation, and with respect to partnerships and joint ventures, means each partner or joint venturer except that in limited partnership situations, the word "owner" shall mean managing partner(s) and shall exclude limited partners unless they are also managing partners.
- I. PERSON includes any person, partnership, firm, association, corporation, or other legal entity.
- J. RESPONSIBLE PARTY means the person owning the property or structure and charged with the responsibility for the use or occupancy of the structure. In the event that the structure is tenant occupied, the responsible party shall be the landlord or owner of the structure.
- K. STRUCTURE means any man-made object, the use of which requires an ascertainable stationary location on land, whether or not it is affixed to the land.

SECTION 4. MANDATORY PARTICIPATION IN KNOX BOX SYSTEM.

- A. All new commercial, institutional, and industrial buildings under construction and requiring permitting as such that are protected by an automatic alarm system or automatic suppression system, or such structures that are secured in a manner that restricts access during an emergency shall be equipped with a Knox Box at or near the main entrance or such other location required by the Fire Chief.
- B. The following structures, which currently exist or result from a change of use, shall be equipped with a Knox Box at or near the main entrance or such other location as required by the Fire Chief:
 - (1) Multifamily residential structures that have restricted access through locked doors but have a common corridor for access to the living units;
 - (2) Schools, whether public or private;
 - (3) Governmental structures and nursing care facilities, unless the building is staffed or open 24 hours;
 - (4) Facilities storing bulk hazardous materials as defined by 49 CFR 171.8. These include quantities exceeding 119 gallons of wet product, 882 pounds of dry product, or 1000 pounds of a gas product;
 - (5) Commercial properties with restricted access due to the installation of a gate and/or fence.

SECTION 5. VOLUNTARY PARTICIPATION; KEY KNOX BOX SYSTEM.

The responsible party of any use not required to participate in the Knox Box System under SECTION 4 above may voluntarily participate in the Knox Box System with consent of the Fire Chief.

SECTION 6. CONTENTS OF KNOX BOXES

All Knox Boxes shall contain:

- A. Labeled keys indicating each unit number when a building has more than one unit.
- B. Labeled keys identifying locked points of ingress and egress, whether in the interior or exterior of the structure.
- C. Labeled keys to locked mechanical rooms.
- D. Labeled keys to any other areas that may be designated or required by the Fire Chief.
- E. Emergency contact information.

- F. Keys to fire alarm panels.
- G. Elevator keys.
- H. Keys to reset pull stations.

SECTION 7. KNOX BOX SYSTEM REGULATIONS.

The following regulations shall apply to a responsible party participating in the Knox Box System:

- A. All newly constructed structures subject to this Ordinance under SECTION 4 above shall have the Knox Box installed and operational prior to the issuance of any occupancy permit by the Building Code Official.
- B. The type of Lock Box used by a responsible party shall be a Knox Box brand system. All costs associated with the purchase of the Knox Box will be at the expense of the responsible party.
- C. All Knox Boxes shall be installed near the main business doors. The final mounting location shall be approved by the Fire Chief.
- D. All Knox Boxes shall be mounted 60 inches from the ground to the center of the entry, if possible.
- E. In the event that the Knox Box cannot be installed at the aforesaid location and/or height, the Fire Chief may designate, in writing, a different location and installation specifications.
- F. All realty and/or property, protected by a locked fence or security gate, shall provide the Newport Township Fire Department with the access code, key or any other means for entry to the property.
- G. The Fire Chief must approve any changes in the installation.
- H. Any Responsible Party participating in the Knox Box System shall, at all times, maintain the contents of the lock box as required under SECTION 6 above.

SECTION 8. EXCEPTIONS.

The following structures are exempt from the mandate to install a Knox Box:

- A. Single-family structures and multifamily structures that do not meet the definition set forth in SECTION 4(B)(1) of this Ordinance.
- B. Structures that have 24 hours, 365 days per year on-site security personnel or have other personnel on site. The Owner must certify and demonstrate to the Fire Chief that the structure qualifies for this exception.

- 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.). The Owner must certify and demonstrate to the Fire Chief that the structure qualifies for this exception.
- D. Rental storage facilities where there is a single lock on the separate storage pods that are renter supplied; provided, however, the entry security gate(s) will require the facility owner to provide the Fire Department with an entry code if electronically controlled. The Owner must certify and demonstrate to the Fire Chief that the structure qualifies for this exception.
- E. In the event that a structure previously qualified for an exemption pursuant to this Section has its use altered so as to no longer qualify for the exemption specified herein, such structure shall have a Knox Box installed within 60 days of such alteration of use.

SECTION 9. JURISDICTION AND ENFORCEMENT.

- A. The District Justice shall have initial jurisdiction over proceedings brought under this Ordinance.
- B. This Ordinance may be enforced by the Code Enforcement Officer, the Building Code Official, or Fire Chief by either Civil Enforcement or Summary Enforcement as set forth below.
- C. Any responsible party who has violated or permitted the violation of any of the provisions of this Ordinance shall, upon conviction thereof in a summary proceeding, be subject to a fine of not more than three hundred (\$300.00) dollars, or imprisonment for a term not to exceed thirty (30) days, or both, at the discretion of the Court. Each day that a violation continues shall constitute a separate offense.

SECTION 10. SEVERABILITY.

The provisions of this Ordinance are severable and if any section, sentence, clause, revision, part or other portion hereof shall be held to be unconstitutional, illegal, invalid or otherwise ineffective, the validity of the remaining provisions shall be unaffected thereby. It is the intention of the Board of Commissioners of the Township of Newport that this Ordinance would have been adopted had such unconstitutional, illegal, invalid, or otherwise ineffective section, sentence clause, or provision, part or other portion not been included herein.

SECTION 11. REPEALER.

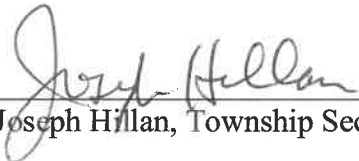
All Ordinances or parts of Ordinances of the Township of Newport in conflict with this Ordinance to the extent of such conflict, and no further, are hereby repealed.

SECTION 12. EFFECTIVE DATE.

This Ordinance shall become effective as provided by the Township of Newport.

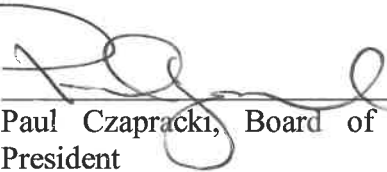
ORDAINED and ENACTED by the BOARD OF COMMISSIONERS OF THE TOWNSHIP OF NEWPORT, this 3rd day of March, 2025.

ATTEST:



Joseph Hillan, Township Secretary

TOWNSHIP OF NEWPORT:



Paul Czapracki, Board of Commissioners
President