

Sponsor: Kitchin/Smith

ORDINANCE NO. 30-13

AN ORDINANCE TO ADOPTING THE USE OF KEY LOCK BOXES TO BE USED BY THE JACKSON FIRE DEPARTMENT AND INCLUDING SAID ORDINANCE WITHIN THE CODIFIED ORDINANCES OF THE CITY OF JACKSON AND DECLARING AN EMERGENCY.

WHEREAS, the present, general and permanent ordinances of the political subdivision of the City of Jackson are incomplete in form and substance for the complete preservation of the public peace, safety, and general welfare of the municipality concerning the requirement and use of a key lock box system to be used by the Jackson City Fire Department in responding to emergencies in businesses and commercial establishments; and

WHEREAS, the acts of the legislature of the State of Ohio empower and authorize the political subdivision of the City of Jackson, Ohio to create new ordinances not therefore adopted; and

WHEREAS, it is necessary that the City of Jackson adopt rules and regulations requiring the use of a key lock box system to be placed at or near the main entrance of commercial, industrial, multi-family residential, governmental and nursing, mercantile commercial and business structures to allow the Jackson Fire Department access to said structures in the event of an emergency and that this matter is necessary to protect the health and safety of the City and its citizens and is an emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JACKSON, OHIO THAT THE RULES AND REGULATIONS SET FORTH IN EXHIBIT A ATTACHED HERETO BE ADOPTED AND INCLUDED IN THE CODIFIED ORDINANCES OF THE CITY OF JACKSON AT SECTION ~~124.04~~ AND ~~124.99~~ AND THAT THE SAME BE ADOPTED AS THE LAW OF THE CITY OF JACKSON AND DECLARING AN EMERGENCY.

In the event this Ordinance receives a majority vote for passage but fails to receive the required number of votes to pass as an emergency, then this Ordinance shall be deemed to have passed but with no emergency clause, and shall take effect at the earliest time permitted by law.

It is hereby found and determined that all formal acts of this council concerning and relating to adoption of this Ordinance were adopted in an open meeting of this council and that the deliberations of the council and any of its committees resulted in such formal action, wherein meeting open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

PASSED AND ADOPTED by the Legislative Authority of the Political Subdivision on this 12 day of August, 2013.

Reece B. Smith
President of Council

ATTEST:

Debra Brown
Clerk of the Legislative Authority

Approved this 12th day of August, 2013.

Randy R. Heath
Mayor

CHAPTER 129

Key Lock Box

129.04 Key lock box systems

129.99 Penalty

129.04 KEY LOCK BOX SYSTEMS.

(a) A key lock box system shall be installed at or near the main entrance or such location as required by the Fire Official at all of the following structures that have been newly constructed or remodeled after the effective date of this ordinance:

- (1) Commercial or industrial structures protected by an automatic suppression system, or such structures that are secured in a manner that restricts access during an emergency;
- (2) Multi-family residential structures that have restricted access through locked doors and have a common corridor for access to the living units.
- (3) Governmental and nursing structures;
- (4) Any mercantile, commercial or business that does not have a 24-hour operation;
- (5) Any facility determined to be highly hazardous by the Fire Official and, if the facility is within the jurisdiction of the Emergency Response Commission pursuant to chapter 3750 of the O.R.C., with which the Fire Official has either made an agreement with the facility owner or obtained an order, pursuant to R.C. 3750.11;
- (6) Any structure deemed necessary by the Fire Official.

(b) The owner or operator of a structure required to have a lock box shall, at all times, maintain a key in the lock box that will allow access to the structure.

(c) The Fire Chief, shall be the designated Fire Official, and shall be authorized to implement rules and regulations for the use of the lock box system.

(d) Key lock boxes shall be of a type of material and construction acceptable by the fire official. Installation of devices shall be the responsibility of the property owner.

129.99 PENALTY.

(a) Whoever violates Section 129.04 is guilty of a minor misdemeanor.
(O. R. C. 3737.99 (C))