

ORDINANCE NO. 38

TOWNSHIP OF BARODA, BERRIEN COUNTY, STATE OF MICHIGAN

**ORDINANCE TO REQUIRE RAPID ACCESS SYSTEM
IN COMMERCIAL BUILDINGS**

ADOPTED: May 18th, 2020

Effective: July 1st, 2020

An Ordinance to require all commercial buildings to install a Rapid Access System (a/k/a "Knox Box"), including providing immediate emergency access for firefighters, leading to increased Fire Department efficiency; preventing costly forced entry damage and allowing undamaged doors to be re-secured after the emergency; protecting property, inventory, equipment and supplies; as well as protecting firefighters against possible injuries and to provide for public health, safety and general welfare of persons and property.

THE TOWNSHIP OF BARODA, BERRIEN COUNTY, MICHIGAN ORDAINS:

SECTION 1. Title.

This Ordinance shall be known as and may be cited as the Baroda Township Ordinance to Require Rapid Access System in Commercial Buildings.

SECTION 2. Authority.

This Ordinance is established pursuant to the General Law Township Act, as amended by P.A. 1989, No. 78, MCL 41.181, Act 8 of 1967 (Ex. Sess.); and (MCL 124.531 *et seq.*).

SECTION 3. Definitions

"Knox Box" means a secure Rapid Access Entry System that is designed to be used by Emergency Personnel in the event of an emergency to gain entry into a structure by using the enclosed owner provided key(s). This box is usually mounted on the exterior on the building in a location that is specified by the Fire Chief. All boxes shall be UL (Underwriters Laboratories) certified and approved by the Fire Chief.

SECTION 4. Rapid Access System Required for New Commercial Buildings.

All new commercial buildings shall have installed a Rapid Access System (“Knox Box”), of an Underwriters Laboratories (UL) type and size approved by the Fire Chief, in a location specified by the Fire Chief, prior to the issuance of the Permit of Occupancy.

SECTION 5. Rapid Access System Required for Commercial Buildings.

All commercial buildings equipped with an automatic fire detection and/or suppression system, shall have installed a Rapid Access System (“Knox Box”), of a UL type and size approved by the Fire Chief, in a location specified by the Fire Chief.

SECTION 6. Rapid Access System Required for Multi-Family Structures.

All multi-family residential structures that have restricted access through locked doors and have a common corridor for access to the living units, shall have installed a Rapid Access System (“Knox Box”), of a UL type and size approved by the Fire Chief, in a location specified by the Fire Chief, within six (6) months of the effective date of this Ordinance.

SECTION 7. Rapid Access System Required for Existing Commercial Buildings Undertaking Additions, Alterations or Repairs.

All commercial buildings undertaking additions, alterations, or repairs in an amount equal to/or greater than \$20,000.00, shall have installed a Rapid Access System (“Knox Box”), of a UL type and size approved by the Fire Chief, in a location specified by the Fire Chief prior to the issuance of the Final Inspection Approval or Permit of Occupancy.

SECTION 8. Rapid Access System Contents.

All Rapid Access Systems (“Knox Boxes”) shall contain labeled keys, easily identified in the field to provide access into the property and/or building, and to any locked areas within said building as the Fire Chief may direct.

SECTION 9. Violations and Penalties.

- A. Any person who disobeys, neglects or refuses to comply with any provision of this Ordinance or who causes, allows or consents to any of the same shall be deemed to be responsible for the violation of this Ordinance. A violation of this Ordinance is deemed to be a nuisance per se.
- B. A violation of this Ordinance is a municipal civil infraction, for which the fines shall not be less than \$100 nor more than \$500, in the

discretion of the Court. The foregoing sanctions shall be in addition to the rights of the Township to proceed at law or equity with other appropriate and proper remedies. Additionally, the violator shall pay costs which may include all expenses, direct and indirect, which the Township incurs in connection with the municipal civil infraction pursuant to MCL 600.8727.

- C. Each day during which any violation continues shall be deemed a separate offense.
- D. In addition, the Township may seek injunctive relief against persons alleged to be in violation of this Ordinance, and such other relief as may be provided by law.
- E. This Ordinance shall be administered and enforced by the Ordinance Enforcement Officer of the Township or by such other person(s) as designated by the Township Board from time to time.

SECTION 10. Severability.

The provisions of this Ordinance are hereby declared to be severable. If any clause, sentence, word, section or provision is hereafter declared void or unenforceable for any reason by a court of competent jurisdiction, it shall not affect the remainder of such Ordinance which shall continue in full force and effect.

SECTION 11. Repeal.

All Ordinance or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 12. Effective Date.

This Ordinance shall take effect the 31st day after publication.

SECTION 13. Publication, Recordation.

This Ordinance or a summary shall be published as required by law in the Herald Palladium, a newspaper of general circulation in the Township, within thirty (30) days after its adoption, and shall be recorded in the Ordinance Book of the Township and such recording authenticated by the signatures of the Township Supervisor and Township Clerk.

The above Ordinance was offered for adoption by Township Board Member Brenda Troxell and seconded by Township Board Member Dennis Krotzer, the vote being as follows:

NAME	YES	NO	ABSENT
James Brow	<u> X </u>	_____	_____
Christina Price	<u> X </u>	_____	_____
Brenda Troxell	<u> X </u>	_____	_____
David Wolf	<u> X </u>	_____	_____
Dennis Krotzer	<u> X </u>	_____	_____

THE TOWNSHIP SUPERVISOR DECLARED THIS ORDINANCE ADOPTED THIS 18th DAY OF May, 2020.

CERTIFICATION

I certify that the foregoing is a true and complete copy of the Ordinance to Require Rapid Access System in Commercial Buildings by the Baroda Township Board at a meeting held on the 18th day of May, 2020, the original of which is on file in my office and available to the public. Public notice of said meeting was given pursuant to and in compliance with the Open Meetings Act, Act No. 267 of the Public Acts of Michigan 1976, including in the case of a special or rescheduled meeting, notice by posting at least eighteen (18) hours prior to the time set for said meeting.

Dated: May 19th, 2020

Christina Price, Township Clerk

PUBLICATION

I hereby certify that a summary of the foregoing Ordinance was published in the Herald Palladium on the _____ day of _____, 2020.

Dated: _____, 2020

Christina Price, Township Clerk