

Durham Lock Box Ordinance 2012
(Adopted April 6, 2012 Annual Town Meeting)

WHEREAS, the Selectmen have determined that the health, safety, and welfare of the citizens of the Town of Durham are promoted by requiring certain structures to have a key lock box installed on the exterior of the structure to aid the Durham Fire & Rescue in gaining access to the structure when responding to calls for emergency service; and

WHEREAS, the key lock box system is being adopted nationally and will operate on a master key basis that will expedite entry into a structure during an emergency; and

WHEREAS, the key lock box system will eliminate forced entries into structures thereby avoiding costly and time-consuming efforts in gaining access to locked structures during an emergency, the following ordinance is hereby adopted:

SECTION 1. Key Lock Box System.

- (a) The following structures shall be equipped with a key lock box at or near the main entrance or such other location required by the fire chief:
 - (1) residential, assembly, commercial, or industrial structures protected by an automatic alarm system or automatic suppression system;
 - (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 structures and nursing care facilities.
- (b) All newly constructed structures subject to this section shall have the 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 upon substantial changes to the occupancy type or building have a key lock box installed and operational.
- (c) The fire chief shall designate the type of key lock box system to be implemented within the town and shall have the authority to require all structures to use the designated system.
- (d) The owner or operator of a structure required to have a key lock box shall, at all times, keep a key in the lock box that will allow for access to the structure.
- (e) The fire chief shall be authorized to implement rules and regulations for the use of the lock box system.

SECTION 2: Enforcement

- (a) This Ordinance shall take effect immediately upon passage.
- (b) Any person who owns or manages a structure shall be subject to the requirements of this ordinance. Each day on which a violation exists shall be deemed to be a separate and distinct offense.
- (c) Any person who violates this ordinance shall be guilty of a civil violation. Civil penalties shall be payable to the Town of Durham. Any person found guilty of violating this ordinance shall be required to reimburse the Town of Durham for the costs of enforcement including its reasonable attorneys' fees.

*****END OF ORDINANCE*****