

**BERNARDSVILLE BOROUGH
ORDINANCE 2017-1741**

**AN ORDINANCE REQUIRING KEY ACCESS FOR EMERGENCY SERVICES AT
ABANDONED RESIDENTIAL PROPERTIES AND SUPPLEMENTING AND
AMENDING CHAPTER III OF THE BOROUGH CODE ENTITLED “POLICE
REGULATIONS”**

WHEREAS, abandoned residential properties, as well as those in foreclosure, present a greater fire hazard than an occupied dwelling; and

WHEREAS, this results in a greater potential for property damage, as well as injuries to firefighters and other emergency responders; and

WHEREAS, Fire Chief Glenn Miller and Fire Marshal John Sabel have requested that the ordinance be amended to include abandoned residential properties, as well as those in foreclosure;

NOW THEREFORE, BE IT ORDAINED by the council of the Borough of Bernardsville in the County of Somerset, State of New Jersey that Chapter III of the Borough Code Entitled “Police Regulations” is hereby supplemented and amended as follows:

Section 1. Section 3-19 entitled “Key Access for Emergency Services” is hereby supplemented and amended to read as follows:

3-19 KEY ACCESS FOR EMERGENCY SERVICES.

3-19.1 Key Access Box Required.

All properties described in subsection 3-19.2 shall be equipped with a key access box.

The required key access box shall be installed on new buildings prior to occupancy. A key access box shall be installed on all existing buildings covered by this section within six (6) months of the effective date hereof.

3-19.2 Applicability.

a. The following classes of buildings are covered by this section and shall comply with the requirements of subsection 3-19.1:

1. All commercial and industrial buildings which are protected by automatic central alarm systems or sprinkler systems.
2. All churches, schools and other places of public assembly.
3. All abandoned residential properties, as well as those in foreclosure.

b. It is recommended, but not required, that the following classes comply with the requirements of subsection 3-19.1.

1. All multi-family dwellings with common areas.
2. Residential properties which are protected by automatic central alarm systems or sprinkler systems.

3-19.3 Miscellaneous Requirements.

The key access box installed pursuant to this section shall meet the following requirements:

- a. It shall be UL approved.
- b. It shall be compatible with the system used by the Borough Fire Company and Police Department.
- c. It shall be approved by the Fire Prevention Bureau.
- d. It shall be installed in a location approved by the Borough Fire Chief.

3-19.4 Contents of Key Access Box.

The key box shall contain the following:

- a. Keys to locked points of interior and exterior ingress.

- b. Keys to locked mechanical rooms with access in basement and crawl space areas.
- c. Keys to locked electrical rooms, electrical equipment, elevator control rooms and elevator cab controls.
- d. Electronic cards, codes for electronic entry doors and keys to fire alarm panels and security panels.
- e. Detailed instructions and codes to operate and reset fire alarm panels. All central fire alarm systems shall have detailed building floor plans clearly showing all zone divisions and initiating device locations located adjacent to fire alarm panel.
- f. Keys and/or codes to driveway access gates and other areas.
- g. Current list of keyholders with contact numbers (24-hour availability).
- h. Other pertinent information as directed by the Fire Prevention Bureau.

3-19.5 Responsible Parties.

It shall be the responsibility of the owner and the occupant of the premises to maintain the lockbox and to comply with all the requirements of this section. A creditor filing a complaint in a foreclosure action shall be responsible for compliance with this section which shall be in addition to the creditor's other responsibilities set forth in subsection 11-2.3A of this Code.

3-19.6 Penalty.

Any individual who violates the terms of this section may be subject to fines and penalties in accordance with the penalties set out in the Uniform Fire Code and the regulations promulgated by the Department of Community Affairs. In addition, any individual, corporation or other entity who violates the terms of this section shall upon conviction be liable to the penalties stated in Chapter I, Section 1-5 of this Code.

Section 2. Any or all other ordinances or parts thereof in conflict or inconsistent with any of the terms hereof are hereby repealed to such extent as they are so in conflict or inconsistent.

Section 3. In case any article, section or provision of this ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect any other article, section or provision of this ordinance except insofar as the article, section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 4. This ordinance shall become effective immediately upon final passage and publication as required by law.

COUNCIL OF THE BOROUGH OF
BERNARDSVILLE IN THE COUNTY
OF SOMERSET

ATTEST:

Sandra G. Jones, Borough Clerk

By: _____
Kevin Sooy, Mayor

Introduction: _____

1st Publication: _____

Public Hearing and Adoption: _____

2nd Publication: _____