

**BEFORE THE BOARD OF COMMISSIONERS OF  
THE TOWNSHIP OF WHITEHALL**

**ORDINANCE NO. 3097**

**BILL NO. 33-2017**

**AN ORDINANCE REQUIRING CERTAIN STRUCTURES IN THE TOWNSHIP TO  
HAVE A KEY LOCK BOX (KNOX BOX) INSTALLED ON THE EXTERIOR OF THE  
STRUCTURE FOR FIRE SAFETY PURPOSES DURING AN EMERGENCY;  
PROVIDING FOR THE SEVERABILITY OF PARTS OF THIS ORDINANCE DEEMED  
TO BE INVALID; REPEALING ORDINANCES, RESOLUTIONS, OR PARTS  
THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE  
DATE. (FIRE)**

**WHEREAS**, the Township of Whitehall Township is a township organized and operating under the laws of the Commonwealth of Pennsylvania and the Home Rule Charter of the Township of Whitehall; and

**WHEREAS**, the Board of Commissioners of the Township of Whitehall may, under the general authority of the Home Rule Charter, enact regulations to ensure the health, safety, and general welfare of the citizens of Whitehall Township; and

**WHEREAS**, the Board of Commissioners of the Township of Whitehall has determined that the health, safety, and general welfare of the citizens of Whitehall Township are promoted by requiring certain structures to have a key lock box (Knox box) installed on the exterior of the structure to provide for rapid entry into buildings by the fire departments responding in Whitehall Township during times of emergency; and

**WHEREAS**, the key lock box system (Knox box) has been adopted nationally and will operate on a controlled master key basis that will expedite entry by the fire department into a structure during an emergency; and

**WHEREAS**, the key lock box system (Knox box) will eliminate forced entries into structures thereby avoiding costly and time-consuming efforts in gaining access to locked structures during an emergency; and

**WHEREAS**, the fire department can reduce the potential for rapid extension of fire and other hazardous conditions by quick access and decreasing dangers for firefighters; and

**WHEREAS**, the when the fire department is summoned at a time when a building or business is not occupied or when the occupant is not able to provide entry for the fire department, the key lock box system (Knox box) eliminates costly and time-consuming efforts in gaining access to locked structures; and

**WHEREAS**, the Board of Commissioners of the Township of Whitehall has determined that the health, safety, and general welfare of the citizens of the Township of Whitehall will be promoted and served by enacting this Ordinance.

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**NOW, THEREFORE**, be it **ORDAINED** and **ENACTED** by the Board of Commissioners of Whitehall Township, Lehigh County, Pennsylvania as follows:

**ARTICLE I Key Lock Box System (Knox Box)**

a. The following structures shall be equipped with a key lock box (Knox box) at or within six feet (6') of the main entrance at a height between four feet (4') and five feet (5') from the walking surface:

1. Commercial or industrial structures protected by an automatic alarm system or automatic suppression systems, 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 structures, schools, and nursing care facilities.

b. All newly constructed structures subject to this section shall have a key lock box (Knox box) installed and operational prior to the issuance of an occupancy permit. All structures in existence on the effective date of this ordinance and subject to this section shall have one (1) year from the effective date of this ordinance to have a key lock box (Knox box) installed and operational.

c. The fire chief shall designate the type of key lock box system (Knox box) to be implemented within the Township and shall have the authority to require all structures to use the designated system. Owners and operators of structures subject to this section shall obtain an authorization order form from the Township for the key lock box system (Knox box), which must be completed to ensure compatibility of the key lock box system (Knox box) with the Township's system.

d. The owner or operator of the structure required to have a key lock box (Knox box) shall, at all times, maintain the following items within the key lock box (Knox box):

- i. Keys, separately tagged and indexed to a floor plan to clearly and quickly identify what doors or locks they operate to:
  - a. All locked points of access to the structure;
  - b. All locked points of access to common hallways or utility rooms contained within such structure;
  - c. All locked mechanical rooms;
  - d. All locked electrical rooms;
  - e. All locked sprinkler control rooms;
  - f. All areas of the structure where fire alarm panels and fire protection systems are located;
  - g. All locked elevator rooms and controls;
  - h. Any fence or secured areas;
  - i. All other locked areas, other than individual apartments or rented rooms; and
- ii. Name(s) and phone number(s) of individual(s) with access to the structure(s) after hours (plant manager, owner, etc.).

The labeling/tagging of keys and contact information contained within the key lock box (Knox box) must be kept current. In lieu of having the interior keys in the exterior key lock box (Knox box), a second key

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lock box (Knox box) may be located within the main lobby of the building to hold these keys. If a second key lock box (Knox box) is installed within the main lobby, it must be located at or within six (6) feet of the main entrance at a height between four feet (4') and five feet (5') from the walking surface.

e. The owner or operator of the structure required to have a key lock box (Knox box) shall provide the following items to the fire chief electronically by sending them to [firechief@whitehalltownship.com](mailto:firechief@whitehalltownship.com):

- i. Floor plans which include utility locations (gas, electric, etc.); and
- ii. Copies of the material safety data sheets that are required to be on file, as well as a floor plan or written description that indicates the location(s) of the general areas of these materials within the structure, if the structure contains a business that is required to maintain material safety data sheets.

The plans and the material safety data sheets provided to the fire chief must be kept current.

f. The fire chief shall be authorized to implement rules and regulations for the use of the key lock box system (Knox box).

g. Any person violating the provisions of this article, upon conviction thereof, shall be sentenced to pay a fine of up to One Thousand Dollars (\$1,000.00) for each offense and the cost of prosecution and, in the event of default of payment of each fine and cost, shall be subject to imprisonment for not more than ninety (90) days. Each day that a violation of this article continues shall constitute a separate offense. Any person found guilty of violating this article shall be assessed court costs and reasonable attorneys' fees incurred by the Township in the enforcement proceedings.

**ARTICLE II Severability**

If any sentence, clause, section, or part of this ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Ordinance. It is hereby declared as the intent of the Board of Commissioners of Whitehall Township that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not been included herein.

**ARTICLE III Repealer**

All ordinances, resolutions, or parts thereof which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

**ARTICLE IV Effective Date**

This Ordinance shall become effective five (5) days after enactment by the Board of Commissioners and approval by the Mayor.

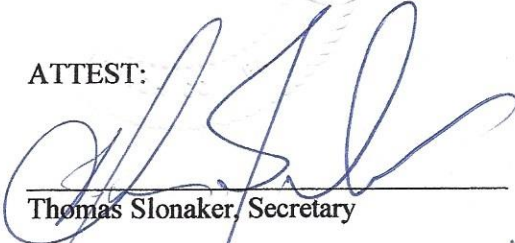
**DULY ORDAINED AND ENACTED** this 9<sup>th</sup> day of October, 2017, at a regular public meeting in lawful session duly assembled.

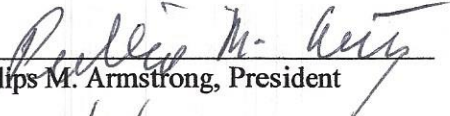
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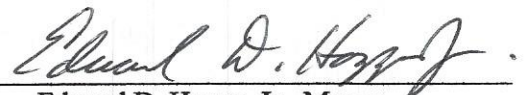
**BOARD OF COMMISSIONERS  
TOWNSHIP OF WHITEHALL**

ATTEST:

  
\_\_\_\_\_  
Thomas Slonaker, Secretary

BY:   
Phillips M. Armstrong, President  
\_\_\_\_\_  
10/9/17  
Date

AND NOW, to wit, this 10<sup>th</sup> day of October, 2017, the above is approved.

  
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Edward D. Hozza, Jr., Mayor