

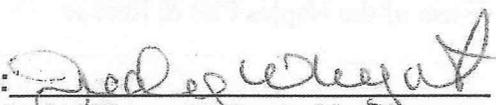
# Town of Naples

## Key Lock Box Ordinance

Adopted June 8, 2016

Attested by Town Clerk

Attest:

  
Judy Whynot, Town Clerk

**TOWN OF NAPLES  
KEY LOCK BOX ORDINANCE**

**Section 1. Title.**

This Ordinance shall be known as the Town of Naples Key Lock Box Ordinance (the "Ordinance").

**Section 2. Authority.**

This Ordinance is enacted in accordance with 30-A M.R.S.A. § 3001 *et seq.*, as may be amended.

**Section 3. Purpose.**

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The Town of Naples determines that the health, safety and welfare of residents and property owners of the Town are promoted by requiring certain structures to have a key lock box installed on the exterior of the structure to aid the Naples Fire & Rescue Department with gaining access to or within a structure when responding to calls for emergency service, and to aid access into or within a building that is secured or is unduly difficult to gain entry to due to being either unoccupied or the occupants being unable to respond.

**Section 4. Definitions.**

*Fire Chief* means the person duly appointed as the Fire Chief of the Town of Naples.

*Gross floor area* means the sum of the gross horizontal areas of the several floors of a building from the exterior face of exterior walls, or from the centerline of a wall separating two buildings, but excluding any space where the floor-to-ceiling height is less than six feet.

*Key lock box* means a secured box or vault of a size and style approved by the Fire Chief or his/her designee, which contains key(s) for the exclusive use of the Naples Fire & Rescue Department to access the premises in an emergency.

**Section 5. Installation Required.**

- (a) New Structures. The following structures built after June 1, 2016 shall be equipped with a key lock box at or near the main entrance or such other location as required by the Fire Chief or his/her designee:
- (i) Commercial and industrial structures;
  - (ii) Educational structures and structures used as places of assembly; and
  - (iii) All structures, including residential structures, protected by an automatic fire alarm system or automatic suppression system.

- (b) Existing Structures. Additions or renovations to a commercial or industrial structure existing as of June 1, 2016 that has a gross floor area of 2,000 square feet (s.f.) or more either before or after the addition/renovation shall be equipped with a key lock box at or near the main entrance or such other location as required by the Fire Chief or his/her designee.

#### **Section 6. General Requirements.**

- (a) The Fire Chief or his/her designee must approve the location, number and style of the key lock box(es) prior to Planning Board approval and prior to the issuance of a building permit for those projects that do not require Planning Board review and approval. All structures subject to this Ordinance shall have the key lock box(es) installed and operational prior to the issuance of an occupancy permit.
- (b) Knox Box© is the preferred lock box system of the Naples Fire & Rescue Department. The size and model of the lock box installed shall be determined by the number of keys to be placed in the box and the specifications set forth by the manufacturer.
- (c) The number of keys in the lock box cannot exceed the maximum number recommended by the manufacturer. Each key must be labeled.
- (d) All property subject to the requirements of this Ordinance with an electronic security gate shall have the lock box installed outside of the gate with the gate access code and required keys inside.
- (e) The Fire Chief or his/her designee must approve any changes in the lock box installation.
- (f) Purchase, installation and maintenance of any required lock box is the sole responsibility of the property owner and/or occupant.

#### **Section 7. Maintenance.**

The owner or operator of the structure shall immediately notify the Fire Chief or his/her designee when any locks are added, changed or rekeyed. Additional labeled keys, access cards or access codes shall be added to the lock box immediately if the old keys, access cards or access codes are no longer effective. An inspection and/or telephone inventory of the key lock box may be conducted annually by the Naples Fire & Rescue Department.

#### **Section 8. Violations.**

Any person violating any of the provisions of this Ordinance or failing or neglecting or refusing to obey any order or notice of the Fire Chief or his/her designee issued hereunder shall be subject to a penalty as provided herein.

#### **Section 9. Civil Penalties.**

Any person who is found to be in violation of any provision of this Ordinance shall be subject to a civil penalty of not less than five hundred dollars (\$500.00) and not more than two thousand five hundred dollars (\$2,500.00), or as otherwise provided by 30-A M.R.S.A. § 4452, as may be amended from time to time. Each violation of a separate provision of this Ordinance, and each day of violation, shall constitute separate offenses. In addition, if the Town is the prevailing party in an enforcement action, said person shall also be liable for all reasonable expenses

incurred by the Town in the enforcement of this Ordinance, including, but not limited to, attorney's fees, and costs. All civil penalties shall inure to the benefit of the Town of Naples.

**Section 10. Severability, Amendments and Adoption.**

**10.1 Severability.**

The invalidity of any portion of this Ordinance shall not invalidate any other part thereof.

**10.2 Amendments.**

This Ordinance may be amended from time to time in accordance with the provisions of 30-A M.R.S.A. § 3002, as may be amended.

**10.3 Adoption.**

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This Ordinance was submitted to the voters of the Town of Naples and shall be effective upon its adoption by Town Meeting.

ADOPTED: June 8, 2016