

## Local Law Filing

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Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

### Town of Colonie

#### Local Law No. 17 of the year 2001

A local law amending the Code of the Town of Colonie by adding a new Chapter 86 thereto, entitled "Emergency Access Systems".

**Be it enacted by the Town Board of the Town of Colonie of as follows:**

The Code of the Town of Colonie is hereby amended by adding thereto a new Chapter 86 entitled Emergency Access Systems to read as follows:

#### § 86-1. Title.

This chapter shall be known as the "Emergency Access Systems Local Law of the Town of Colonie."

#### § 86-2. Intent.

The Town of Colonie has recognized the importance of providing the Town's Emergency Services rapid entry into locked buildings. An Emergency Access Systems local law provides for the placement in secured, locked containers of keys to important areas within a structure and information that may be vital and necessary to the health, safety, and welfare of the occupants and responding emergency crews. The delay in gaining entry can result in substantial property damage, delays in providing lifesaving or other medical procedures, and increased danger for emergency services personnel and the building occupants. To assist the emergency service providers in gaining rapid entry, the Town of Colonie adopts an Emergency Access Systems local law.

#### § 86-3. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

**AUTOMATIC FIRE SUPPRESSION SYSTEM** -- A system or assembly of piping, valves, controls and sprinklers which are designed and installed to comply with the National Fire Protection Association (NFPA) standards, which utilize water, foam, carbon dioxide or other gas to automatically react to and suppress fire.

**EMERGENCY ALARM** - Any device designed to alert police, fire or emergency medical personnel to an emergency condition requiring attention and to which police, fire or emergency medical service units are expected to respond. This definition shall include alarms that terminate at an answering service, as well as those that emit an audible or visible signal.

**FALSE ALARM** - An alarm signal from an emergency alarm or notification by an emergency alarm answering service which calls for an emergency response from the Town of Colonie Police Department, Fire Services or Emergency Medical Services where an emergency situation does not in fact exist.

The term "false alarm" shall not include an alarm signal caused by testing or repairing of telephone or electrical lines or equipment outside of the premises, an attempted illegal entry of which there is visible evidence, violent conditions of nature or other extraordinary circumstances not reasonably subject to control by the alarm user or alarm supplier.

**KEY BOX** - A high security key vault of UL type approved by the Town of Colonie Office of Fire Prevention and Control, master keyed with a Medco Biaxial Level 7 or equivalent lock. Locks shall be keyed to the key configuration provided by the Town of Colonie. Such vaults shall have weatherproof gaskets, shall have a covered lock opening and shall be highly resistant to drilling or vandalism.

**KEY BOX DOCUMENT VAULT** - A high-security steel plate vault, a minimum of 14 inches high by 12 inches wide by 2 inches deep, constructed to the same standards as the lock box, for the storage of documents.

**OFFICE OF FIRE PREVENTION AND INVESTIGATION** - Town of Colonie Department of Fire Prevention and Investigation, 347 Old Niskayuna Road, Latham, NY 12110.

#### **§86- 4. Applicability.**

This local law shall be applicable to:

- A. All buildings located within the Town of Colonie having an automatic fire alarm system or a fire sprinkler system shall be equipped with a key box or key box document vault.
- B. Any building having three or more false alarms within a six-month period.

#### **§ 86- 5. Exceptions.**

One and two-family dwellings and buildings having a twenty-four hour, seven-day-per-week guard system shall be specifically exempted from the requirements for a key box.

#### **§ 86-6. Installation requirements.**

- A. The key box shall be installed on the front of the building, near the main entry door and between six and eight feet above the ground, unless approved for another location or at a higher or lower level by the Office of Fire Prevention and Investigation. That Office must approve all installations.

- B. Keys within the lock box shall be labeled for easy identification either by the tenant name or indexed to a floor plan of the building and shall be kept current.
- C. The key box shall contain the following:
- (1) Unless otherwise agreed upon with the local fire chief, key(s) or magnetic cards for the exterior doors, the keys or magnetic cards for all the interior doors identified in subparagraphs C(2) to C(5) below within the building, and a scaled floor plan of the building. Mixed occupancies and strip shopping center keys shall be provided only for occupancies where system control valves or fire alarm system panels exists.
  - (2) Keys or magnet cards to locked mechanical equipment and sprinkler control rooms.
  - (3) Keys or magnet cards to locked electrical rooms or panels or fire alarm control panel:
  - (4) Keys or magnet cards to locked elevator rooms or controls, and elevator keys, if required.
  - (5) Keys or magnet cards to other areas as directed by the Office of Fire Prevention and Control.
  - (6) Access codes to digital fire alarm keypads.
- D. The key box document vault shall contain those items required to be stored in a key box, and, unless the local fire chief otherwise agrees, the following additional items:
- (1) A current list of facility personnel knowledgeable about safety procedures of the materials on site, complete with the telephone numbers for each person.
  - (2) A current emergency and hazardous chemical inventory form and binder containing the material safety data sheets (MSDS) or, in the event that the volume of MSDS sheets is too great to keep practically in the document vault, the location of on-site MSDS, and those MSDS shall be readily available for use by emergency response personnel.
  - (3) A facility site plan showing the location of storage and use of hazardous materials on site, and any other building floor plan deemed necessary by the Office of Fire Prevention and Control.

#### **§ 86- 7. Time for Compliance**

- A. All existing buildings covered by this local law shall comply within eighteen (18) months of the effective date of this chapter.
- B. All new construction covered by this local law, including buildings currently under construction as of the effective date, for which no certificate of occupancy has been issued, shall comply immediately.

**§ 86- 8. Penalties for offenses.**

- A. Any person who shall fail to comply with any of the applicable provisions of this chapter or any lawful order, notice, directive, permit or certificate of the Office of Fire Prevention and Control, or of the Town of Colonie Building Department made hereunder shall be punishable by a fine of \$250. Each month that a violation continues shall be deemed a separate offense.
- B. In lieu of said fine, any person charged with violating the provisions of this Chapter shall immediately install and maintain a key box or key box document vault subject to approval of the Office of Fire Prevention and Control.
- C. It shall be unlawful for any person to tamper, meddle, deface, vandalize or interfere in any way with an Emergency Access System.
- D. Except as provided otherwise by law, such a violation shall not be a crime, and the penalty or punishment imposed therefor shall not be deemed for any purpose a penal or criminal penalty or punishment.

**§86- 9. Administration and Enforcement.**

The Office of Fire Prevention and Investigation and the Town of Colonie Building Department shall administer the provisions of this chapter. The Office of Fire Prevention and Investigation and the Town of Colonie Police Department shall enforce the provisions.

**§86- 10. Severability.**

If any clause, sentence or provision of this local law or the application thereof to any person or circumstance shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity thereof shall not affect, impair or invalidate the remainder of the provisions of this local law or the application thereof to other persons and circumstances.

**§86-11. Effective Date.**

This local law shall take effect upon filing in the Office of the Secretary of State.