

**AN ORDINANCE CREATING SECTION 8.07 OF THE MUNICIPAL CODE
OF THE TOWN OF SHEBOYGAN
REGARDING KEY LOCK BOX REQUIREMENTS**

WHEREAS, the Town Board and the Town of Sheboygan Volunteer Fire Department have determined that the health, safety, and welfare of the citizens of the Town of Sheboygan are promoted and safeguarded by requiring certain structures to have a key lock box installed on the exterior of the structure; and

WHEREAS, the lock box key will aid the Sheboygan Fire Department in gaining access to the structure when the same is not occupied or when the occupants are unable to grant ingress during emergency situations; and

WHEREAS, the key lock box system will reduce the need for forced entry into structures and should avoid costly and time-consuming efforts to gain access to the structure during an emergency.

NOW, THEREFORE, the Town Board of the Town of Sheboygan does ordain as follows:

Section 1. Creating Code. Chapter 8 of the Ordinances of the Town of Sheboygan, more particularly Section 8.07 entitled Key Lock Box Requirement thereof, is hereby created to read as follows:

8.07 Key Lock Box Required.

(1) **Purpose.** The purpose of this code is to allow emergency responders quick and efficient access to structures in an "emergency" and to allow (when possible) the structure to be secured after said emergency.

(2) **Definitions.**

(a) The term "Lock Box" shall be defined as an approved lock box which allows emergency responders to gain access to secured buildings and perimeters without forceful entry.

(b) Only the lock box brands approved in writing by the Fire Chief will be permitted by the Town of Sheboygan.

(c) "Emergency" is defined as a serious, unexpected, and often dangerous situation requiring immediate action or any such time that emergency responders are required to act by law.

(d) "Emergency Responders" shall be defined as Fire Department, First Responders and Law Enforcement.

(e) The title "Fire Chief" shall be the Sheboygan Volunteer Fire Department Fire Chief or his/her designee.

(f) "Home Based" business shall be defined as a business whose primary office or place of employment is in the owner's home (primary residence) and has NO employees other than direct family.

(3) **Buildings Subject to this Section.** The following structures shall be equipped with a lock box at or near the main entrance or such other location approved by the Fire Chief or his/her designee:

(a) Commercial or industrial structures protected by an automatic alarm system or automatic suppression system.

(b) Multifamily residential structures with five (5) or more units, that have restricted access through locked doors or have a common corridor for access to the living units.

(c) Governmental structures, nursing care/assisted living centers and daycare facilities.

(d) All public and private educational facilities.

(e) All commercial buildings over five thousand (5,000) square feet or with more than two (2) doors to the exterior.

(f) All newly constructed structures subject to this section shall have the lock box installed and operational prior to the issuance of an occupancy permit.

(g) Structures that are secured in a manner that restrict rapid access during an emergency.

(4) **Buildings Not Subject to this Section.** The following structures shall NOT be required to comply with this section:

(a) Residences that are used as a single-family home.

(b) Home based business (Excluding State Licensed Daycares).

(c) Multifamily residential structures with four (4) or less units.

(5) Installation.

(a) All lock boxes shall be flush, or surface mounted five (5) feet high

from the grade and within five (5) feet from the main entrance.

(a) In the event the lock box cannot be installed at the aforesaid location and/or height, the Fire Chief or his/her designee may designate in writing a different location and installation instructions.

(b) All realty and/or property with an electric security gate shall have the lock box installed outside the gate.

(c) The window decal that is included with the lock box shall be placed on the exterior access door to alert the fire department that a key box is provided.

(d) The Fire Chief must approve any changes in the installation.

(2) Contents of Lock Box.

(a) The owner or operator of a structure required to have a lock box shall, at all times, keep keys in the box that will allow for access to the following:

1. Keys to locked points of ingress or egress, whether on the interior or exterior of such buildings.

2. Keys to all locked mechanical rooms.

3. Keys to all locked electrical rooms.

4. Keys to elevators controls and control rooms.

5. Keys to rooms containing fire control systems.

6. Keys to other areas as directed by the Fire Chief.

7. Codes and instructions to reset fire alarm systems.

(b) Each key shall be legibly labeled to indicate the lock that it opens in such a manner as is approved by the Fire Chief or his/her designee.

(c) A floor plan (layout) of the building/rooms within the building may be required to be provided to the Fire Department at the discretion of the Fire Chief or his/her designee.

(3) Rules and Regulations.

(a) The Fire Chief or his/her designee shall be authorized to implement rules and regulations for the use of the lock box system.

(b) The Fire Chief or his/her Chain of Command shall have authority over all lock box keys.

(c) Authorized lock box key users shall include the Emergency Responders.

(d) Upon written request, the Fire Chief shall furnish the names of all persons with access to the lock box keys.

(e) All authorized users shall be required to have an annual background check.

(f) Inspection of lock boxes shall be performed during normal business hours.

(g) At the discretion of the Fire Chief or his/her designee, any business must number or letter their doors (and windows when required by the Fire Chief or his/her designee).

Numbering/lettering must be no less than four

(4) inches in size, reflective and a contrasting color to the door. Numbers/letters shall be placed on each door starting at the main entrance and progressing around the building clockwise. Number/letters must be at least five (5) feet above ground level. Where double doors or a grouping of doors exists close together, they may be numbered as one.

The owner or occupant of the building shall immediately notify the Fire Department and provide new keys when a lock is changed or rekeyed. These keys will be put into the lock box.

(8) Compliance.

(a) After the effective date of this ordinance, all newly constructed buildings, not yet occupied or buildings currently under construction and all building or businesses applying for an occupancy permit shall comply.

(b) Existing building that are not in compliance on the effective date of this ordinance shall comply with requirements of the ordinance within two (2) years of the effective date of this section. Any person who owns or operates a structure subject to this code shall be subject to the penalties set forth in section (9) of this code for any violation of this section.

(9) Penalties. Any person who violates any provision of this section shall be subject to a forfeiture of \$10.00 (ten dollars) per day, for up to ninety (90) days and then \$20.00 (twenty dollars), per day thereafter until the violation is corrected, plus costs, fees and such charges imposed under Chapter 814 of the Wisconsin Statutes

Section 2. Severability. Should any portion of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder shall not be affected.

Section 3. Effective Date. This Ordinance shall take effect upon enactment

Enacted this 19th Day of November 2019 **TOWN OF SHEBOYGAN by Daniel W. Hein**, Chairperson.

CERTIFICATE OF CLERK I hereby certify that the foregoing Ordinance was duly enacted by the Town Board of the Town of Sheboygan on the 19th day of November, 2019. Peggy Fischer, Town Clerk. Published in the Sheboygan Press December 6th, 2019

Amended 12.15.2021