

342.003 (E)

ORDINANCE NO. 2005-05

AN ORDINANCE OF THE CITY OF MABANK, TEXAS REQUIRING STRUCTURES TO HAVE A KEY LOCK BOX INSTALLED ON THE EXTERIOR OF THE STRUCTURE FOR FIRE SAFETY PURPOSES, PROVIDING FOR SEVERABILITY, PROVIDING FOR PENALTIES, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Mayor and City Council have determined that the health, safety and welfare of the citizens of the City of Mabank are promoted by requiring certain structures to have a key lock box installed on the exterior of the structure to aid the Mabank Fire Department in gaining access to the structure when responding to calls for emergency service; and

WHEREAS, the key lock box system is being adopted nationally and will operate on a master key basis that will expedite entry into a structure during an emergency; and

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

WHERE, the City of Mabank is authorized to pass this Ordinance pursuant to its police power.

NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MABANK, TEXAS:

SECTION 1. The Code of Ordinances of the City of Mabank is hereby amended with the addition of the following provisions as Article 342.003(b):

- (a) The following structures shall be equipped with a key lock box at or near the main entrance or such other location required by the Fire Chief and/or Fire Marshal:
- (1) All new commercial, industrial or institutional structures that are secured in a manner that restricts access during an emergency.
 - (2) All new commercial or multi-family residential structures that have restricted access through locked doors and have a common corridor for access to the living units;
 - (3) Any new or existing structure deemed necessary by the Fire Chief and/or Fire Marshal.
- (b) All newly constructed structures subject to this Ordinance shall have the key lock box installed and operational prior to the occupancy of the structure. All structures in existence on the effective date of the Ordinance and subject to the provisions of this Ordinance shall have one year from its effective date to have a key lock box installed and operational.
- (c) The Fire Marshal shall designate the type of key lock box system to be implemented within the City and shall have the authority to require all structures to use the designated system.
- (d) The owner or operator of a structure required to have a key lock box shall, at all times, keep a key in the lock box that will allow for access to the structure.

(e) The Fire Marshal shall be authorized to implement rules and regulations for the use of the lock box system.

SECTION 2. SEVERABILITY

If any provision of this Ordinance or the application of any provision to any person or circumstances is held invalid, the invalidity shall not affect other provisions or application of the Ordinance which can give effect without the invalid provision or application, and to this end, the provisions of the Ordinance are declared to be severable.


SECTION 3. PENALTIES

Any violation of the terms of this Ordinance is declared to be a misdemeanor, and any person found to be guilty thereof shall be punishable by a fine of \$200.00. Each day that such violation continues shall constitute a separate offense and shall be punishable accordingly.

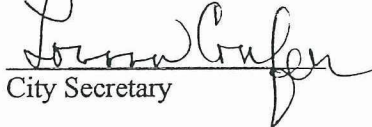
SECTION 4. EFFECTIVE DATE

This Ordinance shall take effect immediately upon its passage.

PASSED AND APPROVED THIS 5th DAY OF APRIL 2005.


Larry Teague, Mayor

ATTEST:


City Secretary

ARTICLE 342.003 e KEY LOCK BOXES

SECTION 1. The Code of Ordinances of the City of Mabank is hereby amended with the addition of the following provisions as Article 342.003(e):

- (a) The following structures shall be equipped with a key lock box at or near the main entrance or such other location required by the Fire Chief and/or Fire Marshal:
 - (1) All new commercial, industrial or institutional structures that are secured in a manner that restricts access during an emergency.
 - (2) All new commercial or multi-family residential structures that have restricted access through locked doors and have a common corridor for access to the living units;
 - (3) Any new or existing structure deemed necessary by the Fire Chief and/or Fire Marshal.
- (b) All newly constructed structures subject to this Ordinance shall have the key lock box installed and operational prior to the occupancy of the structure. All structures in existence on the effective date of the Ordinance and subject to the provisions of this Ordinance shall have one year from its effective date to have a key lock box installed and operational.
- (c) The Fire Marshal shall designate the type of key lock box system to be implemented within the City and shall have the authority to require all structures to use the designated system.
- (d) The owner or operator of a structure required to have a key lock box shall, at all times, keep a key in the lock box that will allow for access to the structure.
- (e) The Fire Marshal shall be authorized to implement rules and regulations for the use of the lock box system.

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Ordinance # 2005-05 – adopted April 5, 2005