

LOCAL LAW FILING

New York State Department of State
41 State Street, Albany, NY 12231

(Use this form to file a local law with the Secretary of State.)

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

County Chautauqua

Town of Dunkirk

Local Law No. 1 of the year 2007.

A local law providing for the requirement of a Key Box on designated commercial, professional, and industrial buildings.

Be it enacted by the Town Board of the

Town of Dunkirk

Section One - Purpose: When a commercial, professional or industrial building is equipped with a direct fire alarm system that reports a possible fire, designated fire companies are required to respond to the scene of the alarm. Frequently, responding fire personnel are unable to locate the cause of the alarm from the outside of the building and find the building locked and secured. It is the purpose of this Local Law to provide for a key system that will give fire personnel immediate access to the building to determine the source or cause for the alarm.

Section Two - This Local Law shall be known as the "Key Box Law" of the Town of Dunkirk.

Section Three -- Definitions: 1) "Building" means any building, structure or portion thereof used for commercial, professional or industrial purposes in which there has been installed a direct fire alarm system.

2) "Code Enforcement Officer" means the Code Enforcement Officer of the Town of Dunkirk, or such other person appointed by the Town Board to enforce the provisions of this Local Law.

- 3) "Fire Chief" means the fire chief of the fire company located in the Town of Dunkirk that is presently assigned to provide fire service to the area in which the Building is located.
- 4) "Key Box" means a rapid entry system to access commercial, professional, and industrial properties when responding to fire alarms.
- 5) "Operator" means the owner, manager or tenant of the Building.
- 6) "Town Board" means the Town Board of the Town of Dunkirk.

Section Four – Application

4.1 When required: Beginning MAY 1st, 2007 all buildings in which there has been installed, or will be installed, a direct fire alarm system to which a fire company is required to respond, a Key Box shall be installed in an accessible location on the Building. The Code Enforcement Officer shall approve of the type of Key Box to be installed on the Building. A description of the location of the Key Box will be furnished to each Fire Company, and/or fire department servicing the Town of Dunkirk. The Key Box shall contain key(s) to gain access as required by the Code Enforcement Officer. One key to the Key Box shall be delivered to the Chief of the Fire Company normally assigned to the area of the Town of Dunkirk where the Building is located.

4.2 Key Box Maintenance – The Operator of the building shall immediately notify the Code Enforcement Officer and provide the new key for building door(s).

4.3 Notification – It shall be the duty of the Fire Chief of the responding fire company to notify the Operator of the Building, as soon as possible, that the fire company has gained access to the interior of the Building through the use of the key(s) located in the Key Box. It shall be the duty of the Fire Chief to return and secure the key(s) used to gain access to the Building, back to the Key Box, in the presence of the Operator or his designated representative.

Section Five – Violations

The failure of an Operator of a Building to install a Key Box and the placement of a key(s) therein under the provisions of Section Four of this Local Law shall be a violation punishable, upon conviction thereof, as set forth in Section Six of this Local Law.

Section Six – Penalties

A conviction of a violation of this Local Law shall be deemed an offense and punishable by a fine not to exceed \$ 100.00 for the offense. Each day of non-compliance will be a separate violation of this Local Law.

Section Seven -
Separability

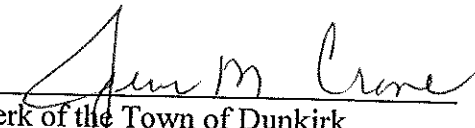
Each separate provision of this Local Law shall be deemed independent of all other provisions herein, and if any provisions shall be deemed invalid, all such other provisions hereof shall remain valid and enforceable.

Section Three -
Effective Date

This Local Law shall become effective upon filing with the office of the Secretary of State.

1. I hereby certify that the local law annexed hereto, designated as local law No. 1 of 2007 of the Town of Dunkirk was duly passed by the Town Board of the Town of Dunkirk on February 14, 2007, in accordance with the applicable provisions of law.

(Seal)

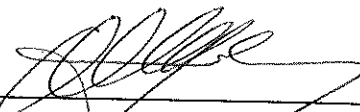

Clerk of the Town of Dunkirk

Date: 2/27/07

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF CHAUTAUQUA

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.


Attorney

Town of Dunkirk

Date: 2/27/07