

ORDINANCE NO. 2023-09

AN ORDINANCE AMENDING CHAPTER 13 (FIRE PREVENTION AND PROTECTION), ARTICLE III, SECTION 13-32 (P) OF THE CODE OF ORDINANCES OF THE CITY OF EAGLE PASS, TEXAS TO INCLUDE PROVISIONS FOR KEY LOCK BOXES; FINDING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EAGLE PASS, TEXAS:

SECTION 1. That Chapter 13, Article III, Section 13-32, (P) of the City's Code of Ordinances is hereby amended to read as follows the rest remains the same and re-lettering the remaining:

Sec. 13-32. International Fire Code adopted.

P. IFC Section 506 Key Boxes

(A) *Required, exemptions.*

(1) The following structures shall be equipped with a key lock box within eight feet of the main entrance, or other such location required by the Fire Marshal. The key box shall be affixed in a location of not less than four feet and not more than six feet above final grade:

(a) Any commercial or industrial structure or assembly area protected by an automatic alarm system or automatic suppression system, or any such structures which are secured in a manner which restricts access during an emergency.

(b) Any educational facility.

(c) Any building or facility containing a quantity of hazardous materials which would require to comply with Tier II.

(2) This section shall not apply to residential structures unless requested by the owner, in which case, the provisions of this section shall apply.

(B) *Time for installation.* All newly constructed structures subject to this section or at the discretion of the Fire Marshal shall have the key box installed and operational prior to occupancy. All structures in existence on the effective date hereof shall have one hundred eighty (180) days to have a key box installed and operational.

(C) *Fire Department approved padlock.* Any structure meeting the requirements

of divisions (A) and (B) of this section surrounded by a locked fence in an area barring access to the structure shall be required to utilize a padlock in conjunction with the lock which is utilized by the property/business owner, which is keyed to match the approved key lock box as defined by this section. If there are multiple locked entrances through the fence, only one shall be required to utilize the Fire Department approved lock.

(D) *Type of lock box.* 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.

(E) *Keys required in box.*

(1) The owner or operator of a structure required to have a key lock box shall, at all times, keep a key in the key box for the following:

- (a) The main entrance door.
- (b) Alarm room (if one exists).
- (c) Mechanical and/or sprinkler control rooms.
- (d) Fire alarm control panel.
- (e) Electrical room.
- (f) Special keys to reset pull station.
- (g) Elevator keys (if an elevator exists); and
- (h) Any other room as specified by the Fire Marshal.

(2) These keys shall be labeled for easy identification in the field.

(F) *Rules and regulations.* The Fire Marshal shall be authorized to implement rules and regulations for the use of the key box system.

(G) *Penalty.* Refer to Code of Ordinance Sec. 13-32. - International Fire Code adopted, Subsection I for the penalty violation of this section.

SECTION 2. Severability. If any phrase, clause, sentence, paragraph or section of this Ordinance is declared unconstitutional or unlawful by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the phrases, clauses, sentences, paragraphs, and sections would have been enacted by the city council without the incorporation in this Ordinance of any such unconstitutional or unlawful phrase, clause, sentence, paragraph, or section.

SECTION 3. This Ordinance shall be in full force and effect from and after its final passage and publication thereof, in accordance with the City Charter of the City of Eagle Pass.

READ, PASSED, AND APPROVED ON FIRST READING on this 4th Day of April, A.D., 2023.

ATTEST:

Rolando Salinas
Mayor

Imelda B. Rodriguez
City Secretary

AYES: Salinas, Davis, Diaz, Ramon, Cruz
NAYS: None
ABSTAINED: None
ABSENT: None

READ, PASSED, AND APPROVED ON SECOND READING, this 2nd Day of May, A.D., 2023.

ATTEST:

Rolando Salinas
Mayor

Imelda B. Rodriguez
City Secretary

AYES: Salinas, Davis, Diaz, Ramon, Cruz
NAYS: None
ABSTAINED: None
ABSENT: None

READ, PASSED, AND APPROVED ON THIRD AND FINAL READING this 15th Day of May, A.D., 2023.

ATTEST:

Rolando Salinas
Mayor

Imelda B. Rodriguez
City Secretary

AYES: Salinas, Diaz, Garcia
NAYS: None
ABSTAINED: None
ABSENT: Davis and Cruz

APPROVED AS TO FORM AND LEGALITY:

Langley & Banack, Inc.
City Attorney