

STATE OF GEORGIA)
COUNTY OF CHATHAM)

AN ORDINANCE TO AMEND CHAPTER 46, ARTICLE I FIRE PREVENTION AND PROTECTION, SECTION 46-7 OF THE MUNICIPAL CODE OF THE CITY OF POOLER; TO REPEAL CONFLICTING ORDINANCES; TO SET AN EFFECTIVE DATE AND OTHER PURPOSES

THE MAYOR AND COUNCILMEMBERS OF THE CITY OF POOLER, GEORGIA do hereby ordain as follows:

1.

That the Code of Ordinances of the City of Pooler be amended by adding:

Sec. 46-7 Emergency Access Requirements for Gated Communities

Sec. 46-7.1. Purpose:

Response to an emergency by the emergency response departments can be hampered without immediate access to a property or into a building. Following are the findings:

1. There are a number of residential subdivisions with gated/controlled access in the City of Pooler.
2. Emergency vehicles and personnel have difficulty promptly entering the areas closed with such gates or barriers when confronted with threats to public health, safety, and welfare; and
3. There are currently no unified standards for installation of equipment to access gated communities by emergency vehicles during an emergency.

Sec. 46-7.2 Intent: The intent of this article is to:

1. Promote health, safety, and general welfare of the public by establishing standards for installation of equipment to facilitate access to emergency vehicles and persons during emergency situations.
2. Provide standards for accessing gated communities during emergencies by persons and emergency vehicles of the fire department, police department and ambulances.
3. Provide provisions for emergency vehicles to access gated communities in the event of inclement weather, national security situations, and special emergencies. iv. Reduce delay caused by certain vehicle access control devices or systems or no vehicle access control devices or systems.

Sec. 46-7.3 Definitions:

Approved: Approval by the Chief, Fire Department, City of Pooler.

Emergency: Any event requiring the immediate response or action of fire/rescue, emergency medical, or law enforcement agencies for situations arising from, but not limited to, fire, explosion, acts of God, or act of public enemy which, if not corrected immediately, will potentially result in loss of life, property, or substantial environmental resources.

LED: Light Emitting Diode

Pedestrian Gate: An access point used exclusively for pedestrian entry and egress.

Radio Controlled System: An emergency access control system that opens gates and other such barriers when the emergency responder clicks (pulses) their radio transceivers on a restricted FCC radio frequency typically allocated to public safety agencies.

Shall: Indicates a mandatory requirement.

Standard: The rules and regulations contained in the International Fire Code, as amended, adopted by the City and designed to provide specific guidelines to the City of Pooler Fire Department.

Vehicular Gate or Barrier: A device intended to control vehicular access.

Gated community: A multi-dwelling community or other accessory uses that are enclosed within a geographical area by restrictive gates.

Sec. 46-7.4 Standards:

Operation of Gates or Restricted Access:

Where access to an area is restricted because of secured openings and where immediate access is necessary for emergency (lifesaving, firefighting purposes or law enforcement purposes) the following is required.

1. All vehicle access gates or barriers shall be electrically operated for entry and exit by an approved method by the City of Pooler; and furthermore, they will be equipped with the required following access control system:

- a. Radio operated controller:

All blocking barriers shall be equipped with a range-able radio receiver capable of receiving access commands from public safety radio transceivers. Such emergency access control device will be able to operate with the radio systems typically used by public safety agencies operating within Chatham County and the State of Georgia.

Exceptions: Radio controlled exit/activation LED device may be waived by installation of a "free exit" loop.

2. Gates requiring radio-controlled exit/LED activation shall be provided with an approved two (2) inch by two (2) inch blue, reflective marker visible to the exiting vehicle. It shall be located in the center of the exit gate.

3. Wiring of electrical gates shall be provided by AC (Alternate Current) current with underground installation.
4. Electrically operated gates shall fail to the open position when the power is off. They shall remain open until power is restored.

Sec. 46-7.5 Submittal:

The following information shall be submitted to the City of Pooler Fire Department and the City of Pooler Inspections Department:

1. Method of operation of equipment
2. If applicable UL (Underwriters Laboratory) listing numbers of equipment used
3. Manufacturers specification sheets for electrical gate controller; and
4. A site plan of the property and a site plan detail of each gate location drawn to scale (1"-10', 1"-20', or 1"-40') indicating or showing:
 - a. Contractors company name, address, phone number, and contact person;
 - b. Exact locations of the entry to the property;
 - c. Assessor's parcel number;
 - d. Property lines;
 - e. Proposed fence, pedestrian gates, and vehicle gates; and
 - f. Proposed location of key box and radio operated controller
 - g. Site plan requirements are for new construction only.

Sec. 46-7.6 Approval:

The plans, installation and operation of equipment shall be approved by The City Inspections Department and the Chief, City of Pooler Fire Department.

City of Pooler Fire departments shall test and approve operation and compatibility of equipment.

The Chief, City of Pooler Fire Department shall not approve such plans unless the plans allow emergency vehicle and emergency personnel to open electronically or electrically secured openings or gates by city and county approved radio transceivers used by such emergency vehicles or personnel.

Sec. 46-7.7 Maintenance:

Emergency access gates and barriers shall be maintained and may include:

1. Batteries/power back up required for operation of the system during power failure;
2. Lubrication of moving parts and hinges per manufacturer specifications; and
3. Any subsequent attention required to maintain the approved list of allocated radio frequencies for emergency used operation of the gate and the controller.

Sec. 46-7.8 Applicability:

Within twelve months (12) from the date of radio signal switch to a new adopted system by the City of Pooler, all new gated communities/facilities and existing gated communities/facilities with electronically or electrically secured openings or gates or barriers that impede access to an area shall either be a. Removed, or b. Constructed and maintained in accordance with plans and operation approved by City of Pooler Inspections and Fire Department.

All costs associated with the removal of any un-approved system(s), purchase and or installation and maintenance of systems shall be the responsibility of the property owner(s), homeowners association or any such individual or group responsible for maintenance of the property.

Sec. 46-7.9 Penalty for Violation:

Any person, entity, corporation, association, etc. who owns, operates, or maintains a structure, community, or complex subject to this section and in violation hereof shall be subject to the general penalty provisions found in Section 1-12 of this Code. Further, during a response to an emergency, where access by emergency response vehicles are unable to enter a gated/controlled access, the City shall be held harmless from any damage to a gated/controlled access. Where access is not provided, the property owner may be billed by the City of Pooler for the time, material, and equipment use for emergency response.

II.

All ordinances or parts of ordinances in conflict herewith are expressly repealed.

III.

If any section, clause, sentence, or phrase of this paragraph of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, the said holding shall in no way affect the validity of the remaining portions of this ordinance.

IV.

This ordinance shall be effective upon its adoption by the Mayor and Councilmembers of the City of Pooler.

ADOPTED this 20 day of JULY, 2020.



Rebecca Benton, Mayor

1st Reading: 7/06/2020

2nd Reading: 7/20/2020

Attest:



Mahendra Mahabir, City Clerk

City Manager
ROBERT H. BYRD JR