

TOWN OF MONROE,
STATE OF INDIANA

ORDINANCE No.: 2023 - 2

SHORT TITLE: AN ORDINANCE CREATING THE REQUIREMENT FOR ALL NEW COMMERCIAL AND INDUSTRIAL BUILDINGS CONSTRUCTED WITHIN THE JURISDICTIONAL LIMITS OF THE TOWN OF MONROE TO PARTICIPATE IN THE MONROE VOLUNTEER FIRE DEPARTMENT'S KNOX BOX PROGRAM

WHEREAS, Indiana Code § 36-1-3, *et seq.* confers upon units of government within the State of Indiana such powers as necessary or desirable to conduct the affairs of local government;

WHEREAS, the Town of Monroe is a municipality within the State of Indiana and Indiana Code §36-5-2-2 provides that the Town Board for the Town of Monroe (hereinafter referred to as the "Town Board") is the legislative body for the Town of Monroe;

WHEREAS, Indiana Code §36-5-2-9 provides that a legislative body may adopt ordinances and resolutions for the performance of the functions of the town;

WHEREAS, the Town of Monroe, in cooperation with the Town of Monroe Volunteer Fire Department, provides the residents and property owners with fire protection services and similar services within the Town of Monroe's jurisdictional limits;

WHEREAS, the Monroe Volunteer Fire Department has commenced offering the installation of Knox Boxes (a safe that contains a key to the structure, in which the Volunteer Fire Department has access) on commercial and industrial properties to assist with entry in the event of a fire at or within those properties;

WHEREAS, the purpose of the Knox Box is to allow the Monroe Volunteer Fire Department entry into commercial and industrial buildings in the event of fire or other conflagration instead of waiting for the owner or owner's designee to appear and unlock the property for entry.

WHEREAS, the Board for the Town of Monroe, is in agreement that participation in the Monroe Volunteer Fire Department's Knox Box program promotes the health and safety to the Town of Monroe and its residents;

WHEREAS, the Board for the Town of Monroe takes the position that all new construction of commercial and industrial buildings should be required to participate in the

Monroe Volunteer Fire Department's Knox Box program and pay an annual fee and provide exterior space for the Monroe Volunteer Fire Department to install a Knox Box upon the premises;

WHEREAS, the Board for the Town of Monroe takes the position that any existing commercial or industrial property located within the Town of Monroe may participate in the Monroe Volunteer Fire Department's Knox Box program on a voluntary basis;

NOW THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF THE TOWN OF MONROE, INDIANA, AS FOLLOWS:

SECTION 1. Definitions. The following definitions are applicable to this Ordinance and are not of universal meaning within the context of other Ordinances, unless specific reference to said term and definition is referenced therein.

- A. "*Annual Fee*" means the yearly fee charged by the Monroe Volunteer Fire Department for the cost of administering and managing the Knox Box program within commercial and industrial properties located within the jurisdictional limits of the Town of Monroe.
- B. "*Initial Fee*" means the fee charged by the Monroe Volunteer Fire Department to cover the cost of the Knox Box and the installation fee of the Knox Box upon Participants' properties.
- C. "*Knox Box*" means a safe or similar such secured cabinet that will be provided by the Monroe Volunteer Fire Department to be placed upon the exterior of a commercial or industrial property or adjacent thereto, in which a key to the premises is stored, allowing the Monroe Volunteer Fire Department access to the premises in the event of a fire or other such emergency.
- D. "*Participants*" shall mean the owners or lessees for all commercial and industrial construction within the jurisdictional limits of the Town of Monroe that commences after the date this Ordinance is adopted by the Board for the Town of Monroe; and, any existing commercial and industrial property owners that elect to participate in the Knox Box program voluntarily.
- E. "*Requirements*" shall mean (i) payment of the Initial Fee, (ii) payment of the Annual Fee, (ii) designated location on the exterior of the property or location adjacent to the structure where the Monroe Volunteer Fire Department can install a Knox Box, and (iii) providing a key to the Monroe Volunteer Fire Department to the locks on the Participants' industrial and commercial properties that will be placed in the Knox Box.

SECTION 2. Knox Box Annual Fee. The Monroe Volunteer Fire Department shall establish the Annual Fee for providing the Knox Box and maintaining the Knox Box upon the properties owned by or leased by the Participants. The Monroe Volunteer Fire Department will meet annually with the Board for the Town of Monroe to inform and discuss changes to the Annual Fee.

SECTION 3. Installation of Knox Box. The Monroe Volunteer Fire Department will be responsible for installing the Knox Box on or at the properties of all Participants.

SECTION 4. Maintenance. The Monroe Volunteer Fire Department will maintain all Knox Boxes within the Town of Monroe. Maintenance will include verifying the key is in the Knox Box, and that the Knox Box is in operable condition.

SECTION 5. Participants' Obligations. The Participants shall have the following duties: (i) to provide a key to their property to the Monroe Volunteer Fire Department, (ii) to pay the Annual Fee, (iii) to notify the Monroe Volunteer Fire Department when there has been a lock change to their respective properties that would make the key located in the Knox Box ineffective for entry into their property, and (iv) to report to the Monroe Volunteer Fire Department any visible damage to the Knox Box, either from accident, wear, vandalism or other similar such damage.

SECTION 6. Effective Date. This Ordinance shall be effective upon the date of its adoption by the Town Board for the Town of Monroe, Adams County, State of Indiana.

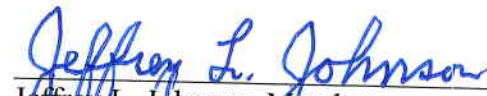
Duly adopted by the Town Council of the Town of Monroe, County of Adams County, State of Indiana, at its regular monthly meeting on this 6th day of July 2023, with the following vote of 2 Yeas and Nays.

**Town Council for the Town of Monroe,
County of Adams, State of Indiana**

Debra S. Giessler, President




Mike Geels, Member



Jeffrey L. Johnson, Member

ATTEST:



Rachel Tague, Clerk-Treasurer
Town of Monroe, County of Adams, State
of Indiana