New York State Department of State
Division of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231
www.dos.ny.gov

Local Law Filing

(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 underlining to indicate new matter.

Village of Stillwater

Local Law No. 1 of the year 2021

A local law entitled "Emergency Access Systems Law."

Be it enacted by the Board of Trustees of the Village of Stillwater, in the County of Saratoga, as follows:

SECTION 1. Title.

This local law shall be known as the Village of Stillwater "Emergency Access Systems Law."

SECTION 2. Intent.

The Village of Stillwater has recognized the importance of providing the Village's Emergency Services rapid entry into locked buildings. An Emergency Access Systems local law provides for the placement in secured, locked containers of keys to important areas within a structure and information that may be vital and necessary to the health, safety, and welfare of the occupants and responding emergency crews. The delay in gaining entry can result in substantial property damage, delays in providing lifesaving or other medical procedures, and increased danger for emergency services personnel and the building occupants. To assist the emergency service providers in gaining rapid entry, the Village of Stillwater adopts an Emergency Access Systems local law.

SECTION 3. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

BUREAU OF FIRE SERVICES - Village of Stillwater Bureau of Fire Services, 1 School Street, Stillwater, NY 12186.

CODE ENFORCEMENT OFFICER – Village of Stillwater Code Enforcement, 1 School Street, Stillwater, NY 12186.

KEY BOX - A high security key vault of UL type approved by the Village of Stillwater Bureau of Fire Services. Locks shall be keyed to the key configuration provided by the Village of Stillwater.

Such vaults shall have weatherproof gaskets, shall have a covered lock opening and shall be highly resistant to drilling or vandalism.

KEY BOX DOCUMENT VAULT- A high-security steel plate vault, a minimum of 14 inches high by 12 inches wide by 2 inches deep, constructed to the same standards as the lock box, for the storage of documents.

SECTION 4. Applicability.

All dwellings, civic buildings, commercial buildings and industrial buildings located within the Village of Stillwater shall be equipped with a key box or a key box document vault unless exempted under Section 5 of this local law.

SECTION 5. Exemptions.

One and two-family dwellings shall be exempt from the requirements of this local law.

SECTION 6. Installation requirements.

A. The key box shall be installed on the front of the building, near the main entry door and between six and eight feet above the ground, unless approved for another location or at a higher or lower level by the Bureau of Fire Services. The Bureau of Fire Services must approve and certify all installations.

B. Keys within the lock box shall be labeled for easy identification either by the tenant name or indexed to a floor plan of the building and shall be kept current.

C. The key box shall contain the following:

(1) Unless otherwise agreed upon with the Bureau of Fire Services, key(s) or magnetic cards for the exterior doors, the keys or magnetic cards for all the interior doors identified in sub- paragraphs C(2) to C(6) below within the building, and a scaled floor plan of the building.

(2) Keys or magnet cards to locked mechanical equipment and sprinkler control rooms.

(3) Keys or magnet cards to locked electrical rooms or panels or fire alarm control panel.

(4) Keys or magnet cards to locked elevator rooms or controls, and elevator keys, if required.

(5) Keys or magnet cards to other areas as directed by the Bureau of Fire Services.

(6) Access codes to digital fire alarm keypads.

D. A key box document vault is required for all facilities that store or use hazardous materials on site. The key box document vault shall contain those items required to be stored in a key box, and, unless the Bureau of Fire Services otherwise agrees, the following additional items:

(1) A current list of facility personnel knowledgeable about safety procedures of the materials on site, complete with the telephone numbers for each person.

(2) A current emergency and hazardous chemical inventory form and binder containing the safety data sheets (SDS) or, in the event that the volume of SDS sheets is too great to keep practically in the document vault, the location of on-site SDS, and those SDS shall be readily available for use by emergency response personnel.

(3) A facility site plan showing the location of storage and use of hazardous materials on site, and any other building floor plan deemed necessary by the Bureau of Fire Services.

SECTION 7. Time for Compliance

A. All existing buildings covered by this local law shall comply within eighteen (18) months of the effective date of this local law.

B. All new construction covered by this local law, including buildings currently under construction as of the effective date, for which no certificate of occupancy has been issued, shall comply immediately.

SECTION 8: Inspection Fees.

A. All buildings shall be subject to inspection for compliance with this local law pursuant to inspection schedules to be annually adopted by the Bureau of Fire Services.

B. An inspection fee schedule may be established by resolution of the Village Board of Trustees of this Village. Such fee schedule may thereafter be amended from time to time by like resolution. The fees set forth in, or determined in accordance with, such fee schedule or amended fee schedule may be charged and collected for the submission of applications, inspections, issuance of any certifications, or other actions described in or contemplated by this local law.

SECTION 9. Administration and Enforcement.

The Bureau of Fire Services shall administer the provisions of this chapter. The Bureau of Fire Services, Code Enforcement Officer and/or police authorities with jurisdiction in the Village shall enforce the provisions.

SECTION 10. Intermunicipal Agreements.

The Village Board of Trustees of this Village may, by resolution, authorize the Mayor of this Village to enter into an agreement, in the name of this Village, with other governments to carry out the terms of this local law, provided that such agreement does not violate any applicable provision of law.

SECTION 11. Violations; Penalties.

A. It shall be unlawful for any person to tamper, meddle, deface, vandalize or interfere in any way with an Emergency Access System.

B. Compliance Orders. The Bureau of Fire Services and/or Code Enforcement Officer are authorized to order in writing the remedying of any condition or activity found to be in violation of this local law. Upon finding that any such condition or activity exists, the Bureau of Fire Services and/or Code Enforcement Officer shall issue a Compliance Order, which shall (1) be in writing; (2) be dated and signed; (3) specify the condition or activity that violates the this local law; (4) specify the period of time deemed to be reasonably necessary for achieving compliance; (6) direct that compliance be achieved within the specified period of time; and (7) state that an action or proceeding to compel compliance may be instituted if compliance is not achieved within the specified period of time. The Compliance Order, or a copy thereof, shall be served on the owner of the affected property personally or by certified mail.

C. Appearance Tickets. The Bureau of Fire Services and/or Code Enforcement Officer are authorized to issue appearance tickets for any violation of this local law.

D. Civil Penalties. In addition to those penalties proscribed by State law, any person who violates any provision of this local law shall be liable to a civil penalty of not more than $200 for each day or part thereof during which such violation continues. The civil penalties provided by this subdivision shall be recoverable in an action instituted in the name of this Village.

E. Injunctive Relief. An action or proceeding may be instituted in the name of this Village, in a court of competent jurisdiction, to prevent, restrain, enjoin, correct, or abate any violation of, or to enforce, any provision of this local law. In particular, but not by way of limitation, where a building is in violation of any provision of this local law, an action or proceeding may be commenced in the name of this Village, in the Supreme Court or in any other court having the requisite jurisdiction, to obtain an order directing the remedying of the condition in violation of such provisions. No action or proceeding described in this subdivision shall be commenced without the appropriate authorization from the Village Board of Trustees of this Village.

F. Remedies Not Exclusive. No remedy or penalty specified in this section shall be the exclusive remedy or remedy available to address any violation described in this section, and each remedy or penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the other remedies or penalties specified in any other section of this local law, or in any other applicable law. Any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any other remedy or penalty specified in this this local law, or in any other applicable law.

SECTION 12. Severability.

If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

SECTION 13. Effective Date.

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 2021 of the (County)(City)(Town)(Village) of Stillwater was duly passed by the Village Board on December 21 2021 in accordance with the applicable
(Name of Legislative Body)
provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. ____ of 20__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20__ and was (approved)(not disapproved)
(Name of Legislative Body)
(repassed after disapproval) by the _____ and was deemed duly adopted
(Elective Chief Executive Officer)*
on _____ 20___ in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20__ and was (approved)(not disapproved)
(Name of Legislative Body)
(repassed after disapproval) by the _____ and was deemed duly adopted
(Elective Chief Executive Officer)*
on _____ 20___ in accordance with the applicable provisions of law.

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20__ in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20__ and was (approved)(not disapproved)
(Name of Legislative Body)
(repassed after disapproval) by the _____ and was deemed duly adopted
(Elective Chief Executive Officer)*
on _____ 20___ in accordance with the applicable provisions of law. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of 20 in accordance with the applicable provisions of law.

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*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairman of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____20__, became operative.

6. (County local law concerning adoption of Charter.)
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____20__, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

Kristin Iodice

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

(Seal)

Date: