

CHAPTER 93: FIRE PROTECTION; FIREWORKS AND EXPLOSIVES

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§ 93.01 DEFINITIONS; LEGALITY OF ITEMS.

(A) As used in KRS 227.700 to 227.750, "FIREWORKS" means any composition or device for the purpose of producing a visible or an audible effect by combustion, deflagration, or detonation, and which meets the definition of "consumer fireworks" as defined in division (B) or "display" fireworks as defined in division (D) and as set forth in the U.S. Department of Transportation's (DOT) hazardous materials regulations.

(1) Exception number 1: Toy pistols, toy canes, toy guns, or other devices in which paper or plastic caps manufactured in accordance with DOT regulations, and packed and shipped according to said regulations, are not considered to be fireworks and shall be allowed to be used and sold at all times.

(2) Exception number 2: Model rockets and model rocket motors designed, sold, and used for the purpose of propelling recoverable aero models are not considered to be fireworks.

(3) Exception number 3: Propelling or expelling charges consisting of a mixture of sulfur, charcoal, and saltpeter are not considered as being designed for producing audible effects.
(KRS 227.700)

(B) As used in KRS 227.700 through 227.750, "CONSUMER FIREWORKS" means fireworks that are suitable for use by the public, designed

primarily to produce visible effects by combustion, and comply with the construction, chemical composition, and labeling regulations of the U.S. Consumer Product Safety Commission. The types, sizes, and amount of pyrotechnic contents of these devices are limited as enumerated in this chapter. Some small devices designed to produce audible effects are included, such as whistling devices, ground devices containing 50 milligrams or less of explosive composition, and aerial devices containing 130 milligrams or less of explosive composition. Consumer fireworks are further defined by the Consumer Product Safety Commission in CPSC, 16 CPSC, 16 C.F.R. Pts 1500 and 1507, are classified as Division 1.4G explosives by the U.S. Department of Transportation and include the following:

(1) Ground and hand-held sparkling devices.

(a) Dipped stick-sparkler or wire sparkler. These devices consist a metal wire or wood dowel that has been coated with pyrotechnic composition. Upon ignition of the tip of the device, a shower of sparks is produced. Sparklers may contain up to 100 grams of pyrotechnic composition per item. Those devices containing any perchlorate or chlorate salts may not exceed five grams of pyrotechnic composition per item. Wire sparklers which contain no magnesium and which contain less than 100 grams of composition per item are not included in this category, in accordance with DOT regulations.

(b) Cylindrical fountain. Cylindrical tube containing not more than 75 grams of pyrotechnic composition. Upon ignition, a shower of colored sparks, and sometimes a whistling effect or smoke, is produced. This device may be provided with a spike for insertion into the ground (spike fountain), a wood or plastic base for placing on the ground (base fountain), or a wood or cardboard handle, if intended to be hand-held (handle fountain). When more than one tube is mounted on a common base, total pyrotechnic composition may not exceed 200 grams, or 500 grams if the tubes are separated from each other on the base by a distance of at least one-half inch.

(c) Cone fountain. Cardboard or heavy paper cone containing up to 50 grams of pyrotechnic composition. The effect is the same as that of a cylindrical fountain. When more than one cone is mounted on a common base, the total pyrotechnic composition may not exceed 200 grams, or 500 grams if the tubes are separated from each other on the base by a distance of at least one-half inch.

(d) Illuminating torch. Cylindrical tube containing up to 100 grams of pyrotechnic composition. Upon ignition, colored fire is produced. May be spike, base, or hand-held. When more than one tube is mounted on a common base, the total pyrotechnic composition may not exceed 200 grams, or 500 grams if the tubes are separated from each other on the base by a distance of at least one-half inch.

(e) Wheel. A device attached to a post or tree by means of a nail or string. A wheel may have one or more drivers, each of which

may contain not more than 60 grams of pyrotechnic composition. No wheel may contain more than 200 grams total pyrotechnic composition. Upon ignition, the wheel revolves, producing a shower of color and sparks and, sometimes, a whistling effect.

(f) Ground spinner. Small device containing not more than 20 grams of pyrotechnic composition, similar in operation to a wheel but intended to be placed on the ground and ignited. A shower of sparks and color is produced by the rapidly spinning device.

(g) Flitter sparkler. Narrow paper tube attached to a stick or wire and filled with not more than 100 grams of pyrotechnic composition that produces color and sparks upon ignition. The paper at one end of the tube is ignited to make the device function.

(h) Toy smoke device. Small plastic or paper item containing not more than 100 grams of pyrotechnic composition that, upon ignition, produces white or colored smoke as the primary effect.

(2) Aerial devices.

(a) Sky rockets and bottle rockets. Cylindrical tube containing not more than 20 grams of pyrotechnic composition. Sky rockets contain a wooden stick for guidance and stability and rise into the air upon ignition. A burst of color or noise or both is produced at the height of flight.

(b) Missile-type rocket. A device similar to a sky rocket in size, composition, and effect that uses fins rather than a stick for guidance and stability.

(c) Helicopter, aerial spinner. A tube containing up to 20 grams of pyrotechnic composition. A propeller or blade is attached, which, upon ignition, lifts the rapidly spinning device into the air. A visible or audible effect is produced at the height of flight.

(d) Roman candles. Heavy paper or cardboard tube containing up to 20 grams of pyrotechnic composition. Upon ignition, up to ten stars (pellets of pressed pyrotechnic composition that burn with bright color) are individually expelled at several second intervals.

(e) Mine, shell. Heavy cardboard or paper tube usually attached to a wood or plastic base and containing up to 60 grams of total chemical composition (lift charge, burst charge, and visible or audible effect composition). Upon ignition, "stars," components producing reports containing up to 130 milligrams of explosive composition per report, or other devices are propelled into the air. The term "mine" refers to a device with no internal components containing a bursting charge, and the term "shell" refers to a device that propels a component that subsequently bursts open in the air. A

mine or shell device may contain more than one tube provided the tubes fire in sequence upon ignition of one external fuse. The term "cake" refers to a dense-packed collection of mine or shell tubes. Total chemical composition including lift charges of any multiple tube devices may not exceed 200 grams. The maximum quantity of lift charge in any one tube of a mine or shell device shall not exceed 20 grams, and the maximum quantity of break or bursting charge in any component shall not exceed 25% of the total weight of chemical composition in the component. The tube remains on the ground.

(f) Aerial shell kit, reloadable tube. A package kit containing a cardboard, high-density polyethylene (HDPE, or equivalent launching tube with multiple-shot aerial shells. Each aerial shell is limited to a maximum of 60 grams of total chemical composition (lift charge, burst charge, and visible or audible effect composition), and the maximum diameter of each shell shall not exceed 1 3/4 inches. In addition, the maximum quantity of lift charge in any shell shall not exceed 20 grams, and the maximum quantity of break or bursting charge in any shell shall not exceed 25% of the total weight of chemical composition in the shell. The total chemical composition of all the shells in the kit, including lift charge, shall not exceed 400 grams. The user lowers a shell into the launching tube, at the time of firing, with the fusing extending out of the top of the tube. After the firing, the tube is then reloaded with another shell for the next firing. All launching tubes shall be capable of firing twice the number of shells in the kit without failure of the tube. Each package of multiple-shot aerial shells must comply with all warning label requirements of the Consumer Product Safety Commission.

(3) Audible ground devices.

(a) Firecrackers, salutes. Small paper-wrapped or cardboard tube containing not more than 50 milligrams of pyrotechnic composition. Those used in aerial devices may contain not more than 130 milligrams of explosive composition per report. Upon ignition, noise and a flash of light is produced.

(b) Chaser. Small paper or cardboard tube that travels along the ground upon ignition. A whistling effect, or other noise, is often produced. The explosive composition used to create the noise may not exceed 50 milligrams.

(KRS 227.702)

(C) Items listed below are classified as "NOVELTIES" and "TRICK NOISEMAKERS" and are not classified as consumer fireworks by the U.S. Department of Transportation and their transportation, storage, retail sale, possession, sale, and use shall be allowed throughout the state at all times.

(1) Snake, glow worm. Pressed pellet of pyrotechnic composition that produces a large, snake-like ash upon burning. The

ash expands in length as the pellet burns. These devices may not contain mercuric thiocyanate.

(2) Smoke device. Tube or sphere containing pyrotechnic composition that, upon ignition, produces white or colored smoke as the primary effect.

(3) Wire sparkler. Wire coated with pyrotechnic composition that produces a shower of sparks upon ignition. These items may not contain magnesium and must not exceed 100 grams of composition per item. Devices containing any chlorate or perchlorate salts may not exceed five grams of composition per item.

(4) Trick noisemaker. Item that produces a small report intended to surprise the user. These devices include:

(a) Party popper. Small plastic or paper item containing not more than 16 milligrams of explosive composition that is friction sensitive. A string protruding from the device is pulled to ignite it, expelling paper streamers and producing a small report.

(b) Booby trap. Small tube with string protruding from both ends, similar to a party popper in design. The ends of the string are pulled to ignite the friction sensitive composition, producing a small report.

(c) Snapper. Small, paper-wrapped item containing a minute quantity of explosive composition coated on small bits of sand. When dropped, the device explodes producing a small report.

(d) Trick match. Kitchen or book match that has been coated with a small quantity of explosive or pyrotechnic composition. Upon ignition of the match a small report or a shower of sparks is produced.

(e) Cigarette load. Small wooden peg that has been coated with a small quantity of explosive composition. Upon ignition of a cigarette containing one of the pegs, a small report is produced.

(f) Auto burglar alarm. Tube which contains pyrotechnic composition that produces a loud whistle or smoke, or both, when ignited. A small quantity of explosive, not exceeding 50 milligrams may also be used to produce a small report. A squib is used to ignite the device.

(KRS 227.704)

(D) As used in KRS 227.700 through 227.750, "DISPLAY FIREWORKS" means pyrotechnic devices or large fireworks designed primarily to produce visible or audible effects by combustion, deflagration or detonation. This term includes, but is not limited to, firecrackers containing more than two grains (130 milligrams) of explosive

composition, aerial shells containing more than 40 grams of pyrotechnic composition, and other display pieces which exceed the limits for classification as consumer fireworks. Display fireworks are defined by the Consumer Product Safety Commission in CPSC, 16 C.F.R. Pts. 1500 and 1507, and are classified as Class B explosives by the U.S. Department of Transportation.

(KRS 227.706)

(E) Legality of items.

(1) Items described in division (B)(1) above are legal for retail sale provided all applicable federal and state requirements with respect thereto are met.

(2) Items described in divisions (B)(2), (B)(3), and (D) are not legal for retail sale but are legal under permits granted pursuant to this chapter for the purposes specified in this chapter for public displays and may be sold at wholesale as provided in this chapter.

(3) Items described in division (C) are legal for retail sale provided all applicable federal and state requirements with respect thereto are met.

(KRS 227.708)

(F) Age requirement. No person or business shall give, offer for sale, or sell any consumer fireworks listed in KRS 227.702 to any person under eighteen (18) years of age.

(227.715)

§ 93.02 SALE OR USE PROHIBITED; EXCEPTION FOR PUBLIC DISPLAY.

No person, firm, co-partnership or corporation shall offer for sale, expose for sale, sell at retail, keep with intent to sell, possess, use, or explode, any display fireworks, except as follows:

(A) (1) The Chief of the Fire Department or other authorized city official may grant permits for supervised public displays of fireworks by the city, fair associations, amusement parks, and other organizations or groups of individuals.

(2) Every display shall be handled by a competent display operator to be approved by the public official by whom the permit is granted, and shall be of such character, and so located, discharged or fired as in the opinion of the official, after proper inspection, to not be hazardous to property or endanger any person.

(3) "COMPETENT DISPLAY OPERATOR" shall be defined as the person with overall responsibility for the operation and safety of a fireworks display. The competent display operator shall have a Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) License and have participated as an assistant in firing at least five public displays.

A "competent display operator" is also an employee possessor. A permit under division (1) shall be issued only to a competent display operator holding an ATF license.

(4) At least one competent display operator shall be on site during display set-up and firing. This complement display operator shall maintain a copy of the permit application, as signed by the local authority having jurisdiction as identified in this section, on site and at all times the display is in place, and shall be presented on demand of the State Fire Marshal or local Fire Chief. All public displays that require issuance of a permit shall be conducted in accordance with the provisions of National Fire Protection Association (NEPA) 1123 Code for Fireworks Display (adopted edition).

(5) Permits shall be filed with the office of the State Fire Marshal at least fifteen (15) days in advance of the date of the display. After this privilege shall have been granted, sales, possession, use and distribution of fireworks for the display shall be lawful for that purpose only. No permit granted under this subsection shall be transferable. For the purpose of this section, "public display of fireworks" shall include the use of pyrotechnic devices or pyrotechnic materials before a proximate audience, whether indoors or outdoors.

(6) Any person remaining within the display area shall be identified as licensed by the ATF, or an employee thereof, or be an assistant in training to become a competent display operator. All persons remaining within the display area shall be at least 18 years of age.

(7) The Commissioner of the Department of Housing, Buildings and Construction with recommendation from the State Fire Marshal shall promulgate administrative regulations in accordance with KRS Chapter 13A to administer the provisions of this division. The regulations shall address the process by which permits are issued and any other procedures that are reasonably necessary to effectuate this division.

(B) The sale, at wholesale, of any display fireworks for permitted displays by any resident manufacturer, wholesaler, dealer, or jobber, in accordance with regulations of the U.S. Bureau of Alcohol, Tobacco and Firearms, and Explosives if the sale is to a person holding a display permit as outlined in subsection (A) of this section. The permit holder shall present the permit along with other verifiable identification at the time of sale.

(C) The sale of display fireworks in accordance with a license issued by the United States Bureau of Alcohol, Tobacco, Firearms and Explosives.

(D) The sale, and use in emergency situations, of pyrotechnic signaling devices and distress signals for marine, aviation, and highway use.

(E) The use of fuses and railway torpedoes by railroads.

(F) The sale and use of blank cartridges for use in a show or theater or for signal or ceremonial purpose in athletics or sports.

(G) The use of any pyrotechnic device by military organizations.

(H) The use of fireworks for agricultural purposes under the direct supervision of the U.S. Department of the Interior or any equivalent or local agency.

(I) Nothing in this section shall prohibit a person, firm, co-partnership, non-profit, or corporation from offering for sale, exposing for sale, selling at retail, keeping with intent to sell, possessing or using consumer fireworks as defined in KRS 227.702 as permitted pursuant to KRS 227.715.

(KRS 227.710) Penalty, see § 93.99

(I) The sale of consumer fireworks is permitted by KRS 227.715.

§ 93.03 BOND OR LIABILITY INSURANCE REQUIREMENT.

No permit shall be issued under § 93.02 unless the applicant shall give bond or evidence of liability insurance deemed adequate by the official to whom application for the permit is made, in a sum not less than \$1,000,000. However, the Fire Chief or State Fire Marshal may require a larger amount if in their judgment the situation requires it, conditioned for the payment of all damages which may be caused thereby either to a person or to property by reason of the permitted display, and arising from any acts of the licensee, his agents, employees or subcontractors.

(KRS 227.720) Penalty, see § 93.99 (A)

§ 93.04 EXEMPTED SALES AND USES.

Nothing in this chapter shall prevent the retail sale and use of explosives or signaling flares used in the course of ordinary business or industry, or gold star producing sparklers, which contain no magnesium or chlorate, toy snakes which contain no mercury, smoke novelties and party novelties, which contain less than twenty-five hundredths of a grain of explosive mixture, or shells or cartridges, used as ammunition in firearms, or blank cartridges for a show or theatre, or for signal or ceremonial purposes in athletics or sports, or for use by military organizations, or the sale of any kind of fireworks provided the same are to be shipped by the seller directly out of the state.

(KRS 227.730)

Statutory reference:

Approval by State Fire Marshal required prior to sale or use, see
KRS 227.740

§ 93.05 SEIZURE AND DESTRUCTION OF FIREWORKS.

(A) The State Fire Marshal, or any fire department having jurisdiction which has been deputized to act on behalf of the state fire marshal, shall cause to be removed at the expense of the owner all stocks of fireworks which are stored and held in violation of this chapter. After a period of 60 days, the seized fireworks may be offered for sale by closed bid to a properly certified fireworks wholesaler.

(B) After a period of 60 days, the seized fireworks may be offered for sale by closed bid to a properly certified manufacturer, distributor, or wholesaler. All seized fireworks or explosives with a Class 1.3G or "Display" designation shall require the notification of the United States Bureau of Alcohol, Tobacco, Firearms and Explosives. The state fire marshal shall provide the owner or possessor a receipt containing the complete inventory of any fireworks seized within five business days of the seizure.

(C) Before any seized fireworks may be disposed of:

(1) If the owner of the seized fireworks is known to the state fire marshal, the state fire marshal shall give notice by registered mail or personal service to the owner of the state fire marshal's intention to dispose of the fireworks. The notice shall inform the owner of the state fire marshal's intent. The state fire marshal shall conduct an administrative hearing in accordance with KRS Chapter 13B concerning the disposal of fireworks; or

(2) If the identity of the owner of any seized fireworks is not known to the state fire marshal, the state fire marshal shall cause to be published, in a newspaper of general circulation in the county in which the seizure was made, notice of the seizure, and of the State Fire Marshal's intention to dispose of the fireworks. The notice shall be published once each week for three consecutive weeks. If no person claims ownership of the fireworks within ten days of the date of the last publication, the state fire marshal may proceed with disposal of the fireworks. If the owner does claim the fireworks within ten (10) days of the date of the last publication, a hearing as set out in division (A) shall be held.

(D) Nothing in KRS 227.700 to 227.750 shall restrict a local government from enacting ordinances that affect the sale or use of fireworks within its jurisdiction.

(KRS 227.750)

§ 93.06 STORAGE OF EXPLOSIVES.

It shall be unlawful to store at any time within the city a quantity of gunpowder or other similar explosive weighing in excess of 100 pounds without the express authorization of the legislative body. Penalty, see § 93.99(B)

§ 93.07 BLASTING PERMIT.

No person shall cause a blast to occur within the city without making application in writing beforehand, setting forth the exact nature of the intended operation, and receiving a permit to blast from the Mayor or other proper administrative officer. The Mayor or other proper administrative officer before granting such permit may require the applicant to provide a bond to indemnify the city and all other persons against injury or damages which might result from the proposed blasting.

Penalty, see § 93.99(B)

§ 93.08 STORAGE OF FLAMMABLES AND OTHER MATTER.

(A) All flammable or combustible materials shall be arranged and stored in a manner which affords reasonable safety against the danger of fire.

(B) Waste paper, ashes, oil rags, waste rags, excelsior, or any material of a similar hazardous nature shall not be accumulated in any cellar or any other portion of any building of any kind. Proper fireproof receptacles shall be provided for such hazardous materials.

(C) No matter shall be stored or arranged in a manner which impedes or prevents access to or exit from any premises in case of fire.

Penalty, see § 93.99(B)

FIRE PROTECTION

§ 93.15 FIRE APPARATUS BEYOND CITY LIMITS.

(A) On approval having been obtained from any member of the Executive Board of the Volunteer Fire Department any apparatus belonging to the city designed for fire fighting may be taken to any point within a reasonable distance of the city limits to be used for a reasonable time for the purpose of fighting fires or rendering aid in other emergencies.

(B) At all times reasonable fire protection must be maintained within the city either by maintaining within the city limits all or

part of the fire apparatus of the city or through step up arrangements with neighboring municipalities.

(Ord. passed 6-9-52)

§ 93.16 FIRE LIMITS.

The fire limits of the city shall consist of all that area described and enclosed as follows:

Beginning at a point, a fireplug, on South Main Street adjacent to the property of Etherington (Parkview Manor); thence in an easterly direction at right angles to U.S. Highway #25, 150 feet; thence in a northerly direction parallel to U.S. Highway #25 and 150 feet from the east edge thereof to a point 165 feet south of the center of Paris Street; thence in an easterly direction parallel to and 165 feet from the center of Paris Street to a point in the center of Cynthiana Street; thence in a northerly direction with the center of Cynthiana Street to the center of Falmouth Street; thence in a north easterly direction with the center of Falmouth Street 165 feet to a point; thence in a westerly direction parallel to and 165 feet from Paris Street to a point in the center of an alley (Cunningham alley); thence in a northerly direction with the center of said alley to the center of Mill Street; thence in a westerly direction with the center of Mill Street to the center Cunningham Alley; thence with the center of Cunningham Alley to a point due east of the center of High Street; thence in a westerly direction to the intersection of the center of U.S. Highway #25 with the center line of High Street; thence west with the center line of High Street to the east property line of the Southern Railway (C.N.O. & T.P. Railway); thence in a southerly direction with the east property line of the Southern Railway (C.N.O. and T.P. Railway); to a point due west of the point of beginning; thence in an easterly direction to the point of beginning.

(Ord. 93, passed 4-4-66)

§ 93.17 STANDARDS OF SAFETY.

No buildings or other improvement within the fire limits described in § 93.16, unless the same be within an area zoned for residential use, shall be constructed, altered, or modified or remodeled or substantially rebuild or expanded except in accordance with the standards and practices set forth in the Kentucky Building Code, 1983 Edition; the National Fire Protection Association Life Safety Code, Second Edition; and the Building Officials and Code Administrators Fire Prevention Code of 1981. In the event of a conflict between the provisions of these codes the most stringent of these provisions shall apply.

(Ord. 93, passed 4-4-66; Am. Ord. 84-236, passed 1-10-84)

§ 93.18 OPEN BURNING PROHIBITED.

No person shall burn trash, rags, garbage, paper, or other refuse in the area from the Williamstown Roller Mill on South Main Street with the Southern Railway north to High Street; from the intersection of High Street and Southern Railway east to Cunningham Street; from the

intersection of High Street and Cunningham Street south to Paris Street; from the intersection of Cunningham and Paris Street south to the city limits; from the city limits west to Walter Coates' Funeral Home on South Main Street.

(Ord. passed 3-9-53) Penalty, § 93.99

§ 93.19 EXTERIOR WALL CONSTRUCTION.

No building or other improvement within the fire limits described in § 93.16, unless the same be within an area zoned for residential use, shall be constructed, altered, modified, remodeled, or substantially rebuilt or expanded unless all exterior walls thereof shall be constructed of masonry materials, except for proper provisions for window and door openings and for the roof, which shall be of approved roof construction.

(Ord. 84-236, passed 1-10-84) Penalty, see § 93.99

§ 93.20 ISSUANCE OF BUILDING PERMITS.

No city officer shall issue any building permit for the construction, alteration, modification, remodeling, or substantial rebuilding or expansion of any building or other improvement within the fire limits described in § 93.16, unless the same be within an area zoned for residential use, until detailed plans for such work have been submitted to such officer showing full compliance with the standards set out in §§ 93.17 and 93.19.

(Ord. 84-236, passed 1-10-84)

§ 93.21 ENFORCEMENT.

The City Building Officer shall rigorously enforce §§ 93.16, 93.17, and 93.19, shall immediately issue a stop-work order upon learning of any violation of such sections, and shall take all further steps, including directing the City Attorney to take legal action, to insure full compliance with such sections.

(Ord. 84-236, passed 1-10-84)

§ 93.22 CONNECTION OF UTILITIES.

Neither the Superintendent of the Electric Department, nor the Superintendent of the Water Department, nor the Superintendent of the Sewer Department shall permit the utilities subject to his control to be attached to or to provide service to any work described in § 93.17 until he has received from the City Building Officer a written certification that all work has been completed in full compliance with the standards set out in §§ 93.17 and 93.19.

(Ord. 84-236, passed 1-10-84)

§ 93.23 RAPID ENTRY KNOX BOX SYSTEM.

(A) Purpose. It is recognized by the city the importance of providing the Fire Department rapid entry into locked buildings. The delay of entry can result in substantially more property damage as well

as the protection for fire extinguishment and a possible increase to the adverse safety of our firefighters.

(B) Definition. For the purposes of this section, the following definition shall apply unless the context clearly indicates or requires a different meaning.

"KNOX BOX." A high security key vault which is listed under the UL1610 and the UL 1037 standards, master keyed with a proprietary Knox Box lock. Locks will be keyed to the key configuration set forth by the Williamstown Fire Chief.

(C) Guidelines. The following guidelines shall set forth the rapid entry Knox Box system requirements and procedures:

(1) Rapid entry Knox Box required. The following structures shall be equipped with a key lock box in a location set forth by the Fire Chief:

(a) All newly constructed commercial and industrial structures receiving a certificate of occupancy on or after April 1, 2016.

(b) Any newly constructed apartment building or rental building containing two or more residential living units in which access to the building or to common areas or mechanical or electrical rooms within the building is denied through locked or secured doors, receiving a certificate of occupancy on or after April 1, 2016.

(c) Any commercial or industrial building or facility containing any quantity of hazardous chemicals or materials.

(2) Key box installation requirements. Buildings provided with an alarm or fire system shall be provided a key box in which its location will be directed by the Fire Chief.

(3) Keys required. The owner or person in control of the building or facilities in which a rapid entry Knox box is required shall have in such unit keys to the following areas and have each key clearly marked:

- (a) The main entrance door/doors;
- (b) All alarm rooms;
- (c) All mechanical and sprinkler rooms;
- (d) Fire alarm control panel;
- (e) All electrical rooms;
- (f) Elevator keys, if required; and

(g) All other rooms as deemed needed by the Fire Chief during a walk-through.

(4) Access to buildings by the Fire Department. The owner or person in control of any building in which a rapid entry Knox Box is required shall be present, themselves or through their agent, during access to a rapid entry lock box by the Fire Department except when the Fire Department is responding to an emergency at the property.

(5) Update of keys and information. The owner or person in control of any building or facility required to have a rapid entry lock box shall do the following:

(a) Provide keys and updated sets of keys capable of access to the areas in which keys are required as listed in division (C)(3) above;

(b) Notify the Fire Chief when a key change is made and coordinate to replace the keys in the lock box; and

(c) Maintain current information on all hazardous chemicals/materials stored in the facility or building with the Fire Department.

(6) Limitation of liability. The city assumes no liability for any of the following:

(a) Any defects in the operation of the Knox Box or any of the keys contained within it or any information stored within it.

(b) The failure or neglect to respond appropriately upon receipt of an alarm or fire alarm.

(c) The failure or neglect of any owner or person in control of a building or facility to provide the correct or updated material, information, or keys.

(Ord. 2016-05, passed 3-15-16)

§ 93.99 PENALTY.

(A) Any person violating the provisions of §§ 93.02 or 93.03, the regulations issued thereunder or any order issued thereunder, or who knowingly induces another, directly or indirectly, to violate the provisions of those sections, shall be fined not more than one thousand dollars (\$1,000.00), or imprisoned for not more than 30 days, or both. (KRS 227.990(4))

(B) Any person, firm, or corporation violating any provision of §§ 93.17 or 93.19 shall be guilty of a misdemeanor and shall, on conviction of such violation, be fined not more than five hundred dollars (\$500.00) or confined in jail for a period of not more than six months or both. (Ord. 93, passed 4-4-66; Am. Ord. 84-236, passed 1-10-84)

(C) Any person who violates any of the provisions of § 93.18 shall be fined not less than five dollars (\$5.00) nor more than fifty dollars (\$50.00) for each offense. (Ord. passed 3-9-53)

(D) Any person who violates any other provision in this chapter for which no penalty is specified shall be fined not more than one hundred dollars (\$100.00).