

**ITEM 5 ATTACHMENT
ORDINANCE NO. 2017-352**

**AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF CALABASAS, CALIFORNIA, ADDING
CHAPTER 9.02 TO THE CALABASAS MUNICIPAL
CODE REQUIRING AN EMERGENCY KEY SYSTEM TO
ACCESS UNSTAFFED VEHICULAR/PEDESTRIAN
GATES IN THE CITY.**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CALABASAS:

Section 1. Chapter 9.02 is hereby added to the Calabasas Municipal Code to read as follows:

EMERGENCY KEY SYSTEM

- 9.02.010 Purpose; Intent
- 9.02.020 Definitions
- 9.02.030 Emergency Key (E-Key) System
- 9.02.040 New and Existing Residential Communities
- 9.02.050 Violations; Penalties

9.02.010 Purpose; Intent.

The purpose of this chapter is the protection of the public health, safety and general welfare by ensuring quick law enforcement access to properties in the event of an emergency.

9.02.020 Definitions.

(A) "Key access system" shall mean a U.L. listed key lock box, access key switch or security padlock, size and style approved by the jurisdictional sheriff station commander, that meets the requirements and uses the security code key adopted by the Los Angeles County Sheriff's Department.

(B) "Responsible party" means person(s) charged with the responsibility for the facility, or homeowner's association board of directors.

(C) "Security padlock" means a padlock approved by the jurisdictional sheriff station commander that utilizes the approved security key code adopted by the Los Angeles County Sheriff's Department.

(D) "Emergency" means a sudden, unexpected occurrence, involving a clear

and imminent danger, demanding immediate action to prevent or mitigate loss of, or damage to, life, health, property, or essential public services; or response to a call for service.

9.02.030 Emergency Key (E-Key) System.

The following residential structures and residential communities shall be equipped with a key lock box or access key switch at or near the vehicular/pedestrian access gate or other such location required by the sheriff's station commander that permits access to the location by law enforcement personnel:

Gated communities with single-family residences, multi-family residences, or both single-family and multi-family residences with restricted access through unstaffed vehicular/pedestrian gates;

Multi-family residential structures that have restricted access to the entranceway through locked doors or gates which lead to a common area.

Gated communities that have restricted access through vehicular/pedestrian gates which use a padlock device for securing the gate(s) may opt to use the approved security padlock or install a key access system.

9.02.040 New and Existing Residential Communities

- A. All newly constructed residential communities subject to this chapter shall have the key access system installed and operational prior to issuance of Certificate of Occupancy. All residential communities in existence on the effective date of this ordinance and subject to this section shall have one year from the effective date of this ordinance to have a key access system installed and operational.
- B. The jurisdictional sheriff station commander shall designate the type of key lock system to be implemented within the City and shall have the authority to require all single-family and multi-family communities to use the designated system.
- C. The emergency key system designated in this Chapter shall be a separate system from the fire department system, and will require the installation of separate lock boxes or key access panels at locations designated by the jurisdiction sheriff station commander.
- D. The responsible party required to have an emergency key system shall, at all times, keep a key in the lock box (in lieu of an approved key switch) that will

allow access to the unstaffed vehicular/pedestrian gates.

- E. All costs for the purchase, installation and maintenance of the emergency key system shall be borne by and the sole responsibility of, the responsible party.
- F. The jurisdictional sheriff station commander shall be authorized to implement rules and regulations for the use of the emergency key system.

9.02.050 Violations; Penalties

- A. A violation of this chapter by any responsible party who owns, manages or operates a residential community subject to this section shall constitute a misdemeanor punishable pursuant to Section 1.16.029A of this Code or, at the discretion of the office issuing the citation or prosecutor, as an infraction pursuant to Section 1.16.020B of this Code.
- B. Each such violation is a separate offense for each and every day during any portion of which such violation is committed or allowed to continue.

SECTION 2. Severability Clause

Should any section, clause, or provision of this Ordinance be declared by the Courts to be invalid, the same shall not affect the validity of the Ordinance as a whole, or parts thereof, other than the part so declared to be invalid.

SECTION 3. California Environmental Quality Act

The City Council has considered all of the evidence in the record, including the staff reports, the testimony received during public comment on the matter, and hereby determines that that this ordinance is exempt from the California Environmental Quality Act review under Title 14, section 15061(b)(3) as there is no potential for causing a significant effect on the environment . Furthermore, this ordinance will not cause a direct or indirect physical change to the environment and is therefore exempt pursuant to Title 14, Section 15378(b)(2) and (3) of the California Code of Regulations.

SECTION 4. Effective Date

This Ordinance shall take effect 30 days after its passage and adoption pursuant to California Government Code Section 36937 and shall supersede any conflicting provision of any City of Calabasas ordinance.

SECTION 5. Certification

The City Clerk shall certify to the passage and adoption of this ordinance and shall cause the same to be published or posted according to law.

PASSED, APPROVED AND ADOPTED this ____ day of April, 2017.

Mary Sue Maurer, Mayor

ATTEST:

Maricela Hernandez, MMC
City Clerk

APPROVED AS TO FORM:

Scott H. Howard, City Attorney