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CHAPTER 1024 Emergency Access Gates

Avon Lake, Ohio Code of Ordinances

CHAPTER 1024

Emergency Access Gates

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DEFINITIONS.

As used in this chapter:

(a) “Association” means a condominium association or owners association governing all or any portion of a gated community.

(b) “Gate ” means a gate , crossbar, door or other obstructive device that is utilized for the purpose of restricting, controlling or obstructing entry or exit by motor vehicles or pedestrians to or from a private road and that is not manned on a twenty-four-hour, seven day per week basis by a person capable of providing immediate access to a police or fire safety vehicle or person.

(c) “Gated community” means a residential subdivision, apartment complex, condominium development, planned unit development or other residential development access to which is controlled by a gate .

(d) “Gated community lot” means a lot in a gated community.

(e) “Private road” means any road that has not been dedicated as a public right-of-way, that is owned by abutting property owners or association of property owners, and that is utilized for the purpose of providing vehicular or pedestrian access to a residential subdivision, apartment complex, condominium development or other residential development. Private driveways serving one single-family residence shall not be deemed private roads.

(f) “Responsible party” means the person or entity designated in accordance with Section 1024.05.

(Ord. 68-2016. Passed 6-13-16.)

1024.02

PERMIT REQUIRED.

No gate may be installed or maintained on a private road unless a permit issued by the Fire Chief for such gate is in effect and such gate complies with the requirements of this chapter.

(Ord. 68-2016. Passed 6-13-16.)

1024.03

APPROVAL PROCESS.

Application for a gate permit shall be submitted on the form approved by the Fire Chief. A gate permit shall be issued only if and when the Fire Chief determines that the gate will comply with all the requirements of this chapter and will not pose a danger to persons or property.

(Ord. 68-2016. Passed 6-13-16.)

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1024.04 SUBMITTALS FOR ORIGINAL GATE PERMIT.

Each application for an original gate permit must include or be accompanied by:

- (a) The names and contact information for all officers of each association governing any of the gated community lots;
- (b) The name and contact information for any management company retained by any association governing any of the gated community lots;
- (c) The names, addresses and contact information for all owners of gated community lots that are not governed by an association;
- (d) The written consent of each association governing any of the gated community lots;
- (e) The written consent of the owners of all gated community lots not governed by an association. For any gated community lot that is owned jointly or in common by more than one person or entity, the written consent of those persons or entities owning more than fifty percent in interest shall be sufficient;
- (f) A site plan of the area in which the gate is to be located, drawn to scale;
- (g) Plans and specifications for the gate , including method of operation, UL listing numbers of equipment used, and location of radio operated controller and keypad;
- (h) The name and contact information for the contractor who will install the gate ; and
- (i) Designation of a responsible party acceptable to the Fire Chief, contact information for the responsible party, and an acknowledgement by the responsible party that he, she or it agrees to and assumes the obligations imposed upon him, her or it by this chapter.

(Ord. 68-2016. Passed 6-13-16.)

1024.05 RESPONSIBLE PARTY; UPDATE OF CONTACT INFORMATION.

(a) A responsible party must be designated for each gate installed or maintained. The responsible party must reside or maintain an office in Lorain County, Ohio. The responsible party shall be primarily liable for the performance of all obligations imposed by this chapter with respect to the installation and maintenance of the gate and the payment of all fees and fines imposed by this chapter with respect to the gate .

(b) The names and contact information required by items (a), (b) and (i) of Section 1024.04 must be kept current at all times. The responsible party shall notify the Fire Chief in writing not later than 48 hours of a change in such information.

(Ord. 68-2016. Passed 6-13-16.)

1024.06 OPERATION OF GATES.

- (a) Gates must be electrically operated.
- (b) Wiring for gates shall be provided by AC current, underground installation.
- (c) Gates must fail to the open position when the power is off, and must remain open until power is restored.
- (d) As their primary means of emergency access , gates must use one of the following access control systems:
 - (1) A radio controlled system equipped with a radio receiver capable of receiving access commands from public safety radio transceivers used by the City's fire department and police department; or
 - (2) Any other system approved by the Fire Chief.
- (e) As their secondary means of emergency access , gates must be accessible by a digital keypad using a code designated by the Fire Chief. The keypad must be attached to the outside of the gate and must be easily visible from vehicles used by emergency responders.
- (f) Gates must be lighted sufficiently to allow for visibility at night without the use of any additional external light source.
- (g) A conspicuous sign approved by the Fire Chief shall be attached to or placed near each gate indicating the method for gaining emergency access and the location of any control device that must be manually accessed.
- (h) Gates and their means of emergency access must be maintained in good working condition.

(Ord. 68-2016. Passed 6-13-16.)

1024.07 INSTALLATION AND APPROVAL.

A gate may be installed only in accordance with the plans and specifications therefor approved by the Fire Chief. Before a gate may be used to control access , it must be inspected and approved by the fire department to ensure that it has been properly installed, that it complies with the plans and specifications approved by the Fire Chief and that it is in good working condition.

(Ord. 68-2016. Passed 6-13-16.)

1024.08 DURATION AND RENEWAL OF PERMIT.

Unless earlier revoked in accordance with Section 1024.12, a gate permit shall expire on the day preceding the fifth anniversary of its issuance. Application to renew a gate permit shall be submitted on the form provided by the Fire Chief.

(Ord. 68-2016. Passed 6-13-16.)

1024.09 PERMIT FEES.

The fees for gate permits shall be as specified in Chapter 208 of the Administration Code - General Fee Schedule.
(Ord. 68-2016. Passed 6-13-16.)

1024.10 MAINTENANCE.

Gates must be maintained in good working condition at all times.
(Ord. 68-2016. Passed 6-13-16.)

1024.11 PERIODIC INSPECTIONS.

Each gate shall be inspected at least annually by the Fire Department to ensure that the gate and its emergency access systems are in good working condition and that such gate is in compliance with the provisions of this chapter.
(Ord. 68-2016. Passed 6-13-16.)

1024.12 REVOCATION OF PERMIT.

The Fire Chief may revoke the permit for any gate that is not in good working condition or that is otherwise not in compliance with the provisions of this chapter.
(Ord. 68-2016. Passed 6-13-16.)

1024.13 REMOVAL OF NON- CONFORMING GATE .

The Fire Chief shall have the right to remove or order the removal of any gate that doesn't function properly, violates any section of this chapter or for which there is not a valid and current permit, and neither the City, the Fire Chief nor any employee or official of the City shall be liable for any damage caused by such removal.
(Ord. 68-2016. Passed 6-13-16.)

1024.14 NON-LIABILITY FOR DAMAGE TO GATE .

Neither the City, Fire Chief nor any employee or official of the City shall be liable for damage to a gate if in responding to an emergency or perceived emergency or for any other authorized purpose City employees or officials deem it necessary to damage or remove the gate to gain access to any gated community or gated community lot.
(Ord. 68-2016. Passed 6-13-16.)

1024.15 DIRECTIONAL BARRIERS PROHIBITED.

Direction-limiting devices, such as tire spikes, are not permitted on any fire access road.
(Ord. 68-2016. Passed 6-13-16.)

1024.16 EXISTING GATES.

The owners of gates already in existence on the effective date of this chapter must comply with the provisions of this chapter and obtain permits for such gates or remove such gates within one hundred eighty (180) days after the effective date of this chapter.
(Ord. 68-2016. Passed 6-13-16.)

1024.99 PENALTY.

Whoever violates any provision of this chapter is guilty of a misdemeanor of the fourth degree and shall be fined not more than two hundred fifty dollars (\$250.00) or imprisoned not more than thirty days, or both.
(Ord. 68-2016. Passed 6-13-16.)

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