

AN ORDINANCE RELATING TO PUBLIC SAFETY AND REQUIRING SECURITY DEVICES FOR PREVENTION OF BURGLARY IN CERTAIN BUILDINGS USED FOR BUSINESS, AND PROVIDING PENALTIES FOR VIOLATIONS.

BE IT ORDAINED BY THE TOWN OF GIG HARBOR AS FOLLOWS:

SECTION 1. SECURITY REQUIREMENTS; EXCEPTIONS. Unless specifically exempted, all existing and future buildings in the Town used for business shall be secured to prevent unauthorized entry. Security of buildings shall comply with Sections 5 and 6. However, this does not apply when the building is occupied by a watchman, maintenance personnel, or other authorized persons during the hours the business is closed.

Notwithstanding the foregoing, this ordinance does not apply to buildings existing on or before the effective date of this ordinance nor to buildings for which application for building permit(s) was made on or before to the effective date of this ordinance.

Buildings (as defined in the Uniform Building Code) used for schools, nursing homes, hospitals, hotels, and apartments are exempt. Buildings in groups "A" and "B" (Uniform Building Code) and buildings required by the building code to be equipped with panic locks on exit doors are exempt from provisions for exterior doors.

SECTION 2. ENFORCEMENT; RIGHT OF ENTRY. The Chief of Police is authorized and directed to enforce this ordinance. With the presentation of proper identification, the Chief of Police or his representative may enter at reasonable times any building (as defined in Section 1) to inspect the security of exterior accessible openings. Entry shall be with the occupants consent or with a lawfully issued warrant.

SECTION 3. RESPONSIBILITY FOR COMPLIANCE. Responsibility for compliance with Sections 5 and 6 shall be:

- (1) The person operating a business is responsible when the building doesn't share an exterior opening with another business.
- (2) The owner of a building or his agent is responsible when the building is occupied by two or more businesses which share exterior openings.

SECTION 4. INSPECTION; NOTICE. The Chief of Police or his representative shall inspect the accessible exterior openings of every building subject to this ordinance. If he finds that these openings violate Sections 5 and 6, he shall notify, in writing, the responsible person. And, he shall set a time in which corrections shall be completed. Failure to correct violations within this time is a violation of this ordinance.

SECTION 5. SECURITY MEASURES; LOCKING DEVICES. All exterior openings of buildings subject to this ordinance shall be secured as stated in this section, unless they are protected by photoelectric, ultrasonic, or other intrusion detection devices approved by the Chief of Police. However, locking devices on exit doors in buildings used for groups "H" and "B" (as defined in the Uniform Building Code) shall also comply with Section 3303 of that code.

A. FRONT DOORS. All front doors of any such building shall comply with the following requirements:

- (1) Tempered glass doors, wood or metal doors with tempered glass panel, solid wood or metal doors shall be secured as follows:
 - (a) A single door shall be equipped with either double cylinder dead lock that unlocks from both the outside and inside by key, or with cylinder dead lock that unlocks from the outside by key and inside by turnpiece, handle, or knob; or with dead locking latch having guarded bolt that unlocks from the outside by key and inside by turnpiece, handle, or knob.

- (b) On double doors the active leaf shall be equipped with a type of lock as prescribed for single doors and the inactive leaf shall be equipped with flush bolts at head and foot.
- (2) Doors with glass panels not of tempered glass and doors with nontempered glass panels adjacent to the door frame, shall be secured as follows:
 - (a) A single door shall be equipped with cylinder dead lock that unlocks from both the outside and inside by a key.
 - (b) On double doors the active leaf shall be equipped with cylinder dead lock that unlocks from both the outside and inside by a key and the inactive leaf shall be equipped with flush bolts at head and foot.
- (3) Rolling overhead doors that aren't controlled or locked by electric power operation shall be equipped on the inside with the following protective devices:
 - (a) Manually operated doors shall be equipped with slide bolts on the bottom bar.
 - (b) Chain operated doors shall be equipped with a cast iron keeper and pin for securing the hand chain.
 - (c) Crank operated doors shall be equipped with a means for securing the operated shaft.
- (4) A solid overhead, swinging, sliding, or accordion garage-type door shall be secured with a cylinder lock, padlock, and/or metal slide bar, bolt, or crossbar on the inside when not otherwise controlled or locked by electric power operation. If a padlock is used, it shall be of hardened steel shackle, with minimum four pin tumbler operation. If this type of door provides the only entrance to the front of the building, a cylinder lock or padlock may be used on the outside.
- (5) Metal accordion grate or grill-type doors shall be equipped with metal guide track at top and bottom and a cylinder lock and/or padlock with hardened steel shackle and minimum four pin tumbler operation.
- (6) Outside hinges on all front doors shall be equipped with non-removable pins. Such hinge pins may be either welded, flanged, or secured by a screw.

B. REAR, SIDE AND BASEMENT DOORS. All accessible rear, side and basement doors of any such building shall comply with the following requirements:

- (1) All doors of the types listed below shall comply with the requirements of subsection "A" of this section for front doors.
 - (a) Tempered glass doors, wood or metal doors, with tempered glass panel.
 - (b) Metal doors.
 - (c) Rolling overhead doors.
 - (d) Solid overhead, swinging, sliding or accordion garage-type doors.
 - (e) Metal accordion grate or grill-type doors.
- (2) Doors with glass panels and doors with glass panels adjacent to the door frame shall be secured as follows:
 - (a) The glass panel shall be covered with iron bars of at least one half inch round or 1" x 1 $\frac{1}{4}$ " flat steel material, spaced not more than 5" apart, or
 - (b) Iron or steel grills of at least 1/8" material of 2" mesh.
 - (c) If the door or glass panel barrier is on the outside, it shall be secured with rounded head flush bolt on the outside.

- (d) If the remaining portion of a door panel exceeds 8" x 12" (excluding door frame), is of wood, but not of solid core construction, or is less than 1 3/8" thick, this portion shall be covered on the inside with at least 16 gauge sheet steel attached with screws.
- (3) Wood doors, not of solid core construction, or with panels less than 1 3/8" thick, shall be covered on the inside with at least 16 gauge sheet steel attached with screws.
- (4) Locking Devices
 - (a) A single door shall be equipped with either double cylinder dead lock that unlocks from both the outside and inside by key, with cylinder dead lock that unlocks from the outside by key and inside by turnpiece, handle, or knob, with dead locking latch having guarded bolt that unlocks from outside by key and inside by turnpiece, handle, or knob, or with approved slide bar bolt, crossbar, and/or padlock. If a padlock is used, it shall be of hardened steel shackle, with minimum four pin tumbler operation.
 - (b) On double doors the active leaf shall be equipped with a type of lock as prescribed for single doors above and the inactive leaf shall be equipped with flush bolts at head and foot.
- (5) Outside hinges on all rear, side and basement doors shall be provided with nonremovable pins. Such hinge pins may be either welded, flanged, or secured by a screw.

C. ROOF DOORS. All doors that exit onto the roof of any such building shall comply with the following requirements:

- (1) Doors with glass panels and any glass panels adjacent to the door frame shall be protected as follows:
 - (a) The glass portion shall be covered with iron or steel grills of at least 1/8" material of no more than 2" mesh securely fastened.
 - (b) If the door or glass panel barrier is on the outside, it shall be secured with rounded head flush bolt on the outside.
 - (c) If the remaining portion of a door panel exceeds 8" x 12" (excluding door frame) and is of wood, but not of solid core construction, or is less than 1 3/8" thick, said portion shall be covered on the inside with at least 16 gauge sheet steel attached with screws.
- (2) Wood doors not of solid core construction, or with panels less than 1 3/8" thick, shall be covered on the inside with at least 16 gauge sheet steel attached with screws.
- (3) All roof doors shall be equipped with a lock that permits the door to be opened from the inside without a key or any special knowledge or effort.
- (4) Outside hinges on all roof doors shall be provided with nonremovable pins. Such hinge pins may be either welded, flanged, or secured by a screw.

D. GLASS WINDOWS. The Chief of Police shall consult with the Director of Planning and Building and the Fire Chief to determine the extent of protection, if any, required for accessible glass windows at the side or rear of such building. Glass windows are deemed accessible if less than eighteen (18) feet above ground. In making his determination, he shall consider whether the side of the building fronts on a street, the area, location and contents, and whether such openings are protected by intrusion detection devices.

- (1) The Chief of Police may require side and rear glass windows with a pane exceeding ninety-six (96) square inches in area, with its smallest dimension exceeding 6", to be protected in the following manner:
 - (a) Inside or outside iron bars of at least one-half inch round or 1" x $\frac{1}{4}$ " flat steel material, spaced not more than 5" apart, securely fastened, or,
 - (b) Inside or outside iron or steel grills of at least 1/8" material of 2" mesh securely fastened.

If such barrier is on the outside, it shall be secured with rounded head flush bolt on the outside.

- (2) If the side or rear window can be opened, it shall be secured on the inside with either a glide bar, bolt, crossbar, and/or padlock with hardened steel shackle and a minimum four pin tumbler operation.
- (3) Outside hinges on all side and rear glass window shall be provided with nonremovable pins. Such hinge pins may be either welded, flanged, or secured by a screw.

E. ACCESSIBLE TRANSOMS. All exterior transoms exceeding 8" x 12" on the side and rear of any such building or premises shall be protected by either of the following:

- (1) Outside iron bars of at least $\frac{1}{2}$ " round or 1" x $\frac{1}{4}$ " flat steel material, spaced no more than 5" apart, or
- (2) Outside iron or steel grills of at least 1/8" material but not more than 2" mesh.

Such barrier shall be secured with rounded head flush bolt on the outside.

F. ROOF OPENINGS. All exterior openings on the roof of any such building or premises shall be protected as follows:

- (1) Glass skylights shall be provided with:
 - (a) Iron bars of at least $\frac{1}{2}$ " round or $1\frac{1}{2}$ " flat steel material under the skylight and securely fastened, or
 - (b) A steel grill of at least 1/8" material of 2" mesh under the skylight and securely fastened.
- (2) Hatchway openings shall be secured as follows:
 - (a) If the hatchway is of wooden material, it shall be covered on the inside with at least 16 gauge sheet steel attached with screws.
 - (b) The hatchway shall be secured from the outside with a slide bar or slide bolts. The use of crossbar or padlock is unauthorized, unless approved by the Chief of the Fire Department.
 - (c) Outside hinges on all hatchway openings shall be provided with nonremovable pins. Such hinge pins may be either welded, flanged, or secured by a screw.
- (3) Air duct or air vent openings exceeding 8" x 12" shall be secured by covering the same with either of the following:
 - (a) Iron bars of at least $\frac{1}{2}$ " round or 1" x $1\frac{1}{2}$ " flat steel material, spaced no more than 5" apart and securely fastened, or
 - (b) A steel grill of at least 1/8" material 2" mesh and securely fastened.

If the barrier is on the outside it shall be secured with rounded head flush bolts on the outside.

SECTION 6. SECURITY MEASURES; INTRUSION DETECTION DEVICES. If the Chief of Police determines that the security measures and locking devices prescribed in Section 5 of this ordinance do not adequately secure the building, he may require the installation and maintenance of photoelectric, ultrasonic, or other intrusion detection device. He shall consider whether:

- (a) The business establishment has experienced a high incidence of burglary, or
- (b) The type of merchandise and its inventory value require added protection.

If he determines that such installation is required, he shall notify, in writing, the responsible person (designated in Section 3) of the type of device and the time within which installation shall be completed. Unless an appeal is filed in accordance with Section 7 of this ordinance, failure to comply with such notice within the time specified is a violation of this ordinance.

SECTION 7. APPEAL FROM INTRUSION DETECTION DEVICE REQUIREMENTS. Within ten (10) days after the receipt of written notice from the Chief of Police requiring the installation and maintenance of photoelectric, ultrasonic or other

intrusion detection device, the person responsible for compliance may appeal, in writing, to the Town Council. A notice of appeal shall state the specific grounds for claiming an error, abuse of discretion by the Chief of Police, or the issuance of written notice was not supported by proper evidence.

Upon receipt of an appeal, the Town Council shall set a hearing. Notification of the hearing to the Chief of Police and the appellant will not be less than five (5) days prior to the date for the hearing. At the hearing, the appellant shall show cause why the action by the Chief of Police should not be affirmed.

The Town Council may affirm, reverse, or modify the decision of the Chief of Police. If the decision is affirmed or modified by the Town Council, the Chief of Police will notify, in writing, the appellant of the installation to be made and the time in which it shall be completed. The time shall not be less than that originally granted. Failure to comply with such notice within the time specified is a violation of this ordinance.

SECTION 8. PENALTIES FOR VIOLATIONS. Anyone violating or failing to comply with the provisions of this ordinance shall, upon conviction, be punished by a fine of not more than Five Hundred Dollars (\$500.00), or by imprisonment for not more than six months, or by both such fine and imprisonment.

PASSED by the Council of the Town of Gig Harbor this 14th day of April, 1980.

Ruth M. Bogue
Ruth M. Bogue Mayor

ATTEST:

Donald J. Avery
Donald J. Avery *Clerk*