



Campbell County Fire Department

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Variance Review

Contact: Alex Gilmour, Denali Construction
Bruce and Maryann Marshall, Marshall Jewelry
Date: March 21, 2014
Location: 1103 East Boxelder Road, Suites B&C, Marshall Jewelry
Project: Building Permit 13-486, Key box variance

Please accept this letter as a summary of events to-date and the current status of the project.

On June 7, 2013, as part of my code review for the above building permit, I stated (among other code requirements) that a key box was required to be installed per 2012 International Fire Code (IFC) Section 506.1. In its adoption of the IFC, the City of Gillette amended 506.1 to read:

“506.1 Where Required. Key boxes shall be provided for Fire Department entry for all commercial occupancies within the City of Gillette. The key boxes shall be installed on all new businesses before occupancy is granted. Any existing businesses that obtained a permit to do any work or change of use or occupancy shall be required to install a key box before the work can be completed and signed off and occupancy resumed. The key box shall be located within 10 feet of the front doors, a minimum of 6 six feet above the ground level and not to exceed 7 seven feet in height unless approved in writing by the fire code official. The key box shall be of an approved type and shall contain keys to gain necessary access as required by the fire code official. (Ord. 3549, 5-5-08; Ord. 3691, 9-7-2010; Ord. 3771, 8-20-2012)”

On September 5, 2013, I performed an inspection for the purpose of completing the building permit. At that time, it was noted that a key box had not been installed, and the general contractor, Alex Gilmour, was reminded of the requirement.

Later the same day, Mr. Gilmour phoned me and requested a variance of the requirement, as the owners expressed they would rather the fire department break-in than to provide an exterior box with a key to the building, citing security concerns. The request was denied on the grounds that the key box is UL-listed to several standards, including UL437 Standard for Safety for Key Locks; UL 1037 Antitheft Alarms and Devices; UL1610 Central Station Alarm Units (for units with tamper switches); and UL1332 Organic Coatings for Steel Enclosures for Outdoor Use Electronic Equipment.

On September 13, 2013, I emailed the specification sheets for the key box and the alarm system tamper switch to Mr. Gilmour, and I asked that he share the information with the owners as a means to maintain security. The tamper switch is designed to activate the facility's existing security alarm in the event the key box door is opened and in the event the key box is removed from the wall.

On October 23, 2013, Ken Rogers, City of Gillette Building Official, contacted me to discuss the key box requirement and Mr. Gilmour's request for a variance. I sent a letter to Mr. Rogers, which outlined the requirement, the purpose, and the solution I offered to Mr. Gilmour to maintain security. Mr. Rogers offered to schedule a meeting with Mr. and Mrs. Marshall to discuss their concerns and possible solutions.

On November 18, 2013, a meeting was held at City Hall; Mr. and Mrs. Marshall, Dustin Hamilton and Ken Rogers from the City of Gillette, and Fire Chief Don Huber and I participated. Mr. and Mrs. Marshall expressed concerns for security and the possible hardship caused by either an inability to insure the property or a much higher cost of insurance as a result of the key box.

I explained that because of its connection to the existing security alarm, the box would not reduce the level of security already present. Further, CCFD is the only authority within Campbell County with the ability to unlock the box; no other jurisdiction can unlock the box. CCFD must follow applicable laws regarding right-of-entry. As such, the program is able to be fully audited to verify security; the minimal personnel with access to the key box master key must enter their personal punchcode to release the key from its retention unit. In the event the security system failed and an unlawful access was suspected, I can audit all retention units to see who accessed a key and when.

Mr. Hamilton offered that if a letter from the insurance company could show a hardship would exist, a variance could be granted. All parties agreed.

After the meeting, I met Mrs. Marshall at CCFD Station 1. I demonstrated the process of removing the key box key from its retention unit and unlocking the key box mounted at Station 1. I showed her the construction of the box, its UL labels and the tamper switch wiring.

March 21, 2014 - Having received no further contact from Mr. or Mrs. Marshall or Mr. Gilmour regarding an insurance hardship or otherwise, the variance to eliminate the key box requirement at the project location is denied.

Please feel free to contact me with any questions.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Eric Acton', with a stylized flourish at the end.

Eric Acton
Fire Marshal

Cc: City of Gillette; File