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TO: COUNCIL MEMBERS

FROM: David Whitaker, Director   
Legislative Policy Division Staff

DATE: July 2, 2020

RE: Chapter 18, Fire Prevention and Protection – Rapid Entry System

In a memo dated June 22, 2020, Council President Brenda Jones asked LPD to evaluate the impact of amending Chapter 18 of the Detroit City Code, *Fire Prevention and Protection- Rapid Entry* on local businesses.

This report will answer the questions posed by Council President Brenda Jones.

**1. What businesses are impacted?**

The purpose of a Rapid Entry System (RES) is to save lives by reducing the time it takes to enter a building with force and prevent property damage during emergency situations. According to the proposed amendment the following buildings will be required to install a RES lock box:

- Senior living communities;
- Private and public schools;
- Multi-family dwellings that have restricted access through locked doors or a gate;
- High-rise buildings;
- Sites and facilities secured by manual or automatic gates or barriers that deny the Fire Department access to the facility; and
- Commercial buildings at the discretion of the Fire Marshal.

The amendment targets living facilities and schools, most specifically people living in buildings that have gates or locked areas that make it difficult to reach people quickly in an emergency, as well as, vulnerable populations such as seniors and students. Some commercial buildings may

also be affected if the Fire Marshal determines locked areas or gates obstruct entry ways to certain commercial buildings.

**2. Have those businesses been engaged to evaluate the financial impact of those requirements?**

LPD has not been involved in and is unaware of any engagement with local businesses. However, LPD did research the potential financial impact on businesses by examining the costs incurred by businesses in other cities that have a similar requirement. The research indicated, the use of RES lock boxes will not have a major economic impact on businesses. Businesses did not have to make any adjustments to their daily business routines. However, businesses that are required to comply with the mandate will have to purchase a RES and pay to get duplicate keys made to put in the RES lock box.

The average cost of a lock box ranges from \$100- \$900 depending on the brand, type, and size of the lock box. High end lock boxes (i.e. Knox Box) with customizable additions such as dual locks, recessed mounts, and tamper switches for fire alarms and security systems start at about \$400, while lower end lock boxes (i.e. Kidde) start at about \$100. The average cost to make basic duplicate keys is \$1.50 to \$4 per key, however more complex keys such as those used in security systems can cost \$20- \$150 per key.

Under the ordinance, the Fire department will not charge a fee for locking or using the box. There are no maintenance costs for businesses, except the cost of making new keys when needed.

**3. How many businesses have been negatively impacted?**

As of today, the amendment has not yet been voted on, therefore, LPD is unable to determine how many businesses would consider the mandate potentially impacting their business negatively. However, LPD has provided some brief information regarding **(a)** how many businesses in the City of Detroit fall under the categories listed in question #1; **(b)** foreseeable impacts on businesses; and **(c)** complaints from businesses in other cities that have also mandated the use of a RES.

**(a)** LPD is uncertain of how many of each type of building will ultimately be required to install a RES lock box and whether its installation will have a negative impact on those businesses. However, the City of Detroit has:

- over 200 high-rise buildings, over 300 schools,
- about 200 senior living facilities,
- approximately 30% of all housing units are a part of a multi-family dwelling,
- approximately 2% of Detroit's total housing unit stock is in a gated community, and
- over 60,000 businesses registered in Detroit in 2012 according U.S Census data.

**(b)** The main impact on any building required to install a RES is the initial set up, which includes purchasing a RES, getting keys made, and making an appointment with the Fire Department to inspect and lock the RES box. Once mounted, the RES will remain in place until the Fire Department needs the keys inside the box to access a building during an emergency or when a key needs to be updated.

(c) LPD found most cities had minimal complaints if the installation of a RES lock box was optional, as opposed to mandatory. The main two concerns identified by residents and businesses in several cities were 1) that the mandated the use of a RES was a violation of their Constitutional rights and 2) fears that it would make their homes and businesses more prone to burglaries because thieves could gain access to their buildings by breaking into the box or accessing the master key held by authorized Fire Department personnel. These concerns were not enough to win challenges in other cities over the implementation of the ordinances. LPD did not find any complaints in other cities regarding the costs of installation, although, this may be a concern of some small businesses.

Please do not hesitate to call upon us, if Council has any additional questions or concerns.