

ORDINANCE NO. 184-17

AN ORDINANCE TO AMEND TITLE 18 OF THE MUNICIPAL
CODE OF THE CITY OF UNION CITY BY ADDING CHAPTER
7 ENTITLED "PRIVATE FIRE LINES AND HYDRANTS"

SECTION 1: Be it ordained by the mayor and city council of the City of Union City that Title 18 of The Municipal Code of the City of Union City is amended by adding Chapter 7 as follows:

**CHAPTER 7
PRIVATE FIRE LINES AND HYDRANTS**

SECTION

18-701 Purpose

18-702 Definitions

18-703 General Requirements

18-704 Inspection, Testing, Maintenance, Correction, and Repair

18-705 Identification and Notification of Impaired Hydrant

18-706 Records

18-707 Limited Use of Unmetered Private Fire Line

18-708 Enforcement, Violations, and Penalties

18-701. **PURPOSE.**

It is the purpose of this chapter to:

- (1) Provide standards and requirements for the inspection, testing, maintenance, correction, and repair of fire hydrants and fire lines located on private property in the City of Union City that are owned by any person or entity other than the City of Union City;
- (2) Ensure that every private fire hydrant to which the Fire Department of the City of Union City or other municipal fire department connects in the event of a fire or other emergency will function as designed to produce the water necessary to respond appropriately to the fire or other emergency; and
- (3) Protect the public health, safety and general welfare of the City of Union City.

18-702. **DEFINITIONS.**

For purposes of this chapter, the following definitions shall apply:

- (1) **EMERGENCY IMPAIRMENT** - A condition where a private fire hydrant is out of service due to an unexpected occurrence, such as a ruptured hydrant component or an interruption of the water supply to the system.
- (2) **PUBLIC WORKS** - The City of Union City Public Works, Water, and Sewer Department.
- (3) **FIRE DEPARTMENT** - The City of Union City Fire Department
- (4) **HYDRANT** - A private fire hydrant as defined below.
- (5) **IMPAIRED HYDRANT** - A private fire hydrant which is not operational due to an emergency impairment or a preplanned impairment.
- (6) **IMPAIRMENT** - A shutdown of a private fire hydrant which renders the hydrant non-operational and therefore out of service.

- (7) IMPAIRMENT BAG - A bag affixed to a private fire hydrant to indicate that the hydrant is out of service. The Fire Department may determine the requirements of an impairment bag and the means of its attachment to a hydrant.
- (8) INSPECTION - A visual examination of a private fire hydrant to verify that it appears to be in operating condition and is free from physical damage.
- (9) MAINTENANCE - Work performed to keep a private fire hydrant operable or to make repairs.
- (10) NFPA STANDARD - Publication 25 of the National Fire Protection Association (NFPA) entitled "Standard for the Inspection, Testing and Maintenance of Water-Based Fire Protection Systems 2016," and any subsequent amendments or revisions thereto.
- (11) OWNER - The person who holds record title to the property upon which a private fire hydrant is located.
- (12) OWNER'S DESIGNEE - Where the owner is not the occupant of the premises upon which a private fire hydrant is located, the occupant, management firm, or managing individual designated by the owner through specific provisions in a lease, written use agreement, or management contract to assume the responsibility to inspect, test, and maintain, correct and repair a private fire hydrant located on the owner's property.
- (13) PERSON - Any institution, public or private corporation, individual, partnership, limited liability company, fire district, or other entity.
- (14) PRE-PLANNED IMPAIRMENT - A condition where a private fire hydrant is out of service due to work that has been planned in advance.
- (15) PRIVATE FIRE LINE - A connection to a city water main for the purpose of supplying water to a private fire hydrant, fire hose or other fire protection apparatus and that is not located within the right of way of a public street or highway of the City of Union City.
- (16) PRIVATE FIRE HYDRANT - A fire hydrant that sole purpose of installation is to provide fire protection to private property and that is not located within the right of way of a public street or highway of the City of Union City.
- (17) QUALIFIED - Having knowledge of the installation, construction, operation, maintenance, correction or repair of a fire hydrant and the hazards involved.
- (18) RECORD - Written documentation of the inspection, testing, maintenance, correction, or repair of a private fire hydrant.
- (19) SHALL - Indicates a mandatory requirement.
- (20) TESTING - A procedure of periodic physical and operational checks used to determine whether a private fire hydrant is capable of being operated as intended and will perform as intended, e.g. water-flow tests. These tests follow up on the original tests at intervals specified in this Ordinance.

18-703.**GENERAL REQUIREMENTS.**

- (1) Responsibility for properly maintaining a private fire hydrant/private fire line shall be that of the owner of the property or the owner's designee.
- (a) The City of Union City's responsibility of a private fire line ends at the point

of connection to the city's water main.

(b) Where the owner of a private fire hydrant/private fire line has designated an occupant, management firm, or managing individual, through specific provisions in a lease, written use agreement, or management contract to be responsible for the inspection, testing and maintenance of a private fire hydrant/private fire line in accordance with this Chapter, the owner's designee shall comply with the requirements of this Chapter and shall be subject to enforcement of this Chapter in the event of a failure to so comply.

(2) By means of periodic inspections, flow tests, maintenance, correction, and repair, every private fire hydrant shall be maintained in proper working condition, consistent with the Chapter, the NFPA Standard, and the private fire hydrants manufacturer's specifications or recommendations.

(3) Inspection, testing, maintenance, correction and repair shall be implemented with the procedures meeting or exceeding those established in this Chapter and the NFPA Standard, and shall be in accordance with the Private Fire Hydrant's manufacturer's specifications or recommendations. This Chapter shall control in the event of a conflict among any of the aforementioned applicable standards. Inspection, testing, maintenance, correction, and repair shall be performed by qualified maintenance personnel or a qualified contractor.

(4) The owner or owner's designee shall notify the City of Union City Public Works, Water, and Sewer Department and the City of Union City Fire Department before testing or shutting down a private fire hydrant or its water supply. This notification shall include the purpose for the shutdown, the private fire hydrant involved, and the estimated time that the hydrant will be impaired.

(5) The owner or owner's designee shall notify the Fire Department when the private fire hydrant is returned to service.

(6) The owner or owner's designee shall, within 10 days, correct or repair any deficiencies, damaged parts, or impairments found while performing the inspection, testing, and maintenance requirements of this Chapter.

(7) The owner or owner's designee shall promptly correct or repair any deficiencies, damaged parts, or impairments of any private fire hydrant of which the owner or owner's designee has knowledge or, in the exercise of reasonable care, ought to have knowledge.

(8) The owner or owner's designee shall promptly repair any leak on a private fire line of which the owner or owner's designee has knowledge or, in the exercise of reasonable care, ought to have knowledge.

18-704.

INSPECTION, TESTING, MAINTENANCE, CORRECTION and REPAIR

(1) This section shall provide the minimum requirements for the routine inspection, testing, maintenance, correction, and repair of private fire hydrants/private fire line. These functions shall be permitted to be carried out simultaneously.

(2) On or before October 1 of each year, the owner or the owner's designee shall inspect, flow test, maintain, and if necessary, correct, repair, or replace each private fire hydrant to ensure proper functioning, with the necessary repair or corrective action taken as required by this Chapter and the City of Union City Public Works, Water, and Sewer Department.

(a) The owner or owner's designee shall conduct an inspection of a private fire hydrant after each time the hydrant is operated.

- (3) When conducting a test of a private fire hydrant, the hydrant shall be opened fully and water flowed until all foreign material has cleared.
- (a) Flow shall be maintained for not less than one (1) minute.
- (b) After operation, the hydrant shall be observed for proper drainage from the barrel.
- (c) Full drainage shall take no longer than sixty (60) minutes.
- (4) Private fire hydrants shall be lubricated annually to ensure that all stems, caps, plugs, and threads are in proper operating condition.
- (5) Private fire hydrants shall be kept free of snow, ice, or other materials and protected against mechanical damage so that free access is ensured.
- (6) The owner or the owner's designee shall repair or replace with 10 days a private fire hydrant which is impaired or otherwise does not function as required by this Chapter, the NFPA Standard, or the Private Fire Hydrant's manufacturer's specifications.
- (a) After completing all necessary repairs to a private fire hydrant, the owner or the owner's designee shall inspect and test the hydrant as necessary consistent with the requirements of this Chapter to ensure that the hydrant is operational.

18-705. IDENTIFICATION AND NOTIFICATION OF IMPAIRED HYDRANT.

- (1) The owner or owner's designee shall notify the City of Union City Public Works, Water, and Sewer Department and Fire Department in advance of a preplanned impairment of a private fire hydrant.
- (2) The owner or the owner's designee shall notify the City of Union City Public Works, Water, and Sewer Department and Fire Department immediately of an emergency impairment of a private fire hydrant.
- (3) The owner or owner's designee shall affix an impairment bag to an impaired hydrant at the commencement of a preplanned impairment and at the time of discovery of an emergency impairment.
- (4) Once the necessary inspection and testing confirm that repairs have restored a private fire hydrant to operational status, the owner or the owner's designee shall remove the impairment bag and shall notify the Public Works, Water, and Sewer Department and Fire Department that the hydrant is operational.

18-706. RECORDS.

- (1) Records shall be maintained by the owner or the owner's designee and shall indicate the work performed concerning the inspection, testing, maintenance, correction, and repair of a private fire hydrant. The records shall include the organization that performed the work, the results, and the date, as well as such other pertinent information as the Fire Department may require.
- (2) The owner or owner's designee shall submit to the City of Union City Fire Department all records of the annual inspection, test, maintenance, correction and repair of each private fire hydrant and its components.
- (3) The owner or owner's designee shall retain the original records of a private fire hydrant for the life of the private fire hydrant. Subsequent records shall be

retained for a period of five years after the next inspection, test, maintenance, and/or correction as required by this Chapter.

18-707. LIMITED USE OF UNMETERED PRIVATE FIRE LINE.

Where a private fire line is not metered, no water shall be used from such line or from any fire hydrant thereon, except to fight fire or except when being inspected in the presence of the City of Union City Public Works, Water, and Sewer Department.

18-708. ENFORCEMENT, VIOLATIONS AND PENALTIES.

(1) A penalty of not more than \$50 shall be imposed for a violation of this Chapter.

Each week that a violation continues shall constitute a separate violation of this Chapter.

(2) If at any time a private fire line, found to be leaking and in need of immediate repair as determined by the Department of Public Works, the City of Union City reserves the right to make the repairs or replace the private fire line with cost billed to the owner or the owner's designee. Cost will be billed as labor, parts, and equipment + 200%.

(3) If after 30 consecutive days of any private hydrant, found to be in need of repair or replacement, and the owner having failed to make needed repairs or replacement, the City of Union City reserves the right to make the repairs or replace the hydrant with cost billed to the owner or the owner's designee. Cost will be billed as labor, parts, and equipment + 200%.

(4) Violations and/or repair costs performed by the City of Union City will be billed to the owner's or owner's designee monthly water usage bill. Failure to pay bill shall be grounds for termination of water service.

Section 2: This ordinance shall become effective 10 days from and after its passage on second and final reading and after publication in the official city newspaper.

CITY OF UNION CITY, TENNESSEE

BY: 
ITS MAYOR

ATTEST:


CITY CLERK

APPROVED AS TO FORM AND LEGALITY:


CITY ATTORNEY

PASSED FIRST READING: June 6, 2017
PASSED SECOND READING: June 20, 2017
CAPTION PUBLISHED: June 13, 2017
EFFECTIVE DATE: June 30, 2017