

1Ordinance no. 610.90-2001

AN ORDINANCE ESTABLISHING A COMPREHENSIVE FIRE HYDRANT USE GUIDELINES FOR THE CITY OF FRANKLIN, KENTUCKY

WHEREAS, representatives of the City of Franklin have determined that certain fire hydrants are being used without authorization from the City; and

WHEREAS, it has been determined that there is a need for a comprehensive fire hydrant use ordinance; and

WHEREAS, the City Commission of the City of Franklin, Kentucky, has determined that it is in the best interests of its citizens and residents to approve this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FRANKLIN, KENTUCKY, by and through its City Commission, after the passage, approval, and publication of this ordinance, as follows:

Section 1

1.010 Damaging Prohibited

It shall be unlawful for any person, firm or corporation to damage or destroy any fire hydrant in the City of Franklin water service area. Any person, firm or corporation responsible for damage or destruction of any fire hydrant shall be responsible for the cost of replacement or repair and a fine of \$100.00 or up to 60 days imprisonment.

1.020 Opening Fire Hydrants

It shall be unlawful for any person, firm or corporation to use or open any fire hydrant, on public or private property. Any person, firm, or corporation found to violate this section shall be subject to a fine of \$100.00 or up to 60 days imprisonment for the act of vandalizing a water system in accordance with (KRS 96.340)

1.030 Exceptions

Section 1.020 shall not be applicable to:

- a. any officer or employee of a public agency acting within the scope of his/her employment and in the performance of his duties; or
- b. any person, firm or corporation or the agent or employee thereof who has secured a permit under provisions of Section 1.040

1.040 Permit to use Fire hydrant.

The Water Distribution Superintendent or his designated representative, may issue a permit to any person, firm or corporation to open or use any fire hydrant referred to in Section 1.020. Subject to the following terms and conditions:

[a] Location of fire hydrant shall be designated on said permit.

[b] Duration of permit and use for which it is issued shall be specified thereon.

[c] Permittee shall comply with all of the rules, regulations, orders and ordinances of the local water district issuing water meters for said hydrants.

[d] Permittee shall be responsible for damages to said fire hydrant arising out of permittee's use thereof.

[e] Permittee shall indemnify and hold harmless the City, its officers or employees from any and all claims by, damages to and causes of action of third parties arising out of or resulting from the issuance of said permit or the use of said fire hydrant.

[f] Permittee shall at time of issuance of said permit deposit with the City the sum of eight hundred dollars (\$800.00) to insure permittee's compliance with the terms and conditions hereof.

Said sum shall be returned to permittee upon the termination, surrender or expiration of the permit provided the permittee has complied with all the terms and conditions of said permit and this ordinance. Charges for the actual use of water at the current water rates, plus a \$25.00 per day hydrant maintenance fee and any applicable taxes and administrative fees will be billed to the customer.

[g] Any person, firm or corporation that opens a fire hydrant without a permit will be subject to prosecution and a fine of \$100.00 or up to 60 days imprisonment.

1.050 Obstructing Fire Hydrants

It shall be unlawful to, by erection of a fence, placement of a living, dead, or imitation plants, or placement of any decorative device, to obscure from view, damage, deface, obstruct or restrict the access to any fire hydrant or any fire department connection, including fire hydrants located in public or private streets and access lanes or on private property. It shall also be unlawful to park any vehicle within 10 feet of any fire hydrant.

1.060 Notice of Violation

The codes enforcement officer shall issue notices of violation of Section 1.050 to any property owner in violation of said section. The notice shall contain a description of the material(s) found to be in violation, a direction to remove the material(s) within fifteen (15) days after mailing of the notice, and a copy of Section 1.050.

1.070 Removal of Materials

If fifteen (15) days after mailing the notice the obstructions or encroachments that constitute a violation are not removed, the code official shall have the same removed. Any costs incurred in removing the obstructions or encroachments shall be paid from the City treasury and the City Manager shall institute appropriate action in the recovery of such costs.

1.080 Duty to Maintain

It shall be the duty of the property owner on which the hydrant is located to maintain said property around the fire hydrant in a manner as to comply with Section 1.050.

1.090 Permitted Hydrants

Fire hydrants that are in this group {A} will fall under the hydrants that customers can use with the permit. There are several hydrants in this group are as follows:

1. On 31W south in front of Homestead Ace Hardware
2. On corner of E. Cedar and N. Railroad by First Baptist Church
3. At Wastewater treatment plant on Blackjack Road
4. On corner of South College and Cardinal Dr.
5. On Filter Plant Road and Spears Ave.

Hydrants under Group {B}

Hydrants under group {B} are hydrants other than those in Group {A}. The use of these hydrants are discouraged but approved on a case by case basis, by the Water Distribution Superintendent.

Equipment issued with the Permit:

The following items will be issued to permittee and shall be used by permittee when using hydrant:

1. a hydrant wrench & a backflow prevention device.
2. a hydrant meter with a 2" outlet, permittee will be responsible to reduce the size as needed, but not changing any part of the meter itself. The City shall record usage before and after Permittee's use for billing. Permittee shall be liable for all costs and billing for water used during hydrant usage.
Permittee must supply and use a brace on the hydrant meter to support the meter while attached to the hydrant. The hydrant wrench, meter and backflow prevention device must be returned to the City on the permit expiration date. The cost of a hydrant wrench, meter or backflow prevention device that is issued to permittee and lost or not returned by permittee will be billed to the permittee for replacement. Any permittee found to be using a hydrant without the required equipment attached to the hydrant shall forfeit the deposit pursuant to this Ordinance.

Limitations:

The City Water Department reserves the right to suspend or revoke any issued permit. Water use may be suspended during periods subject to freezing temperatures and/or drought and/or other conditions at the sole discretion of the City Water Department.

Hydrant Operating Procedures:

1. Remove hydrant nozzle cap.
2. Attach metering device and hose, Install brace support.
3. Open hydrant slowly. It should take more than 60 seconds to fully open to prevent surging on the water system. **If possible, open completely to shut off drip drain while hydrant is in use.**
4. The discharge end of the hose should not be inserted under any circumstances, into a tank or container underwater or laid on the ground to make and lay in its own pool of water. There must be at all times an air gap between the end of the water hose and the container.
5. Upon filling the tank or upon completion of permitted use, close hydrant valve.
6. Remove metering device and hose.
7. Replace nozzle cap.
8. No assembly shall ever be left attached to the hydrant when the hydrant is not actually furnishing water.
9. No hydrant shall ever be left without the cap replaced and snugly tightened.

1.100 Hydrant Spacing

New developments installing new water mains must include a fire hydrant spaced every 500 feet. The type and model must be a 6" (AVK) 36" bury fire hydrant with a stainless steel stem and bolts.

In addition, all new developments installing water lines and/or hydrants must comply with all requirements of the City of Franklin Code of Ordinances including, but not limited to the cross-connection prevention ordinance. This ordinance shall take effect upon its passage, approval, and publication. If any section, subsection, sentence, clause, or phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions.
All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

September 24, 2001 FIRST READING

October 22, 2001 SECOND READING

At a meeting of the Board of Commissioners of the City of Franklin, Kentucky, held on October 22, 2001, on

motion made by Mayor Jim Arnold and seconded by Commissioner Larry Freas, the foregoing ordinance was adopted, after full discussion, by the following vote:

Yes HERBERT S. WILLIAMS

Yes BILL AUSTIN

Yes LARRY T. FREAS

Yes PEGGY DIGUISEPPE

Yes MAYOR, JIM ARNOLD