

**NORTH CORNWALL TOWNSHIP
LEBANON COUNTY, PENNSYLVANIA**

ORDINANCE NO. 316

AN ORDINANCE OF NORTH CORNWALL TOWNSHIP, LEBANON COUNTY, PENNSYLVANIA ESTABLISHING RULES AND REGULATIONS FOR THE MAINTENANCE AND TESTING OF FIRE HYDRANTS ON PRIVATE PROPERTY WITHIN THE JURISDICTION OF THE TOWNSHIP AND TO PROVIDE FOR ADMINSTRATIVE AND OPERATIONAL OVERSIGHT.

WHEREAS, North Cornwall Township recognizes that private fire hydrants are used by the Township’s Fire Department in the event of a fire, and thus serve a public purpose; and

WHEREAS, North Cornwall Township deems it in the best interest of the health, safety, and welfare of its residents to implement regulations for routine maintenance and testing of private fire hydrants to ensure that such hydrants will be fully operational in the event of a fire or other emergency.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the North Cornwall Township Board of Supervisors:

SECTION 1. INTENT

1. Provide standards and requirements for the inspection, testing, maintenance, correction and repair of fire hydrants located on private properties within North Cornwall Township, Lebanon County, PA.
2. Ensure that every private fire hydrant to which the Fire Department(s) of North Cornwall Township or other municipal fire departments connect in the event of a fire or other emergency will function as designed to produce the water necessary to allow appropriate response to the fire or other emergencies.
3. Protect the public health, safety and general welfare of North Cornwall Township.

SECTION 2. DEFINITIONS

As used in this article, the following terms shall have the meanings indicated:

CODE ENFORCEMENT OFFICER — Any North Cornwall Township employee or third-party agency that has been duly appointed as code enforcement officer of North Cornwall Township.

COLA – The City of Lebanon Authority, owner and supplier of the public water system in North Cornwall Township.

EMERGENCY IMPAIRMENT — A condition where a private fire hydrant is out of service due to an unexpected occurrence, such as frozen or ruptured hydrant components or an interruption of the water supply to the system.

FIRE DEPARTMENT — The Fire Department(s) of North Cornwall Township.

HYDRANT — A private fire hydrant as defined below.

IFC STANDARD – Publication 2018 of the International Fire Code (IFC) Section entitled “Fire Protection Water Supplies; Inspection, Testing, and Maintenance,” and any subsequent amendments or revisions thereto.

IMPAIRED HYDRANT — A private fire hydrant which is not operational due to an emergency impairment or a preplanned impairment.

IMPAIRMENT — A shutdown of a private fire hydrant which renders the hydrant nonoperational and therefore out of service.

IMPAIRMENT TAG — A tag affixed to a private fire hydrant to indicate that the hydrant is out of service.

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.

MAINTENANCE — Work performed to keep a private fire hydrant operable or to make repairs.

OWNER — The person that holds record title to the property upon which a private fire hydrant is located. For fire hydrants located in the right-of-way of a public highway in the North Cornwall Township and that are not owned by the North Cornwall Township, the owner is the person that owns the fire hydrant itself.

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 the lease, written use agreement, or management contract that has the responsibility to inspect, test, and maintain, correct and repair a private fire hydrant located on the owner's property.

PERSON — Any institution, public or private corporation, individual, partnership, fire district, or other entity.

PRE-PLANNED IMPAIRMENT — A condition where a private fire hydrant is out of service due to work that has been planned in advance.

PRIVATE FIRE HYDRANT — A valve connection to a water main for the purpose of supplying water to a fire hose or other fire-protection apparatus and that is not located within the right-of-way of a public highway of North Cornwall Township. A private fire hydrant also includes any fire hydrant located in a right-of-way of a public highway in North Cornwall

Township that is owned by any person other than North Cornwall Township.

QUALIFIED — Having knowledge of the installation, construction, operation, maintenance, correction or repair of a fire hydrant and the hazards involved.

RECORD — Written documentation of the inspection, testing, maintenance, correction, or repair of a private fire hydrant.

SHALL — Indicates a mandatory requirement.

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, for example, water-flow tests. These tests follow up on the original tests at intervals specified in this article.

SECTION 3. GENERAL REQUIREMENTS

1. Responsibility for properly maintaining a private fire hydrant shall be that of the owner of the property or the owner's designee.
 - A. Where the owner of a private fire hydrant has designated an occupant, management firm, or managing individual, through specific provisions in the lease, written use agreement, or management contract, to be responsible for the inspection, testing and maintenance of a private fire hydrant in accordance with this article, the owner's designee shall comply with the requirements of this article and shall be subject to enforcement of this article in the event of a failure to so comply.
2. By means of periodic inspections, tests, maintenance, correction, and repair, every private fire hydrant shall be maintained in proper working condition, consistent with this article, the IFC Standard, and the 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 article and the IFC Standard and shall be in accordance with the manufacturer's specifications or recommendations. This article 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 Code Enforcement Officer before testing or shutting down a private fire hydrant or its water supply.
 - A. 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 Code Enforcement Officer when the private fire hydrant is returned to service.
6. The owner or owner's designee shall promptly correct or repair any deficiencies, damaged parts, or impairments found while performing the inspection, testing, and maintenance requirements of this article.
7. The owner or owner's designee shall promptly correct or repair any deficiencies, defects, damaged parts, or impairments of any private fire hydrant of which the owner or owner's designee has knowledge.

SECTION 4. INSPECTIONS, TESTING, MAINTENANCE AND REPAIR

1. This section shall provide the minimum requirements for the routine inspection, testing, maintenance, correction, and repair of private fire hydrants. These functions shall be permitted to be carried out simultaneously.
2. Pursuant to COLA and North Cornwall Township requirements, the owner or the owner's designee shall inspect, test, maintain, and, if necessary, correct and repair each private fire hydrant to ensure proper functioning, between May 15th and July 31st of each year.
 - 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 minute.
 - B. After operation, the hydrant shall be observed for proper drainage from the barrel.
 - C. Full drainage shall take no longer than 60 minutes.
 - D. Where soil conditions or other factors are such that the hydrant barrel does not drain within 60 minutes or where the groundwater level is above that of the hydrant drain, the hydrant drain shall be plugged and the water in the barrel shall be pumped out.
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 as soon as possible a private fire hydrant which is impaired or otherwise does not function as required by this

article, the IFC Standard, or the 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 consistent with the standards of this article to ensure that the hydrant is operational.

SECTION 5. NOTIFICATION OF IMPAIRED HYDRANT

1. The owner or owner's designee shall notify the Code Enforcement Officer in advance of a pre-planned impairment of a private fire hydrant.
2. The owner or the owner's designee shall notify the Code Enforcement Officer immediately of an emergency impairment of a private fire hydrant.
3. The owner or owner's designee shall affix an impairment tag to an impaired hydrant at the commencement of a pre-planned 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 tag and shall notify the Code Enforcement Officer that the hydrant is operational.

SECTION 6. RECORDS

1. Records shall indicate the procedure performed concerning the inspection, testing, maintenance, correction, and repair of a private hydrant. Such records shall include the company, agency, or organization that performed the work, the results, and the date, as well as such other pertinent information as the Code Enforcement Officer shall require.
2. Records shall be maintained by the owner or the owner's designee.
3. The owner or owner's designee shall submit to the Code Enforcement Officer a record of the annual inspection, test, maintenance, correction and repair of each private fire hydrant and its components.
4. The owner shall retain the original records of a private fire hydrant for the life of the private fire hydrant.
5. Subsequent records shall be retained for a period of three (3) years following each inspection, test, maintenance, correction or repair required by this article.

SECTION 7. VIOLATIONS AND PENALTIES

1. A fine of not less than \$500 nor more than \$1,000, plus costs of prosecution, including

reasonable attorney fees, shall be imposed for a violation of this article.

2. Each violation shall be considered a separate and distinct offense. Further, each day of continued violation or noncompliance shall be considered a separate offense. In addition to the foregoing, North Cornwall Township may take such other lawful action in any court of competent jurisdiction as is necessary to prevent or remedy the violation. Such other lawful actions shall include, but shall not be limited to, an equitable action for injunctive relief or an action at law for damages.

SECTION 8. ADMINISTRATIVE NOTIFICATIONS AND FEES

1. North Cornwall Township will notify private property fire hydrant owners by February 28th of each year to inspect, test, maintain, and, if necessary, correct and repair each private fire hydrant to ensure proper functioning. The necessary repair or corrective action shall be completed on or before July 31st of each year, and the owner or owner's designee shall submit written documentation of the inspection, testing and repair to the Code Enforcement Officer by August 31st of each year.
2. By May 1st of each year, North Cornwall Township will send private property fire hydrant owners a reminder notification of the July 31st and August 31st deadlines.
3. Failure to submit written documentation of a fire hydrant inspection, testing and repair report to the Code Enforcement Officer by August 31st of each year will result in a second notification letter from North Cornwall Township. Owners requiring a second notification letter will incur an administrative fee of \$85.00 plus a certified postage fee.
4. Failure to reply to North Cornwall Township's second notice and submit a fire hydrant inspection, testing and repair report to the Code Enforcement Officer by September 15th of each year, will result in the Owner of a private fire hydrant being designated as noncompliant and in violation of this Ordinance.

SECTION 9. NONCOMPLIANCE

1. Due to the potential risk to the public's safety and welfare, Owners of private fire hydrants who are designated as noncompliant will be notified, and North Cornwall Township's Code Enforcement Officer will authorize the Township's designated fire hydrant maintenance company to inspect, test, maintain, and, if necessary, correct and repair each private fire hydrant to ensure proper functioning of the noncompliant owner's private fire hydrant.
2. Any fees and costs associated with administration and performance of the private fire hydrant inspections, testing, maintenance and repair will be the responsibility of the Owner of the private fire hydrant. North Cornwall Township shall invoice the Owner for said fees and costs, and all such fees and costs shall be reimbursed to North Cornwall Township by the Owner.
3. Any fees and/or reimbursable costs invoiced by North Cornwall Township to a

noncompliant Owner shall be paid within 30 days after receipt of North Cornwall Township invoicing.

SECTION 10. EFFECTIVE DATE

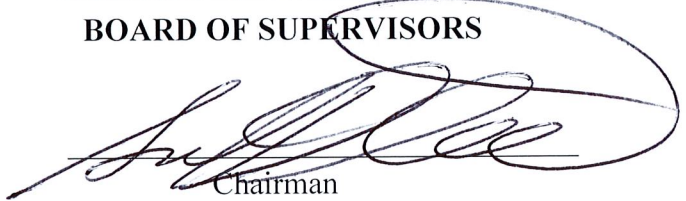
This Ordinance shall become effective five days after the adoption hereof and shall remain in force until modified, amended or rescinded by North Cornwall Township, Lebanon County, Pennsylvania.

This Ordinance is enacted this **17 day of MARCH, 2020.**

ATTEST:


Secretary

**NORTH CORNWALL TOWNSHIP
BOARD OF SUPERVISORS**


Chairman


Vice-Chairman


Treasurer

[TOWNSHIP SEAL]

