

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2007, Legislative Day No. 1

Bill No. 1-07

Mr. John Olszewski, Sr., Chairman
By Request of County Executive and
Mr. Kenneth N. Oliver, Councilman

By the County Council, January 2, 2007

A BILL
ENTITLED

AN ACT concerning

Fire Hydrants - Use Regulations and Enforcement

FOR the purpose clarifying that the Department of Public Works may adopt regulations regarding the use of fire hydrants; specifying, without limitation, topics that may be included in the regulations; providing for a violation of the fire hydrant law or regulations; authorizing the Department of Public Works and the Code Official to enforce the fire hydrant law and regulations; and generally relating the county's fire hydrant policy.

By repealing and reenacting, with amendments:

Section 20-1-126
Title 1. In general
Article 20. Metropolitan District
Baltimore County Code, 2003

SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that Section 20-1-126, of Title 1. In general, of Article 20. Metropolitan

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter stricken from existing law.
~~Strike out~~ indicates matter stricken from bill.
Underlining indicates amendments to bill.

District, of the Baltimore County Code, 2003, as amended, is hereby repealed and reenacted, with amendments, to read as follows:

Sec. 20-1-126

(A) [It shall be unlawful and a misdemeanor for any person, not authorized by local law or by a permit from the Department of Public Works of the county, to] A PERSON MAY NOT open any fire hydrant and cause water to be discharged [therefrom] FROM THE FIRE HYDRANT WITHOUT RECEIVING A PERMIT FROM THE DEPARTMENT OF PUBLIC WORKS

(B) (1) TO IMPLEMENT THIS SECTION, THE DEPARTMENT OF PUBLIC WORKS MAY ADOPT REGULATIONS IN ACCORDANCE WITH ARTICLE 3, TITLE 7 OF THE CODE.

(2) THE REGULATIONS MAY INCLUDE PROVISIONS FOR:

(I) INSURANCE;

(II) STANDARDS FOR PERMIT RECIPIENTS;

(III) THE SUPPLY AND USE OF EQUIPMENT;

(IV) INSPECTION OF VEHICLES AND TANKS;

(V) TERM OF PERMITS;

(VI) REVOCATION OR AMENDMENT OF PERMITS;

(VII) DEPOSIT FOR EQUIPMENT AND FORFEITURE OF DEPOSITS;

(VIII) FEES;

(IX) HYDRANT OPERATION;

(X) ENFORCEMENT; AND

(XI) ANY OTHER MATTER CONSIDERED NECESSARY BY THE

DEPARTMENT.

(C) (1) Any person [violating] WHO VIOLATES the provisions of this section [shall be] OR

ANY REGULATION ADOPTED IN ACCORDANCE WITH THIS SECTION IS subject to a [fine] CIVIL PENALTY not exceeding [two] FIVE hundred dollars [(\$200.00)] (\$500.00):

(2) (I) THE CODE OFFICIAL OR THE DEPARTMENT OF PUBLIC WORKS MAY ENFORCE THE PROVISIONS OF THIS SECTION IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE 3, TITLE 6 OF THE CODE.

(II) THE CODE OFFICIAL AND THE DEPARTMENT OF PUBLIC WORKS ARE NOT REQUIRED TO ISSUE A CORRECTION NOTICE TO A VIOLATOR BEFORE ISSUING A CITATION UNDER ARTICLE 3, TITLE 6 OF THE CODE.

[(b)] (D) The provisions of this section shall not apply to any member(s) of the county fire department, any member(s) of any volunteer fire company(ies) or any member of any mutual aid fire department or company in the performance of their duties with respect to the extinguishment of fires, control of other emergency incidents, and the cleaning, filling, inspecting, and testing of emergency apparatus and equipment including such fire hydrants themselves.

SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having been passed by the affirmative vote of five members of the County Council, shall take effect February 18, 2007.

EFFECTIVE DATE: February 18, 2007