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**CITY COUNCIL AGENDA ITEM**

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**TO:** Mayor & City Council                      **DATE:** July 31, 2014

**FROM:** John McDonough, City Manager

**AGENDA ITEM:** Amendment to Chapter 22, Article II of the City of Sandy Springs Code of Ordinances ("Code") to provide for the inspection and maintenance of private fire hydrants in the City

**MEETING DATE:** For Submission onto the August 5, 2014, City Council Work Session Agenda

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*BACKGROUND INFORMATION: (Attach additional pages if necessary)*

See attached:

Memorandum  
Ordinance

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APPROVAL BY CITY MANAGER:                     JMM                     APPROVED

PLACED ON AGENDA FOR:                     8/5/2014                    

CITY ATTORNEY APPROVAL REQUIRED: (  ) YES      (  ) NO

CITY ATTORNEY APPROVAL:                     [Signature]                    

REMARKS:



**To:** Honorable Mayor and City Council Members

**From:** Wendell K. Willard

**Date:** For Submission onto the August 5, 2014 City Council Work Session Agenda

**Agenda Item:** Amendment to Chapter 22, Article II of the City of Sandy Springs Code of Ordinances ("Code") to provide for the inspection and maintenance of private fire hydrants in the City

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**City Attorney's Recommendation:**

The City Attorney's Office recommends that City Council approve the attached ordinance amendment.

**Background and Discussion:**

The purpose of the proposed ordinance amendment is to ensure that every private fire hydrant to which the Sandy Springs Fire Department or any other fire department connects in the event of a fire or other emergency will function as designed to produce the water necessary to respond appropriately. The proposed ordinance amendment will regulate and provide standards for the inspection, testing, maintenance, correction, and repair of fire hydrants located on private property in the City which are not owned, controlled or maintained by the City or the City of Atlanta.

Sandy Springs Fire Department estimates there are currently 342 private fire hydrants in the City that are not being tested or maintained. The City has enacted ordinances providing standards for businesses and apartments, and requiring similar standards for hydrants on private property will better protect the public health, safety and general welfare of citizens and visitors to the City.

**Alternatives:**

Not to adopt this ordinance amendment.

**Attachment:**

Ordinance amendment.

**CITY ATTORNEY**

**STATE OF GEORGIA  
COUNTY OF FULTON**

**AN ORDINANCE TO AMEND CHAPTER 22, ARTICLE II OF THE CITY OF SANDY SPRINGS CODE OF ORDINANCES TO PROVIDE FOR THE INSPECTION AND MAINTENANCE OF PRIVATE FIRE HYDRANTS IN THE CITY**

**WHEREAS**, the City of Sandy Springs (“City”) has determined that it is in the best interest of its citizens, for the improvement of public safety and protection of property, to adopt a private fire hydrant ordinance providing for the inspection and maintenance of private fire hydrants in the City; and

**WHEREAS**, the Chief of the Sandy Springs Fire Department recommends the proposed ordinance as essential for public health and safety; and

**WHEREAS**, the proposed ordinance is promulgated in order to regulate and provide standards for the inspection, testing, maintenance, correction, and repair of fire hydrants located on private property in the City which are not owned, controlled or maintained by the City; and

**WHEREAS**, the proposed ordinance is intended to ensure that every private fire hydrant to which the Sandy Springs Fire Department or any other 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 to otherwise protect the public health, safety and general welfare of the City; and

**WHEREAS**, City Council finds that the proposed private fire hydrant ordinance will enhance public fire protection as well as maintain periodic testing and reporting for private fire hydrants;

**NOW, THEREFORE**, in order to accomplish the foregoing, the Mayor and Council of the City, pursuant to their authority, do hereby amend Article II of Chapter 22 of the Code of Ordinances of the City of Sandy Springs (“Code”), entitled “FIRE PREVENTION AND PROTECTION,” by adding a new Division 3, entitled “Private Fire Hydrants,” to include provisions for the inspection and maintenance of private fire hydrants as follows:

**“Division 3. Private Fire Hydrants**

**Sec. 22-57. Definitions.**

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Certified private hydrant contractor* means a person who has demonstrated to the Fire Department the degree of competency required to perform necessary inspection of private hydrants and to certify to the City the private fire hydrant meets the NFPA Standard. The Fire Department shall maintain a list of certified private hydrant contractors for reference by an owner or owner's designee desiring such information.

*Code* means the Code of the City of Sandy Springs, Georgia.

*Emergency impairment* means a condition where a private hydrant is out of service due to an unexpected occurrence, whereby the hydrant fails, or may fail, to provide an adequate water supply.

*Fire Department* means the Fire Department of the City of Sandy Springs.

*Hydrant or private hydrant* means a private fire hydrant as defined below.

*Impaired hydrant* means a private hydrant which is not operational due to an emergency impairment or a pre-planned impairment.

*Impairment* means a shutdown of a private hydrant which renders the hydrant non-operational and therefore out of service.

*Inspection* means an examination of a private hydrant to verify that it appears to be in operating condition and is free from physical damage.

*Maintenance* means work performed to keep a private hydrant operable or to make repairs.

*NFPA Standard* means Publication 25 of the National Fire Protection Association (NFPA) titled Standard for the Inspection, Testing and Maintenance of Water-Based Fire Protection Systems 2012, and any subsequent amendments or revisions thereto.

*Owner* means the person that holds record title to the property upon which a private fire hydrant is located.

*Owner's designee* means the occupant, management firm, or managing individual designated by the owner who, through specific provisions in the lease, written use agreement or covenants, has assumed responsibility to maintain and repair a private hydrant located on the owner's property.

*Person* means any individual, partnership, institution, public or private corporation, or other entity.

*Pre-planned impairment* means a condition where a private fire hydrant is out of service due to work that has been planned in advance.

*Private fire hydrant* means a valved connection to a water main or water supply system for the purpose of supplying water to a fire hose or other fire protection apparatus that is owned by any person on non-public property.

*Record* means written documentation of the inspection, testing, maintenance, correction, or repair of a private hydrant.

*Testing* means 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 shall be performed at intervals specified in this ordinance.

#### **Sec. 22-58. General Requirements.**

(a) *Responsibility.* Responsibility for properly inspecting and maintaining a private hydrant shall be that of the owner or the owner's designee. Where the owner has designated an owner's designee to be responsible for maintaining the private property of the owner on which a private hydrant is located, the owner's designee shall comply with the requirements of this ordinance and shall be subject to enforcement of this ordinance in the event of a failure to so comply.

(b) *Time of Inspection.* All private hydrants shall be field tested annually and shall meet, or exceed, the NFPA Standard, which the certified private hydrant contractor shall certify to the Fire Department. Private hydrants shall also be inspected and tested after completion of any repairs to ensure that the hydrant is operational according to the NFPA Standard.

(c) *Testing.* All testing of a private fire hydrant shall be conducted in accordance with the NFPA Standard.

(d) *Repair.* The owner or the owner's designee shall repair as soon as possible a private hydrant which does not pass inspection, is impaired or otherwise does not function as required by the NFPA Standard or the manufacturer's specifications. After completing any repairs, the owner or the owner's designee shall have the hydrant inspected to certify it meets the NFPA Standard.

(e) *Impairment Device.* An approved impairment device shall be placed on any hydrant which has been turned off for repairs or is out of service for any reason. The Fire Department shall be notified of: (i) the hydrant being taken out of service; (ii) the completion of repairs; and (iii) the hydrant being placed back in service.

#### **Sec. 22-59. Records.**

(a) *Contents.* A permanent record shall be maintained by the owner or owner's designee that shall indicate the procedure performed to inspect, test, maintain, correct,

and repair a private hydrant. Such records shall include the entity that performed the work, the results, the date work was performed, and other pertinent information as the Fire Department may reasonably require to make this ordinance effective.

(b) *Report to Fire Chief.* Within thirty (30) days after completion of an inspection by a certified private hydrant contractor, the owner or owner's designee shall submit to the Fire Chief of the City a report documenting the inspection of each private hydrant and advising of any repairs made to any hydrant.

(c) *Records Retention.* Records shall be maintained by the owner or the owner's designee for a period of four (4) years after the inspection required by this ordinance.

**Sec. 22-60. Enforcement of Violations and Penalties.**

Failure to comply with this ordinance shall be a violation and is subject to those penalties contained herein and in Section 1-10 of the Code. Each week that the violation continues shall constitute a separate violation of this ordinance.”

**SO ORDAINED**, this the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

Approved:

\_\_\_\_\_  
Russell K. Paul, Mayor

Attest:

\_\_\_\_\_  
Michael Casey, City Clerk

(SEAL)