

Title 04 Department of Public Works
Subtitle 02 Bureau of Utilities
Chapter 01 Fire Hydrant Utilization Policy

Authority: § 20-1-126 of the Baltimore County Code, 2003

01. Definitions.

A. In this Chapter, the following terms have the meanings indicated.

B. Terms Defined.

(1) Applicant.

(a) "Applicant" means a person or a duly authorized representative or agent of a person applying under this Chapter for a permit, a meter, and a hydrant wrench.

(b) "Applicant" includes a person or a duly authorized representative or agent of a person applying for renewal of a permit.

(2) "Permit holder" means a person or a duly authorized representative or agent of a person issued a permit under this Chapter.

(3) "Person" means an individual, partnership, limited partnership, limited liability partnership, corporation, joint stock association, limited liability company, professional service corporation, any other entity recognized under state law, municipal corporation, or sanitary district.

.02 Scope.

This Chapter does not apply to a duly authorized representative or agent of:

- (1) The Fire Department;
- (2) A Baltimore County Volunteer Fire Department, acting in an official capacity;
- (3) The Department of Public Works; or
- (4) The Baltimore City Bureau of Water and Wastewater.

.03. General Prohibition.

A person may not open any fire hydrant or cause water to be discharged from a fire hydrant unless the person has received from the Department of Public Works, Bureau of Utilities a permit issued under this Chapter, a meter, and a hydrant wrench

.04 Permits.

A. An applicant shall submit an application to:

Department of Permits and Development Management
Room 100, County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

B. The application shall be filed on a form determined by the Department of Public Works.

C. Insurance.

(1) An applicant shall provide proof of insurance coverage issued by an insurance company authorized to do business in the state.

(2) The required insurance shall:

(a) Name the county, its employees, officers, and agents as an additional insured; and

(b) Be in an amount that the county determines is necessary to protect the public interest but not less than \$300,000 general liability insurance and \$100,000 property damage insurance.

D. The Department of Public Works may not issue a permit to an applicant:

(1) Against whom civil or criminal charges for a violation of State law, the County Code, or county regulations, including a citation filed under Article 3, Title 6 of the Baltimore County Code, 2003, are pending;

(2) Who is currently in violation of any provisions of this Chapter;

(3) Who owes past due meter rental or water bills; and

(4) At the discretion of the Department of Public Works, who has committed numerous violations of State law, county law or regulations, or this Chapter.

E. A permit, meter, and hydrant wrench shall be issued by:

Department of Public Works

Bureau of Utilities

11112 Gilroy Road, Suite 104

Hunt Valley, Maryland 21031

F. Inspection.

(1) Before the Bureau of Utilities may issue a permit, the Bureau shall inspect every vehicle or tank truck that will be filled from a fire hydrant.

(2) Inspections shall occur at the address in §E of this regulation, by appointment only, between 7:30 am and 3:30 pm Monday through Friday (except county holidays).

(3) An applicant shall telephone (410) 887-1885 to set up an appointment for inspection.

G. Except as provided in §H of this regulation, a permit shall be valid for six months or until the expiration of the certificate of insurance required under §C of this regulation, whichever is shorter.

H. The Bureau of Utilities may revoke or amend the terms of a permit at any time due to:

(1) A public complaint;

(2) Any adverse effects on the Metropolitan District water distribution system; or

(3) Any violation as described in §D(1) or (2) of this regulation.

I. Care for and return of equipment.

(1) The permit holder is responsible for the proper care of a fire hydrant from which the permit holder draws water and a meter or hydrant wrench in the permit holder's possession.

(2) The permit holder shall return the meter and hydrant wrench to the Bureau of Utilities:

(a) Whenever a meter is determined to be non-functioning; and

(b) By the expiration date shown on the permit.

.05 Fees and charges.

A. The County Administrative Officer shall establish:
(1) The amount of the security deposit required for the water meter and hydrant wrench issued under this Chapter;
(2) The amount to be charged for the rental of the water meter and hydrant wrench issued under this Chapter; and
(3) The rate to be charged for the consumption of water under this Chapter.

B. The Bureau of Utilities may not issue a permit, meter, or hydrant wrench to an applicant until the applicant has:

(1) Posted a security deposit with the Department of Permits and Development Management; and

(2) Paid all past due rental and water consumption charges.

C. Rental fees and water consumption charges shall be:

(1) Billed for semi-annually; or

(2) Paid upon return of the meter and hydrant wrench to the Bureau of Utilities.

D. Security deposits.

(1) A security deposit will be held in a non-interest bearing account.

(2) Except as provided in §E of this regulation, a security deposit shall be returned to the applicant on return of an undamaged meter and hydrant wrench.

E. Forfeiture of security deposit.

(1) The county may forfeit a security deposit if:

(a) A meter or hydrant wrench is not returned within 30 days after the expiration date of a permit;

(b) There is evidence that the meter was tampered with; or

(c) The permit holder fails to submit the log as required in

Regulation .07 of this Chapter.

(2) If a meter is returned damaged, the county may forfeit a security deposit to the extent required to replace any parts from the damaged meter.

(3) If the county forfeits a security deposit or any part of a security deposit, the Department of Public Works may not issue a subsequent permit to an applicant unless the applicant posts another full security deposit.

.06. Permit issuance.

A. The Bureau of Utilities shall issue a permit to an applicant who complies with the requirements of this Chapter.

B. The permit shall be issued in a form determined by the Bureau of Utilities.

C. Location.

(1) The Bureau of Utilities shall determine and indicate on the permit the locations of the fire hydrants that may be used by the permit holder.

(2) The locations of the fire hydrants that may be used by the permit holder shall be determined by the size of the meter rented by the permit holder.

.07. Rules for hydrant operation.

A. A permit holder is subject to all applicable federal, state, and county laws and regulations.

B. A fire hydrant may not be used to supply potable water for domestic use.

C. Meters.

(1) A permit holder may open a fire hydrant only if a meter connection issued by the Bureau of Utilities is used.

(2) If a meter is damaged or malfunctioning in any way, the permit holder may not draw water from any fire hydrant until the permit holder has returned the damaged or malfunctioning meter to the Bureau of Utilities and receives another meter from the Bureau.

(3) An applicant using a hydrant to fill a tank holding 2,500 gallons of water or more shall be issued and shall use only a 3-inch meter.

D. Log.

(1) A permit holder shall keep a log of all water drawn from a fire hydrant.

(2) The log shall include:

(a) The date and time water was drawn;

(b) The location of the fire hydrant from which the water was drawn;

and

(c) The amount of water drawn as indicated on the meter.

(3) The permit holder shall submit the log to the Bureau of Utilities, as applicable:

(a) When the permit holder returns the meter and hydrant wrench;

or

(b) Every six months.

E. A permit holder may not draw water from a fire hydrant that is not indicated on the permit as determined by the Bureau of Utilities.

F. Permit at the location.

(1) A permit holder may not draw water from a fire hydrant unless the permit holder has a copy of the permit in the permit holder's possession at the location of the fire hydrant.

(2) Pursuant to a request of county personnel, a permit holder shall immediately present the permit for inspection by the same.

G. Tank or trucks.

(1) A permit holder shall fill all tanks or trucks from the top only.

(2) All tanks and trucks must be equipped with a permanent arrangement providing an assured air gap for filling.

H. Hydrant wrench.

(1) A permit holder may draw water from a fire hydrant using only the hydrant wrench issued by the Bureau of Utilities.

(2) A permit holder who damages a fire hydrant due to use of any unauthorized wrench is fully liable for the damage.

I. Nozzles

(1) A permit holder shall draw all water from a fire hydrant through a metered connection to the 2 ½ inch nozzles.

(2) A permit holder may not draw water from a fire hydrant through the 4 ½ inch nozzle.

J. Valves.

(1) Fire hydrant valves shall be fully opened when in use.

(2) A permit holder may not use the fire hydrant to control the flow of water.

K. Safety provisions.

(1) A permit holder may not operate a fire hydrant in freezing weather or potentially freezing weather.

(2) A permit holder shall ensure that the use of the fire hydrant does not result in the creation of a dangerous condition for the adjacent road or property.

(3) A permit holder may not allow the use of water to result in the pooling of water or the freezing of water in the vicinity of the fire hydrant.

L. Fire Department use.

(1) A permit holder may not obstruct a fire hydrant in violation of state or county law in way that will prevent Fire Department access to the fire hydrant.

(2) A permit holder at the location of a fire hydrant shall immediately respond to a direct order from Fire Department personnel or Police Officers.

M. A permit holder shall immediately report any malfunctioning fire hydrant to the Baltimore City Bureau of Water and Wastewater at (410) 396-5352.

.08. Waiver.

The Director of Public Works or the Director's designee may waive compliance with any provision of this Chapter for an applicant if the Director determines, in writing, that:

(1) Requiring the applicant to comply with the provision would present an undue hardship for the applicant; and

(2) Granting the waiver will be in harmony with the general spirit and intent of this Chapter.

.09. Enforcement.

A. Regulation .07 of this Chapter is applicable to any person using a fire hydrant in violation of the requirement to receive a permit and may be enforced against such person as if the person were a permit holder.

B. A person who draws water from a fire hydrant in violation of this Chapter or any other applicable law or regulation is subject the penalties provided in:

(1) All applicable sections of :

(a) The Baltimore County Code, 2003; or

(b) Any duly adopted code or regulation of Baltimore County; or

(2) § 6-305 of the Criminal Law Article of the Annotated Code of Maryland.

Administrative History.

The Chapter originally adopted on April 24, 2007