

**COUNCIL OF THE CITY OF ABERDEEN**  
**Ordinance No. 24-O-03**

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<b>Date Introduced:</b>	March 11, 2024
<b>Sponsored By:</b>	Council President Adam Hiob and Councilman William Montgomery, III
<b>Public Hearing:</b>	March 25, 2024
<b>Amendments Adopted:</b>	None
<b>Date Adopted:</b>	April 8, 2024
<b>Date Effective:</b>	April 29, 2024

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1 **AN ORDINANCE concerning.**

2  
3 **FIRE PROTECTION AND RELATED FEES**

4  
5 **FOR** the purpose of revising regulations regarding Fire Protection and related fees in the City  
6 of Aberdeen.

7  
8 \* \* \* \* \*

9  
10 **BY** repealing  
11 Chapter 269, Fire Prevention  
12 Code of the City of Aberdeen (2010 Edition as amended)

13  
14 **BY** adding  
15 Chapter 269, Fire Protection  
16 Articles I through IV  
17 Sections 269-1 through 269-13, inclusive  
18 Code of the City of Aberdeen (2010 Edition as amended)

19  
20 **BY** repealing and reenacting, with amendments  
21 Chapter A550, Fees.  
22 Section A550-1 A.  
23 Code of The City of Aberdeen (2010 Edition as amended)

24  
25 **SECTION 1. BE IT ENACTED BY THE COUNCIL OF THE CITY OF**  
26 **ABERDEEN** that Chapter 269, Fire Prevention, of the Code of the City of Aberdeen (2010  
27 Edition as amended), is repealed in its entirety.

28  
29 **SECTION 2. BE IT FURTHER ENACTED BY THE COUNCIL OF THE CITY**  
30 **OF ABERDEEN** that new Chapter 269, Fire Protection, consisting of Sections 269-1 through  
31 269-12, inclusive, to be under Articles I through IV, is hereby added to the Code of the Code of  
32 the City of Aberdeen (2010 Edition as amended), to read as follows:

**CHAPTER 269, FIRE PROTECTION**

**ARTICLE I GENERAL PROVISIONS**

§ 269-1 DEFINITION.

FOR THE PURPOSES OF THIS CHAPTER, THE FOLLOWING WORDS AND PHRASES SHALL HAVE THE MEANINGS RESPECTIVELY ASCRIBED TO THEM BY THIS SECTION:

PUBLIC WATER SYSTEM: A SOURCE OF WATER AND A DISTRIBUTION SYSTEM, INCLUDING TREATMENT FACILITIES AND STORAGE FACILITIES, SERVING TWO OR MORE INDIVIDUAL PROPERTIES.

PUBLIC WORKS: THE DEPARTMENT OF PUBLIC WORKS.

DEVELOPER: A PERSON OR BUSINESS ENTITY THAT HAS AS AN OBJECTIVE OR THE PROMOTION OF THE DEVELOPMENT OF LAND FOR NONPUBLIC USES OR CONSTRUCTION OF STRUCTURES ON PARCELS OF LAND.

DEVELOPMENT: ALL OF THE PROCESSES INVOLVED IN THE CHANGING OF THE USE OF LAND FOR PRIVATE PURPOSES LEADING UP TO AND INCLUDING THE CONSTRUCTION OF STRUCTURES ON THE LAND.

DIRECTOR: THE DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS.

POINT OF SERVICE: THE PHYSICAL LOCATION DESIGNATED BY PUBLIC WORKS THAT DELINEATES THE BOUNDARY BETWEEN PUBLIC AND PRIVATE SYSTEMS.

PRIVATE FIRE HYDRANT: ANY HYDRANT LOCATED WITHIN THE CORPORATE LIMITS OF ABERDEEN; NOT OWNED BY THE CITY.

PRIVATE WATER SYSTEM: ANY NETWORK OF WATER PIPES AND PUMPS THAT OCCUPY A PROPERTY SERVING ONE OR MULTIPLE TENANTS ON A LOT THAT ARE NOT OWNED BY THE CITY.

**ARTICLE II FIRE HYDRANTS**

§ 269-2. AUTHORITY

THE CITY SHALL HAVE FULL AND COMPLETE JURISDICTION OVER ALL FIRE HYDRANTS CONNECTED TO THE CITY'S PUBLIC WATER SYSTEM. NO PERSON MAY OPERATE, USE, MAKE CONNECTION WITH OR WITHDRAW WATER FROM THE SYSTEM WITHOUT THE WRITTEN AUTHORITY OF THE DIRECTOR OR THE

1 DIRECTOR'S DESIGNEE, EXCEPT THAT THIS RESTRICTION SHALL NOT APPLY TO  
2 ANY BONA FIDE FIRE DEPARTMENT IN THE DISCHARGE OF ITS DUTIES.

3  
4 § 269-3. SERVICE AREA

5  
6 THE DIRECTOR, UPON A DETERMINATION THAT PUBLIC SAFETY WILL BE  
7 SERVED, MAY REQUIRE THE INSTALLATION OF FIRE HYDRANTS TO PUBLIC OR  
8 PRIVATE WATER SYSTEMS, EXISTING OR TO BE CONSTRUCTED, AND MAY  
9 PRESCRIBE SUCH RULES AND REGULATIONS FOR THE USE AND MAINTENANCE  
10 THEREOF AS THE DIRECTOR DEEMS NECESSARY.

11  
12 § 269-4 TAMPERING.

13  
14 NO PERSON MAY USE, TAMPER WITH, DEFACE, DAMAGE OR OTHERWISE  
15 OBSTRUCT THE USE OF ANY FIRE HYDRANT, EXCEPT AS MAY BE PROVIDED BY  
16 LAW, REGULATION OR PERMISSION SIGNED BY THE DIRECTOR.

17  
18 § 269-5 METERING.

19  
20 NO PERSON MAY WITHDRAW OR USE WATER FROM A PUBLIC WATER SYSTEM  
21 WITHOUT A METER EXCEPT PUBLIC WORKS AND ANY BONA FIDE FIRE  
22 DEPARTMENT IN THE DISCHARGE OF ITS DUTIES.

23  
24 § 269-6 VIOLATIONS AND PENALTIES

25  
26 A PERSON WHO VIOLATES THIS ARTICLE IS GUILTY OF A MISDEMEANOR AND ON  
27 CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 10 DAYS OR A FINE  
28 NOT EXCEEDING \$1,000, OR BOTH.

29  
30 **ARTICLE III PRIVATE FIRE HYDRANTS**

31  
32 § 269-7 FIRE HYDRANT METERING.

33  
34 ALL PRIVATE WATER SYSTEMS THAT SERVE PRIVATE FIRE HYDRANTS SHALL BE  
35 METERED. ALL PLANS SHALL BE REVIEWED AND APPROVED THROUGH PUBLIC  
36 WORKS.

- 37  
38 A. FOR NEW DEVELOPMENTS, APPROVAL OF METERING VAULT, ISOLATION  
39 VALVES, BACKFLOW PREVENTER, AND METERING DEVICES (AT A  
40 MINIMUM) SHALL BE ADDRESSED THROUGH THE DEVELOPMENT AND/OR  
41 REDEVELOPMENT PROCESS OF A PROPERTY.  
42  
43 B. FOR EXISTING PROPERTIES, WITH A PRIVATE WATER SYSTEM, WHICH  
44 DOES NOT HAVE THE ABILITY TO METER THE PRIVATE FIRE HYDRANTS  
45 PRIOR TO DECEMBER 31, 2023, SHALL INSTALL A METER VAULT,

1 ISOLATION VALVE, BACKFLOW PREVENTER, AND WATER METER (AT A  
2 MINIMUM) AT THE PROPERTY OWNER'S EXPENSE BY JUNE 30, 2028.

3  
4 C. WATER METER AND ASSOCIATED APPURTENANCES SHALL COMPLY WITH  
5 STANDARD DETAILS AND SHALL BE INSTALLED AT THE POINT OF SERVICE  
6 TO THE PRIVATE SYSTEM.  
7

8 § 269-8 PRIVATE FIRE HYDRANT SECURITY DEVICES.  
9

10 TO PROTECT THE INTEGRITY OF THE PUBLIC WATER SYSTEM, EACH PRIVATE  
11 FIRE HYDRANT SHALL BE SECURED WITH A LOCKABLE SECURITY DEVICE  
12 APPROVED BY PUBLIC WORKS.  
13

14 A. A PROPERTY OWNER SHALL OBTAIN A SECURITY DEVICE BY SUBMITTING  
15 THE APPLICABLE FEE TO THE CITY. SECURITY DEVICES SHALL BE SOLD  
16 ONLY TO AUTHORIZED WATER PROVIDERS. THE CITY SHALL CHARGE THE  
17 OWNER THE COST OF THE DEVICE AND SHIPPING. PUBLIC WORKS SHALL  
18 INSTALL THE DEVICE ON THE PRIVATE FIRE HYDRANT ON THE PROPERTY  
19 UPON RECEIPT OF PAYMENT OF THE APPLICABLE INSTALLATION FEE.  
20

21 B. A PROPERTY OWNER SHALL INFORM PUBLIC WORKS IF A SECURITY  
22 DEVICE BREAKS OR IS TAMPERED WITH. THE PROPERTY OWNER SHALL BE  
23 RESPONSIBLE FOR REPLACEMENT. IF PUBLIC WORKS OR THE FIRE  
24 DEPARTMENT IDENTIFIES AN ISSUE WITH THE SECURITY DEVICE DURING  
25 NORMAL USE, PUBLIC WORKS SHALL PROVIDE GUIDANCE TO THE OWNER  
26 REGARDING REPAIRS OR REPLACEMENT OF THE SECURITY DEVICE.  
27

28 C. A PROPERTY OWNER SHALL COORDINATE WITH PUBLIC WORKS TO  
29 TEMPORARILY REMOVE SECURITY DEVICE DURING PERIODS OF ROUTINE  
30 MAINTENANCE.  
31

32 D. IF A PROPERTY OWNER FAILS TO COMPLY WITH THIS SECTION, AFTER  
33 NOTICE TO THE PROPERTY OWNER PUBLIC WORKS MAY PROCURE AND  
34 INSTALL A SECURITY DEVICE ON EACH PRIVATE FIRE HYDRANT. THE CITY  
35 SHALL LEVY UPON THE RESPONSIBLE OWNER THE CHARGE FOR THE  
36 PERFORMANCE OF SAID WORK AND THE COSTS OF NECESSARY SECURITY  
37 DEVICES PLUS AN ADMINISTRATIVE FEE OF 15%, NOT TO EXCEED \$250.  
38

39 § 269-9. MAINTENANCE.  
40

41 EACH PRIVATE FIRE HYDRANT SHALL BE MAINTAINED IN OPERABLE CONDITION  
42 BY THE PROPERTY OWNER. THE OWNER SHALL BE PROMPTLY REPAIR, AND  
43 REPORT IMMEDIATELY TO THE FIRE DEPARTMENT AND THE DEPARTMENT OF  
44 PUBLIC WORKS, ANY LEAKS OR MALFUNCTIONS.

1 § 269-10. TESTING.  
2

3 EVERY PRIVATE FIRE HYDRANT SHALL BE EXERCISED, TESTED, AND INSPECTED  
4 TO ENSURE THAT THE DEVICE IS IN GOOD, SAFE AND OPERABLE CONDITION.  
5

6 A. THE TESTING SHALL BE PERFORMED BY A LICENSED WATER UTILITY  
7 CONTRACTOR IN ACCORDANCE WITH THE NATIONAL FIRE PROTECTION  
8 ASSOCIATION 25; STANDARD FOR THE INSPECTION, TESTING, AND  
9 MAINTENANCE OF WATER-BASED FIRE PROTECTION SYSTEM (CURRENT  
10 EDITION).  
11

12 B. THE PROPERTY OWNER SHALL CONTACT PUBLIC WORKS IN ADVANCE FOR  
13 ANY TESTING. BARRING ANY EMERGENCIES OR OPERATIONAL ISSUES  
14 WITH THE PUBLIC WATER SYSTEM, FLUSHING OF PRIVATE HYDRANTS  
15 MAY ONLY OCCUR DURING THE MONTHS OF APRIL TO OCTOBER WITH A  
16 72-HOUR PRIOR NOTICE TO PUBLIC WORKS. THE CITY SHALL HAVE THE  
17 AUTHORITY TO CEASE AND/OR SUSPEND TESTING IN THE EVENT OF AN  
18 EMERGENCY TO THE PUBLIC WATER SYSTEM.  
19

20 C. A CERTIFICATE INDICATING COMPLIANCE WITH SECTION 268-9 OF THIS  
21 ARTICLE, SIGNED BY THE AGENT OF THE TESTING ORGANIZATION, SHALL  
22 BE PROVIDED TO PUBLIC WORKS BY DECEMBER 31 OF EACH CALENDAR  
23 YEAR.  
24

25 D. IN THE EVENT THAT A PROPERTY OWNER FAILS TO COMPLY WITH  
26 SECTION 268-9 OF THIS ARTICLE, PUBLIC WORKS, AFTER NOTICE TO THE  
27 OWNER, MAY HIRE A THIRD-PARTY CONTRACTOR TO ENTER ONTO  
28 OWNER'S PROPERTY AND TEST THE PRIVATE FIRE HYDRANT. THE CITY  
29 SHALL LEVY UPON THE RESPONSIBLE PARTY THE CHARGE FOR THE  
30 PERFORMANCE OF SAID WORK AND THE COSTS OF NECESSARY REPAIRS  
31 PLUS AN ADMINISTRATIVE FEE OF 15%, NOT TO EXCEED \$250.  
32

33 § 269-11 EMERGENCY ACTIONS.  
34

35 PUBLIC WORKS SHALL HAVE THE AUTHORITY TO PERFORM EMERGENCY  
36 ACTIONS NECESSARY TO SECURE AND/OR ISOLATE A PRIVATE WATER SYSTEM  
37 DUE TO AN UNCONTROLLED LOSS OF WATER CAUSED BY A BREAK. THE  
38 RESPONSIBLE PARTY SHALL PROVIDE PUBLIC WORKS WITH PLANS REGARDING  
39 THE LOCATION OF PRIVATE WATER LINES, VALVES, AND PRIVATE FIRE  
40 HYDRANTS. UPON THE COMPLETION OF EMERGENCY ACTIONS, REPAIR OF LINES  
41 AND HYDRANTS SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER.

**ARTICLE IV FIRE PREVENTION**

§ 269-12. ADOPTION OF STATE OF MARYLAND FIRE PREVENTION CODE AND LIFE SAFETY CODE

A. THE CITY OF ABERDEEN HEREBY ADOPTS THE FOLLOWING:

(1) THE STATE OF MARYLAND FIRE PREVENTION CODE, COMAR 29.06.01 EFFECTIVE OCTOBER 7, 2019 (ADOPTION NFPA 101 AND NFPA 1, 2018, EDITION WITH AMENDMENTS).

(2) THE LIFE SAFETY CODE, NFPA 101, 2021 EDITION WITH AMENDMENTS, PUBLISHED BY THE NATIONAL FIRE PREVENTION ASSOCIATION.

B. NOTHING HEREIN SHALL BE CONSTRUED TO IMPAIR THE EFFECT AND ENFORCEABILITY OF ANY FIRE CODE OR REGULATIONS NOW OR HEREAFTER ADOPTED BY THE APPROPRIATE AGENCIES OF THE STATE.

§ 269-13 VIOLATIONS AND PENALTIES

A PERSON WHO VIOLATES THIS ARTICLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 10 DAYS OR A FINE NOT EXCEEDING \$1,000, OR BOTH.

**SECTION 3. BE IT ENACTED BY THE COUNCIL OF THE CITY OF ABERDEEN**, that Section A550-1 A, of Chapter A550 of the Code of the City of Aberdeen (2010 Edition as amended), is repealed and reenacted, with amendments, to read as follows:

Chapter A550. FEES

§ A550-1 Schedule of rates and charges.

The following fees, rates and charges shall apply in the City:

A. Water and sewers. The following rates and charges are established pursuant to Chapter 450, Sewers and Water, AND CHAPTER 269, FIRE PREVENTION, of the City's Code :

\* \* \*

(15) FAILURE TO MAINTAIN PRIVATE FIRE HYDRANT

A. FAILURE TO INSTALL PRIVATE HYDRANT SECURITY LOCKING DEVICE:

1 COST PLUS 15% ADMINISTRATIVE FEE (NOT TO EXCEED \$200) PER  
2 EVENT.

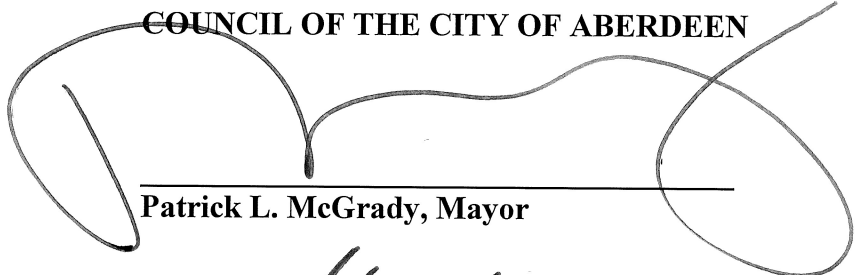
3  
4 B. FAILURE TO TEST AND MAINTAIN PRIVATE HYDRANT: COST PLUS 15%  
5 ADMINISTRATIVE FEE (NOT TO EXCEED \$200) PER EVENT.

6 \* \* \*


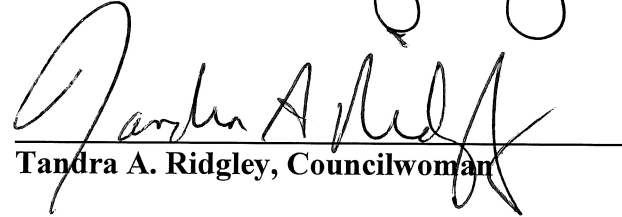
7  
8  
9 **SECTION 4: AND BE IT FURTHER ENACTED BY THE MAYOR AND**  
10 **COUNCIL OF THE CITY OF ABERDEEN** that this Ordinance shall become effective at the  
11 expiration of twenty (20) calendars days following adoption.

**EXPLANATION:**  
CAPS INDICATES MATTER ADDED TO EXISTING LAW  
(Double Parenthesis) indicate matter deleted from existing law.  
Underlining indicates amendments to bill.  
~~Strike-Out~~ indicates matter stricken from bill by amendment or deleted from the law by amendment.  
\* \* \* indicates existing unmodified text omitted from Ordinance

**COUNCIL OF THE CITY OF ABERDEEN**



**Patrick L. McGrady, Mayor**

  
**Adam M. Hiob, Council President**  
**Timothy W. Lindecamp, Councilman**  
**William H. Montgomery, III, Councilman**  
**Tandra A. Ridgley, Councilwoman**

**ATTEST:**

**SEAL:**

  
**Monica A. Correll, City Clerk**

**Date** April 8, 2024