

# CITY OF BEACON



Amanda C. Caputo  
City Clerk  
One Municipal Plaza, Suite One  
Beacon, New York 12508

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I, AMANDA C. CAPUTO, City Clerk of the City of Beacon, New York, do hereby certify that  
the attached is a true and accurate copy of Local Law No. 3 of 2024 entitled

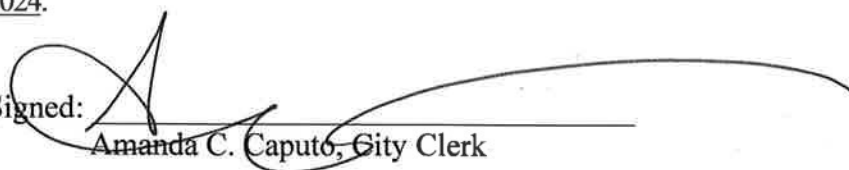
## **A LOCAL LAW AMENDING CHAPTER 219 OF THE BEACON CITY CODE CONCERNING FIRE HYDRANTS**

adopted by the Beacon City Council at a regular meeting held on June 17, 2024. Council Member Grant made the motion that the resolution be adopted. Council Member Rhodes seconded the motion. Council Members Wake, Grant, Rhodes, Domanski, Wetherbee, Aymar-Blair, and Mayor Kyriacou voted in favor

(7). Motion carried.

WITNESS THERE I have set my hand and seal of the City of Beacon this 18<sup>th</sup> day of June,  
2024.

Signed:

  
Amanda C. Caputo, City Clerk

SEAL

# Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County  City  Town  Village  
(Select one:)

of Beacon

Local Law No. 3 of the year 2024

A local law A LOCAL LAW AMENDING CHAPTER 219 OF THE BEACON CITY CODE

(Insert Title)  
CONCERNING FIRE HYDRANTS

Be it enacted by the City Council of the  
(Name of Legislative Body)

County  City  Town  Village  
(Select one:)

of Beacon as follows:

See attached

(If additional space is needed, attach pages the same size as this sheet, and number each.)

**LOCAL LAW NO. 3 OF 2024**

**CITY COUNCIL  
CITY OF BEACON**

**A LOCAL LAW AMENDING CHAPTER 219 OF THE BEACON CITY CODE  
CONCERNING FIRE HYDRANTS**

A LOCAL LAW to amend  
Beacon City Code, Chapter  
219, Article IV, concerning  
Fire Hydrants.

**BE IT ENACTED** by the City Council of the City of Beacon as follows:

**Section 1.** Chapter 219 of the Code of the City of Beacon, Article VI entitled “Fire Hydrants”, is hereby amended as follows:

**§ 219-23 Permit required to open; exceptions.**

No person shall open, interfere with or draw water from any fire hydrant in the City without first obtaining a written permit from the Superintendent of Water and Sewers authorizing such use, except that fire hydrants may be opened by or on the order of any member of a Fire Department within the City in case of fire or other emergency for the purpose of attaching thereto fire hose and equipment.

**§ 219-24 Use regulations; Penalties.**

**A.** The following regulations shall govern the use of any fire hydrant in the City:

- (1)** Whenever a fire hydrant is to be opened and used by any non-City entity, a written permit from the Superintendent of Water and Sewers shall be first acquired.
- (2)** A permit to open, interfere with, or draw water from any fire hydrant shall only be issued under special circumstances as determined by the Superintendent of Water and Sewers in its sole discretion, such as when a property is under construction and sufficient water is not yet available on site or to gather engineering data, such as, but not limited to, flow data and line pressures.
- (3)** No permit to open, interfere with, or draw water from any fire hydrant may be issued unless the applicant has first paid the permit fee set forth in the City Schedule of Fees. If the permit is issued for the use of a public hydrant the permittee shall also pay a monthly rental fee as set forth in the City Schedule of Fees.

- (4) No permit shall be issued between November 15 and March 15, nor shall any permittee be allowed to open or draw water from any fire hydrant during this time.
- (5) All permits issued herein shall expire no later than November 15 or within 180 calendar days of issuance, whichever occurs first.
- (6) Prior to the opening or drawing any water from a fire hydrant, a permittee shall:
  - i. Install a water meter and back flow device approved by the Superintendent of Water and Sewers.
  - ii. Establish a water account with the City of Beacon to pay for the water usage from such fire hydrant.
- (7) The permittee shall be solely responsible for paying for water drawn from any fire hydrant based upon the usage thereof.
- (8) No tools or implements shall be used to open fire hydrants except such tools that are approved for the operation of fire hydrants. No use of pipe wrenches, pump pliers or channel locks is permitted.
- (9) Swimming pools and other bodies of water shall not be filled from fire hydrants.
- (10) The permittee shall be responsible for any damage to public fire hydrants and/or property caused by the use of any fire hydrant.
- (11) In addition to the use regulations set forth herein, the Superintendent of Water and Sewers may prescribe such reasonable conditions and restrictions upon the permittee.

**B.** Penalties. Any person, entity, or permittee who violates any provision of this Article shall be subject to a fine pursuant to § 1-3.A of the Code.

#### § 219-24.1 **Private Fire Hydrants.**

All privately owned fire hydrants in the City of Beacon shall be operated and maintained in compliance with the following standards and specifications. Privately owned fire hydrants shall mean any fire hydrant within the City which is owned or controlled by a person, partnership, corporation, or entity other than a federal, state, county or local government.

**A.** New installations of privately owned fire hydrants after the filing of this local law shall conform to the following standards in addition to any other requirements set forth herein.

- (1) Prior to the installation of any new private fire hydrant a permit shall be acquired from the City of Beacon Water Department and a fee shall be paid as set forth in the City's Schedule of Fees.
  - (2) The City of Beacon Water Department shall oversee the installation of all new private fire hydrants, which shall conform to the applicable federal, state, and local regulations, including but not necessarily limited to the New York State Fire Prevention and Building Code and/or NFPA.
  - (3) Privately owned fire hydrants shall be appropriately designed and specified on site plans.
  - (4) Be breakaway style if located within 15 feet of any street or right-of-way.
  - (5) Upon installation and prior to the flowing of any water via a newly installed private fire hydrant, the City of Beacon Water Department shall be contacted and shall inspect the private fire hydrant. No water shall be allowed to flow through any private fire hydrant without documentation by the City of Beacon Water Department of the inspection(s) and a determination that the private fire hydrant complies with all applicable standards, rules and regulations.
- B. Maintenance, standards, and specifications.** All private fire hydrants shall comply with the following standards and specifications, regardless of when so installed:
- (1) Be in compliance with the New York State Fire Code, and such other county, state, or federal laws, rules and regulations applicable to privately owned fire hydrants.
  - (2) Be mechanically complete and in good working condition.
  - (3) Be accessible and free of obstructions, including but not limited to, all vegetation, landscaping, snow, and other obstructions for at least three feet away from fire hydrants. Any private fire hydrant shall have a snow marker between the period of November 15 and March 15 if such hydrant is located outdoors at ground level.
  - (4) Be free of rust and corrosion.
  - (5) Be painted with the City of Beacon identifying colors and have flow rating bands per NFPA standards.
  - (6) Drain completely within 60 minutes of closing the valve(s).
  - (7) Have outlet caps secured.

- (8) Have gaskets which do not leak when the hydrant is on.
  - (9) Have an operating nut which is not in worn condition and does not have rounded corners.
  - (10) Open in a counterclockwise direction.
  - (11) Be a Mueller manufactured fire hydrant, if erected subsequent to the effective date of this article.
  - (12) No person or entity may shut off, disconnect, remove, or disable a private fire hydrant without the prior written approval of the City of Beacon.
  - (13) It shall be strictly prohibited to open or draw water from a private fire hydrant, except in the case of a bona fide emergency or when performing legitimate inspections in accordance with the requirements herein, without the prior written approval of the City of Beacon Water Department.
  - (14) The City of Beacon shall be permitted to access and inspect all private fire hydrants as necessary and upon reasonable prior notice. In the event such property owner or person in control of a privately owned fire hydrant refuses permission, the City Attorney may seek an administrative search warrant for the purposes of City personnel performing such inspection.
  - (15) Failure to meet such standards herein shall be cause to deny either a temporary or final permit by the City of Beacon, or the revocation of any existing permits.
- C. Duty to Repair. The owner of such land in which a privately owned fire hydrant is located has the affirmative duty to repair or replace any fire hydrant in accordance with the standards herein. Upon notice of required repairs by the City of Beacon, the property owner must complete such repairs and certify that the hydrant meets all required standards herein within thirty (30) calendar days of the notice. Such repairs shall be at the sole cost and expense of the owner. Failure of the City of Beacon to notify any owner of a privately owned fire hydrant that such hydrant is not in good working order shall not relieve such owner of the affirmative obligation to ensure that the hydrant is in good working order and complies with the applicable standards, regulations, and rules herein.
- D. Inspections. All privately owned fire hydrants shall be inspected annually at the owner's expense, in accordance with the applicable local, state, and federal laws, rules and regulations. Any person or entity who owns or controls a private fire hydrant in the City of Beacon shall have the affirmative obligation, without request from the City, to cause such inspections to be made. Any such person or entity who owns, controls, operates, or maintains any private fire hydrant shall submit a copy of the report

generated from its annual fire hydrant testing performed pursuant to the New York State Fire Code and NFPA to the Building Inspector of the City of Beacon. The report shall include, but not be limited to, the water pressure level coming out of each hydrant as measured by pounds per square inch (psi) and a calculation of the number of gallons of water per minute from each hydrant based on a reading of 20 psi of flowing pressure.

- E. Annual Flushing. All privately owned fire hydrants shall be flushed annually and performed in a manner to avoid soil erosion and direct the water flow into a storm drainage system. A permit shall be obtained from the Superintendent of Water and Sewers prior to the flushing of any privately owned fire hydrants. All those serviced by the water line connected to the privately owned fire hydrant shall be provided at least forty-eight hours' advance written notice of the flushing. The owner or operator of the privately owned fire hydrant shall be responsible for giving such written notice.
- F. Notifications and access. The City of Beacon Building Inspector and City of Beacon Water Department shall be contacted immediately regarding any privately owned fire hydrant that:
  - (1) Is taken out of service for any reason; or
  - (2) Is found to be inoperable or fails the inspection; or
  - (3) Upon completion of any work performed on a private fire hydrant. Prior to placing such private fire hydrant back into service, no water shall be allowed to flow through any private fire hydrant without written documentation by the City of Beacon Water Department of an inspection certifying that the private fire hydrant complies with all applicable standards, rules, and regulations.
- G. Inspection and registration fee. Any person or entity which owns, controls, operates, or maintains a private fire hydrant, shall pay an annual fee as set forth in the City's Fee Schedule for each such fire hydrant that the person or entity is responsible for, whether located on private property or private streets.
- H. Penalties. Any person or entity who violates any provision of this Section shall be subject to a fine pursuant to § 1-3.A of the Code. Prior to commencing any enforcement action for violation of this Section, the enforcing person shall grant the property owner thirty-days' notice to comply. Each day a privately owned hydrant is not in compliance with this Section, and each hydrant found to be in violation of this Section, shall constitute a separate offense.
- I. More stringent rules and regulations to apply. The provisions of the New York State Fire Code, as well as any county, state, and federal laws or regulations, relating to privately owned fire hydrants shall remain in full force and effect within the City of Beacon, and shall be in addition to the provisions set forth in this Section. To the extent

there is any conflict with the provisions herein and that contained in the New York State Fire Code or any county, state, or federal law or regulation, the more restrictive shall apply.

## **Section 2. Ratification, Readoption and Confirmation.**

Except as specifically modified by the amendments contained herein, Chapter 219 of the Code of the City of Beacon is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

## **Section 3. Numbering for Codification.**

It is the intention of the City of Beacon and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the City of Beacon; that the sections and subsections of this Local Law may be re-numbered or re-lettered by the Codifier to accomplish such intention; that the Codifier shall make no substantive changes to this Local Law; that the word "Local Law" shall be changed to "Chapter," "Section" or other appropriate word as required for codification; and that any such rearranging of the numbering and editing shall not affect the validity of this Local Law or the provisions of the Charter affected thereby.

## **Section 4. Severability.**

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Local Law or their petition to other persons or circumstances. It is hereby declared to be the legislative intent that this Local law would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such person or circumstance to which the Local Law or part hereof is held inapplicable had been specifically exempt there from.

## **Section 5. Effective Date.**

This local law shall take effect immediately upon filing with the Office of the Secretary of State.



(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. 3 of 2024 of the (County)(City)(Town)(Village) of Beacon was duly passed by the City Council on June 17 2024, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*

~~**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*~~

~~**3. (Final adoption by referendum.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*~~

~~Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.~~

~~**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.~~

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

~~5. (City local law concerning Charter revision proposed by petition.)~~

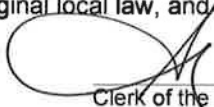
~~I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.~~

~~6. (County local law concerning adoption of Charter.)~~

~~I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.~~

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph <sup>1</sup> \_\_\_\_\_ above.



Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 06.18.2024

(Seal)