

GREENE TOWNSHIP, FRANKLIN COUNTY, PENNSYLVANIA

ORDINANCE 2021 - 3

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF GREENE BY ADDING CHAPTER 54 TO REGULATE AND PROTECT THE INTEGRITY OF FIRE HYDRANTS WITHIN GREENE TOWNSHIP IN CASE OF EMERGENCY, PROHIBITING CERTAIN ACTIVITIES NEAR FIRE HYDRANTS, ESTABLISHING PROCEDURES FOR ENFORCEMENT OF THE SAME, AND FIXING PENALTIES FOR VIOLATION THEREOF.

WHEREAS, The Board of Supervisors of Greene Township deem it to be in the best interest and general welfare of the citizens and residents of this Township to regulate activities in close proximity to fire hydrants so that fire hydrants are readily available to emergency services in case of emergency,

WHEREAS, Sections 1527 and 1801 of the Pennsylvania Second Class Township Code authorize the Township Board of Supervisors to provide for fire protection within the Township and adopt ordinances to secure the safety of persons or property within the Township,

WHEREAS, Section 1601 of the Second Class Township Code authorizes the imposition of penalties for violation of said Ordinances,

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the Board of Supervisors of Greene Township, Franklin County, Pennsylvania, and it is hereby enacted and ordained by Authority of the same as follows:

Section 1. The Code of the Township of Greene is hereby amended by creating a new Chapter 54.

Section 2. Chapter 54 shall contain the following sub-sections:

§ 54-1. Title.

This chapter shall be known and designated as the “Greene Township Fire Hydrant Ordinance” or “Fire Hydrant Ordinance.”

§ 54-2. Obstructions to fire hydrants and other fire protection equipment prohibited.

Posts, fences, vehicles, certain plants, trees, growth, trash, landscaping materials, rock materials, storage and other materials, structures or objects shall not be placed or kept near fire hydrants, Fire Department inlet connections or fire protection system control valves (collectively referred to as "fire hydrants" or "fire protection equipment") in a manner that would prevent fire hydrants or other fire protection equipment from being immediately discernible or readily accessible. The Fire Department shall not be deterred nor hindered from gaining immediate and safe access to any such fire hydrants or other fire protection equipment.

§ 54-3. Buffer area around fire hydrants and other fire protection equipment.

A three-foot clear space shall be maintained around the circumference of fire hydrants and other fire protection equipment except as otherwise required or approved by the Board of Supervisors upon the recommendation of the Township Emergency Services Coordinator or local Fire Chief with jurisdiction. No grass, plants or other objects within this three-foot radius shall exceed twelve (12) inches in height. No loose rocks or any other objects which may pose a tripping hazard shall be permitted within the foregoing radius. In conjunction with the three-foot radius, all fire hydrants and other fire protection equipment must have an unimpeded view range of at least two feet to each side along the roadway.

§ 54-4. Shoveling snow onto fire hydrants prohibited.

Snow and ice shall not be shoveled, blown or otherwise deposited onto fire hydrants or within three feet of fire hydrants.

§ 54-5. Violations and penalties.

Any person violating any provision of this chapter shall, upon conviction thereof, be sentenced to pay a fine of not more than \$1,000, plus costs, and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each violation of any provision of this chapter shall constitute a separate offense. In addition, in any civil enforcement action brought by the Township to collect unpaid fines or penalties imposed pursuant to this chapter, the Township shall also be entitled to collect all costs, expenses, and attorney's fees associated with such action.

§ 54-6. Right to enter and remove obstructions; liens.

In addition to any other penalties and remedies provided herein or otherwise available under law, upon the failure of the owner or person in charge of or in possession of the property to remove any offending obstruction in violation of this chapter after receiving a notice of violation, any duly authorized employee or contractor of the Township, water authority, water company, or other entity having jurisdiction or control over the fire hydrant or the premises upon which the fire hydrant is located may, without further notice to the owner or persons in charge or possession of such property, enter upon the premises and cause the removal of all offending obstructions to the

fire hydrant or other fire protection equipment. The costs of such action to remove the offending obstruction shall be charged against the owner(s) or other persons in charge of said premises and shall also be charged against the real estate upon which the fire hydrant and the offending obstructions are located and shall be a lien upon such real estate.

§ 54-7. Township reservation of right to enter upon lands to maintain fire hydrants.

Nothing in this chapter shall be interpreted as limiting in any manner the right of the Township, water authority, water company, or any other entity having jurisdiction or control over any fire hydrant to enter upon any right-of-way, easement or other premises upon which any fire hydrant or other fire protection equipment is located to cause the removal of any and all obstructions or other objects or structure whose presence is inconsistent with the right to gain unfettered access to and to maintain such fire hydrant or other fire protection equipment and/or appurtenant rights-of-way, easements or other premises upon which such fire protection equipment is located. Nor shall any person be entitled to the return of, or to any compensation for, any offending obstructions removed or for any damages caused to any such obstructions or to the premises by or as a result of the entry and removal of such obstructions.

§ 54-8. Severability.

In the event that any section or sections of this chapter, or parts of the same, shall be declared to be invalid by any court of competent authority, the remaining provisions of this chapter shall continue in full force and effect notwithstanding.

§ 54-9. Repealer.

Any other ordinance or part(s) of any ordinance(s) which conflicts with the terms and provisions of this chapter are hereby repealed insofar as the same affects this chapter.

§ 54-10. When effective.

This chapter shall take effect five days after enactment.

Section 3. This chapter shall become effective five days after the adoption hereof.

ENACTED by the Board of Supervisors of the Township of Greene this _____ day of _____, 2021.

**BOARD OF SUPERVISORS
OF GREENE TOWNSHIP**

ATTEST:

By:

Township Secretary

Todd E. Burns

Travis Brookens

Shawn Corwell

CERTIFICATION/ATTESTATION

I, Lindsay N. Loney, Township Secretary, hereby certify and attest that the foregoing ordinance was advertised in the *Public Opinion* on _____, 2021, a newspaper of general circulation in the Municipality and was duly enacted and approved as set forth at a Regular Public Meeting of the Board of Supervisors held on _____, 2021.

Lindsay N. Loney, Township Secretary