

TOWNSHIP OF MOORESTOWN

ORDINANCE NO. 7-2006

**AN ORDINANCE CREATING CHAPTER 78
OF THE CODE OF THE TOWNSHIP OF MOORESTOWN ENTITLED
“FIRE HYDRANTS”**

BE IT ORDAINED by the Township Council, of the Township of Moorestown, in the County of Burlington, State of New Jersey, as follows:

Section 1: The Code of the Township of Moorestown is hereby amended to create Chapter 78, “Fire Hydrants” as follows:

Chapter 78

**RULES AND REGULATIONS GOVERNING USE OF FIRE HYDRANTS
IN THE TOWNSHIP OF MOORESTOWN**

- 78-1 Findings and Intent**
- 78-2 Applicability**
- 78-3 Definitions**
- 78-4 Requirements**
- 78-5 Enforcement**
- 78-6 Violations**
- 78-7 Penalties**
- 78-8 Exceptions**

78-1. Findings and Intent

The Township Moorestown finds that fire hydrants are being used by unauthorized persons for reasons other than firefighting. This situation creates a life safety hazard for the residents of Moorestown and results in an expense to the Township due to the taking of un-metered water. As Fire Districts 1 and 2 are invoiced quarterly for the rental of fire hydrants by the Township of Moorestown for use in firefighting and the Township of Moorestown is responsible for the safe and proper operation of these hydrants, the intent of these regulations is to set penalties for unauthorized use of a fire hydrant used to protect the public from the depletion of water supplies necessary for fire fighting and damage caused by unauthorized use due to the taking of un-metered water.

78-2. Applicability.

The use of all fire hydrants located within the Township of Moorestown shall be regulated as provided herein.

78-3. Definitions.

FIRE CHIEF - The Chief of the Lenola Fire Company and/or Moorestown Fire Department

FIRE COMPANY OFFICER - The Fire Company Line Officers of the Lenola Fire Company and/or Moorestown Fire Department

DEPARTMENT OF PUBLIC WORKS - The employees of the Township of Moorestown Department of Public Works

FIRE HYDRANT - A water supply device installed for use in fire fighting

FIRE INSPECTOR - The Fire Inspectors of the Bureau of Fire Prevention, District 2 and/or Division of Fire Prevention, District 1

FIRE OFFICIAL - The Fire Official of the Bureau of Fire Prevention, District 2 and/or Division of Fire Prevention, District 1

POLICE OFFICER - The police officers employed by the Township of Moorestown

78-4. Requirements.

1. No person, except firefighters at fires or drills or Department of Public Works employees shall be permitted to open, use or take water from a fire hydrant in the Township of Moorestown or to have the custody of any wrench or wrenches intended for use in connection with such fire hydrants without the authority of the Township except:
 - a. Fire hydrants authorized for use through Chapter 175, Water and Sewers, Article 1, 175-16, Rule 14 of the Code of the Township of Moorestown.
2. No person shall tamper or cause damage of any kind to any fire hydrant in the Township of Moorestown.

78-5. Enforcement.

Uniformed Fire Officials, Fire Inspectors of the designated local enforcing agencies of the respective fire district of the Township of Moorestown, Fire Chief and Fire Officers of the Lenola Fire Company and Moorestown Fire Department, Moorestown Police Officers and Moorestown Township Department of Public Works employees are empowered to issue summonses to any offending party.

78-6. Violations.

All such summonses shall be on a form cognizable before the Municipal Court of the Township of Moorestown, and any and all hearings to be held in connection with any summonses issued hereunder shall be held before said Municipal Court.

78-7. Penalties.

1. Any person, firm or corporation in violation of contributing in any way to violation of this chapter or any part thereof shall upon conviction be punishable by a fine as follows:
 - a. First Offense: \$500, plus court costs payable to the Clerk of the Municipal Court;
 - b. Second Offense: \$1000, plus court costs payable to the Clerk of the Municipal Court;
 - c. Subsequent Offense: \$2000, plus court costs payable to the Clerk of the Municipal court.
2. Upon conviction, all penalties assessed as a result of summonses issued by the Uniformed Fire Officials, Fire Inspectors, Fire Chiefs and Fire Officers of their respective Fire Districts will be paid thereafter by the Court Clerk to the Treasurer of the respective Fire District.
3. Upon conviction, all penalties assessed as a result of summonses issued by the Moorestown Township Police Department will be paid thereafter by the Court Clerk to the Treasurer of the Township of Moorestown.
4. Upon conviction, all penalties assessed as a result of summonses issued by the Moorestown Township Department of Public Works will be paid thereafter by the Court Clerk to the treasurer of the Township of Moorestown.

78-8. Exceptions.

1. The provisions of this article shall not apply to the use of fire hydrants for firefighting, training, service, testing or repair by:
 - a. Fire Companies in the Township of Moorestown
 - b. Fire Departments in the Township of Moorestown
 - c. Moorestown Township Department of Public Works personnel

Section 2: Repealer. All other ordinances and parts of ordinances and resolutions, insofar as they are consistent with any of the terms and provisions of this Ordinance, are hereby repealed to the extent of such inconsistency only.

Section 3: Severability. If any section, paragraph, sentence, clause, phrase, term, provision, or part of this Ordinance shall be adjudged by any court of competent jurisdiction to be invalid or inoperative, such judgment shall not effect, impair or invalidate the remainder hereof, but shall be confined in its operation to the section, paragraph, sentence, clause, phrase, term provision, or part hereof directly involved in the controversy in which such judgment shall have been rendered.

Section 4: Effective Date. This Ordinance shall take effect twenty (20) days after the date of publication of final passage.

Section 5: Short Title. This Ordinance shall be cited as Ordinance 7-2006.

CERTIFICATION

I hereby certify that Ordinance No. 7-2006 was introduced and adopted on first reading by the Township Council at a meeting held on March 27, 2006. This ordinance was duly adopted by the Township Council of the Township of Moorestown, County of Burlington, State of New Jersey at a meeting of the Township Council held on April 24, 2006.

VOTE:

ABERANT	YES
ROCCATO	YES
MILLER	YES
SEGAL	YES
ERON	YES

Patricia L. Hunt, RMC
Township Clerk