

ORDINANCE NO. 2942

An ordinance amending Section 38-194 of the City Code relating to upgrading water lines for fire protection, establishing the requirement for domestic water providers to meet certain minimum standards and providing neighborhoods to petition to obtain fire protection upgrades.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION:

Section 38-194 is hereby deleted in its entirety and replaced with new paragraphs (a) through (f) which shall read as follows:

Section 38-194. Development; upgrades of existing water lines and facilities.

- (a) To ensure fire protection to users, owners, and the City, for new construction, replacements, and development which occurs after the effective date hereof, all development and water service providers in the City shall meet the following minimum standards:
 - (1) Water shall be supplied at a residual hydrostatic pressure of not less than twenty pounds per square inch (20 psi), nor more than one hundred twenty five pounds per square inch (125 psi).
 - (2) Hydrants shall be placed in the public right-of-way and shall not be spaced more than five hundred feet (500') from each other. In no case shall there be more than two hundred fifty feet (250') from any hydrant to any property frontage.
 - (3) Hydrants shall provide at least five hundred (500) gallons per minute at twenty pounds per square inch (20 psi) residual pressure.
 - (4) Notwithstanding any other provision, hydrants shall provide at least the minimum amount of water required to protect the properties within the respective area in accordance with the 1980 Fire Suppression Rating Schedule published by the Insurance Services Office, 160 Water Street, New York, New York ("1980 ISO Guide").
 - (5) Hydrants shall be directly supplied by a line at least six inches (6") in diameter. A line or pipe larger than as described herein may be required based on standards adopted in this section, regulations promulgated pursuant to this section or in accordance with law otherwise applicable to water service providers. Any decision of the City manager, the Fire Chief or their designee which requires a line of greater than six inches (6") in diameter may be appealed within ten days to the utility hearing board in accordance with the

rules and procedures established by Section 38-68. At an appeal hearing convened under that section, the appellant shall have the burden of proof by clear and convincing evidence.

- (b) To ensure adequate fire protection to users, owners, and the City, all existing water facilities, hydrants and lines in the City, existing as of the effective date hereof, shall also meet the minimum standards set forth in subsections (1) through (4) immediately above.
- (c) The City manager may promulgate and enforce regulations which are more restrictive than the provisions of this section if the City manager finds such regulations to be necessary to protect the health, safety and general welfare of the citizens of the City.
- (d) To the extent permitted by law, the provisions of this section shall apply to areas outside of existing City limits. To the extent that applicable law does not permit such extraterritorial application, the provisions of this section shall be limited to the limits of the City.
- (e) The provisions of this section shall supersede any inconsistent provisions of an adopted fire code. Section 18-58 is not otherwise amended.
- (f) In order to bring existing water facilities, hydrants and lines that do not currently meet subsections (1) through (4) above into compliance with those sections, the following shall apply:
 - (1) When water service providers or water districts upgrade, ~~repair~~ or replace existing water transmission or water distribution lines or facilities, such provider or district shall, at that time, upgrade the existing facilities to meet the minimum line size standards outlined in paragraph (a), sub-paragraphs (1) through (5), above.
 - (2) When water service providers or water districts upgrade, ~~repair~~ or replace existing fire hydrants or facilities, such provider or district shall also, at that time, upgrade the existing hydrant and facilities to meet the standards in paragraph (a), sub-paragraphs (2) through (4), hereof.
 - (3) With respect to water line, hydrant and facilities which do not meet the standards outlined in paragraph (b) above, at least once each five years, each water provider and district shall provide written notice to each affected property owner and the City of such deficiency. Such water provider and district shall obtain the prior approval of the City of the form and content of such notice. Such water provider and district shall provide the Manager with a detailed list of the water, hydrants and facilities which do not meet the

standards hereof, along with a list of the property owners to which the written notice was provided.

- (4) When a petition, signed by more than fifty percent (50%) of the property owners in an area supplied by or adjacent to water lines and/or hydrants which do not meet the standards outlined in paragraph (b) above, is submitted to a water provider or water district requesting the water provider or water district to upgrade existing facilities to meet the minimum standards in paragraph (a), such water provider or water district shall complete the requested improvements within three (3) years of the delivery of such petition. The City may, pursuant to an agreement then negotiated with the water provider or district, agree to pay a portion of the costs of such improvements.

Introduced on first reading and ordered published this 21st day of August, 1996.

Adopted this 4th day of September, 1996.

/s/ Linda Afman
Mayor, City of Grand Junction

ATTEST:

/s/ Stephanie Nye
City Clerk