Sponsored by:
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District 38 (Bergen and Passaic)  
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SYNOPSIS
Requires snow removal from covered fire hydrants or locator pole installation.

CURRENT VERSION OF TEXT
As introduced.
AN ACT concerning snow accumulation over fire hydrants, and
supplementing chapter 65 of Title 40 of the Revised Statutes.

BE IT ENACTED by the Senate and General Assembly of the State
of New Jersey:

1. a. As used in P.L. , c. (C. ) (pending before the
Legislature as this bill):
“Director” means the Director of the Division of Local
Government Services in the Department of Community Affairs.
“Division” means the Division of Local Government Services in
the Department of Community Affairs.
“Hydrant locator pole” means a pole installed on a fire hydrant to
enable the hydrant to be located when covered in snow.
“Snow coverage” means the initial complete coverage of the fire
hydrant as a result of natural precipitation or street clearing
activities.
“Water purveyor” means a public or private entity, including
both for-profit and not-for-profit companies, that provides water for
human consumption.

b. On or before the first day of the twelfth month next
following the operative date of P.L. , c. (C. ) (pending
before the Legislature as this bill), the governing body of every
municipality shall either:
(1) install, or cause to be installed, a hydrant locator pole on
every working fire hydrant within municipal boundaries. The
hydrant locator pole shall be maintained in compliance with rules
and regulations adopted by the director;
(2) adopt an ordinance or resolution, as applicable, requiring
any water purveyor servicing the municipality to clear all fire
hydrants within their service area of snow, within 24 hours of snow
coverage, in compliance with rules and regulations adopted by the
director;
(3) adopt an ordinance or resolution, as applicable, requiring the
owner of any real property abutting any fire hydrant to clear such
fire hydrant of snow, within 24 hours of snow coverage, in
compliance with rules and regulations adopted by the director; or
(4) adopt an ordinance or resolution, as applicable, requiring the
municipality itself, or any department thereof, to clear all fire
hydrants of snow, within 24 hours of snow coverage, in compliance
with rules and regulations adopted by the director.

c. If a party responsible for fire hydrant clearance under
subsection b. of this section fails to perform the required clearance
within the specified time, the municipality, or any department
thereof, may perform the clearance and bill the responsible party no
more than $75 for the service.
2. The director shall require the governing body of every municipality to either verify the installation of hydrant locator poles to the division, or file a copy of the resolution or ordinance requiring fire hydrant clearance with the division. If a municipality does not comply with this verification or filing requirement, in compliance with rules and regulations adopted by the director, by the first day of the thirteenth month next following the operative date of section 1 of P.L.  , c.  (C. ) (pending before the Legislature as this bill), then, pursuant to the “Local Budget Law,” N.J.S.40A:4-1 et seq., the director shall not approve the municipality’s budget until the governing body of the municipality takes such action as is necessary to comply.

3. On or before the first day of the sixth month next following enactment of P.L. , c.  (C. ) (pending before the Legislature as this bill), the director, in accordance with the “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.), and in consultation with the Director of the Division of Fire Safety in the Department of Community Affairs, shall adopt and promulgate such rules and regulations as may be necessary for the implementation of this act, including guidance for the acceptable physical characteristics of hydrant locator poles, maintenance requirements for such poles, and snow removal standards.

4. This act shall take effect immediately, but section 1 shall remain inoperative until the first day of the sixth month next following enactment.

**STATEMENT**

This bill requires every municipality to either install a locator pole on every fire hydrant within its boundaries, or to require such fire hydrants to be cleared of snow within 24 hours of coverage by either the water purveyor servicing the municipality, the abutting property owner, or a department of the municipality itself, within 24 hours of snow coverage. If a party responsible for fire hydrant clearance fails to fulfill this responsibility within the specified time, the municipality may perform the clearance and bill the responsible party no more than $75 for the service.

The Director of the Division of Local Government Services in the Department of Community Affairs would adopt and promulgate rules and regulations necessary for the implementation of this bill by the first day of the sixth month next following enactment. At that time, municipalities would have until the first day of the twelfth month next to complete hydrant locator pole installations, or to adopt an ordinance or resolution requiring water purveyors, abutting property owners, or a department of the municipality itself,
to clear all fire hydrants in their service area within 24 hours of
snow coverage. The director shall require municipalities to verify
the installation of hydrant locator poles to the division, or file a
copy of the resolution or ordinance requiring fire hydrant clearance
with the division. Absent compliance with this verification or filing
requirement, then, pursuant to the “Local Budget Law,”
N.J.S.40A:4-1 et seq., the director shall not approve of the
municipality’s budget.