

**COMMONWEALTH OF KENTUCKY  
COUNTY OF BULLITT  
ORDINANCE NO. 08-21**

**AN ORDINANCE AMENDING ORDINANCE NO. 06-25  
RELATING TO THE ESTABLISHMENT AND  
LOCATION OF FIRE HYDRANTS, FIRE LANES,  
AND ACCESS ROADS ON PRIVATE AND  
PUBLIC PROPERTY**

WHEREAS, Bullitt County Fiscal Court adopted Ordinance No. 06-25 on the 3<sup>rd</sup> day of October, 2006 under authority granted to it by KRS 67.083(3)(u) to provide for fire protection for the citizens of the county;

WHEREAS, Ordinance No. 06-25 was supported by and proposed by the fire protection professionals of Bullitt County;

WHEREAS, Bullitt County Fiscal Court has determined that amendments to Ordinance No. 06-25 are necessary to ensure effective and efficient implementation and administration of the fire protection provisions contained therein; and

WHEREAS, Bullitt County Fiscal Court hereby determines that it is in the best interests of the citizens of Bullitt County to adopt the following ordinance in order to provide effective fire protection for the citizens of Bullitt County and their property.

**NOW, THEREFORE, BE IT ORDAINED BY THE FISCAL COURT  
OF COUNTY OF BULLITT, COMMONWEALTH OF KENTUCKY, AS FOLLOWS:**

**SECTION I**  
**DEFINITIONS**

A. As used in this Ordinance, the following terms shall mean:

1. ADEQUATE WATER SUPPLY - public water supply or water supply consistent with National Fire Protection Association guidelines.
2. ASSEMBLY, BUSINESS, EDUCATIONAL, FACTORY, HIGH HAZARD, INDUSTRIAL, INSTITUTIONAL, MERCANTILE, RESIDENTIAL, STORAGE, AND MISCELLANEOUS USES - have the same meanings as defined in the currently adopted edition of the Kentucky Building Code and Kentucky Residential Code.
3. BUILDING OFFICIAL - the Department Executive/Director of the Bullitt County Office of Code Enforcement or his/her designee.
4. FIRE CHIEF - the head of a Fire Department or Fire Protection District appointed or empowered in accordance with KRS Chapters 75, 95, 227 and/or KRS 67C.105 to carry out the expressed or implied statutory authority granted to the Fire Department or Fire Protection District.
5. FIRE HAZARD - any thing or act which increases, or will cause an increase, of the hazard or menace of fire to a greater degree than customarily recognized by persons in the public service who are regularly engaged in preventing, suppressing or extinguishing fire, or that which will obstruct, delay, hinder or interfere with the operation of fire protection personnel, or with the egress of occupants in the event of fire.
6. FIRE LANE - a permanent passageway developed to allow the passage of fire apparatus through congested areas.
7. TEMPORARY ACCESS ROAD - a temporary roadway required during

the combustible phase of construction capable of supporting a thirty (30) ton and at least thirteen (13) feet wide Fire Apparatus.

8. SINGLE-FAMILY DWELLING - a building containing one unit providing a complete independent living facility and not connected to any other building or unit. This definition shall also include detached condominium units meeting this description.
9. TWO-FAMILY DWELLING - a building containing two complete independent living facilities (i.e. a duplex).
10. MULTI-FAMILY DWELLING - a building containing more than two complete independent living facilities (i.e. apartments, condominiums).
11. WATER SUPPLY SYSTEM - consists of the Urban and Modified Urban Water Supply Systems, as set forth below. The area served by each system is determined by the local water utility having jurisdiction.
12. MODIFIED URBAN WATER SUPPLY SYSTEM - a water system designed to deliver a minimum of five hundred (500) gallons per minute at 20 pounds per square inch residual pressure (as defined by the local water utility) above 550 feet sea level.
13. URBAN WATER SUPPLY SYSTEM - a water system designed to deliver a minimum of seven hundred fifty (750) gallons per minute at 20 pounds per square inch residual pressure (as defined by the local water utility) below 550 feet sea level, with commercial areas being designed to deliver one thousand (1,000) gallons per minute at 20 pounds per square inch residual pressure (as defined by the local water utility), and which is intended to service public fire hydrants that are spaced not farther than one thousand (1,000) feet apart.

B. Referenced Codes and Regulations:

Any documents that comprise types of laws, regulations, ordinances, or policies, as set forth herein, shall refer to the most recently-adopted version at the time of application of the provisions contained herein.

**SECTION II**

**CONSTRUCTION REQUIREMENTS**

**A. Applicability:**

1. The provisions of this Ordinance shall apply only to new building construction of one thousand (1,000) square feet or more of assembly, business, educational, factory, high hazard, industrial, institutional, mercantile, residential (includes single, two-family, and multi-family dwellings, residential subdivisions and mobile home park occupancies), storage, or miscellaneous use.
2. Exclusions: This Ordinance shall not apply to single family residential construction unless it is part of a new subdivision development consisting of three (3) or more structures and two (2) or more lots. New building construction on lots of existing subdivisions approved prior to the enactment of this Ordinance is specifically excluded from the requirements set forth herein. New construction of structures, alterations or additions for the purpose of an "Agricultural Use" as defined by KRS 100.111(2), including provision for dwellings for persons and their families who are engaged in the agricultural use on the tract, is specifically excluded from the requirements set forth herein. Structures, alterations or additions erected prior to the enactment of this Ordinance

are specifically excluded from the requirements set forth herein.

**B. Fire Protection Plan Review:**

Plans shall be submitted for fire protection review to the Building Official and to the Fire Chief having jurisdiction prior to the beginning of any construction. All plan submittals shall include the location and placement of any fire hydrants (proposed and/or previously existing), fire lanes, sources of water supply, and access roads on both public and private property as required by this Ordinance. The Fire Chief shall forward his/her recommendation(s) to the Building Official within seven (7) calendar days of receipt of plans. Final approval of plans by the Building Official is required prior to the beginning of any construction.

**C. Temporary Access Road Requirements During Construction:**

No person shall start the combustible stage of the construction of any type of building, other than one (1) single family dwelling in each phase of a new subdivision development that shall be used for display purposes only, until an all-weather Temporary Access Road is provided of at least crushed stone rock construction not less than sixteen (16) feet in width with an overhead clearance of all obstructions not less than twelve (12) feet and is available for the use and operation of fire protection apparatus. Such Temporary Access Road shall be approved by the Building Official, in cooperation with the Fire Chief. The Temporary Access Road shall be maintained throughout the combustible phase of construction. If it will be utilized beyond that point, it must be converted to a Hard Surface Road and comply with all applicable regulations therewith.

### SECTION III

#### FIRE HYDRANTS

**A. Provision of Adequate Water Supply:**

Prior to any commercial, industrial, or multifamily development or prior to the combustible phase of any construction for any new single family residential subdivision development consisting of three (3) or more structures and two (2) or more lots, an adequate water supply shall be provided for firefighting purposes. Said adequate water supply shall be approved by the Building Official, in cooperation with the Fire Chief, with the only exception being the construction of one (1) single-family dwelling in each phase of a new subdivision development to be used for display purposes only, on condition that no utilities are connected to the structure before an adequate water supply is provided for firefighting purposes.

**B. Fire Hydrant and Main Specifications:**

1. Definitions:

a. FIRE HYDRANTS or HYDRANTS - pumper-type hydrants that are equipped with outlet and/or outlets placed for the purpose of and intended for supplying water to fire department pumpers. Fire Hydrants installed in Urban systems shall be equipped with not less than two (2), four (4) inch large pumper outlets. Fire Hydrants installed in Modified Urban systems shall be equipped with not less than one (1), four (4) inch large pumper outlet.

b. YARD HYDRANT - hydrants that are equipped with not less than two (2), two and one-half (2-1/2) inch outlets and are supplied with water from a Siamese connection. Yard Hydrants may have larger outlets as

designated by the local fire department. Yard Hydrants with larger outlets should be marked as a Yard Hydrant as designated by the local fire department.

c. DRY HYDRANT - a pre-piped water way installed to an approved static water source equipped with one draft outlet with outlet diameter and thread specifications as designated by the local fire department.

d. PUBLIC HYDRANT - hydrants owned and operated by the local water utility.

e. PRIVATE HYDRANT - all other hydrants not otherwise defined herein.

2. Hydrant Specifications:

a. All Fire Hydrants shall meet the minimum specifications and be installed in conformity with the standards and requirements of the local water utility for hydrant type and thread specifications, and with any applicable standards of the National Fire Protection Association and shall be constructed and maintained so as to have the capability of supplying adequate water flow according to the standards of the local water utility and the applicable standards of the National Fire Protection Association.

b. Within the Urban Water Supply System area, Fire Hydrants shall be able to deliver seven hundred fifty (750) gallons per minute with a friction loss of not more than five (5) pounds per square inch between the street main and the outlet. This provision is applicable to the design of the hydrants only, and is not to be utilized in the determination of the proper and/or necessary water flow requirements.

c. Within the Modified Urban Water Supply System area, Fire

Hydrants shall be able to deliver five hundred gallons (500) per minute with a friction loss of not more than five (5) pounds per square inch between the street main and the outlet. This provision is applicable to the design of the hydrants only, and is not to be utilized in the determination of the proper and/or necessary water flow requirements.

d. All hydrants that are replaced shall be equipped with the number of outlets, outlet diameter and thread specifications as set forth in Sections B(1) and B(2) above.

e. A gate valve must be installed at the hydrant between the hydrant and the street water main.

f. Hydrants may be tested periodically for proper functioning in accordance with the policy of the Fire Department having jurisdiction. The local water utility supplying water shall be notified prior to testing.

3. Water Main Specifications:

a. New water mains that have hydrants installed on them shall not be less than six (6) inches in diameter, including fire hydrant branch connections installed in conformity with the minimum requirements of the local water utility. Where size and physical characteristics indicate, the Building Official may require the developer install water mains of a larger diameter.

b. The distribution system shall be equipped with a sufficient number of valves so located that breakage or other interruption will not cause the shutdown of any substantial portion of a main. Whenever a fire service is installed in conjunction with fire hydrants, said service shall be of the fire protection type and at least six (6) inches in diameter.



- c. All piping and materials installed as a fire protection service shall have UL or FM listing with a minimum rating of 150 pounds per square inch in order to comply with the provisions herein.

**C. Location of Hydrants and Water Supply Requirements:**

1. Single-Family and Two-Family Dwellings:

a. In Single-Family residential subdivisions, Fire Hydrants shall be placed at an average spacing of one thousand (1,000) feet, as measured over hard surfaces easily accessible to fire protection apparatus. Any single-family residential property boundary must be within five hundred (500) feet of a Fire Hydrant, as measured over hard surfaces easily accessible to fire protection apparatus.

b. Closer spacing may be required by the enforcement agencies set out herein where special circumstances require such closer spacing. The enforcement agency requiring the closer spacing shall document the potential safety hazard that would exist without such closer spacing.

c. Fire Hydrants in residential Urban Water Supply Systems shall deliver a minimum of seven hundred fifty (750) gallons per minute, projected to twenty (20) pounds per square inch residual pressure.

d. Fire Hydrants in residential Modified Urban Water Supply Systems shall deliver a minimum of five hundred (500) gallons per minute, projected to twenty (20) pounds per square inch residual pressure.

2. Multi-Family Dwellings:

a. In Multi-Family residential areas in which all residential buildings are sprinklered in accordance with National Fire Protection Association ("NFPA") Pamphlet 13, 1991 (Standard for the Installation of Sprinkler

Systems), or in accordance with NFPA Pamphlet 13-D, 1991 (Standard for the Installation of Sprinkler Systems in One and Two Family Dwellings and Mobile Homes), or in accordance with NFPA Pamphlet 13-R, 1991 (Standard for the Installation of Sprinkler Systems in Residential Occupancies up to Four Stories in Height), Fire Hydrants shall be placed at an average spacing of one thousand (1000) feet, and no exterior portion of a building is to be more than five hundred (500) feet from a hydrant measured over hard surfaces easily accessible to fire protection apparatus.

b. Fire Hydrants in Multi-Family residential Urban Water Supply Systems shall deliver a minimum of seven hundred fifty (750) gallons per minute, projected to twenty (20) pounds per square inch residual pressure.

c. Fire Hydrants in Multi-Family residential Modified Urban Water Supply Systems shall deliver a minimum of five hundred (500) gallons per minute, projected to twenty (20) pounds per square inch residual pressure.

d. No property containing a non-sprinklered building and non-residential occupancy of more than two thousand (2,000) square feet in total area is to be more than five hundred (500) feet from a Fire Hydrant with one additional Fire Hydrant within one thousand (1,000) feet measured over hard surfaces easily accessible to fire protection apparatus. This provision shall not apply to agricultural structures such as barns, stables and sheds.

e. Residential buildings that are required to be sprinklered by the Kentucky Building Code shall comply with NFPA Pamphlet 24 as referenced by the current edition of the Kentucky Building Code.

3. Other Uses:
  - a. In all other uses, including commercial, industrial, mercantile, educational, institutional, assembly, and hotel and motel, Fire Hydrants shall be located so that there will be at least one Fire Hydrant within five hundred (500) feet of the property boundary, and one additional Fire Hydrant within one thousand (1000) feet of the property boundary. The distances shall be measured over hard surfaces easily accessible to fire protection apparatus.
  - b. No property boundary shall be farther than five hundred (500) feet from a Fire Hydrant measured over hard surfaces easily accessible to fire protection apparatus.
  - c. Closer spacing may be required by the Building Official where special circumstances require such closer spacing. The Building Official shall document the potential safety hazard that would exist without such closer spacing when required.
4. General Conditions/Requirements:
  - a. Any changes in occupancy as defined in the 2002 edition of the Kentucky Building Code will require the owner to comply with the provisions of this Ordinance.
  - b. Commercial buildings that have a sprinkler system shall comply with National Fire Protection Association Pamphlet 13 and National Fire Protections Association Pamphlet 24 as referenced by the 2002 edition of the Kentucky Building Code.
  - c. Private hydrant systems in buildings not sprinklered shall be designed to provide the minimum fire flow as computed in Section III (D)

below, by recognized standards, from the point of connection to the public water system.

d. All Hydrants must be located at least twenty-five (25) feet from any exterior wall of a masonry building, and at least fifty (50) feet from any exterior wall of a frame building or a building of equivalent construction, including brick or stone veneer.

e. All Hydrants shall be located so as to be easily accessible to fire protection apparatus from an approved hard surface. Hydrants shall be located not more than fifteen (15) feet from the edge of an approved hard surface easily accessible to fire protection apparatus unless otherwise specifically exempted herein. In locations where the hydrant must remain within the water easement, the Hydrant shall be placed within one (1) foot of the line between the easement and the road right-of-way and be no more than twenty-two (22) feet from the road edge. The center of the Hydrant nozzle shall be not less than eighteen (18) inches or more than thirty (30) inches above ground level (final grade).

f. Where Fire Hydrants are installed along a roadway, parking within ten (10) feet of either side of a point at the road edge nearest the Hydrant is prohibited. Where Fire Hydrants are installed in parking areas, parking shall be designed and maintained to allow ten (10) feet clear access to the hose connection side of the Hydrant, and a four (4) foot minimum clear radius around the Hydrant.

g. All Hydrants shall be kept clear of weeds, rubbish and all other obstructions by the abutting property owner(s). Landscaping or decorations shall not be used to obstruct or hide the Fire Hydrant from

clear view, nor prohibit access to the Hydrant for use or maintenance. Damage caused to landscaping within a fifteen (15) foot radius of the Hydrant due to periodic maintenance, use, or testing of a Fire Hydrant shall be the responsibility of the owner of the landscaping.

h. Dumpsters or mobile obstructions shall not be located within ten (10) feet of a Fire Hydrant.

i. Fire Hydrants shall not be painted nor changed in any other way by anyone other than the fire department having jurisdiction or the local water utility.

j. Fire Hydrants shall not be permitted to supply irrigation systems. Any use of a Fire Hydrant for purpose other than fire protection or authorized periodic inspection must utilize a temporary water meter with appropriate back-flow protection. The temporary meter must be requested from the local water utility.

k. The main pumper outlet of the Hydrant shall be positioned so that it faces the hard surface roadway. When the Hydrant is located at or near intersections, or there are other physical factors that would affect the positioning, the main pumper outlet shall be positioned at the direction of the fire department having jurisdiction.

l. No Fire Hydrants that utilize metered service for their source of water shall be considered in fulfilling the provisions of this Ordinance. This does not include water delivered to one water district from another water district through a master meter. Fire Hydrants installed on a fire service tap from the local water utility may use a fire service meter or leak detector meter of the size and type specified by the local water utility.

Fire service meters shall be capable of delivering the full capacity of the size of fire service installed.

m. The owner of any private water system or private fire protection system shall notify the fire department having jurisdiction when the system is installed.

n. The owner of any private water system or private fire protection system shall notify the fire department having jurisdiction when the system is out of service and when service has been restored. The owner of the system is responsible for prompt repair of the water supply system.

o. The Fire Hydrant testing methods used to measure flow capacity shall be in accordance with the National Fire Protection Association's Handbook for Area Flow Test, the Insurance Services Office's Fire Flow Tests Booklet, and/or a procedure approved by the local water utility.

**D. Total Water Supply Delivery:**

1. The National Fire Protection Association ("NFPA") Pamphlet 1142, 2001, Standard on Water Supplies for Suburban and Rural Fire Fighting, is hereby adopted by reference, as modified by the provisions of this subsection set forth herein:
  - a. The Total Water Supply should be achieved within twenty (20) minutes, by flowing all fire hydrants within one thousand (1,000) feet of the property.
  - b. Fire Hydrants in non-residential Urban Water Supply Systems should deliver a minimum of one thousand (1,000) gallons per minute, projected to twenty (20) pounds per square inch residual pressure regardless of the Total Water Supply.

c. Fire Hydrants in non-residential Modified Urban Water Supply Systems should deliver a minimum of five hundred (500) gallons per minute, projected to twenty (20) pounds per square inch residual pressure regardless of the Total Water Supply.

#### SECTION IV

#### FIRE LANES

##### A. Fire Lanes:

1. No person, firm or corporation in charge of, occupying, or the owner of any site for commercial, industrial, mercantile, educational, institutional, assembly, hotel, motel, multi-family or mobile home park occupancy shall occupy, operate, utilize, or otherwise enjoy the site unless and until a properly marked Fire Lane, not less than eighteen (18) feet in width with at least thirteen feet six inches (13' 6") vertical clearance, is provided and maintained as approved by the Building Official, in cooperation with the recommendations of the Fire Chief, and in accordance with the specifications set out herein.
2. The marking of Fire Lanes on private property devoted to the public use shall be approved by the Building Official, in cooperation with the recommendations of the Fire Chief, and shall be marked as follows:
  - a. A four (4) inch stripe of traffic yellow paint shall be placed on the vertical and horizontal planes of curb or street marking the boundaries of the Fire Lane.
  - b. In addition to the markings above, "NO PARKING FIRE LANE" signs shall be placed at heights not less than thirty-six (36) inches or greater than ninety-six (96) inches, as measured from the bottom of the

sign, and positioned at intervals not greater than sixty (60) feet. Where the placement of signs is not possible due to safety or other considerations, and upon the prior approval of the Building Official, in cooperation with the recommendation of the Fire Chief, the Fire Lane may be marked as follows:

"NO PARKING FIRE LANE" painted on the street with traffic yellow paint at intervals of not greater than fifty (50) feet. The letters shall be a minimum of eighteen (18) inches in height and have two (2) inch or greater body stripe.

3. Parking of motor vehicles obstructing Fire Lanes is prohibited at all times.
4. Fire Lanes and driveways shall be located so that all buildings served by them are accessible to fire equipment.
5. Dumpsters or other mobile obstructions shall not be located within ten (10) feet of either side of a Fire Hydrant or fire department connection to a building.
6. Fire Lanes required by this Ordinance shall not be required for sites whose structures total less than five thousand (5,000) square feet, unless the Building Official, in cooperation with the recommendation of the Fire Chief, determines that a fire hazard exists.

## SECTION V

### CERTIFICATE OF OCCUPANCY

#### A. **Certificate of Occupancy:**

The Building Official, in cooperation with the recommendations of the Fire Chief, shall not issue a Certificate of Occupancy for the construction or



alteration of, or addition to any building covered under this Ordinance unless and until the Building Official has determined that there has been compliance with the provisions contained herein.

## SECTION VI

### CONTINUING MAINTENANCE

#### A. **Continuing Maintenance:**

Upon the completion of the construction phase of any building(s) covered under this Ordinance, and the issuance of a Certificate of Occupancy by the Building Official, it shall be the duty of the owner and/or operator of the property to provide for the paving and continuing maintenance and repair of any and all Fire Lanes that have been required, and the continuing maintenance, repair and operating capabilities of any and all private Fire Hydrants, private sprinkler systems, or other private water facilities as required pursuant to this Ordinance.

## SECTION VII

### ENFORCEMENT

#### A. **Enforcement:**

1. The Building Official, in cooperation with the recommendations of the Fire Chief, is hereby authorized and directed to enforce the requirements of this Ordinance.
2. The final determination concerning compliance herewith shall be the sole discretion of the Building Official.
3. Upon the presentation of official credentials, any enforcement officer authorized above may enter upon any premises covered by this Ordinance to

perform the duties prescribed herein, in accordance with all applicable state and local laws and regulations. Failure to allow entry and/or provide access may result in a Stop Work Order from the Building Official and the denial of a Certificate of Occupancy.

## **SECTION VIII**

### **PENALTIES**

#### **A. Criminal Penalties:**

Any person violating any of the provisions of this Ordinance, or neglecting to comply with any Order issued pursuant to any Section hereof, shall upon conviction thereof be guilty of a Class B Misdemeanor and shall be fined in an amount not to exceed Two Hundred Fifty dollars (\$250.00), or shall be imprisoned for a term not to exceed ninety (90) days, or both such fine and imprisonment. Each day a particular violation occurs shall constitute a separate offense.

#### **B. Civil Penalties:**

In addition to the criminal penalties set forth above, any person convicted of violating any of the provisions of this Ordinance shall be liable to Bullitt County Fiscal Court for a civil penalty in an amount not to exceed One Thousand Dollars (\$1,000.00) for each offense. Each day a particular violation occurs shall constitute a separate offense. Said civil penalty may be assessed and imposed by Bullitt District Court, pursuant to KRS 24A.120.

**SECTION IX**

**SEVERABILITY**

Should any part or section of this Ordinance be declared unconstitutional or otherwise invalid by a court of competent jurisdiction, all other parts or sections of this Ordinance which are not found to be unconstitutional or otherwise invalid shall survive and remain in full force and effect.

**SECTION X**

**INCONSISTENT ORDINANCES REPEALED**

All Ordinances which are hereafter found or determined to be in conflict herewith are, to the extent of such conflict, hereby repealed. This Ordinance is intended to specifically amend Bullitt County Ordinance No. 06-25.

**SECTION XI**

**EFFECTIVE DATE**

This Ordinance shall be effective January 1, 2007, and this Amendment shall become effective upon passage and publication.

Given First Reading at a Regular Meeting of the Fiscal Court of Bullitt County, Kentucky on the 15<sup>th</sup> day of July, 2008.

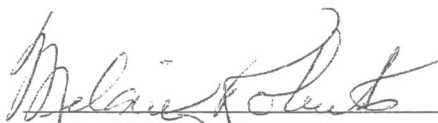
Given Second Reading and Voted upon at a Regular Meeting of the Fiscal Court of Bullitt County, Kentucky on the 5<sup>th</sup> day of August, 2008.

Vote: 5 For; 0 Against; 0 Abstain

BULLITT COUNTY FISCAL COURT

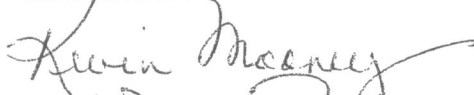
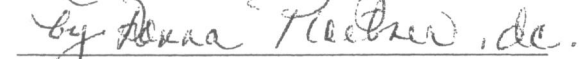
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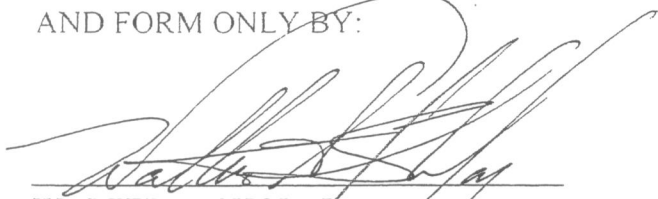
MELANIE J. ROBERTS  
BULLITT COUNTY JUDGE/EXECUTIVE

ATTESTED:

KEVIN MOONEY  
BULLITT COUNTY CLERK

APPROVED AS TO LEGALITY  
AND FORM ONLY BY:



WALTER A. SHOLAR  
BULLITT COUNTY ATTORNEY