

To: Montgomery County ESD Board Members
Montgomery Fire Departments
Montgomery County Commissioners Court

From: Sylvia Olszowy
Administrative Assistant/ESD Coordinator

Re: Identification Requirement for Nonfunctioning Fire Hydrants

Date: July 5, 2007

I have some information on HB 1717. This bill is effective immediately.

The breakdown of the bill is simply the owner of a device that looks like a fire hydrant that is located in a place that a fire suppression entity would expect to find a fire hydrant is to paint the device black or to cover it with a black tarp if it is a nonfunctioning device.

Section 1. Amends Subchapter C, Chapter 341, Health & Safety Code, by adding the following section:

Sec. 341.0357 Identification Requirement For Device With Appearance Of Fire Hydrant That Is Nonfunctioning Or Unavailable For Use In Fire Emergency.

(a) Requires the owner of any device having the appearance of a fire hydrant that is located in a place that an entity responsible for providing fire suppression services in a fire emergency would expect a fire hydrant to typically be located to paint the device black if the device is nonfunctioning or otherwise unavailable for use by the entity providing fire suppression services in a fire emergency. Authorizes the owner to place a black tarp over the device instead of painting the device black as required under this section if the device is temporarily nonfunctioning, or temporarily unavailable for use in a fire emergency, for a period not to exceed seven days.

(b) Provides that, for the purposes of this section, a device is considered to be nonfunctioning if the device pumps less than 250 gallons of water per minute.

(c) Provides that this section does not apply within the jurisdiction of a governmental entity that maintains its own system for labeling a device having the appearance of a fire hydrant that is nonfunctioning or otherwise unavailable for use in a fire emergency.

If you would have any questions regarding this bill, please give me a call or send me an email at: solszowy@co.montgomery.tx.us. Thank you.