

07677



Doc# 2016-7564

Date 05/23/2016

02:05:15 PM

Filed & Recorded in

Official Records of

FAULKNER COUNTY

RHONDA WHARTON

FAULKNER COUNTY CIRCUIT CLERK

Fees \$25.00

By \_\_\_\_\_

431047

D. C.

City of Conway, Arkansas

Ordinance No. O-16-53

**AN ORDINANCE SPECIFYING THE PURPOSE OF FIRE HYDRANTS, RESTRICTING THEIR USE AND ESTABLISHING FINES FOR THEIR UNLAWFUL USE; AMENDING CHAPTER 7.32 OF THE CONWAY MUNICIPAL CODE AND REPEALING ORDINANCE NUMBER O-76-04; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES:**

**Whereas**, the City of Conway owns a water supply system providing a domestic water supply to the City of Conway, Arkansas, and certain areas of its environs; and

**Whereas**, said water system is designed to provide a fire flow capability; and

**Whereas**, said water system has attached to it appurtenances known as fire hydrants for the purpose of supplying fire flows for the use of the Conway Fire Department in extinguishing fires; and

**Whereas**, the use of fire hydrants to remove water from said water system for purposes other than extinguishing fires could hinder the ability of Conway Fire Department to extinguish fires; and

**Whereas**, certain expertise in the operation of fire hydrants is necessary to safeguard the water system from damage by improper operation of fire hydrants; and

**Whereas**, there must be a reasonable accounting for all water taken from said water system:

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS THAT:**

**Section 1.** Chapter 7.32 of the Conway Municipal Code is hereby amended to read in its entirety as follows:

Chapter 7.32 FIRE HYDRANTS

7.32.01 Illegal Use Prohibited

It shall be unlawful for any person other than an employee of the City of Conway or the Conway Corporation then acting in the course and scope of their employment to remove water from the City of Conway's water system through any appurtenance designed for the purpose of firefighting, including, but not limited to, fire hydrants and sprinkler system blow off valves, without written authorization from Conway Corporation. All water so taken through fire hydrants and blow-off valves shall be measured through a meter assembly provided by Conway Corporation. Other methods of measuring water so taken may be used, provided that any such measuring system shall first be approved and

accepted by the Conway Corporation for water usage accounting purposes. When Conway Corporation authorizes any party to remove water through any appurtenance designed for the purpose of firefighting, Conway Corporation shall immediately send written notice of that authorization to the Conway Fire Department. If, at any time, the Conway Fire Department or Conway Corporation deem the removal of water through any appurtenance designed for the purpose of firefighting to be detrimental to public peace, health and safety, said removal shall be discontinued immediately.

**7.32.02 Penalty**

Any person or persons found to be in violation of this chapter shall be guilty of a misdemeanor and shall be subject to a fine of not less than one hundred dollars (\$100.00) or more than five hundred dollars (\$500). Persons so convicted shall also be ordered to pay restitution for the cost of any repairs to the water system, or any part thereof, necessitated by their unlawful act.

**7.32.03 Separate violation**

Each and every violation of this chapter shall be considered a separate offense, even if perpetrated by the same person more than one time in the same day.

**Section 2.** Conway City Ordinance Number O-76-04 is hereby repealed in its entirety.

**Section 3.** All ordinances and/or provisions of the Conway Municipal Code in conflict herewith are hereby repealed to the extent of that conflict.

**Section 4.** This ordinance is necessary for the protection of the public peace, health and safety; an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage and approval.

**Approved this 10<sup>th</sup> day of May, 2016.**

**Approved:**



**Mayor Tab Townsell**

**Attest:**



**Michael O. Garrett  
City Clerk/Treasurer**