

Ordinance No. 284-2025

AN ORDINANCE OF THE CITY OF CLEARLAKE, CALIFORNIA, AMENDING CHAPTER 13-3 OF THE CLEARLAKE MUNICIPAL CODE, RELATING TO FIRE HYDRANT INSPECTION, TESTING AND MAINTENANCE

RECITALS

WHEREAS, the City of Clearlake is responsible for providing for the health, safety and welfare of its residents, visitors, animals, wildlife, and water supply; and

WHEREAS, under Cal. Const. art. XI, §7, cities may make and enforce within their limits all local, police, sanitary and other ordinances not in conflict with general laws; and

WHEREAS, the City Council of the City of Clearlake finds that substantial evidence supports a determination that local climatic, geological and topographical conditions are present in Clearlake which necessitate local regulations to ensure proper flow from fire hydrants in the City, in that:

1. Wildfire is a severe threat to our way of life and has greatly impacted our community, through small fires as well as the Sulphur Fire in 2017, the Cache Fire in 2021 and the Boyles Fire in 2024.
2. The City is not responsible for providing water service to the community and instead relies on three separate water companies, Highlands Mutual Water Company, Golden State Water Company and Konocti County Water District. Each company/district uses different standards and processes for maintaining their systems and infrastructure.
3. Fire response has been impacted by lack of available fire hydrants and lack of adequate fire flow in some areas; past experience shows that adequate water flow to buildings is critical to protecting property and human life.
4. Information provided by companies/districts on fire flow has been dated, incomplete or difficult to obtain.
5. It is in the community's interest to have clear, accurate and up to date information on the adequacy of fire flows and infrastructure readiness throughout the City in hopes of avoiding future wildfire disasters and other emergencies. It is also in the community's interest to provide for public safety and protection of property.
6. The Safety Element of the Clearlake General Plan lists fire hazards as a key safety theme; Goal SA-1 seeks to provide "a community protected from injury, loss of life and property damage resulting from...fire;" Objective SA 1.3 aims to "reduce the risk of damage and destruction from wild land fires;" and Program SA1.3.3.3 "...recognizes that portions of the City are located in a Very High Fire Hazard Severity Zone...." and

WHEREAS, the City desires to respond to the needs of the local water purveyors in supporting their intent to comply with the ordinance through various amendments; and

WHEREAS, the City, pursuant to the provisions of the California Environmental Quality Act ("CEQA") (Cal. Pub. Res. Code §§21000 and following) and State CEQA Guidelines (14 CCR §§15000 and following) has determined that this ordinance is not a project under CEQA pursuant to Title 14, Section 15378 (b)(5) of the California Code of Regulations;

NOW, THEREFORE, The City Council of the City of Clearlake, California, does hereby ordain as follows:

Section 1. The above recitals are true and are hereby incorporated into this ordinance.

Section 2. Chapter 13-3 of the Clearlake Municipal Code is hereby amended to read as follows:

13-3 FIRE HYDRANT INSPECTION, TESTING, AND MAINTENANCE.

13-3.1 Purpose.

The City of Clearlake has interest in both the safety of it's citizens and the orderly development, redevelopment and uses of land within the City. While the City presently has no responsibility for the operation of public water supply systems or compliance with public drinking water rules and regulations, the City has an interest in the ability of public water systems serving the City to provide appropriate fire protection both for the safety of residents and the orderly development of the City. The purpose of this Ordinance is to facilitate and ensure coordination and cooperation between the public water systems which own and operate fire hydrants, including private fire hydrants, with the City's public safety and land use obligations

It is the intent and purpose of the City Council, in enacting this section to ensure compliance with established standards and protocols in inspection, testing, maintenance, and marking of fire hydrants throughout the City, and the reporting of such activities to the City. (Ord. #275-2024, S2)

13-3.2 Definitions.

AUTHORITY HAVING JURISDICTION (AHJ) means an organization, office, or individual responsible for enforcing the requirements of a code or standard, or for approving equipment, materials, an installation, or a procedure.

CERTIFIED WATER DISTRIBUTION OPERATOR means a person certified by the California State Water Resources Control Board for operation of public water distribution systems.

FIRE FLOW means the flow rate of a water supply, measured at twenty (20) pounds per square inch (1.4 bar) residual pressure, that is available for firefighting.

HYDRANT DEFINITIONS.

1. DRY BARREL HYDRANT (FROSTPROOF HYDRANT) means a type of hydrant with the main control valve below the frost line between the footpiece and the barrel.
2. FIRE HYDRANT means a valved connection on a water supply system having one (1) or more outlets and that is used to supply hose and fire department pumpers with water.
3. FLOW HYDRANT means the hydrant that is used for the flow and flow measurement of water during a flow test.
4. FLUSH HYDRANT (BELOW GROUND HYDRANT) means a type of hydrant that is installed below the ground level that is intended for use in congested urban areas or aircraft movement areas.
5. PRIVATE FIRE HYDRANT means a valved connection on a water supply system having one (1) or more outlets that is used to supply hose and fire department pumpers with water on private property.
6. PUBLIC HYDRANT means a valved connection on a water supply system having one (1) or more outlets that is used to supply hose and fire department pumpers with water.
7. RESIDUAL HYDRANT means the hydrant that is used for measuring static and residual pressures during a flow test.
8. WET BARREL HYDRANT means a type of hydrant that is intended for use where there is no danger of freezing weather and where each outlet is provided with a valve and an outlet.

NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) means a nonprofit organization that sets standards and codes for fire, electrical and building safety.

RATED CAPACITY means the flow available from a hydrant at the designated residual pressure (rated pressure), either measured or calculated.

RESIDUAL PRESSURE means the pressure that exists in the distribution system, measured at the residual hydrant at the time the flow readings are taken at the flow hydrants.

STATIC PRESSURE means the pressure that exists at a given point under normal distribution system conditions measured at the residual hydrant with no hydrants flowing.

13-3.3 Inspection, Testing, and Maintenance Required.

Inspection, testing, and maintenance of fire hydrants, public and private, throughout the City is hereby

required. National Fire Protection Association (“NFPA”) 291, Recommended Practice for Water Flow Testing and Marking of Hydrants, as then in effect, shall be the standard for conducting hydrant inspection, testing and reporting. (Ord. #275-2024, S2)

13-3.4 Annual Inspection and Testing Required.

- a. Each water district/company providing service in the City of Clearlake shall perform an initial inspection and flow test on each hydrant in the City through which they deliver water to the City in compliance with the NFPA 291 standard, using the standards included within this section, or provide the City evidence and verification of a comparable standard.
- b. No later than July 1, 2026, each water district/company providing service in the City of Clearlake shall submit a report of the inspection and testing required in subsection [\(a\)](#) of this section to the Lake County Fire Protection District and City of Clearlake. The report shall be in a format approved by the City of Clearlake and contain information regarding the timing, location, findings and corrective actions taken for each inspection and flow test as provided in NFPA 291.
- c. After the initial inspection and flow test, and prior to July 1st of the year, each water district/company providing service in the City of Clearlake shall perform the maintenance required by this section annually and the flow testing as provided by NFPA 291 every five (5) years, or as otherwise allowed in this article.

13-3.5 Maintenance, Testing, and Recordkeeping Required.

Each water district/company providing service in the City of Clearlake shall perform maintenance and testing, and maintain records in a form and format acceptable to the City of Clearlake, for each hydrant through which they deliver water in the City as set out below.

- a. Annual maintenance shall be conducted by a certified water distribution operator or person with equal or greater qualifications, and shall include at least the following:
 - 1. Ensure hydrant is visible and accessible.
 - 2. Remove caps and inspect threads, gaskets and cap chains.
 - 3. Clean and lubricate threads.
 - 4. Check condition of pentagon operating nut.
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5. Locate and exercise the underground control valve (key valve, road box or foot valve).
6. Clean and paint hydrant per NFPA 291 standard.
7. Immediate correction of any deficiency noted.

b. Five (5) year maintenance shall include at least the following:

1. Perform annual maintenance as outlined above using a certified water distribution operator or person with equal or greater qualifications.
2. Perform flow testing in accordance with NFPA 291, Recommended Practices for Fire Flow Testing and Marking of Hydrants.
3. Flow testing must be completed by either:

(a). One (1) of the following licensed professionals on every hydrant at least every five years:

- (1) C-16 – Fire Protection Contractor.
- (2) California State Fire Marshal – License A, Type.
- (3) California registered civil engineer.

(b). An employee of the water company on every hydrant at least every five years, if:

- (1) The employee doing the testing must hold a minimum of a D2 certification from the California Drinking Water Operator's Certification Program.
- (2) They are trained by someone knowledgeable in performing fire flow testing, pursuant to NFPA 291.
- (3) The company can verify the tests were completed pursuant to NFPA 291 standards.
- (4) The test reports are reviewed by an official designated by the City with the credentials to determine the tests validity.

(c). An employee of the water company on a minimum of 10% of the hydrants in each zone of the water system each year, if:

- (1) The water company has a calibrated water distribution system model which has been certified by a registered civil engineer.
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(2) Results of fire flow testing are compared with predictions from the calibrated distribution system hydraulic model, the models is updated and recalibrated as necessary to achieve a predictive capability within 10% of field measured flow tests, and a Registered Civil Engineer certifies such predictive model performance.

(3) The water company submits to the City all data from the water model and certification by the registered civil engineer verifying calibration along with their annual reporting of hydrant maintenance and fire flow test data performed during that year.

4. Immediately correct any deficiencies noted.

c. *Record Keeping.*

1. Records in a form and format acceptable to the City of Clearlake shall be maintained for all maintenance and testing performed on, and all corrective actions taken on, public fire hydrants. Copies of such records for the previous calendar year shall be delivered to the Fire District and City annually, no later than July 1st.

2. Records in a form and format acceptable to the City of Clearlake shall be maintained by the property owner for all maintenance and testing of private fire hydrants. Copies of such records for the previous calendar year shall be delivered to the Fire District and City annually, no later than July 1st.

13-3.6 Compliance With Requirements for Water Discharged During Inspections and Flow Testing.

Flow testing constitutes a planned event and shall comply with all applicable discharge requirements set by any jurisdictional agency, including the City and the Regional Water Quality Control Board. Public drinking water contains disinfecting chemicals that may be harmful to certain aquatic species. Best management practices shall be employed to ensure compliance with all discharges to the City storm drainage systems or to natural drainage courses.

13-3.7 Damage to City or Private Property and Public Safety.

The owner of all fire hydrants subject to the inspection and testing requirements of this section shall assume sole liability for all actions taken to comply, including causing damage to public or private property, or causing a violation of downstream permit conditions or receiving water limitations.

In addition, the discharge of large quantities of water can cause temporary local flooding and present traffic hazards. The fire hydrant owner shall employ proper traffic control measures to protect vehicles, pedestrians and other users of all public and private property impacted by inspection and testing operations.

13-3.8 Violation – Penalty.

Violation of this section is a public nuisance and misdemeanor. Whenever an act is made unlawful by this section, or the doing of an act is required by this section, the violation shall be punished by a fine not exceeding one thousand (\$1,000) dollars or imprisonment for a term not exceeding six (6) months, or by both such fine and imprisonment; provided, nevertheless, that any such aforesaid violation or offense may be deemed an infraction as defined by California Penal Code Section [19C](#) and charged as such in the discretion and at the election of the City prosecuting attorney, in which event the punishment therefor shall not be imprisonment, but a fine not to exceed the amounts specified by California Government Code Section [36900](#) as then in effect.

SECTION 3. **ENVIRONMENTAL DETERMINATION.** The proposed ordinance has been reviewed for compliance with CEQA, the CEQA Guidelines, and the City's environmental procedures. Because the proposed ordinance is an administrative activity which will not result in direct or indirect physical changes to the environment, it has been found to be not a project under Section 15378 (b)(5) of the CEQA Guidelines.

SECTION 4. **INCONSISTENCIES.** Any provision of the Clearlake Municipal Code or appendices thereto inconsistent with the provisions of this ordinance, to the extent of such inconsistencies and/or further, is hereby repealed or modified to the extent necessary to affect the provisions of this ordinance.

SECTION 5. **SEVERABILITY.** If any provision or clause of this ordinance or the application thereof to any person or circumstances is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other provisions or clauses or applications of this ordinance which can be implemented without the invalid provision, clause or application; and to this end, the provisions of this ordinance are declared to be severable.

SECTION 6. **EFFECTIVE DATE.** This ordinance shall be in full force and effect commencing thirty (30) days after its final adoption and a summary hereof shall be published once within fifteen (15) days in a newspaper of general circulation printed and published in the County of Lake and circulated in the City of Clearlake and hereby designated for that purpose by the City Council.

SECTION 7. The City Clerk shall certify to the passage and adoption of this ordinance and shall cause the same to be published in the manner and form provided by law in a newspaper of general circulation printed and published in the City of Clearlake, State of California, which said newspaper is hereby designated for that purpose.

Introduced at a regular meeting of the City Council on the 4TH day of December, 2025, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

Passed and approved at the regular meeting of the City Council on the __ day of _____, 2025, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

ATTEST:

City Clerk

Russell Cremer, Mayor