

(S. B. 1625)

(No. 494)

(Approved September 29, 2004)

AN ACT

To add a new subsection (p) to Section 4 of Act No. 40 of May 1, 1945, as amended, known as the “Aqueduct and Sewer Act of Puerto Rico,” and a subsection (t) to Section 6 of Act No. 43 of June 21, 1988, as amended, in order to authorize the Aqueduct and Sewer Authority and the Puerto Rico Firefighters Chief, respectively, to repair and maintain in optimum working conditions the hydrants, also known as “fire hydrants,” on the sidewalks of our Island, and to create an Inter-Agency Committee between these two instrumentalities, in order to adopt all provisions necessary for compliance with this Act.

STATEMENT OF MOTIVES

In Puerto Rico, we constantly face the problem of fires in our citizens’ private as well as commercial properties that cause both financial and emotional distress. Likewise, in many of these fires our citizens lose their lives. On this respect, it has been recently noted that when the Firefighters Corps is called to extinguish a fire, it encounters the problem that the referred hydrants that are close to the location of the fire lack water. This not only makes it impossible for the Firefighters Corps to fully comply with their duty, but it also results in the destruction of property and often, in the death of citizens, who on many occasions turn out to be minors.

Thus, it is imperative for the pertinent agencies to comply with their duty to repair the hydrants located in different areas of our Island and to maintain them in optimum working conditions for the purpose of safeguarding the lives and property of our citizenry.

When the pertinent agencies to address the aforementioned problems are mentioned reference is made to the Aqueduct and Sewer Authority and the Puerto Rico Firefighters Corps. For this reason, by means of the approval of this Act, the Inter-Agency Committee between these two instrumentalities is created for the main purpose of having both adopt the regulations necessary to maintain the fire hydrants on the sidewalks of Puerto Rico in optimum working conditions.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.- A new subsection (p) is hereby added to Section 4 of Act No. 40 of May 1, 1945, as amended, to read as follows:

“Section 4.- Purposes and Powers

The Authority is created for the purpose of providing and helping to provide for the citizens an adequate drinking water, sanitary sewage service and any other service or facility proper or incidental thereto. The Authority shall have and may exercise all rights and powers necessary or convenient to carry out such purposes, including, but without limitation to, the following:

- (a) ...
- (p) to repair hydrants (fire hydrants) identified by the Puerto Rico Firefighters Chief, as provided in subsection (t) of Section 6 of Act No. 43 of June 21, 1988, as amended. For such purposes, it shall coordinate a work plan with the Chief of the Firefighters Corps that shall take the following aspects into consideration:
 1. The development of an inter-agency structure;
 2. The continuous evaluation, revision and update of the information and of the inspection, operations and

- preventive maintenance procedures in effect;
3. The development of a plan for citizen awareness on the importance of protecting fire hydrants; and
 4. The evaluation of new ideas whose purpose is to help fire hydrant conservation.”

Section 2.- A new subsection (t) is hereby added to Section 6 of Act No. 43 of June 21, 1988 as amended, to read as follows:

“Section 6.- Duties and Powers of the Firefighters Chief

The Fire Chief shall have the duties and powers established below:

...

- (t) To inspect the operating condition of hydrants (fire hydrants), report the findings to the Aqueduct and Sewer Authority so that the latter may proceed to repair them, as provided in subsection (p) of Section 4 of Act No. 40 of May 1, 1945, as amended, and to identify fire-prone communities. For such purposes, he/she shall create a work plan with the Aqueduct and Sewer Authority that shall take into consideration the following aspects:
 1. The development of an inter-agency structure;
 2. The continuous evaluation, revision and update of the information, and of the inspection, operations and preventive maintenance procedures in effect;
 3. The development of a plan for citizen awareness on the importance of protecting fire hydrants; and
 4. The evaluation of new ideas whose purpose is to help fire hydrant conservation.”

Section 3.- Both the Aqueduct and Sewer Authority and the Puerto Rico Firefighters Corps shall adopt the regulations necessary for compliance with this Act.

Section 4.- This Act shall take effect immediately after its approval.

CERTIFICATION

I hereby certify to the Secretary of State that the following Act No. 494 (S.B. 1625) of the 7th Session of the 14th Legislature of Puerto Rico:

AN ACT to add a new subsection (p) to Section 4 of Act No. 40 of May 1, 1945, as amended, known as the “Aqueduct and Sewer Act of Puerto Rico,” and a subsection (t) to Section 6 of Act No. 43 of June 21, 1988, as amended, in order to authorize the Aqueduct and Sewer Authority and the Puerto Rico Firefighters Chief, respectively, to repair and maintain in optimum working conditions the hydrants, also known as “fire hydrants,” on the sidewalks of our Island, and to create an Inter-Agency Committee between both of these instrumentalities, in order to adopt all provisions necessary for compliance with this Act,

has been translated from Spanish to English and that the English version is correct.

In San Juan, Puerto Rico, today 15th of January of 2008.

Francisco J. Domenech
Director