

TITLE 7

FIRE PROTECTION AND FIREWORKS¹

CHAPTER

1. FIRE DISTRICT AND LANES.
2. FIRE CODE.
3. FIRE DEPARTMENT.
4. FIRE SERVICE OUTSIDE CITY LIMITS.
5. FIREWORKS.

CHAPTER 1

FIRE DISTRICT AND LANES

SECTION

- 7-101. Fire district.
7-102. Fire lanes.

7-101. **Fire district.** The fire district shall be and include all the area in the city.² (1985 Code, § 7-101, modified)

7-102. **Fire lanes.** Fire lanes shall be such area on public or private property as designated and identified as such. (1985 Code, § 7-102)

¹Municipal code reference
Building, utility and housing codes: title 12.

²Municipal code reference
Zoning ordinance and map: title 14.

CHAPTER 2

FIRE CODE¹

SECTION

- 7-201. Fire code adopted; chapter 20 "Fireworks" deleted.
- 7-202. Enforcement.
- 7-203. Definition of "municipality."
- 7-204. Storage of explosives, flammable liquids, etc.
- 7-205. Gasoline trucks.
- 7-206. Variances.
- 7-207. Violations.

7-201. Fire code adopted; chapter 20 "Fireworks" deleted.²
Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506, and for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, the Standard Fire Prevention Code,³ 1999 edition, as recommended by the Southern Building Code Congress International, Inc., is hereby adopted by reference and included as a part of this code. Pursuant to the requirement of Tennessee Code Annotated, § 6-54-502, one (1) copy of the fire prevention code has been filed with the city recorder and is available for public use and inspection. Said fire prevention code, excluding chapter 20 "Fireworks," which is expressly deleted, is adopted and incorporated as fully as if set out at length herein and shall be controlling within the corporate limits. The city shall adopt any subsequent edition, amendments or changes to the code by administrative regulation adopted by the chief of the fire department pursuant to Tennessee Code Annotated, § 6-54-502. (1985 Code, § 7-201, modified)

7-202. Enforcement. The fire prevention code herein adopted by reference shall be enforced by the chief of the fire department. He shall have the same powers as the state fire marshal. (1985 Code, § 7-202)

¹Municipal code reference

Building, utility and housing codes: title 12.

²Municipal code reference

Fireworks: title 7, chapter 5.

³Copies of this code are available from the Southern Building Code Congress International, Inc., 900 Montclair Road, Birmingham, Alabama 35213-1206.

7-203. Definition of "municipality." Wherever the word "municipality" is used in the fire prevention code herein adopted, it shall mean the City of Lewisburg, Tennessee. (1985 Code, § 7-203, modified)

7-204. Storage of explosives, flammable liquids, etc. The limits referred to in § 1901.4.2 of the fire prevention code, in which storage of explosives and blasting agents are prohibited, are hereby declared to be the fire limits as set out in § 7-101 of this code.

The limits referred to in § 902.1.1 of the fire prevention code, in which storage of flammable liquids in outside above ground tanks is prohibited, are hereby declared to be the fire limits as set out in § 7-101 of this code.

The limits referred to in § 906.1 of the fire prevention code, in which new bulk plants for flammable or combustible liquids are prohibited, are hereby declared to be the fire limits as set out in § 7-101 of this code.

The limits referred to in § 1701.4.2 of the fire prevention code, in which bulk storage of liquefied petroleum gas is restricted, are hereby declared to be the fire limits as set out in § 7-101 of this code. (1985 Code, § 7-204)

7-205. Gasoline trucks. No person shall operate or park a gasoline or propane truck within the city at any time, except for the purpose of, and while actually engaged in, the expeditious delivery of gasoline and propane; however, such trucks may be parked at and on property owned by a gasoline and propane distributor. (1985 Code, § 7-205, modified)

7-206. Variances. The chief of the fire department may recommend to the city council variances from the provisions of the fire prevention code upon application in writing by any property owner or lessee, or the duly authorized agent of either, when there are practical difficulties in the way of carrying out the strict letter of the code, provided that the spirit of the code shall be observed, public safety secured, and substantial justice done. The particulars of such variances when granted or allowed shall be contained in a resolution of the city council. (1985 Code, § 7-206)

7-207. Violations. It shall be unlawful for any person to violate any of the provisions of this chapter or the Standard Fire Prevention Code hereby adopted, or fail to comply therewith, or violate or fail to comply with any order made thereunder; or build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken care; or fail to comply with such an order as affirmed or modified by the city council or by a court of competent jurisdiction, within the time fixed herein. The application of a penalty under the general penalty clause for the municipal code shall not be held to prevent the enforced removal of prohibited conditions. (1985 Code, § 7-207)

CHAPTER 3

FIRE DEPARTMENT¹

SECTION

7-301. Establishment, equipment, and membership.

7-302. Objectives.

7-303. Organization, rules, and regulations.

7-304. Records and reports.

7-305. Chief responsible for training and maintenance.

7-306. Chief to be assistant to state officer.

7-301. Establishment, equipment, and membership. There is hereby established a fire department to be supported and equipped from appropriations by the city council. All apparatus, equipment, and supplies shall be purchased by or through the city and shall be and remain the property of the city. The fire department shall be composed of a chief and such number of physically-fit subordinate officers and firemen as the city manager shall appoint and available funds shall permit. All such personnel shall serve at the will and pleasure of the city manager. (1985 Code, § 7-301)

7-302. Objectives. The fire department shall have as its objectives:

- (1) To prevent uncontrolled fires from starting.
- (2) To prevent the loss of life and property because of fires.
- (3) To confine fires to their places of origin.
- (4) To extinguish uncontrolled fires.
- (5) To prevent loss of life from asphyxiation or drowning.
- (6) To perform such rescue work as its equipment and/or the training of its personnel makes practicable.
- (7) Enforce fire code, fire lanes and fire districts. (1985 Code, § 7-302)

7-303. Organization, rules, and regulations. The chief of the fire department shall set up the organization of the department, make definite assignments to individuals, and shall formulate and enforce such rules and regulations as he shall deem for the orderly and efficient operation of the fire department. (1985 Code, § 7-303, modified)

¹Charter reference

Fire department: art. XVI.

Municipal code reference

Special privileges with respect to traffic: title 15, chapter 2.

7-304. Records and reports. The chief of the fire department shall keep adequate records of all fires, inspections, apparatus, equipment, personnel, and work of the department. He shall submit a written report on such matters to the city manager once each month, and at the end of the year a detailed annual report shall be made. (1985 Code, § 7-304)

7-305. Chief responsible for training and maintenance. The chief of the fire department shall be fully responsible for the training of the firemen and maintain records of the training of firemen and maintenance of property and equipment of the fire department. (1985 Code, § 7-306, modified)

7-306. Chief to be assistant to state officer. Pursuant to requirements of Tennessee Code Annotated, § 68-102-108, the chief of the fire department is designated as an assistant to the state commissioner of insurance and banking and is subject to all the duties and obligations imposed by Tennessee Code Annotated, title 68, chapter 102, and shall be subject to the directions of the fire prevention commissioner in the execution of the provisions thereof. (1985 Code, § 7-308)

CHAPTER 4

FIRE SERVICE OUTSIDE CITY LIMITS**SECTION**

7-401. Equipment to be used only within corporate limits generally.

7-402. Mutual aid agreement.

7-401. Equipment to be used only within corporate limits generally. No equipment of the fire department shall be used for fighting any fire outside the corporate limits unless such fire is on city-owned property or, in the opinion of the chief of the fire department, is in such hazardous proximity to property owned by or located within the city as to endanger the city property or unless expressly authorized in writing by the city council. (1985 Code, § 7-307)

7-402. Mutual aid agreement. The city has entered into certain mutual aid agreements with Marshall County and other counties and municipalities and the fire department shall abide by such agreements.

CHAPTER 5**FIREWORKS****SECTION****7-501. Fireworks.****7-502. Violations and penalty.**

7-501. Fireworks. No person shall ignite or discharge, or cause to be ignited or discharged, any permissible fireworks as defined in Tennessee Code Annotated, § 68-22-108 within the corporate limits of the City of Lewisburg between the hours of 10:00 P.M. and 7:00 A.M. except on July 4 and December 24, 25 and 31. (1985 Code, § 7-401)

7-502. Violations and penalty. Persons violating the provisions of this ordinance shall be subject to the general penalty provision of this code for each violation. (1985 Code, § 7-402, modified)