

TITLE 7**FIRE PROTECTION AND FIREWORKS****CHAPTER**

1. FIRE CODE.
2. VOLUNTEER FIRE DEPARTMENT.

CHAPTER 1**FIRE CODE¹****SECTION**

- 7-101. Fire code adopted.
- 7-102. Enforcement.
- 7-103. Modifications.
- 7-104. Gasoline trucks.
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7-101. Fire code adopted. Pursuant to authority granted by *Tennessee Code Annotated*, §§ 6-54-501 to 6-54-506, and for the purpose of providing a reasonable level of life safety and property protection from the hazards of fire, explosion, or dangerous conditions in new and existing buildings, structures, and premises, and to provide safety to firefighters and emergency responders during emergency operations, the *International Fire Code*,² 2012 edition, and *NFPA 101 Life Safety Code*,³ 2012 edition, and all subsequent amendments or additions to said code, as prepared and adopted by the International Code Council, is hereby adopted and incorporated by reference as a part of this code as fully as if copied herein verbatim, and is hereinafter referred to as the fire code. Said fire code is shall be controlling within the corporate limits. (modified)

¹Municipal code reference

Building, utility, and residential codes: title 12.

²Copies of this code (and any amendments) are available from the International Code Council, 900 Montclair Road, Birmingham, Alabama 35213.

³Copies of this code may be purchased from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02269-9101.

7-102. Enforcement. The fire 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.

7-103. Modifications. The fire code herein adopted is modified by: Whenever the word "municipality" is used in the fire code herein adopted, it should be held to mean the Town of Mosheim, Tennessee. (modified)

7-104. Gasoline trucks. No person shall operate or park any gasoline tank truck within the central business district or within any residential area at any time except for the purpose of and while actually engaged in the expeditious delivery of gasoline.

7-105. Variances. The chief of the fire department may recommend to the board of mayor and aldermen variances from the provisions of the fire 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 board of mayor and aldermen.

7-106. Available in recorder's office. Pursuant to the requirements of the *Tennessee Code Annotated*, § 6-54-502, one (1) copy of the fire code has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public.

7-107. Violations and penalty. It shall be unlawful for any person to violate or fail to comply with any provision of the fire code as herein adopted by reference and modified. The violation of any section of this chapter shall be punishable by a penalty under the general penalty provision of this code. Each day a violation is allowed to continue shall constitute a separate offense.

CHAPTER 2

VOLUNTEER FIRE DEPARTMENT¹

SECTION

- 7-201. Establishment, equipment, and membership.
- 7-202. Department funding.
- 7-203. Objectives.
- 7-204. Authority over the department.
- 7-205. Record keeping.
- 7-206. Authority of chief.
- 7-207. Chief's responsibilities.
- 7-208. Assistant to state commissioner.
- 7-209. Assisting surrounding communities.

7-201. Establishment, equipment, and membership. There is hereby established a volunteer fire department to be supported and equipped from appropriations by the board of mayor and aldermen and from other contributions. All apparatus, equipment, and supplies of the volunteer fire department shall be purchased with the approval of the fire chief in accordance with municipal purchasing requirements and shall be and remain the property of the town. The board of mayor and aldermen shall appoint a chief for the fire department; then, the board of mayor and aldermen and the chief shall by majority vote, appoint the assistant chief; all other officers of the fire department shall be nominated by the members of the fire department and then elected by a majority vote of the members. The volunteer fire department shall consist of no more than thirty (30) volunteers, including the fire chief and all officers. (Ord. #127, July 1998, as amended by Ord. #136, ___)

7-202. Department funding. The board of mayor and aldermen shall provide for the operations of the volunteer fire department in its annual budget. Any funds raised by the fire department auxiliary, or by any individual or group of volunteer firemen may be accepted by the board of mayor and aldermen and may be used for purposes designated by the respective contributors. All equipment, materials, supplies, etc., purchased with contributed funds shall become the property of the Town of Mosheim. The board of mayor and aldermen may reject any gift or contraction it deems not to be in the best interest of the Town of Mosheim. (Ord. #127, July 1998)

¹Municipal code reference

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

7-203. Objectives. The volunteer 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) To provide emergency medical care at the highest level that the equipment and training of the personnel makes practicable;
- (8) To provide code enforcement and building inspections as directed by the town within adopted codes and ordinances;
- (9) To serve as the emergency agency of the town;
- (10) To protect the health and safety of the citizens from the transportation, storage, of manufacture of hazardous materials to the extent possible that the level of equipment and training will allow;
- (11) To work with the water department to ensure that adequate water supplies for fire protection are available; and
- (12) To provide public fire education materials and information to the citizens in order that they may protect themselves from harm. (Ord. #127, July 1998)

7-204. Authority over the department. The chief of the Town of Mosheim Volunteer Fire Department shall, under the direction of the board of mayor and aldermen, set up the organization of the department, make work assignments to individuals, based on input, suggestions, and recommendations from the members of the volunteer fire department, and shall formulate and enforce such rules and regulations as shall be necessary for the orderly and efficient operations of the volunteer fire department. (Ord. #127, July 1998)

7-205. Record keeping. The chief of the Town of Mosheim Volunteer Fire Department shall prepare the annual departmental budget to be approved by the board of mayor and aldermen, keep adequate records of all fires, inspections, apparatus, equipment, personnel, and work of the department. He shall submit such written reports to the mayor as the mayor requires. The mayor shall submit such written reports to the board of mayor and aldermen as the board of mayor and aldermen requires. (Ord. #127, July 1998)

7-206. Authority of chief. The chief of the Town of Mosheim Volunteer Fire Department shall have the authority to suspend or dismiss any other member of the volunteer fire department when he deems such action to be necessary for the good of the department. The chief may be suspended up to

thirty (30) days by the mayor. However, only the board of mayor and aldermen shall dismiss the fire chief. (Ord. #127, July 1998)

7-207. Chief's responsibilities. The chief of the volunteer fire department shall be fully responsible for the training of the firemen and for maintenance of all property and equipment of the fire department under the direction and subject to the requirements of the board of mayor and aldermen. Each volunteer firefighter and/or officer shall receive no less than forty (40) hours of inservice firefighter training annually, after an initial training period consisting of no less than sixteen (16) hours of basic firefighter training during the first ninety (90) days of his membership in the volunteer fire department. (Ord. #127, July 1998)

7-208. Assistant to state commissioner. Pursuant to requirements of *Tennessee Code Annotated* § 68-102-108, the volunteer fire chief is designated as an assistant to the State Commissioner of Commerce and Insurance 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 commissioner in the execution of the provisions thereof. (Ord. #127, July 1998)

7-209. Assisting surrounding communities. Personnel and/or equipment of the Town of Mosheim Volunteer Fire Department may be used for fighting any fire outside the town limits if:

(1) In the opinion the fire chief, the fire is in such hazardous proximity to property owned or located within the town as to endanger the town property; and

(2) The board of mayor and alderman has developed policies for providing emergency service outside of the town limits or entered into a contract or mutual aid agreement pursuant to the authority of:

(a) The Local Government Emergency Assistance Act of 1987, as amended, codified in the *Tennessee Code Annotated*, §§ 58-2-601, *et seq.*;

(b) *Tennessee Code Annotated*, §§ 12-9-101, *et seq.*; or

(c) *Tennessee Code Annotated*, § 6-54-601. (Ord. #127, July 1998)