

TITLE 7**FIRE PROTECTION AND FIREWORKS¹****CHAPTER**

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CHAPTER 1**FIRE DISTRICT****SECTION**

- 7-101. Fire limits described.
- 7-102. Open fires regulated.
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- 7-105. Inspection of premises; issuance or denial of permit.
- 7-106. Trash fires, etc.
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7-101. Fire limits described. The fire limits shall include all property located within the corporate limits, any areas within the county for which the Ripley Fire Department is designated as primary fire service, any areas subject to local, regional, statewide, or other mutual or reciprocal aid agreements, and any areas where aid is authorized by law.

7-102. Open fires regulated. No person shall make or cause to be made or set any fire of any kind in the open within the city unless such fire be and remain under the direct and constant supervision of some competent person; nor shall any person making or setting any fire allow such fire to become so large or so intense that it is not within his complete control; nor shall any person allow any fire to injure or damage any structure, ornamental shrubbery, tree, or hedge. (1994 Code, § 7-102)

¹Municipal code reference

Building, utility and residential codes: title 12.

7-103. Permit required for grass fires. No person shall set or cause to be set or burn or cause to be burned, at any time, any fire commonly known as a grass fire for the purpose of burning off vegetation, leaves, grass, or weeds, on any lot or parcel of ground within the city, unless he shall first obtain from the fire chief, or his duly authorized representative, a permit for such fire. The permit shall be applied for at the fire station in the City of Ripley. (1994 Code, § 7-103)

7-104. Application for permit. Any person making application to the fire department for a grass fire permit, shall set forth the area to be burned, the vegetation contained thereon, the protection that will be taken against said fire, and the person under whose direction and constant supervision the fire will remain. (1994 Code, § 7-104)

7-105. Inspection of premises; issuance or denial of permit. Upon application for a grass fire permit, the fire chief or his representative shall cause an inspection of the premises to be made. If the inspection reveals that such fire can be permitted without unreasonable hazard to other property, the permit will be issued; otherwise, it will be denied. (1994 Code, § 7-105)

7-106. Trash fires, etc. No person shall make any bonfire or burn any trash, rubbish, refuse, grass, or leaves between the hours of sunset and sunrise or at any time within twenty-five feet (25') of any building.

The foregoing provisions shall not apply to the burning of trash, rubbish, refuse, grass, weeds, or leaves between the hours of sunrise and sunset, when the fire is not within twenty-five feet (25') of any building, and such fire is confined within a fireproof container constructed of heavy wire or sheet metal with the openings in the mesh not greater than one (1) square inch, or when such fire, being more than twenty-five feet (25') from any building, is for the purpose of burning cut grass, weeds, rubbish, or trash, when the grass, weeds, rubbish, or trash shall first have been placed in suitable piles, said piles not to be so large or said fire not to be so intense as to endanger any building or property or any growing trees or shrubbery.

No trash or other matter giving off foul or unwholesome odors, shall be burned at any time or at any place. (1994 Code, § 7-106)

7-107. Fires at gin and box factories. Due to the fire hazards associated with the operation of gin and box factories and the cost of fighting fires, the cost of fires at gin and box factories shall be borne by the place having the fire after one (1) fire call per calendar year. The second fire call and all calls thereafter shall be charged to the gin or box factory requiring such calls. Such places shall be charged what it cost the fire department to make each call after the first one.

The cost of fighting the second and subsequent fires shall become a lien upon said property and shall be collectable and enforceable as property taxes upon the property. (1994 Code, § 7-107)

CHAPTER 2

FIRE CODE¹

SECTION

- 7-201. Fire code adopted.
- 7-202. Enforcement.
- 7-203. Definition of "municipality."
- 7-204. Storage of explosives, flammable liquids, etc.
- 7-205. Gasoline trucks.
- 7-206. Modifications.
- 7-207. Violations and penalty.

7-201. 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 fire fighters and emergency responders during emergency operations, the *International Fire Code*,² 2018 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 shall be controlling within the corporate limits.

7-202. 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.

7-203. Definition of "municipality." Whenever the word "municipality" is used in the fire prevention code herein adopted, it shall be held to mean the City of Ripley. (1994 Code, § 7-203)

7-204. 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.

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.

7-205. 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.

7-206. 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.

7-207. Violations and penalty. 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. (modified)

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. Employment and wages.
- 7-306. Chief responsible for training.
- 7-307. 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 mayor and aldermen. 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 firefighters as the mayor and aldermen shall appoint. (1994 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.
- (6) To perform such rescue work as its equipment and/or the training of its personnel makes practicable.
- (7) To facilitate such mutual aid, or reciprocal aid, agreements as approved by the board of mayor and aldermen. (1994 Code, § 7-302, modified)

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 shall be necessary for the orderly and efficient operation of the fire department. (1994 Code, § 7-303)

7-304. Records and reports. The chief of the fire department shall keep adequate records of all fires, inspections, apparatus, equipment, personnel

¹Municipal code reference

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

and work of the department. He shall submit such written reports on those matters to the mayor once each month, and at the end of the year a detailed annual report shall be made. (1994 Code, § 7-304)

7-305. Employment and wages. The board of mayor and aldermen shall fix the salary and wages of all officers and employees of the fire department. (1994 Code, § 7-305, modified)

7-306. Chief responsible for training. The chief of the fire department shall be fully responsible for the training of the firefighters, and the minimum training required shall be that prescribed by the State of Tennessee and the fire chief. (1994 Code, § 7-306, modified)

7-307. 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 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 fire prevention commissioner in the execution of the provisions thereof. (1994 Code, § 7-307)

CHAPTER 4

FIRE SERVICE OUTSIDE FIRE LIMITS

SECTION

7-401. Equipment and personnel to be used only within fire limits.

7-401. Equipment and personnel to be used only within fire limits. Equipment and personnel to be used only within fire limits. (modified)

CHAPTER 5

FIREWORKS

SECTION

7-501. Definition.

7-502. Manufacture, sale and discharge of fireworks.

7-503. Bond for fireworks display required.

7-504. Disposal of unfired fireworks.

7-505. Exceptions.

7-506. Seizure of fireworks.

7-501. Definition. "Fireworks" shall mean and include any combustible or explosive composition, or any substance or combination of substances, or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation, and shall include blank cartridges, toy pistols, toy cannons, toy canes, or toy guns in which explosives are used, the type of balloons which require fire underneath to propel the same, firecrackers, torpedoes, skyrockets, Roman candles, Daygo bombs, sparklers, or other devices of like construction and any devices containing any explosive or flammable compound, or any tablets or other device containing any explosive substance, except that the term "fireworks" shall not include auto flares, paper caps containing not in excess of an average of twenty-five hundredths of a grain of explosive content per cap, and toy pistols, toy canes, toy guns or other devices for use of such caps, the sale and use of which shall be permitted at all times. (1994 Code, § 7-501)

7-502. Manufacture, sale and discharge of fireworks. (1) The manufacture of fireworks is prohibited within the city.

(2) Except as hereinafter provided it shall be unlawful for any person to store, to offer for sale, expose for sale, sell at retail, or use or explode any fireworks; provided that the recorder shall have power to grant permits for supervised public displays of fireworks by the city, fair associations, amusement parks, and other organizations. Every such display shall be handled by a competent operator approved by the chief of the fire department of the city, and shall be of such a character, and be so located, discharged or fired as in the opinion of the chief of the fire department, after proper inspection, shall not be hazardous to property or dangerous to any person.

(3) Applications for permits shall be made in writing in advance of the date of the display. After such privilege shall have been granted, the sale, possession, use and distribution of fireworks for such display shall be lawful for that purpose only. No permit granted hereunder shall be transferable. (1994 Code, § 7-502)

7-503. Bond for fireworks display required. The permittee shall furnish a bond in an amount deemed adequate by the recorder for the payment of all damages, which may be caused either to a person or persons or to property by reason of the permitted display, and arising from any acts of the permittee, his agents, employees or subcontractors. (1994 Code, § 7-503)

7-504. Disposal of unfired fireworks. Any fireworks that remain unfired after the display is concluded shall be immediately disposed of in a way safe for the particular type of fireworks remaining. (1994 Code, § 7-504)

7-505. Exceptions. Nothing in this chapter shall be construed to prohibit any resident wholesaler, dealer, or jobber to sell at wholesale such fireworks as are not herein prohibited; or the sale of any kind of fireworks provided the same are to be shipped directly out of the city; or the use of fireworks by railroads or other transportation agencies for signal purposes or illumination, or the sale or use of blank cartridges for a show or theater, or for signal or ceremonial purposes in athletics or sports, or for use by military organizations. (1994 Code, § 7-505)

7-506. Seizure of fireworks. Police officers and firefighters shall seize, take, remove, or cause to be removed at the expense of the owner all stocks of fireworks offered or exposed for sale, stored, or held in violation of this chapter. (1994 Code, § 7-506)

CHAPTER 6**FIRE ALARMS****SECTION**

7-601. Penalty for false fire alarms.

7-601. Penalty for false fire alarms. Any individual, business, industry, or other entity which owns or possesses property upon which a fire alarm is installed, shall maintain the alarm system in good repair to prevent against false soundings resulting from intentional or negligent failure to maintain, which are distinguished from intentional false soundings. (modified)