

**TITLE 7**

**FIRE PROTECTION AND FIREWORKS**<sup>1</sup>

**CHAPTER**

1. FIRE DISTRICT.
2. FIRE CODE.
3. VOLUNTEER FIRE DEPARTMENT.
4. FIREWORKS.
5. FALSE FIRE ALARMS.
6. KEY LOCK BOX SYSTEM.

**CHAPTER 1**

**FIRE DISTRICT**

**SECTION**

7-101. Fire limits described.

**7-101. Fire limits described.** The corporate fire limits shall be and include all the territory within the C-1 Central Business District as outlined and defined by the White Pine Zoning Ordinance and the White Pine Zoning Map as adopted by the White Pine Planning Commission and the Board of Mayor and Aldermen. (1978 Code, § 7-101, as amended by Ord. #1-06, March 2006)

---

<sup>1</sup>Municipal code reference

Building, utility and housing codes: title 12.

## CHAPTER 2

### FIRE CODE<sup>1</sup>

#### SECTION

7-201. Fire code adopted.

7-202. Amendments.

7-203.--7-205. Repealed.

7-206.--7-207. [Deleted.]

**7-201. Fire code adopted.** The town hereby adopts the 2018 edition of the International Fire Code,<sup>2</sup> published by the International Code Council, Inc., by reference, as if set out at length in this section, with the amendments set out in this article. (1978 Code, § 7-201, as replaced by Ord. #8-05, May 2005, Ord. #3-13, April 2013, and Ord. #11-21, Oct. 2021 *Ch15\_11-07-23*)

**7-202. Amendments.** The code adopted by this article is amended as provided in this section (the section identifiers contained within these amendments conform to the 2018 International Fire Code):

#### Exhibit VII

#### **Amendments to the 2018 International Fire Code**

Section [A] 101.1 Title.

Delete "[NAME OF JURISDICTION]" and insert "White Pine, Tennessee" in its place.

Section [A] 101.2.1 Appendices.

Insert "The following Appendices are specifically included in the adoption. All others are excluded.

Appendix B Fire-Flow Requirements For Buildings

Appendix C Fire HYDRANT Locations and Distribution

Appendix D Fire Apparatus Access Roads

Appendix E Hazard Categories (1978 Code, § 7-202, as replaced by Ord. #8-05, May 2005, Ord. #3-13, April 2013, and Ord. #11-21, Oct. 2021 *Ch15\_11-07-23*)

**7-203.--7-205. Repealed.** (as repealed by Ord. #11-21, Oct. 2021 *Ch15\_11-07-23*)

**7-206--7-207. Deleted.** (as deleted by Ord. #8-05, May 2005)

---

<sup>1</sup>Municipal code reference

Building, utility and housing codes: title 12.

<sup>2</sup>Copies of this code are available from the International Code Council, 900 Montclair Road, Birmingham, Alabama 35213.

## CHAPTER 3

### VOLUNTEER FIRE DEPARTMENT<sup>1</sup>

#### SECTION

7-301. Establishment, equipment, and membership.

7-302. Objectives.

7-303. Organization, rules, and regulations.

7-304. Records and reports.

7-305. Tenure of members.

7-306. Chief responsible for training and maintenance.

7-307. Chief to be assistant to state officer.

**7-301. 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. All apparatus, equipment, and supplies shall be purchased by or through the town and shall be and remain the property of the town. The fire department shall be composed of a chief appointed by the board of mayor and aldermen and such number of physically-fit subordinate officers and firemen, in no event less than fourteen (14), as the chief shall appoint. (1978 Code, § 7-301)

**7-302. 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. (1978 Code, § 7-302)

**7-303. Organization, rules, and regulations.** The chief of the volunteer 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 volunteer fire department. (1978 Code, § 7-303)

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

---

<sup>1</sup>Municipal code reference

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

personnel, and work of the department. He shall submit a written report on such matters to the mayor once each month, and at the end of the year a detailed annual report shall be made. (1978 Code, § 7-304)

**7-305. Tenure of members.** The chief shall hold office so long as his conduct and efficiency are satisfactory to the board of mayor and aldermen. However, so that adequate discipline may be maintained, the chief shall have the authority to suspend or discharge any other member of the 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 but may be dismissed only by the board of mayor and aldermen. (1978 Code, § 7-305)

**7-306. Chief responsible for training and maintenance.** The chief of the fire department, shall be fully responsible for the training of the firemen and for maintenance of all property and equipment of the fire department. The minimum training shall consist of having the personnel take the fire apparatus out for practice operations not less than once a month. (1978 Code, § 7-306)

**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. (1978 Code, § 7-308)

## CHAPTER 4

### FIREWORKS

#### SECTION

- 7-401. Definition of fireworks.
- 7-402. Sale of fireworks.
- 7-403. Storage, location and display of fireworks.
- 7-404. Manufacture of fireworks.
- 7-405. Revocation of license/permit.
- 7-406. Hours of fireworks display.
- 7-407. Special fireworks display permitted.

**7-401. Definition of fireworks.** "Fireworks" means any composition or device for the purpose of producing a visible or an audible effect by combustion, deflagration, or detonation, and which meets the definition of all articles of fireworks classified as 1.4G, or referred to as "consumer fireworks," or "Class C common fireworks." (as added by Ord. #11-00, Oct. 2000, replaced by Ord. #6-02, Oct. 2002, and replaced by Ord. #1-07, March 2007)

**7-402. Sale of fireworks.** No retail sale of fireworks shall be made without proof offered by the applicant of complete compliance to all provisions of state statutes and town ordinances relating to safety requirements for the sale of fireworks. Local retailers shall make and report sales under their regular town business license. Before the issuance of such license, each applicant must furnish evidence that a proper permit has been issued to the applicant by the state fire marshal and that the permit is current and valid. The town fire inspector must inspect before the business is open.

Seasonal retailers shall not commence sales without first obtaining either a town business license or transient vendor license in accordance with the rules and regulations of the Tennessee Business Tax Act. (as added by Ord. #11-00, Oct. 2000, and replaced by Ord. #6-02, Oct. 2002, Ord. #1-07, March 2007, and Ord. #3-23, June 2023 *Ch15\_11-07-23*)

**7-403. Storage, location and display of fireworks.** No tent or any other structure erected for sale of fireworks shall be within five hundred feet (500') of any gasoline station, fuel pump, or fuel storage tank. No fireworks shall be stored or sold at retail at any location where paints, oils or varnishes, resin, turpentine, or other flammable substance are for sale or use. Stocks of fireworks not on display must be enclosed in a locked, vented storage container with no source of electrical current. Placing, storing, locating or displaying of fireworks in any window where the sun may shine through glass onto the fireworks so displayed is hereby declared unlawful and prohibited.

At all places where fireworks are stored or sold, the presence of lighted cigars, cigarettes, or pipes within twenty-five feet (25') of where the fireworks are offered for sale is hereby declared unlawful and prohibited. There must be posted signs warning "Fireworks-No Smoking" in letters not less than four inches (4") high. The signs must be visible from both inside and outside the vending area.

No fireworks shall be discharged within five hundred feet (500') of any stand, booth, or location where fireworks are being sold. A notice shall be posted on site that no fireworks shall be discharged within five hundred feet (500') of such place of sale.

All places storing or selling fireworks must have a minimum of four (4) fire extinguishers, one (1) located in each corner of the vending area. Each fire extinguisher location must be marked with a sign at eye level stating "FIRE EXTINGUISHER" in letters not less than four (4") inches high. (as added by Ord. #11-00, Oct. 2000, and replaced by Ord. #6-02, Oct. 2002, Ord. #1-07, March 2007, and Ord. #3-23, June 2023 *Ch15\_11-07-23*)

**7-404. Manufacture of fireworks.** The manufacture of fireworks is prohibited within the town limits. (as added by Ord. #11-00, Oct. 2000, and replaced by Ord. #6-02, Oct. 2002, Ord. #1-07, March 2007, and Ord. #3-23, June 2023 *Ch15\_11-07-23*)

**7-405. Revocation of license/permit.** Any license or permit for the sale or use of fireworks provided for under this chapter may be revoked by an officer of the White Pine Police Department or the chief of the fire department upon their determination, after inspection, that unsafe conditions or non-compliance with this chapter exists. (as added by Ord. #3-23, June 2023 *Ch15\_11-07-23*)

**7-406. Hours of fireworks discharge.** It shall be unlawful for any person to fire, set off, or otherwise discharge fireworks within the town limits of White Pine except between the hours of 10:00 A.M. and 11:00 P.M. on July 3 and 4, between the hours of 10:00 A.M. on December 31 and 1:00 A.M. on January 1, and as otherwise provided in this chapter. In no event shall any firework be discharged when the geographical area that includes the Town of White Pine is under a fire ban issued by the Tennessee Department of Forestry. (as added by Ord. #3-23, June 2023 *Ch15\_11-07-23*)

**7-407. Special fireworks display permitted.** Firework displays permitted. Firework displays may be permitted for special events, such as civic and holiday celebrations. These public firework displays shall be governed by the provisions to Tennessee Code Annotated, 68-104-07 and required permits shall be obtained from the state fire marshal and the chief of the White Pine Volunteer Fire Department. (as added by Ord. #3-23, June 2023 *Ch15\_11-07-23*)

## CHAPTER 5

### FALSE FIRE ALARMS

#### SECTION

7-501. Definition.

7-502. Notices and penalties.

**7-501. Definition.** False emergency alarm is any signal actuated by an emergency alarm to which the fire department responds which is not the result of fire or other actual emergency and not caused by an extraordinary act of nature. (as added by Ord. #3-05, March 2005)

**7-502. Notices and penalties.** The following schedule of notices, warnings, penalties, and costs shall be assessed to the owners and/or operators of emergency alarm systems for false emergency alarms transmitted to the fire department within any one year period:

1<sup>st</sup> False Emergency Alarm: Verbal notification by the White Pine Volunteer Fire Chief of the Town of White Pine Code Enforcement Officer.

2<sup>nd</sup> False Emergency Alarm: Written warning informing the owner or operator of the alarm system of the provisions of this ordinance and of the occurrence of a second violation.

3<sup>rd</sup> False Emergency Alarm: A fine of up to fifty dollars (\$50.00) may be imposed.

4<sup>th</sup> and Subsequent False Emergency Alarm: For each violation a fine of fifty dollars (\$50) shall be imposed and the actual cost of such response by the fire department including the costs of equipment, fuel, personnel, administration, and other such factors as determined by the fire chief. (as added by Ord. #3-05, March 2005)

## CHAPTER 6

### KEY LOCK BOX SYSTEM

#### SECTION

7-601. Key lock box system.

**7-601. Key lock box system.** (1) The following structures shall be equipped with a key lock box at or near the main entrance or such other location required by the fire chief.

(a) Commercial or industrial structures protected by an automatic alarm system or automatic suppression system, or such structures that are secured in a manner that restricts access during an emergency;

(b) Multi-family residential structures that have restricted access through locked doors and have a common corridor for access to the living units;

(c) Governmental structures and nursing care facilities.

(d) Other properties or structures where fire department access would be delayed as determined by the fire chief.

(e) All new commercial structures.

(f) All existed commercial buildings construction improvements that require a building permit.

(g) All existing commercial buildings equipped with automatic fire detection and/or suppression systems.

(2) All newly constructed structures subject to this chapter shall have the key lock box installed and operational prior to the issuance of an occupancy permit. All structures in existence on the effective date of this chapter and subject to this chapter shall have one (1) year from the effective date of this chapter to have a key lock box installed and operational.

(3) The fire chief shall designate the type of key lock box system to be implemented within the Town of White Pine and shall have the authority to require all structures to use the designated systems.

(4) The owner or operator of a structure required to have a key lock box shall, at all times, keep a key in the lock box that will allow for access to the structure.

(5) The fire chief shall be authorized to implement rules and regulations for the use of the lock box system.

(6) The operator of the building shall immediately notify the fire code official and provide a new key when a lock is changed or re-keyed. The key to such locks will be secured in the key-box. The Town of White Pine will require a lock box be located at the entrance or approved entrance to the building. The lock box should be at a height of seventy-two inches (72") off the ground and twenty-four inches (24") to the left or right of the door.



(7) Any person who owns or operates a structure subject to this chapter shall be subject to the penalties set forth in this code for any violations of this chapter, provided that the minimum fine for a conviction for a violation of the section shall be one hundred dollars (\$100.00). (as added by Ord. #10-17, Dec. 2017)