

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

1. FIRE DISTRICT.
2. FIRE CODE.
3. FIRE DEPARTMENT.
4. FIRE SERVICE OUTSIDE CITY LIMITS.
5. FIRE KEY BOXES.
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CHAPTER 1**FIRE DISTRICT****SECTION**

- 7-101. Fire district described.
- 7-102. Fire district significance.

7-101. Fire district described. The corporate fire district shall be as follows:

All of that area bounded by a line beginning at the intersection of the Bush Brothers eastern property line and the Clinch River, thence along said property line in a northerly direction to the intersection of such line and Eagle Bend Road; thence in a westerly direction along Eagle Bend Road to a point 200 feet east of the intersection of Eagle Bend Road and North Charles Seivers Blvd; thence along a line, parallel to and 200 feet northeast and southeast of the center line of North Charles Seivers Blvd, in a northwesterly and northeasterly direction to the intersection of such line and Weaver Avenue; thence along Weaver Avenue in a northwesterly direction to the intersection of Weaver Avenue and North Charles Seivers Blvd; thence northeast along North Charles Seivers Blvd to the intersection of North Charles Seivers Blvd and Washington Avenue; thence northwest along Washington Avenue to the intersection of Washington Avenue and Baxter Street; thence south along Baxter Street to the intersection of Baxter Street and West Weaver Avenue; thence northwest along Weaver Avenue to the intersection of Weaver Avenue and North Main Street; thence south along North Main Street to the intersection of North Main Street and W Avenue; thence west along W Avenue to the intersection of W Avenue and Marshall Street; thence south along Marshall Street to the intersection of

¹Municipal code references

Building, utility and residential codes: title 12.

Marshall Street and West Shipe Street; thence east along an extension of the center line of West Shipe Street crossing the Southern Railway tracks to East Shipe Street; thence east along East Shipe Street to the intersection of East Shipe Street and Main Street; thence south along Main Street to the intersection of North Main Street and West Lamar Avenue; thence west along West Lamar Avenue to the intersection of West Lamar Avenue and North Hicks Street; thence south along North Hicks Street and West Church Street; thence west along West Church Street to the intersection of West Church Street and Marshall Street; thence south along Marshall Street to the intersection of Marshall Street and Broad Street; thence east along Broad Street to the intersection of South Bowling Street; thence south along an extension of the center line of South Bowling Street, and being parallel to and approximately 300 feet west of the center line of Main Street, to the intersection of said line and Timothy Avenue; thence east along Timothy Avenue to the intersection of Timothy Avenue and Main Street and, continuing along Meadowbrook Street, to a point 200 feet to the east of Main Street; thence north along a line, lying parallel to and 200 feet east of Main Street, to the intersection of said line and Clinch Avenue; thence east along Clinch Avenue to the intersection of Clinch Avenue and the Clinch River; thence north along the west bank of the Clinch River to the point of beginning. (1991 Code, § 7-101)

7-102. Fire district significance. The significance of the fire district is that chapter 3 of the building code, applicable to the City of Clinton through title 12 of this code, imposes certain construction, modification and other requirements peculiar to buildings located within the fire district, and prohibits hazardous (group H) occupancies (as defined in the currently adopted building code and fire code within the fire district). (1991 Code, § 7-102, modified)

CHAPTER 2

FIRE CODE¹

SECTION

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

7-201. Fire code adopted. Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 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 the appendices and references listed herein as recommended by the International Code Council, is hereby adopted by reference and included as a part of this code, and is hereinafter referred to as the fire code. Pursuant to the requirement of Tennessee Code Annotated, § 6-54-502, one (1) copy of the fire code has been filed with the city recorder and is available for public use and inspection. The fire code is adopted and incorporated as fully as if set out at length herein and shall be controlling within the corporate limits. (1991 Code, § 7-201, modified)

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. (1991 Code, § 7-202)

7-203. 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. (1991 Code, § 7-203)

¹Municipal code reference

Building, utility and residential codes: title 12.

²Copies of this code are available from the International Code Council, 900 Montclair Road, Birmingham, Alabama 35213-1206.

7-204. Storage of explosives, flammable liquids, etc. (1) The district referred to in chapter 33 of the International Fire Code, in which storage of explosives and blasting agents is prohibited, is hereby declared to be the fire district as set out in § 7-101 of this code.

(2) The district referred to in chapter 34 of the fire code, in which storage of flammable liquids in outside above ground tanks is prohibited, is declared to be the fire district as set out in § 7-101 of this code.

(3) The district referred to in chapter 34 of the fire code, in which bulk plants for flammable or combustible liquids are prohibited, is hereby declared to be the fire district as set out in § 7-101 of this code.

(4) The district referred to in chapter 38 of the fire code, in which bulk storage of liquefied petroleum gas is restricted, is hereby declared to be the fire district as set out in § 7-101 of this code. (1991 Code, § 7-204)

7-205. Variances. The chief of the fire department may recommend to the city council 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 city council. (1991 Code, § 7-205)

7-206. Violations and penalty. It shall be unlawful for any person to violate any of the provisions of this chapter or the fire code herein 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 modified by the city council or by a court of competent jurisdiction, within the time fixed herein. The violation of any section of this chapter shall be punishable by a penalty of fines not less than fifty dollars (\$50.00) and cost for each separate violation. Each day a violation is allowed to continue shall constitute a separate offense. The application of a penalty shall not be held to prevent the enforced removal of prohibited conditions. (1991 Code, § 7-206, 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. 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 fire fighters as the city manager shall appoint. (1991 Code, § 7-301, modified)

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. (1991 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 shall be necessary for the orderly and efficient operation of the fire department, under the direction of the director of operations. (1991 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, and work of the department. He shall submit such written reports on those matters to the city manager as the city manager requires. The city manager shall submit

¹Municipal code reference

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

a report on those matters to the city council as the city council requires. (1991 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 fire fighters and for maintenance of all property and equipment of the fire department, under the direction and subject to the requirements of the city manager. (1991 Code, § 7-305, modified)

7-306. Chief to be assistant to state officer. Pursuant to requirements of Tennessee Code Annotated, § 68-17-108, the fire chief is designated as an assistant to the state commissioner of insurance and is subject to all the duties and obligations imposed by Tennessee Code Annotated, title 68, chapter 17, and shall be subject to the directions of the commissioner in the execution of the provisions thereof. (1991 Code, § 7-306)

CHAPTER 4

FIRE SERVICE OUTSIDE CITY LIMITS

SECTION

7-401. Restrictions on fire service outside city limits.

7-401. Restrictions on fire service outside city limits. No personnel or equipment of the fire department shall be used for fighting any fire outside the city limits unless the fire is on city property or, in the opinion of the city manager or fire chief, is in such hazardous proximity to property owned or located within the city as to endanger the city property, or unless the city council has developed policies for providing emergency services outside of the city limits or entered into a contract or mutual aid agreement pursuant to the authority of:

(1) Tennessee Code Annotated, § 12-9-101, et seq.¹

(2) Tennessee Code Annotated, § 6-54-601.²

(1991 Code, § 7-401, modified)

¹State law reference

Tennessee Code Annotated, § 6-54-601 authorizes municipalities (1) To enter into mutual aid agreements with other municipalities, counties, privately incorporated fire departments, utility districts and metropolitan airport authorities which provide for firefighting service, and with industrial fire departments, to furnish one another with fire fighting assistance. (2) Enter into contracts with organizations of residents and property owners of unincorporated communities to provide such communities with firefighting assistance. (3) Provide fire protection outside their city limits to either citizens on an individual contractual basis, or to citizens in an area without individual contracts, whenever an agreement has first been entered into between the municipality providing the fire service and the county or counties in which the fire protection is to be provided. (Counties may compensate municipalities for the extension of fire services.)

²State law reference

Tennessee Code Annotated, § 12-9-101, et seq. is the Interlocal Governmental Cooperation Act which authorizes municipalities and other governments to enter into mutual aid agreements of various kinds.

CHAPTER 5

FIRE KEY BOXES

SECTION

- 7-501. Mandatory key boxes for fire suppression and standpipe systems.
- 7-502. Mandatory key boxes for automatic alarm systems.
- 7-503. Key tamper box switch.
- 7-504. Security padlocks.
- 7-505. Security caps.
- 7-506. Non-applicability to certain dwellings.
- 7-507. Rapid response key boxes.
- 7-508. Time for compliance.

7-501. Mandatory key boxes for fire suppression and standpipe systems. When a building within the city is protected by an automatic fire suppression or standpipe system it shall be equipped with a key box. The key box shall be at a location approved by the City of Clinton Fire Marshal. The key box shall be a UL type and size approved by the Fire Marshal. The cost of purchasing and installing, along with any cost associated with implementation of the program at a specific property, will be the responsibility of the property owner.

7-502. Mandatory key boxes for automatic alarm systems. When a building is protected by an automatic alarm system and/or access to or within a building, or an area within that building, is unduly difficult because of secured openings, and where immediate access is necessary for life saving or firefighting purposes, the City of Clinton Fire Marshal may require a key box to be installed at a location approved by him/her. The key box shall be a UL type and size approved by the fire marshal. The cost of purchasing and installing, along with any cost associated with implementation of the program at a specific property, will be the responsibility of the property owner.

7-503. Key tamper box switch. The fire marshal may require a key box tamper switch connected to the building's fire alarm system. The cost of purchasing and installing, along with any cost associated with implementation of the program at a specific property, will be the responsibility of the property owner.

7-504. Security padlocks. When a property is protected by a locked fence or gate and where immediate access to the property is necessary for life saving or firefighting purposes, the fire marshal may require a security padlock to be installed at a location approved by him/her. The padlock shall be a UL type and size approved by the fire marshal. The cost of purchasing and installing,

along with any cost associated with implementation of the program at a specific property, will be the responsibility of the property owner.

7-505. Security caps. When a building is protected by an automatic sprinkler system or standpipe system and the fire department connection is exposed to undue vandalism the fire marshal may require that a fire department connection security cap(s) be installed. The fire department connection security cap(s) shall be a type approved by the fire marshal. The cost of purchasing and installing, along with any cost associated with implementation of the program at a specific property, will be the responsibility of the property owner.

7-506. Non-applicability to certain dwellings. The term "building" used herein means any building or structure located in the City of Clinton, whether privately or publicly owned, including, without limitation, any building owned by the City of Clinton, or any other public, quasi-public, or private entity or person provided however that this chapter shall not apply to owner occupied one- or two-family dwellings.

7-507. Rapid response key boxes. The rapid key boxes shall contain the following:

- (1) Keys to locked points of egress, whether in interior or exterior of such buildings;
- (2) Keys to the locked mechanical rooms;
- (3) Keys to the locked elevator rooms;
- (4) Keys to the elevator controls;
- (5) Keys to any fence or secured areas;
- (6) Keys to any other areas that may be required by the fire marshal;
- (7) A card containing the emergency contact people and phone numbers for such building;
- (8) In addition, floor plans of the rooms within the building may be required.

7-508. Time for compliance. All existing buildings shall comply with this chapter one (1) year from its effective date. All newly constructed buildings, not yet occupied or buildings currently under construction and all buildings or businesses applying for a certificate of occupancy, shall comply immediately.

CHAPTER 6

MISCELLANEOUS

SECTION

7-601. Outside open fires restricted.

7-602. Fireworks.

7-601. Outside open fires restricted. It shall be unlawful for any person to make, permit, or add to any outside open fire within the fire district.

An "outside open fire" is any fire on the outside of a building except a fire in an incinerator which is so constructed as to prevent the escape of burning materials. (1991 Code, § 7-501)

7-602. Fireworks. The use of fireworks is prohibited, except as provided under *Tennessee Code Annotated*, § 68-104-201.