

**TITLE 7**

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

**CHAPTER**

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

**CHAPTER 1**

**FIRE DISTRICT**

**SECTION**

7-101. Fire limits described.

**7-101. Fire limits described.** The corporate fire limits shall be the corporate limits of the Town of Greenbrier. (1970 Code, § 7-101)

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<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. Enforcement.
- 7-203. Definition of "municipality."
- 7-204. Storage of explosives, flammable liquids, etc.
- 7-205. Gasoline trucks.
- 7-206. Variances.
- 7-207. Violations.
- 7-208. Modifications.

**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 prescribing regulations governing conditions hazardous to life and property from fire or explosion, the Standard Fire Prevention Code,<sup>2</sup> 1999 edition, and the National Fire Prevention Code, latest edition, and all appendixes thereto, as recommended by the International Code Council, 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 recorder and is available for public use and inspection. Said fire prevention code is adopted and incorporated as fully as if set out at length herein and shall be controlling within the corporate limits. (1970 Code, § 7-201, modified, as amended by Ord. #99-11, Oct. 1999)

**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. (1970 Code, § 7-202)

**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 Town of Greenbrier, Tennessee. (1970 Code, § 7-203)

**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 explosive

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<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 35213-1206.

materials is 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 or combustible 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. (1970 Code, § 7-204)

**7-205. 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. (1970 Code, § 7-205)

**7-206. Variances.** The chief of the fire department may recommend to the governing body 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 governing body. (1970 Code, § 7-206)

**7-207. Violations.** It shall be unlawful for any person to violate any of the provisions of this chapter or the fire prevention 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 taken; or fail to comply with such an order as affirmed or modified by the governing body of the municipality or by a court of competent jurisdiction, within the time fixed herein. The application of a penalty under the general penalty clause for the town code shall not be held to prevent the enforced removal of prohibited conditions. (1970 Code, § 7-207)

**7-208. Modifications.** Within said code, when reference is made to the duties of a certain official named therein, that designated official of the Town of Greenbrier, Robertson County, Tennessee, who has duties corresponding to

those of the named official in said code shall be named official in said code shall be deemed to be the responsible official insofar as enforcing the provisions of said code are concerned. (as added by Ord. #99-11, Oct. 1999)

## CHAPTER 3

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

#### SECTION

- 7-301. Establishment, equipment, and membership.
- 7-302. Operational funds.
- 7-303. Objectives.
- 7-304. Organization, rules, and regulations.
- 7-305. Records and reports.
- 7-306. Disciplinary action.
- 7-306. Chief responsible for training.
- 7-308. Chief to be assistant to state officer.
- 7-309. Use of equipment outside town limits.
- 7-308. Fire hydrants required to be color coded.

**7-301. Establishment, equipment, and membership.** There is hereby established a 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 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 fire department shall be composed of a chief appointed by the board of mayor and aldermen, and such number of subordinate officers and firemen, as may be recommended by the fire chief. The fire department shall consist of no more than 40 volunteers in addition to the fire chief and all officers and such paid firefighters as shall be provided for in the annual operating budget of the city. (1970 Code, § 7-301, as replaced by Ord. #01-14, Sept. 2001)

**7-302. Operational funds.** The board of mayor and aldermen shall provide for the operations of the 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 Greenbrier. The board of mayor and aldermen may reject any gift or contribution it deems not to be in the best interest of the Town of Greenbrier. (1970 Code, § 7-302, as replaced by Ord. #01-14, Sept. 2001)

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<sup>1</sup>Municipal code references

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

Travel policy: title 4, chapter 4.

**7-303. 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) 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 management agency of the town.
- (10) To protect the health and safety of the citizens from the transportation, storage, or 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 insure that adequate water supplies for fire protection are available.
- (12) To provide public fire education materials and information to the citizens in order that they may protect themselves from harm. (1970 Code, § 7-303, as replaced by Ord. #01-14, Sept. 2001)

**7-304. Organization, rules, and regulations.** The chief of the Town of Greenbrier Fire Department shall, under the direction of the board of mayor and alderman, 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 operation of the fire department. (1970 Code, § 7-304, as replaced by Ord. #01-14, Sept. 2001)

**7-305. Records and reports.** The chief of the Town of Greenbrier 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. (1970 Code, § 7-305, as replaced by Ord. #01-14, Sept. 2001)

**7-306. Disciplinary action.** Any disciplinary action to be taken with regard to any firefighter shall follow those procedures as contained under the Town of Greenbrier Personnel Policies and Procedures when such action is deemed 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. (1970 Code, § 7-306, as replaced by Ord. #01-14, Sept. 2001)

**7-307. Chief responsible for training.** 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, 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 hours of in-service firefighter training annually, after an initial training period consisting of no less than sixteen hours of basic firefighter training during the first ninety days of his membership in the fire department. Paid firefighters shall be trained in accordance with the standards of the Tennessee Commission on Firefighter Standards and Education. (1970 Code, § 7-308, as replaced by Ord. #01-14, Sept. 2001)

**7-308. Chief to be assistant to state officer.** Pursuant to requirements of Tennessee Code Annotated, § 68-102-108, the 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. (as added by Ord. #01-14, Sept. 2001)

**7-309. Use of equipment outside town limits.** Personnel and/or equipment of the Town of Greenbrier Fire Department may be used for fighting any fire outside the town limits if:

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

(2) The board of mayor and aldermen has developed policies for providing emergency services outside the town limits or entering 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 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. (as amended by Ord. #01-14, Sept. 2001)

**7-310. Fire hydrants required to be color coded.** After installation, all new fire hydrants shall be tested for flow and residual pressure. Existing fire hydrants shall be tested upon the next scheduled maintenance cycle. All fire hydrants shall be color coded according to the standard color scheme of the National Fire Prevention Association as listed herein.

The top bonnet and nozzle caps of each hydrant shall be painted with the appropriate standard color designation to indicate the flow capacity of each hydrant. The color schemes of the hydrant top bonnet and nozzle caps, along with the corresponding flow rates and hydrant classes, shall be as follows:

<u>Hydrant Class</u>	<u>Flow Rate @ 20 PSI</u>	<u>Color</u>
Class AA	1,500 GPM and Above	Light Blue
Class A	1,000 GPM - 1,499 GPM	Green
Class B	500 GPM - 999 GPM	Orange
Class C	0 GPM - 499 GPM	Red

Any hydrant which is unable to maintain a residual pressure of at least 20 psi at full open flow shall have its rated residual pressure plainly stenciled on the top bonnet of the hydrant.

Fire department pumpers shall not pump from any Class C hydrant. (Ord. #90-2, April 1990)



## CHAPTER 4

**FIRE SERVICE OUTSIDE TOWN LIMITS****SECTION**

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

**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 the fire is on town 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 town as to endanger the town property or unless expressly authorized in writing by the municipal governing body.<sup>1</sup> (1970 Code, § 7-307)

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<sup>1</sup>See Ord. #96-04 which is a mutual aid agreement between the Town of Greenbrier and the County of Robertson, pursuant to Tennessee Code Annotated, § 6-54-601, of record in the office of the recorder.

## CHAPTER 5

### FIREWORKS

#### SECTION

7-501. Unlawful acts in the sale of fireworks.

7-502. Definitions.

7-503. Deleted.

7-504. Deleted.

7-505. Use within city limits.

7-506. Fireworks for public health purposes.

**7-501. Unlawful acts in the sale of fireworks.** It is unlawful to offer for sale or to sell fireworks within the corporate limits of the Town of Greenbrier, Tennessee. (1970 Code, § 7-401, as replaced by Ord. #00-03, April 2000, and deleted and replaced by Ord. #15-04, July 2015)

**7-502. Definitions.** (1) Fireworks for purposes of this chapter is defined in the same manner as fireworks are defined in Tennessee Code Annotated, § 68-104-101(2) as it may hereafter be amended. Furthermore, fireworks can include but not limited to any device containing explosive forces which when fired, shot, or exploded, makes a noise or produces a flare or colored sparks, and said term "fireworks" shall be deemed to include but shall not be limited to the following: fire crackers, squibbs, Roman candles, sky rockets, and torpedoes.

(2) Sale of fireworks for purposes of this chapter is defined as a means of an exchange of articles of fireworks for money and/or a transaction for profit involving fireworks. (1970 Code, § 7-402, as replaced by Ord. #00-03, April 2000, and deleted and replaced by Ord. #15-04, July 2015)

**7-503. Deleted.** (1970 Code, § 7-403, as replaced by Ord. #00-03, April 2000, and deleted by Ord. #15-04, July 2015)

**7-504. Deleted.** (1970 Code, § 7-404, as replaced by Ord. #00-03, April 2000, and Ord. #11-03, May 2011, and deleted by Ord. #15-04, July 2015)

**7-505. Use within city limits.** The restricted seasonal use of D.O.T. Class C common fireworks shall be allowed within the city limits only during the periods extending from June 20 to July 5 and from December 10 to January 2. Such use shall only be allowed on private residential property, with the permission of the owner of the property, and not on property used for industrial, commercial or agricultural purposes or on publicly owned property, streets or rights-of-way. Such use shall be in a manner that is not dangerous to persons or hazardous to property. The restricted seasonal use of D.O.T. Class C common

fireworks shall be limited to the time period extending from 9:00 A.M. to 10:00 P.M. each day. (1970 Code, § 7-405, as replaced by Ord. #00-03, April 2000)

**7-506. Fireworks for public health purposes.** The codes administrator may, at anytime, authorize the restricted use of D.O.T. Class C common fireworks for public health purposes in order to disperse flocks of blackbirds and other bird pests. A permit for the restricted use of fireworks for public health purposes shall be issued and signed by the codes administrator or his or her designate before the approved fireworks can be discharged. The permitted fireworks shall be handled and discharged by a competent person approved by the codes administrator or his or her designate. The duration of the permit and the quantity of the permitted fireworks shall be the minimum needed to accomplish the public health purpose. The permitted fireworks shall be located and discharged in a manner that shall not be dangerous to any persons or hazardous to property. (1970 Code, § 7-406, as replaced by Ord. #00-03, April 2000)