

## TITLE 7

FIRE PROTECTION, FIREWORKS AND EXPLOSIVES<sup>1</sup>

## CHAPTER

1. MISCELLANEOUS.
2. FIRE CODE.
3. FIRE DEPARTMENT.

## CHAPTER 1

MISCELLANEOUS

## SECTION

7-101. Fire limits described.

7-101. Fire limits described. The corporate fire limits shall be and include all the property within the following boundaries:

(1) Bounded, on the north by the Southern Railroad, on the south by State Highway 57, on the east by Charleston Street, and on the west by Memphis Street.

(2) Abutting on both sides of State Highway 57. (1979 Code, sec. 7-101)

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<sup>1</sup>See title 4 in this code for the building, utility, and housing codes.

## 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. Fireworks prohibited.

7-201. Fire code adopted. Pursuant to authority granted by sections 6-54-501 to 6-54-506, inclusive, Tennessee Code Annotated, and for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, the Fire Prevention Code,<sup>2</sup> 1976 edition, as recommended by the American Insurance Association is hereby adopted by reference and included herein as a part of this code. Pursuant to the requirements of section 6-54-502 of the Tennessee Code Annotated, three (3) copies of said fire prevention code have been filed in the office of the recorder and are 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. (1979 Code, sec. 7-201)

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. (1979 Code, sec. 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 City of Moscow, Tennessee. (1979 Code, sec. 7-203)

7-204. Storage of explosives, flammable liquids, etc. The limits referred to in section 12.5b of the fire prevention code, in which storage of explosives and

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<sup>1</sup>See title 4 in this code for the building, utility, and housing codes.

<sup>2</sup>Copies of this code are available from the American Insurance Association, Engineering and Safety Service, 85 John Street, New York, New York 10038.

blasting agents is prohibited, are hereby declared to be the fire limits as set out in section 7-101 of this code.

The limits referred to in section 16.22a of the fire prevention code, in which storage of flammable liquids in outside above ground tanks is prohibited, are hereby declared to be the fire limits as set out in section 7-101 of this code.

The limits referred to in section 16.61 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 section 7-101 of this code.

The limits referred to in section 21.6a 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 section 7-101 of this code. (1979 Code, sec. 7-204)

7-205. Gasoline trucks. No person shall operate or park any gasoline tank truck within the fire limits or within any residential area at any time except for the purpose of and while actually engaged in the expeditious delivery of gasoline. (1979 Code, sec. 7-205)

7-206. Variances. The chief of the fire department may recommend to the board of mayor and aldermen 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 board of mayor and aldermen. (1979 Code, sec. 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 hereby 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 board of mayor and aldermen or by a court of competent jurisdiction, within the time fixed herein. The application of a penalty under the general penalty clause for the city code shall not be held to prevent the enforced removal of prohibited conditions. (1979 Code, sec. 7-207)

7-208. Fireworks prohibited.<sup>1</sup> (1) The sale or manufacture of any fireworks within the corporate limits of the City of Moscow, Tennessee, is prohibited.

(2) Definition. "Fireworks" shall be as defined in Fire Prevention Code, as recommended by the American Insurance Association.

(3) Violations. It shall be unlawful for any person or organization to violate any provision of this ordinance. Any violation may be punished by the penalty imposed under the general penalty clause for the city code, but such penalty shall not be held to prevent the enforced removal or injunction of prohibited conditions, sales, or manufacture. (1979 Code, sec. 7-208)

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<sup>1</sup>The provisions in this section were adopted without any indication as to where they should be placed in the municipal code. They have been placed here because of their subject matter.

## CHAPTER 3

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 and compensation of members.
- 7-306. Chief responsible for training.
- 7-307. Use of fire equipment outside corporate limits.
- 7-308. 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 board of 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 firemen as the mayor shall appoint. (1979 Code, sec. 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 or drowning.
- (6) To perform such rescue work as its equipment and/or the training of its personnel makes practicable. (1979 Code, sec. 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. (1979 Code, sec. 7-303)

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<sup>1</sup>For special privileges with respect to traffic, see title 9, chapter 1, in this code.

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 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. (1979 Code, sec. 7-304)

7-305. Tenure and compensation of members. All members of the fire department shall hold office so long as their conduct and efficiency are satisfactory to the mayor.

They shall receive such compensation for their services as the board may from time to time prescribe. (1979 Code, sec. 7-305)

7-306. Chief responsible for training. The chief of the fire department shall be fully responsible for the training of the firemen, and the minimum training shall consist of having the personnel take the fire apparatus out for practice operations not less than once a month. (1979 Code, sec. 7-306)

7-307. Use of fire equipment outside corporate limits.<sup>1</sup> Fire equipment may be used outside the corporate limits in the following circumstances:

(1) If the fire is on city-owned 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 city as to endanger such city property.

(2) If the fire is on private property outside the corporate limits and, the owner or someone on his behalf guarantees payment to the city for use by the fire department of a fee of one hundred and fifty dollars (\$150.00). (1979 Code, sec. 7-307)

7-308. Chief to be assistant to state officer. Pursuant to requirements of section 68-17-108 of the Tennessee Code Annotated, the chief of the fire department is designated as an assistant to the state commissioner of insurance and banking and is subject to all the duties and obligations imposed by title 68 chapter 17 of said Tennessee Code Annotated, and shall be subject to the directions of the fire prevention commissioner in the execution of the provisions thereof. (1979 Code, sec. 7-308)

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<sup>1</sup>See section 1.04(q) of the charter.