

**TITLE 7****FIRE PROTECTION AND FIREWORKS<sup>1</sup>****CHAPTER**

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

**CHAPTER 1****MISCELLANEOUS****SECTION**

- 7-101. Gasoline trucks.  
7-102. Open burning.

**7-101. Gasoline trucks.** No person shall operate or park any gasoline tank truck within any residential area of the city at any time except for the purpose of and while actually engaged in the expeditious delivery of gasoline. (1973 Code, § 8-1)

**7-102. Open burning.** No person shall burn any material whatever without first obtaining the permission of the chief of the fire department therefor. (1973 Code, § 8-2)

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<sup>1</sup>Municipal code reference  
Building, utility and housing codes: title 12.

## CHAPTER 2

### FIRE DISTRICT

#### SECTION

7-201. Fire limits described.

**7-201. Fire limits described.** The fire limits of the city shall be as follows:

Beginning on the south bank of the Big Pigeon River at a point which is the intersection of an extension of Prospect Avenue and said river bank; thence in a southerly direction with said extension and continuing along Prospect Avenue to a point two hundred (200) feet past the intersection of Prospect Avenue and Broadway; thence along a line parallel to and two hundred (200) feet to the south of Broadway in an easterly direction to the intersection of the line and College Street; thence along College Street and Broadway; thence across Broadway to the western line of the Stokley Van Camp Canning Company property; thence along said line in a northerly direction to the intersection of that line and Main Street and continuing along an extension of that line in a northerly direction, across River Road to the intersection of that line and the southern bank of the Big Pigeon River; thence in a westerly direction along the southern bank of the Big Pigeon River to the point of origin. (1973 Code, § 6-1)

## CHAPTER 3

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

#### SECTION

- 7-301. Fire code adopted.
- 7-302. Enforcement.
- 7-303. Definition of "municipality."
- 7-304. Storage of flammable liquids and liquefied petroleum gas.
- 7-305. Modifications by the chief of the fire department.
- 7-306. Appeals from decisions of the chief of the fire department.
- 7-307. Violations.

**7-301. 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 NFPA Life Safety Code 101, 1994 edition, the NFPA Manuals 1994 edition, and the SBCCI Standard Fire Prevention Code, 1997 edition, are 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 city 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. (1973 Code, § 8-18, as amended by Ord. #99-08-A, Aug. 1999)

**7-302. Enforcement.** The fire prevention code adopted by reference shall be enforced by the chief of the fire department. (1973 Code, § 8-19)

**7-303. Definition of "municipality."** Whenever the word "municipality" is used in the fire prevention code herein adopted, it shall mean the City of Newport, Tennessee. (1973 Code, § 8-20)

**7-304. Storage of flammable liquids, and liquefied petroleum gas.**  
(1) The limits referred to in § 74a of the fire prevention code adopted in this chapter, in which storage of flammable liquids in outside above ground tanks is prohibited and the limits referred to in section 114 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 the § 7-201. (1973 Code, § 8-21)

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<sup>1</sup>Municipal code reference

Building, utility and housing codes: title 12.

**7-305. Modifications by the chief of the fire department.** The chief of the fire department shall have the power to modify any of the provisions of the fire prevention code adopted in this chapter upon application in writing by the owner or lessee, or the duly authorized agent of either, when there are practical difficulties in the manner of carrying out the strict letter of the fire prevention code, if the spirit of the fire prevention code shall be observed, public safety secured and substantial justice done. The particulars of the modifications, when granted or allowed and the decision of the chief of the fire department thereon, shall be entered upon the records of the fire department and a signed copy shall be furnished the applicant. (1973 Code, § 8-22)

**7-306. Appeals from decisions of the chief of the fire department.** When any person feels that he has been wrongfully aggrieved by a decision of the chief of the fire department in interpreting and applying the fire prevention code adopted in this chapter or granting or refusing modifications thereof, he may within thirty (30) days appeal the decision to the board of mayor and aldermen. The appeal shall be in writing. (1973 Code, § 8-23)

**7-307. Violations.** Any person who shall violate any of the provisions of the fire prevention code adopted in this chapter or fail to comply therewith or who shall violate or fail to comply with any order made thereunder, or who shall 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 who shall, 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 therefor, shall severally for each and every such violation and noncompliance respectively, be subject to the application of the penalty prescribed by the penalty provisions of this code. (1973 Code, § 8-24)

## CHAPTER 4

### VOLUNTEER FIRE DEPARTMENT

#### SECTION

7-401. Established; composition.

7-402. Rules and regulations.

7-403. General powers and duties of the chief.

**7-401. Established; composition.** There is hereby established a volunteer fire department, supported and equipped by the city and composed of a chief and a driver appointed by the board of mayor and aldermen and such number of subordinate officers and firemen as the chief of the fire department may initially appoint and the membership shall thereafter elect. (1973 Code, § 8-35)

**7-402. Rules and regulations.** The volunteer fire department and the members thereof shall be subject to such administrative and disciplinary rules and regulations as the chief of the fire department shall prescribe and the board of mayor and aldermen shall approve. (1973 Code, § 8-36)

**7-403. General powers and duties of the chief.** (1) The chief of the fire department shall be responsible for and shall have general control and supervision of all members of the volunteer fire department; he shall see that all the fire prevention and fire protection activities of the city are efficiently carried out and that all applicable fire regulations are observed within the city.

(2) In addition to the provisions of subsection (1) and pursuant to the requirements of state law, the chief of the volunteer fire department 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 53 of chapter 24, and shall be subject to the directions of the fire prevention commissioner in the execution of the provisions thereof. (1973 Code, § 8-37)

**CHAPTER 5****FIRE SERVICE OUTSIDE CITY LIMITS****SECTION**

7-501. Equipment not to be used outside of the city.

**7-501. Equipment not to be used outside of the city.** No equipment of the volunteer fire department shall be used for fighting any fire outside the city. (1973 Code, § 8-38)