

TITLE 7

FIRE PROTECTION AND FIREWORKS¹

CHAPTER

1. FIRE DISTRICT.
2. FIRE CODE.
3. VOLUNTEER 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 and include the business district as defined in the city's zoning ordinance. (1979 Code, § 7-101)

¹Municipal code reference

Building, utility and housing codes: title 12.

CHAPTER 2

FIRE CODE¹

SECTION

7-201. Fire code adopted.

7-201.1. Modifications.

7-202. Enforcement.

7-203. Storage of explosives, flammable liquids, cryogenic fluids, etc.

7-204. Variances.

7-205. Violations.

7-206. Penalties.

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 2015 edition of the International Fire Code,² published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478, is hereby adopted by reference and included as a part of this code. Pursuant to the requirement of Tennessee Code Annotated, § 6-54-502, (1) copy of the International Fire Code is adopted and incorporated and has been filed with the city recorder and is available for public use and inspection. Said International Fire Code is adopted and incorporated as fully as if set out at length herein and shall be controlling within the corporate limits of the city. (1979 Code, § 7-201, as amended by Ord. #487, April 1995, modified, as amended by Ord. #644, Dec. 2000, replaced by Ord. #879, Nov. 2008, and amended by Ord. #1021, July 2016)

7-201.1. Modifications. The text of the 2015 International Fire Code shall be amended in the following manner:

Modify 101.1: The phrase "[NAME OF JURISDICTION]" shall be changed to "the City of Pigeon Forge" in this and all other instances in this code.

Modify 105.1 Delete in its entirety and replace with the following:
Permits shall be required in accordance with Federal, State and local laws and Ordinance

¹Municipal code reference
Building, utility and housing codes: title 12.

²Copies of this code are available from the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478.

Add 503.3.1 Fire lanes shall be maintained by the property owner or owner's designee. (as added by Ord. #1021, July 2016)

7-202. Enforcement. The International 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. (1979 Code, § 7-202, as replaced by Ord. #879, Nov. 2008)

7-203. Storage of explosives, flammable liquids, cryogenic fluids, etc. That the geographic limits referred to in certain sections of the 2015 International Fire Code are hereby established as follows:

Section 5504.3 (geographic limits in which the storage of flammable cryogenic fluids in stationary containers is prohibited): Jurisdiction to specify.

Section 5704.2.9.6.1 (geographic limits in which the storage of Class I and Class II liquids in above-ground tanks is prohibited): Jurisdiction to specify.

Section 5706.2.4.4. (geographic limits In which the storage of Class I and Class II liquids in above ground storage tanks is prohibited): Jurisdiction to specify.

Section 6104.2. (geographic limits in which the storage of liquefied petroleum gas is restricted for the protection of heavily populated or congested areas: Jurisdiction to specify. (1979 Code, § 7-203, as replaced by Ord. #879, Nov. 2008, and amended by Ord. #1021, July 2016)

7-204. Variances. The chief of the fire department may recommend to the board of zoning and appeals, variances from the provisions of the International 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 board of zoning and appeals. (1979 Code, § 7-204, as replaced by Ord. #879, Nov. 2008)

7-205. Violations. It shall be unlawful for any person to violate any of the provisions of this chapter and/or International Fire Code hereby adopted, or fail to comply herewith, or violate or fail to comply with any order made hereunder; or build in violation of any detailed statement of specifications or plans submitted and approved hereunder, or any certificate of permit issued hereunder, and from which no appeal has been taken; or fail to comply with such an order as affirmed or modified by the board of commissioners 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, § 7-205, as replaced by Ord. #879, Nov. 2008)

7-206. Penalties. (1) Any person violating any of the provisions of this chapter, or the conditions of any permit issued hereunder, shall be served by the fire official with a summons, citation or written notice stating the nature of the violation, and providing up to thirty (30) working days' time limit for the satisfactory correction thereof.

(2) The offender shall, within the time period stated in such notice, permanently cease all violations as prescribed by the fire official. Any permit issued hereunder shall be void until such time as the violation is corrected.

(3) Any person who shall continue any violation beyond the time provided for in §7-207(1), shall be served by the fire code official with a summons stating the nature of the violation. Such violation shall be punishable by a civil penalty not to exceed fifty dollars (\$50.00).

(4) As to any violation deemed by the fire code official to be emergency in nature, or which poses an immediate danger to life or property, involves fire, or necessitates removal or abatement by the fire department, the fire code official may issue a summons stating the nature of the violation and requiring the appearance of the violator in city court. In such cases, the fire code official shall not be required to give any prior notice of violation or opportunity to correct the condition. Any such violation shall be punishable by a civil penalty not to exceed fifty dollars (\$50.00).

(5) Any person violating any of the provisions of this chapter shall become liable to the city for expense, loss or damage occasioned by the city personnel or equipment by reason of such violation. (1979 Code, § 7-206, as replaced by Ord. #879, Nov. 2008)

CHAPTER 3

VOLUNTEER 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. Tenure and compensation 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 fire department to be supported and equipped from appropriations by the board of commissioners of the municipality. All apparatus, equipment, and supplies shall be purchased by or through the municipality and shall be and remain the property of the municipality. The fire department shall be composed of a chief appointed by the city manager and such number of physically fit subordinate officers and firemen as the chief shall appoint. (1979 Code, § 7-301, as replaced by Ord. #879, Nov. 2008)

¹Charter references

For detailed charter provisions governing the operation of the fire department, see Tennessee Code Annotated, title 6, chapter 21, part 7. For specific provisions in part 7 related to the following subjects, see the sections indicated.

Fire chief

Appointment: § 6-21-701.

Duties: § 6-21-702.

Emergency: § 6-21-703.

Fire marshal: § 6-21-704

Firemen

Appointment: § 6-21-701.

Emergency powers: § 6-21-703.

Municipal code reference

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

7-302. Objectives. The fire department shall have as its objectives:

1. To prevent uncontrollable 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 uncontrollable 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 practical.
7. To provide emergency medical care at the highest level that the equipment and training of the personnel makes practical.
8. To provide code enforcement as directed by the city within adopted codes and ordinances.
9. To serve as the emergency management agency of the city.
10. To protect the health and safety of the citizen from the transportation, storage or manufacture of hazardous materials to the extent possible.
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. (1979 Code, § 7-302, as replaced by Ord. #879, Nov. 2008)

7-303. Organization, rules, and regulations. The chief of the fire department, subject to the approval of the city manager, shall be 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, § 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 a written report on such matter to the city manager once each month, and at the end of the year, a detailed annual report shall be made. The city manager shall submit a report on those matters to the board of commissioners as the board of commissioners requires. (1979 Code, § 7-304, as replaced by Ord. #879, Nov. 2008)

7-305. Tenure and compensation of members. The chief and all subordinate officers and personnel shall hold office so long as their conduct and efficiency are satisfactory to the city manager. However, the city manager may delegate to the chief, authority to reduce in rank, suspend, or discharge any subordinate member of the fire department.

All volunteer personnel of the fire department shall receive such compensation for their services as the board of commissioners may from time to time prescribe. (1979 Code, § 7-305, as replaced by Ord. #879, Nov. 2008)

7-306. Chief responsible for training and maintenance. The chief of the fire department shall be fully responsible for the training of the firefighters and for the maintenance of all property and equipment of the fire department, under the direction and subject to the requirements of the board of commissioners. Each firefighter and/or officer shall receive no less than forty (40) hours of inservice firefighting training annually, after initial training. Consisting of no less than sixteen (16) hours of basic firefighting training during the first ninety (90) days of his membership in the fire department. Career firefighters shall be trained in accordance with the standards of the Tennessee Commission on Firefighter Standards and Education. (1979 Code, § 7-306, as replaced by Ord. #879, Nov. 2008)

7-307. Chief to be assistant to state officer. Pursuant to the 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 duties and obligations imposed by Tennessee Code Annotated, title 58, chapter 102, and shall be subject to the direction of the fire prevention commissioner in the execution of the provisions thereof. (1979 Code, § 7-308, as replaced by Ord. #879, Nov. 2008)

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 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 commission 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.
2. Tennessee Code Annotated, § 6-54-601.
3. Tennessee Code Annotated, § 58-2-111(c)
4. Tennessee Code Annotated, § 58-1-1119(c) (1979 Code, § 7-307, as replaced by Ord. #879, Nov. 2008)

CHAPTER 5**FIREWORKS****SECTION**

7-501. Regulated.

7-501. Regulated. It shall be unlawful for any person to possess, store, offer for sale, sell, or use or explode any fireworks, as defined in the fire code, without a permit from the fire department. (1979 Code, § 10-222)