

TITLE 7

FIRE PROTECTION AND FIREWORKS

CHAPTER

1. FIRE DISTRICT.
2. FIRE CODE.
3. FIRE DEPARTMENT.
4. MUTUAL AID AGREEMENTS.
5. RURAL FIRE AID FUND.

CHAPTER 1

FIRE DISTRICT¹

SECTION

7-101. Fire district designated.

7-101. Fire district designated. The corporate fire district shall be the area zoned B-2 (Central Business District) on the official zoning map of the city.² (1985 Code, § 7-101)

¹Municipal code reference

Building, utility and housing codes: title 12.

²The zoning ordinance and the zoning map are of record in the recorder's office.

CHAPTER 2

FIRE CODE¹

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.

7-201. 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,² 1994 edition with 1995 revisions, as recommended by the Southern Standard Building Code Congress International, Inc., 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 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. (1985 Code, § 7-201, modified, as amended by Ord. #96-6, July 1996, modified)

7-202. Enforcement. The fire prevention code herein adopted by reference shall be enforced by the director of public safety. He shall have the same powers as the state fire marshal. (1985 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 City of South Fulton, Tennessee. (1985 Code, § 7-203)

¹Municipal code reference

Building, utility and housing codes: title 12.

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

7-204. Storage of explosives, flammable liquids, etc. (1) The limits referred to in § 1901.4.2 of the fire prevention code, in which storage of explosive materials 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 § 902.1.1 of the fire prevention code, in which storage of flammable or combustible liquids in outside above ground tanks is prohibited, is hereby declared to be the fire district as set out in § 7-101 of this code.

(3) The district referred to in § 906.1 of the fire prevention code, in which new 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 § 1701.4.2 of the fire prevention 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. (1985 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. (1985 Code, § 7-205)

7-206. Variances. The chief of the fire department may recommend to the board of commissioners 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 commissioners. (1985 Code, § 7-206)

7-207. Violations. It shall be unlawful for any person to violate any of the provisions of this chapter or the Standard 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 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 municipal code shall not be held to prevent the enforced removal of prohibited conditions. (1985 Code, § 7-207)

CHAPTER 3

FIRE DEPARTMENT¹

SECTION

- 7-301. Establishment and membership.
- 7-302. Objectives.
- 7-303. Organization, rules, and regulations.
- 7-304. Records and reports.

7-301. Establishment and membership. There is hereby established a fire department. The department shall be composed of a chief of the fire department appointed by the city manager and such number of physically-fit subordinate public safety officers as the city manager shall appoint. (1985 Code, § 7-301)

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 marshall: § 6-21-704

Firemen

Appointment: § 6-21-701.

Emergency powers: § 6-21-703.

Municipal code reference

Department of public safety: title 20, chapter 1.

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

7-302. Objectives. The fire department shall have as its objectives, in addition to those contained in title 20, chapter 1 of this code, the following:

- (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. (1985 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 department. (1985 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 matters to the city manager once each month, and at the end of the year a detailed annual report shall be made. (1985 Code, § 7-304)

CHAPTER 4

MUTUAL AID AGREEMENTS

SECTION

7-401. Mutual aid agreements.

7-401. Mutual aid agreements. The Mayor of South Fulton, Tennessee is authorized and empowered to enter into "Mutual Aid Fire Protection Interlocal Agreements" on behalf of the City of South Fulton.

The city manager is designated and directed to be the official representative of the City of South Fulton to the joint board created to carry out the power of such mutual aid agreements as provided for herein. (1985 Code, § 7-401)

CHAPTER 5

RURAL FIRE AID FUND

SECTION

- 7-501. Service fee.
- 7-502. Fund established.
- 7-503. Annual fee--proof of insurance required.
- 7-504. Money received from fees to be placed in general fund.
- 7-505. Volunteers responding to fire calls.
- 7-506. Duties of fire chief.
- 7-507. Fire chief to dispatch personnel and apparatus.
- 7-508. City to answer calls requested by Tennessee State Highway Patrol or the sheriff's department.
- 7-509. Department not to answer calls not covered in this chapter.
- 7-510. City to inform subscribers that payment of fee is not the only requirement for fire service.

7-501. Service fee. Individuals wishing to participate in the rural fire program shall be required to pay an annual rural fire service fee and to pay a \$500.00 service fee for each rural fire call. (Ord. #90-6, June 1990)

7-502. Fund established. The rural fire service program shall be self-sufficient and not requiring direct revenues from other municipal funds and such fund shall be established as a separate account in the city's funds and shall be called the Rural Fire Service Fund. (Ord. #90-6, June 1990)

7-503. Annual fee--proof of insurance required. An annual fee of \$25.00 must be paid by each individual desiring rural fire service. In addition, each rural fire service subscriber must show proof of insurance which will pay the city \$500.00 for each time the city's fire equipment is called to the subscriber's property. (Ord. #90-6, June 1990)

7-504. Money received from fees to be placed in general fund. The \$25.00 annual fee from each subscriber plus \$200.00 of the \$500.00 received on each call shall be placed in the Rural Fire Service Fund. The other \$300.00 received on the call shall be placed in the general fund. (Ord. #90-6, June 1990)

7-505. Volunteers responding to fire calls. Volunteers responding to rural fire calls shall be paid from the Rural Fire Service Fund. The city commissioners may also expend money from the Rural Fire Service Fund as they deem to be in the best interests of the city. (Ord. #90-6, June 1990)

7-506. Duties of fire chief. The fire chief shall be responsible for posting a list of authorized rural fire service subscribers. The fire chief will also be responsible to inform the proper insurance agent of the fire call and to keep up with the time the insurance agent expects the arrival of the \$500.00 and to inform the subscriber.

The fire chief shall send each insurance agent insuring subscribers a list of subscribers that agent covers. This list shall be sent out not less than every three months and the fire chief shall then check with said agent to determine if any deletions or additions should be made on the posted list of authorized subscribers. (Ord. #90-6, June 1990)

7-507. Fire chief to dispatch personnel and apparatus. Personnel and apparatus will not be dispatched to a rural fire when, in the opinion of the fire chief, the forces are not available due to commitments to fighting a fire within the corporate limits. (Ord. #90-6, June 1990)

7-508. City to answer calls requested by Tennessee State Highway Patrol or the sheriff's department. The city will answer service calls in case of highway accidents and/or fires involving lives or damage to state property at the request of the Tennessee State Highway Patrol or the Sheriff's Department. (Ord. #90-6, June 1990)

7-509. Department not to answer calls not covered in this chapter. The South Fulton Fire Department shall not answer rural fire service calls that are not covered in the above sections. (Ord. #90-6, June 1990)

7-510. City to inform subscribers that payment of fee is not the only requirement for fire service. The city agrees to make every effort to inform rural citizens by newspaper and radio and present subscribers to be notified individually about the fact that their insurance policy calls for fire insurance does not necessarily mean that they have rural fire service involved, and that the payment of \$25.00 per year is not the only requirement for rural fire service. (Ord. #90-6, June 1990)