

## TITLE 7

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

#### CHAPTER

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

#### CHAPTER 1

### GENERAL PROVISIONS

#### SECTION

- 7-101. Fire limits described.  
7-102. Burning leaves, etc.

**7-101. Fire limits described.** The corporate fire limits shall be as follows: Beginning at a point in the center of West Bransford and South Second Streets; thence east with the center of West Bransford Street, 990', more or less, to the center of the G. M. & O. Railroad; thence north with the center of the G. M. & O. Railroad, 1920', more or less, to the center of East Church Street; thence east with the center of East Church Street, 380', more or less, to a point; thence north, 590' more or less, to a point in the center of East Main Street; thence west with the center of East Main Street, 110', more or less, to the center of North Division Street; thence north with the center of North Division Street, 370', more or less, to the center of East Vine Street; thence west with the center of East Vine Street, 180', more or less, to the center of Bank Street; thence north with the center of Bank Street, 840', more or less, to the center of East College Street; thence west with the center of East College Street, 215', more or less, to the center of the G. M. & O. Railroad; thence north with the center of the G. M. & O. Railroad, 310', more or less, to the center of East Palmer Street; thence west with the center of East Palmer Street, 170', more or less, to the center of North Depot Street; thence south with the center of North Depot Street, 300', more or less, to the center of East College Street; thence west with the center of East College Street, 220', more or less, to the center of North First Street; thence south with the center of North First Street, 640', more or less, to the center of West Leah Street; thence west with the center of West Leah Street, 570', more

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<sup>1</sup>Municipal code reference

Building, utility and housing codes: title 12.

or less, to the center of North Third Street; thence south with the center of North Third Street 450' more or less, to a point, 250', more or less, north of the intersection of West Main Street and Third Street; thence west, 675', more or less, to a point in the center of North Fifth Street, said point being 230', more or less, north of the intersection of West Main Street and Fifth Street; thence south with the center of North Fifth Street 330', more or less, to a point in the center of South Fifth Street, said point being, 100', more or less, south of the center of West Main Street; thence east, 670', more or less, to a point in the center of South Third Street, said point being 100', more or less, south of the center of West Main Street; thence south with the center of South Third Street, 370', more or less, to the center of West Church Street; thence west with the center of West Church Street, 150', more or less, to the center of an alley located between South Third and South Fourth Streets; thence south with the center of said alley, 310', more or less, to the northwest corner of Court Square; thence west, 130', more or less, to a point in the center of South Fourth Street, said point being, 310', more or less, south of the center of West Church Street; thence south with the center of South Fourth Street, 450', more or less, to a point, said point being 180', more or less, north of the center of West Lee Street; thence east, 140', more or less, to a point in an alley located between South Third and South Fourth Streets, said point being 115', more or less, south of the southwest corner Court Square; thence south with the center of said alley, 190', more or less, to the center of West Lee Street; thence east with the center of West Lee Street, 430', more or less, to the center of South Second Street; thence south with the center of South Second Street, 950', more or less, to the center of West Bransford Street and the point of beginning. (1963 Code, § 7-101)

**7-102. Burning leaves, etc.** It shall be unlawful for any person to burn any leaves or refuse at any time or place within the corporate limits without a permit from the fire chief. (1963 Code, § 7-102)

## CHAPTER 2

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

#### SECTION

- 7-201. Fire codes adopted.
- 7-202. Enforcement.
- 7-203. Definition of "municipality."
- 7-204. Storage of flammable liquids and liquified petroleum gas.
- 7-205. Gasoline trucks.
- 7-206. Modifications.
- 7-207. Appeals.
- 7-208. Violations.

**7-201. Fire codes adopted.** Pursuant to authority granted by Tennessee Code Annotated, § 6-54-502, and for the purpose of prescribing the regulations governing conditions hazardous to life and property from fire or explosion, the following fire codes are adopted and incorporated by reference as a part of this code:

- (1) International Fire Code,<sup>2</sup> 2006 edition.
- (2) 1 Uniform Fire Codes,<sup>3</sup> 2000 edition.
- (3) Life Safety Code,<sup>3</sup> 2000. (Ord. #16-02, June 2002, as replaced by Ord. #101-12, July 2011)

**7-202. Enforcement.** The fire prevention code herein adopted by reference shall be enforced by the chief of the fire department. (1963 Code, § 7-202, as replaced by Ord. #101-12, July 2011)

**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 Union City. (1963 Code, § 7-203, as replaced by Ord. #101-12, July 2011)

**7-204. Storage of flammable liquids and liquified petroleum gas.** The limits referred to in § 902.1.1 of the fire prevention code herein adopted, in

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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.

<sup>3</sup>Copies of this code are available from the National Fire Protection Association, Inc., 1 Batterymarch Park, Quincy, MA 02269-9101.

which storage of flammable or combustible liquids in outside above ground tanks is prohibited and the limits referred to in § 1701.4.2 of said 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. (1963 Code, § 7-204, as replaced by Ord. #101-12, July 2011)

**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. (1963 Code, § 7-205, as replaced by Ord. #101-12, July 2011)

**7-206. Modifications.** (1) The installation and use of coin operated dispensing devices for inflammable liquids is prohibited.

(2) Dwellings used and occupied as a single family residence shall be exempt from the provisions of the fire code, Chapter 18-206, Fire Alarm Requirement. (1963 Code, § 7-206, as replaced by Ord. #101-12, July 2011)

**7-207. Appeals.** When the chief of the fire department disapproves an application or refuses to grant a license or permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the fire prevention code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the chief of the fire department to the city council within thirty (30) days from the date of the decision. (1963 Code, § 7-207, as replaced by Ord. #101-12, July 2011)

**7-208. 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 city code shall not be held to prevent the enforced removal of prohibited conditions. (1963 Code, § 7-208, as replaced by Ord. #101-12, July 2011)

## 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. Chief responsible for training.
- 7-306. 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 governing body 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 and such number of physically-fit subordinate officers and firemen as the city manager shall appoint. (1963 Code, § 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. (1963 Code, § 7-302)

**7-303. Organization, rules, and regulations.** The chief of the fire department subject to the approval of the city manager, 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. (1963 Code, § 7-303)

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<sup>1</sup>Municipal code reference

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

For provisions authorizing the mayor to sign a "mutual aid fire protection interlocal cooperation agreement" with other incorporated municipalities in Tennessee and Kentucky and designating the city manager as Union City's representative to the joint board created in such agreement, see Ord. # 10-79, of record in the city clerk's office.

**7-304. Records and reports.** The chief of the fire department shall keep adequate records of all fires, inspections, apparatus, equipment, personnel, training, 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. (1963 Code, § 7-304)

**7-305. Chief responsible for training.** The chief of the fire department shall be fully responsible for the training of the firemen, and the training shall consist of at least four (4) hours of instruction and drill each month. (1963 Code, § 7-305)

**7-306. Chief to be assistant to state officer.** Pursuant to 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 the duties and obligations imposed by Tennessee Code Annotated, title 68, chapter 102, and shall be subject to the directions of the fire prevention commissioner in the execution of the provisions thereof. (1963 Code, § 7-307)

## CHAPTER 4

### FIRE SERVICE OUTSIDE CITY LIMITS

#### SECTION

7-401. Definitions.

7-402. City to furnish rural fire service upon payment of a fee by subscribers.

7-403. City to respond to fire calls by county at no charge.

7-404. Fees and charges.

7-405. [Deleted.]

**7-401. Definitions.** As used in this chapter, the words and terms, as the case may be, shall have definitions as follows:

(1) "Subscriber" is a person, corporation or partnership who shall have primary liability to the city for the payment of fees and charges and for fire calls and who contracts with the City of Union City, pays the annual fees and guarantees payment of seven hundred fifty dollars (\$750.00) for each fire call for one commercial or one residential building and accessory buildings to the primary structure and motor vehicle if they endanger the buildings of the subscriber located within the Union City Fire Department Rural Fire District as defined by agreement between the City of Union City and Obion County;

(2) "Rural fire service" is fire protection and/or fire fighting service available to subscribers outside Union City and such service shall be available to a subscriber if in the unlimited discretion of the city manager, the fire chief or the ranking officer on duty in the fire department, fire fighting personnel and/or equipment are not needed to serve the needs of the citizens of Union City and/or have not been dispatched to service other calls or fires in other areas outside Union City, and the assignment of personnel and/or equipment to service rural fire calls for subscribers shall be made in the unlimited discretion of the city manager, fire chief, or the ranking officer on duty in the fire department. (Ord. #8-92, Dec. 1991, as amended by Ord. #17-00, Feb. 2000, and replaced by Ord. #113-13, Aug. 2012)

**7-402. City to furnish rural fire service upon payment of a fee by subscribers.** (1) The city will furnish rural fire service, as defined herein, to a subscriber upon payment of a non-refundable fee of seventy-five dollars (\$75.00) per annum in advance commencing on July 1, 2012; and

(2) The subscriber shall guarantee the payment of seven hundred fifty dollars (\$750.00) for each fire call. (Ord. #8-92, Dec. 1991, as amended by Ord. #17-00, Feb. 2000, and replaced by Ord. #113-13, Aug. 2012)

**7-403. City to respond to fire calls by county at no charge.** The city will respond to fire calls by Obion County involving its property and the Tennessee State Highway Patrol in cases of highway accidents involving the

safety of persons or damage to state property at no cost. (Ord. #8-92, Dec. 1991, as replaced by Ord. #113-13, Aug. 2012)

**7-404. Fees and charges.** The fees and charges for rural fire service shall be paid to the general fund. (Ord. #8-92, Dec. 1991, as amended by Ord. #17-00, Feb. 2000, and replaced by Ord. #113-13, Aug. 2012)

**7-405. [Deleted].** (Ord. #8-92, Dec. 1991, as deleted by Ord. #113-13, Aug. 2012)



## CHAPTER 5

### FIREWORKS

#### SECTION

7-501. Definition.

7-502. Manufacture, sale and discharge of fireworks.

7-503. Bond for fireworks display required.

7-404. Disposal of unfired fireworks.

7-505. Exceptions.

7-506. Seizure of fireworks.

**7-501. Definition.** "Fireworks" shall mean and include any combustible or explosive composition, or any substance or combination of substances, or article prepared for the purpose of producing a visible or an audible effect. (1963 Code, § 7-401, as replaced by Ord. #109-12, June 2012)

**7-502. Manufacture, sale and discharge of fireworks.** (1) The manufacture of fireworks is prohibited within the municipality.

(2) Except as to those items classified as D.O.T. Class C common fireworks, those items that comply with the construction chemical composition, and labeling regulations promulgated by the United States Consumer Product Safety Commission and permitted for use by the general public under its regulations, and as hereinafter provided, it shall be unlawful for any person to store, to offer for sale, expose for sale, sell at retail, or use or explode any fireworks; provided that the city manager shall have power to grant permits for supervised public displays of fireworks by the municipality, fair associations, amusement parks, and other organizations. Every such display shall be handled by a competent operator approved by the chief of the fire department of the municipality, and shall be of such a character, and be so located, discharged or fired as in the opinion of the chief of the fire department, after proper inspection, shall not be hazardous to property or dangerous to the public.

(3) Applications for permits shall be made in writing in advance of the date of the display. After such privilege shall have been granted, sale, possession, use and distribution of fireworks for such display shall be lawful for that purpose only. No permit granted hereunder shall be transferable. (1963 Code, § 7-402, as amended by Ord. #109-12, June 2012)

**7-503. Bond for fireworks display required.** The permittee shall furnish a bond in an amount deemed adequate by the city manager for the payment of all damages which may be caused either to a person or persons or to property by reason of the permitted display, and arising from any acts of the permittee, his agents, employees or subcontractors. (1963 Code, § 7-403)

**7-504. Disposal of unfired fireworks.** Any fireworks that remain unfired after the display is concluded shall be immediately disposed of in a way safe for the particular type of fireworks remaining. (1963 Code, § 7-404)

**7-505. Exceptions.** Nothing in this chapter shall be construed to prohibit any resident wholesaler, dealer, or jobber to sell at wholesale such fireworks as are not herein prohibited; or the sale of any kind of fireworks provided the same are to be shipped directly out of the city; or the use of fireworks by railroads or other transportation agencies for signal purposes or illumination, or the sale or use of blank cartridges for a show or theater, or for signal or ceremonial purposes in athletics or sports, or for use by military organizations. (1963 Code, § 7-405)

**7-506. Seizure of fireworks.** Policemen and firemen shall seize, take, remove, or cause to be removed at the expense of the owner all stocks of fireworks offered or exposed for sale, stored, or held in violation of this chapter. (1963 Code, § 7-406)