

TITLE 7**FIRE PROTECTION AND FIREWORKS**¹**CHAPTER**

1. FIRE DISTRICT.
2. FIRE CODE.
3. 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 as follows: all buildings facing and adjacent to the Court House Square in the City of Waynesboro. (1995 Code, § 7-101)

¹Municipal code reference

Building, utility and residential codes: title 12.

CHAPTER 2

FIRE CODE

SECTION

- 7-201. Fire code adopted.
- 7-202. Available in recorder's office.
- 7-203. Enforcement.
- 7-204. Violations and penalty.

7-201. Fire code adopted. Pursuant to authority granted by *Tennessee Code Annotated*, §§ 6-54-501 to 6-54-506, and for the purpose of providing practical minimum standards for the safeguarding of persons and of buildings and their contents from hazards arising from fire, or for other purposes, the *International Fire Code*,¹ 2012 edition; and *NFPA 101 Life Safety Code*,² 2012 edition, are hereby adopted and incorporated by reference as a part of this code and are hereinafter referred to as the fire codes.

7-202. Available in recorder's office. Pursuant to the requirements of *Tennessee Code Annotated*, § 6-54-502, one (1) copy of these fire codes has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public.

7-203. Enforcement. The fire inspector shall be such person as the city council shall appoint or designate. It shall be his duty to enforce compliance with this chapter and the fire prevention code as herein adopted by reference. He is authorized and directed to make such inspections as are necessary to insure compliance with the applicable regulations, and may enter any premises or building at any reasonable time for the purpose of discharging his duties.

7-204. Violations and penalty. It shall be unlawful for any person to violate or fail to comply with any provisions of the fire codes as herein adopted by reference and modified. The violation of any section of this chapter shall be punishable by a penalty of up to fifty dollars (\$50.00) for each offense. Each day a violation is allowed to continue shall constitute a separate offense.

¹Copies of this code may be purchased from the International Code Council, 900 Montclair Road, Birmingham, Alabama 35213.

²Copies of this code may be purchased from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02269-9101.

CHAPTER 3

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 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 appointed by the city manager and such number of physically-fit subordinate officers and firemen as the chief shall appoint. (1995 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 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 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; and
- (6) To perform such rescue work as its equipment and/or the training of its personnel makes practicable. (1995 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 fire department. (1995 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 such written reports on those matters to the city manager once each month, and at the end of the year a detailed report shall be made. (1995 Code, § 7-304)

7-305. Tenure and compensation of members. The chief shall hold office so long as his conduct and efficiency are satisfactory to the city manager. However, so that adequate discipline may be maintained, the chief shall have the authority to suspend or discharge any other member of the fire department when he deems such action to be necessary for the good of the department.

All personnel of the fire department shall receive such compensation for their services as the governing body may from time to time prescribe. (1995 Code, § 7-305)

7-306. Chief responsible for training and maintenance. 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. (1995 Code, § 7-306)

7-307. 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. (1995 Code, § 7-307)

CHAPTER 4

FIRE SERVICE OUTSIDE CITY LIMITS

SECTION

7-401. Fire service outside city limits.

7-401. Fire service outside city limits. The city manager is hereby authorized to enter into agreements for the furnishing of fire protection beyond the corporate limits of the City of Waynesboro upon the following terms and conditions:

(1) Any individual, private corporation or business owning, leasing or renting real property outside the corporate limits of the City of Waynesboro, Tennessee, but within a radius of four (4) miles from the corporate limits of Waynesboro, Tennessee, and desiring to enter into a contract with the City of Waynesboro for fire protection for said property may apply for a subscription agreement between themselves and the city. Said contract shall state the name and address of the subscriber and location of the property for which protection is desired, and the name or names of persons, other than the subscriber, authorized to issue a call for such fire protection, upon the terms and conditions required by the City of Waynesboro.

Upon receipt of said subscriber's contract, and the fees hereinafter established, the subscriber will be placed on a list of eligible parties to be provided the fire protection desired by the subscriber.

All contracts shall be for a period of ten (10) years and shall be cancellable at the option of the city at the end of ten (10) years, or upon one (1) fire call to the property for which fire protection is sought.

The Fire Department of the City of Waynesboro shall answer only calls outside the city limits of Waynesboro, only when a subscriber's contract on the endangered property is in force. The Fire Chief of the City of Waynesboro shall only dispatch the No. 2 firetruck and such equipment and apparatus and personnel not needed to protect property within the City of Waynesboro from a fire or threat of fire or general conflagration.

All subscribers shall deposit with the Treasurer of the City of Waynesboro, at the time such contracts are entered into, the sum of three hundred dollars (\$300.00) for residential, or five hundred dollars (\$500.00) for business or commercial and said sums shall remain on deposit with the City of Waynesboro for the life of the contract.

All applicants shall agree that the City of Waynesboro will not in any manner be or become liable to the subscriber in damages or otherwise for any loss resulting from fire or otherwise to the property to be protected, nor shall the Commissioners of the City of Waynesboro be liable for any loss that may be sustained by the failure of the City of Waynesboro Fire Department to respond

to any such call, or for its failure to provide sufficient fire apparatus and equipment that may occur on the premises to be protected.

The contracts herein authorized may be cancelled by an ordinance of the City of Waynesboro, provided thirty (30) days' notice be given prior to the adoption of such ordinance. (1995 Code, § 7-401)

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

7-501. Sale of fireworks.

7-502. Shooting of fireworks.

7-503. Violations and penalty.

7-501. Sale of fireworks. The sale of fireworks within the city limits shall be confined to the following periods: June 20th through July 5th and December 10th through January 2nd. (1995 Code, § 7-501)

7-502. Shooting of fireworks. The shooting of fireworks within the city limits is prohibited except under the following conditions: Fireworks may be shot between the dates of June 20th thru July 5th and December 10th thru January 2nd; however, not on Sundays with the exception of New Years Eve or July 4th. Fireworks may be shot between the hours of 10:00 A.M. and 10:00 P.M., except on New Years Eve. Fireworks can only be shot on private property only, not on public streets or on the city square. (1995 Code, § 7-502)

7-503. Violations and penalty. The fine or penalty for violating any portion of this chapter shall be fifty dollars (\$50.00) plus court costs. (1995 Code, § 7-503)