

TITLE 7

FIRE PROTECTION AND FIREWORKS

CHAPTER

1. MISCELLANEOUS.
2. FIRE CODE.
3. VOLUNTEER FIRE DEPARTMENT.

CHAPTER 1

MISCELLANEOUS

SECTION

7-101. Fire limits described.

7-101. Fire limits described. The corporate fire limits shall be the area zoned as the central business district. (1979 Code, § 7-101)

## CHAPTER 2

FIRE CODE<sup>1</sup>

## 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 sections 6-54-501 through 6-54-506, Tennessee Code Annotated, and for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, the Fire Prevention Code,<sup>2</sup> 1976 edition as recommended by the American Insurance Association, is hereby adopted by reference and included as a part of this code. Pursuant to the requirement of section 6-54-502 of the Tennessee Code Annotated, one (1) copy of said fire prevention code has been filed with the 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. (1979 Code, § 7-201)

7-202. Enforcement. The fire prevention code herein adopted by reference shall be enforced by the chief of the volunteer fire department. He shall have the same powers as the state fire marshal. (1979 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 Town of Whiteville, Tennessee. (1979 Code, § 7-203)

7-204. Storage of explosives, flammable liquids, etc. The limits referred to in section 12.5b of the fire prevention code, in which storage of explosives and

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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 American Insurance Association, Engineering and Safety Service, 85 John Street, New York, New York 10038.

blasting agents is prohibited, are hereby declared to be the fire limits as set out in section 7-101 of this code.

The limits referred to in section 16.22a of the fire prevention code, in which storage of flammable liquids in outside above ground tanks is prohibited, are hereby declared to be the fire limits as set out in section 7-101 of this code.

The limits referred to in section 16.61 of the fire prevention code, in which new bulk plants for flammable or combustible liquids are prohibited, are hereby declared to be the fire limits as set out in section 7-101 of this code.

The limits referred to in section 21.6a 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 section 7-101 of this code. (1979 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. (1979 Code, § 7-205)

7-206. Variances. The chief of the volunteer fire department may recommend to the board of mayor and aldermen 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 mayor and aldermen. (1979 Code, § 7-206)

7-207. Violations. It shall be unlawful for any person to violate any of the provisions of this chapter or the fire prevention code hereby 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 mayor and aldermen 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. (1979 Code, § 7-207)

## CHAPTER 3

VOLUNTEER 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. Tenure and compensation of members.

7-306. Chief responsible for training and maintenance.

7-307. Use of equipment outside corporate limits.

7-308. Chief to be assistant to state officer.

7-301. Establishment, equipment, and membership. There is hereby established a volunteer fire department to be supported and equipped from appropriations by the board of mayor and aldermen. All apparatus, equipment, and supplies shall be purchased by or through the town and shall be and remain the property of the town. The volunteer fire department shall be composed of a chief appointed by the board of mayor and aldermen and such number of physically-fit subordinate officers and firemen as the chief shall appoint. (1979 Code, § 7-301)

7-302. Objectives. The volunteer 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 make practicable. (1979 Code, § 7-302)

7-303. Organization, rules, and regulations. The chief of the volunteer 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 volunteer fire department. (1979 Code, § 7-303)

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<sup>1</sup>Municipal code reference

Respect to traffic: title 15, chapter 2.

7-304. Records and reports. The chief of the volunteer 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 mayor once each month, and at the end of the year a detailed annual report shall be made. (1979 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 board of mayor and aldermen. However, so that adequate discipline may be maintained, the chief shall have the authority to suspend or discharge any other member of the volunteer fire department when he deems such action to be necessary for the good of the department. The chief may be suspended up to thirty (30) days by the mayor but may be dismissed only by the board of mayor and aldermen.

All personnel of the volunteer fire department shall receive such compensation for their services as the board of mayor and aldermen may from time to time prescribe. (1979 Code, § 7-305)

7-306. Chief responsible for training and maintenance. The chief of the volunteer fire department shall be fully responsible for the training of the firemen and for maintenance of all property and equipment of the volunteer fire department. The minimum training shall consist of having the personnel take the fire apparatus out for practice operations not less than once a month. (1979 Code, § 7-306)

7-307. Use of equipment outside corporate limits. The equipment and manpower of the volunteer fire department may be used for fighting fires outside the corporate limits under the following conditions:

(1) All equipment of the volunteer fire department may be used on fire calls outside the corporate limits with the exception that the latest model fire truck (pumper) shall not leave the corporate limits under any circumstances.

(2) Fire calls made outside the corporate limits are limited to the residents and businesses in Hardeman and Fayette Counties, and in no case will this service be extended beyond a nine (9) mile radius measured from the Fire Station of the Town of Whiteville.

(3) If a truck is dispatched to a fire or fires outside the corporate limits, no more than four (4) men may go on the first truck, and if the second truck is sent, then only one (1) man is to go on it.

(4) Protection of the residents of the Town of Whiteville is the first priority of the volunteer fire department and refusal of service outside the corporate limits or recall of equipment dispatched to areas outside the corporate limits shall be made by the mayor or fire chief, if a fire or fires within the corporate limits is determined to warrant such refusal of outside service or recall of equipment.

Persons receiving fire service outside the corporate limits shall be billed a fee of one hundred and fifty dollars (\$150.00) if one truck is used and two hundred dollars (\$200.00) if two trucks are used.

The board of mayor and aldermen shall order all use of equipment outside the corporate limits discontinued if collections of the fees referenced in subsection (3) do not equal the town's cost of providing fire protection outside the corporate limits.

Mutual aid assistance responses to other municipalities will be made when the request for assistance and/or equipment is made by the fire chief or mayor of the requesting municipality. (1979 Code, § 7-307)

7-308. Chief to be assistant to state officer. Pursuant to requirements of section 68-17-108 of the Tennessee Code Annotated, the chief of the volunteer fire department is designated as an assistant to the state commissioner of insurance and banking and is subject to all the duties and obligations imposed by chapter 17 of title 68 of said Tennessee Code Annotated, and shall be subject to the directions of the fire prevention commissioner in the execution of the provisions thereof. (1979 Code, § 7-308)