

TITLE 7

FIRE PROTECTION AND FIREWORKS¹

CHAPTER

1. FIRE DISTRICT.
2. FIRE CODE.
3. FIRE DEPARTMENT.
4. FIREWORKS.

CHAPTER 1

FIRE DISTRICT²

SECTION

7-101. Fire district designated.

7-101. Fire district designated. The corporate fire district shall include the area adjacent to and extending two (2) blocks in all directions from the intersection of Spring Street and Donelson Parkway. (Ord. # 163-86, Jan. 1987)

¹Municipal code reference

Building, utility and housing codes: title 12.

²The significance of the fire district is that Chapter III of the Standard Building Code, applicable to the Town of Dover through title 12 of this code, imposes certain construction, modification and other requirements peculiar to buildings located within the fire district, and prohibits hazardous (Group H) occupancies within the fire district. Chapter IV, Section 408 of the Standard Building Code defines hazardous (Group H) occupancy in both general and specific terms, but generally it refers to occupancies involving highly combustible, flammable or explosive materials.

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 and appeals.
- 7-207. Violations.
- 7-208. Modifications.
- 7-209. Fire hydrant standards.

7-201. Fire code adopted. Pursuant to authority granted by Tennessee Code Annotated, sections 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 1999 edition, as recommended by the Southern Building Code Congress, International, Inc.² is hereby adopted by reference and included as part of this code. Any matters in the fire prevention code which are contrary to existing ordinances of the Town of Dover shall prevail and, to that extent any existing ordinances to the contrary are hereby repealed in that respect only. Pursuant to the requirement of the Tennessee Code Annotated, section 6-54-502, one (1) copy of said fire prevention code has been filed with the town 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 district. (1985 Code, § 7-201, modified, as amended by Ord. #260-98, Dec. 1998, and Ord. #272-01, Feb. 2001)

7-202. Enforcement. The fire prevention code herein adopted by reference shall be enforced by the fire official or the chief of the fire department. These persons shall have the same powers as the state fire marshall. (1985 Code, § 7-202, as amended by Ord. #230-95, § 1, April 1995)

¹Municipal code reference

Building, plumbing, electrical and housing codes: title 12.

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

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 Dover, Tennessee. (1985 Code, § 7-203)

7-204. Storage of explosives, flammable liquids, etc. (1) The district referred to in Section 1901.4.2 of the fire prevention code, in which storage of explosives and blasting agents is prohibited, is hereby declared to be the fire district as set out in section 7-101 of this code.

(2) The district referred to in Section 902.1.1 of the fire prevention code, in which storage of flammable liquids in outside above ground tanks is prohibited, is hereby declared to be the fire district as set out in section 7-101 of this code.

(3) The district referred to in Section 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 section 7-101 of this code.

(4) The district referred to in Section 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 section 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 and appeals. The board of appeals and adjustments established pursuant to the Standard Fire Prevention Code, Chapter 2, shall decide all requests for variances from, and appeals of, the application of said code in accordance with the rules and procedures set forth in said Chapter 2. (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 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 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 town code shall not be held to prevent the enforced removal of prohibited conditions. (1985 Code, § 7-207)

7-208. Modifications. Within the Standard Fire Prevention Code, when reference is made to the duties of a certain official named therein, that designated official of the Town of Dover who has the duties corresponding to those of the named official in the fire prevention code shall be deemed to be the responsible official insofar as enforcing the provisions of the fire prevention code are concerned. (as added by Ord. #260-98, Dec. 1998, and amended by Ord. #272-01, Feb. 2001)

7-209. Fire hydrant standards. (1) NFPA 291 (most current edition) Fire Flow Testing and Marking of hydrants, is hereby adopted by reference and incorporated into this code as if it were set out at length herein and shall be controlling within the corporate limits.

(2) All future water mains and fire hydrants shall be installed in such a manner to provide adequate fire flows. All water mains shall be at least six (6) inches in diameter. However, larger water mains shall be installed when necessary to insure that a minimum of five hundred (500) gallons per minute (gpm) at twenty (20) pounds per square inch (psi) residual pressure is available at all fire hydrants. Additional gallons per minute above the minimum five hundred (500) gpm shall be available is the needed fire flow to structures in the area demands such additional flows. The fire hydrants shall be installed in such a manner that there shall be a fire hydrant within five hundred (500) feet of the front entrance of every structure of more than three hundred (300) square feet. The distance to the fire hydrant shall be measured along the route that would be accessible to the fire department to lay fire hose from the hydrant to the building.

(3) Fire hydrants that currently exist on mains that will not flow at least five hundred (500) gallons per minute at twenty (20) pounds per square inch of pressure will not be used by the fire department for connection to the pumper connection of the fire apparatus. Such fire hydrants shall be painted solid red in color to indicate to firefighters that this hydrant will not flow adequate gallons per minute to be used in fire fighting operations. All such fire hydrants shall be identified by the water department, color coded, and a list of such fire hydrants shall be compiled and attached to a cover letter from the manager of the water department to the fire chief. The cover letter shall contain at least the following words, "The attached list of fire hydrants have been found to have inadequate fire flows and will not be used by the fire department for pumping operations except in the event of immediate and imminent threat of life or safety." Such letter shall be generated annually with a copy to the mayor.

(4) Each subsection, paragraph, sentence and clause of this section is hereby declared to be separable and severable, The validity of any section, subsection, paragraph, sentence or clause shall not affect the validity of any other portion declared to be invalid by a court of competent jurisdiction shall be deleted herefrom. (as added by Ord. #297-04, Feb. 2004)

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.
- 7-307. Equipment to be used only within corporate limits generally.
- 7-308. 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 mayor and aldermen of the town. All apparatus, equipment, and supplies shall be purchased by or through the town and shall be and remain the property of the town. The fire department shall be composed of a chief appointed by the board and such number of physically-fit subordinate officers and firemen as the board shall appoint. (1985 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 practical.
 - (7) To assist all legal authorities in suppressing the crime of arson and the causes, origin, and circumstances of all fires.
 - (8) To preserve law and order within the town during the course of an emergency and for this purpose firemen shall have the same powers as policemen. (1985 Code, § 7-302)

7-303. Organization, rules, and regulations. The chief of the fire department shall make definite assignments to individuals and shall enforce such rules and regulations as the board of mayor and aldermen shall formulate,

¹Municipal code reference

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

as shall be necessary for the orderly and efficient operation of the fire 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 mayor once each month, and at the end of the year a detailed annual report shall be made. (1985 Code, § 7-304)

7-305. Tenure and compensation of members. The chief and members shall hold office so long as their 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 up to thirty (30) days 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 board may from time to time prescribe. (1985 Code, § 7-305)

7-306. Chief responsible for training. 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. (1985 Code, § 7-306)

7-307. Equipment to be used only within corporate limits generally. No equipment of the fire department shall be used for fighting fires outside the corporate limits unless such fire is on town owned property or, in the opinion of the chief of the fire department, is in such hazardous proximity to property owned by or located within the town as to endanger such town property, except that fire service will continue to be provided to those establishments with whom the town has agreements, written, verbal, or otherwise. However, in order to bring the town into compliance with Tennessee Code Annotated, section 7-34-104(9), written agreements for the provision as such fire service shall be entered into between the town and those establishments. (1985 Code, § 7-307)

7-308. Chief to be assistant to state officer. Pursuant to requirements of Tennessee Code Annotated, section 68-17-108, the chief of the 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 Tennessee Code Annotated, Title 68, Chapter 17, and shall be subject to the directions of the Commissioner in the execution of the provisions thereof. (1985 Code, § 7-308)

CHAPTER 4

FIREWORKS

SECTION

7-401. Sale of fireworks within municipal limits.

7-401. Sale of fireworks within municipal limits. (1) In the event that a business wishes to engage in the sale of fireworks within the municipal limits of the Town of Dover, Tennessee, then such business must be conducted within a building or structure that meets the requirements of a Type 3 construction, Section 604 of the Standard Building Code of 1988 as promulgated by the Southern Building Code Congress International.

(2) That said retail business shall engage in the sale of retail items other than fireworks.

(3) That an area be designated for fireworks sales and display apart and away from other sale areas within the structure.

(4) That the business must comply with the requirements of Tennessee Code Annotated, Section 68-22-101 et seq.

(5) That the business shall allow an inspection by the appropriate officials designated by the board of mayor and aldermen for the Town of Dover, Tennessee, for the inspection and compliance with said ordinance.

(6) If said business or retail establishment fails to comply with the paragraph (1) through (5) inclusive, same are subject to a fine or assessment not to exceed One Thousand (\$1,000.00) Dollars per day for the duration of the time that said retail establishment shall engage in the sale of fireworks while not meeting the requirements as set forth herein. (Ord. # 205-91, Aug. 1991)