

**TITLE 7****FIRE PROTECTION AND FIREWORKS<sup>1</sup>****CHAPTER**

1. MISCELLANEOUS.
2. FIREWORKS.
3. FIRE PREVENTION CODE.

**CHAPTER 1****MISCELLANEOUS****SECTION**

7-101. Storage of explosives, flammable liquids, etc.

7-102. Gasoline trucks.

**7-101. Storage of explosives, flammable liquids, etc.** (1) The storage of explosives and blasting agents at any location within the corporate limits is prohibited, except those businesses which qualify under § 7-201.

(2) With the exception of propane gas, the storage of flammable liquids in outside above ground tanks at any location within the corporate limits is prohibited.

(3) With the exception of propane gas, the bulk storage of liquified petroleum gas at any location within the corporate limits is prohibited. (1989 Code, § 7-101)

**7-102. 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. (1989 Code, § 7-102)

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<sup>1</sup>Municipal code reference

Building, utility and housing codes: title 12.

## CHAPTER 2

### FIREWORKS

#### SECTION

7-201. Sale and manufacture of fireworks prohibited; exceptions.

7-202. Definition of fireworks.

7-203. Buildings used for the sale of fireworks.

7-204. Discharge of fireworks prohibited within the city.

7-205. Special fireworks displays.

7-206. Violations.

7-207. Fireworks sales.

7-208. Public fireworks displays.

**7-201. Sale and manufacture of fireworks prohibited; exceptions.**

The sale or manufacture of any fireworks within the corporate limits of the City of Lakeland, Tennessee, is prohibited, except as to any business(es) presently existing and presently doing such business. Such presently existing business(es) may continue the sale only, but not manufacture, of fireworks in conformity with all city, county and state laws, rules and regulations. (1989 Code, § 7-201)

**7-202. Definition of fireworks.**

"Fireworks" means and includes any combustible or explosive composition, or any substance or combination of substances, or device prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration, or detonation, and shall include blank cartridges, toy pistols, toy cannons, toy canes, or toy guns in which explosives are used, firecrackers, torpedoes, skyrockets, Roman candles, Daygo bombs, sparklers, or other devices of like construction and any devices containing any explosive or flammable compound, or any tablet or other device containing an explosive substance, except that the term "fireworks" shall not include any auto flares, paper caps containing not in excess of an average of twenty-five hundredths (.25) of a grain of explosive content per cap, and toy pistols, toy canes, toy guns or other devices for use of such caps, the sale and use of which shall be permitted at all times. (1989 Code, § 7-202)

**7-203. Buildings used for the sale of fireworks.**

Any building used for the sale of fireworks shall conform to any applicable building code provisions which pertain to buildings of its type, use and location. (1989 Code, § 7-203)

**7-204. Discharge of fireworks prohibited within the city.**

It shall be unlawful for any person to discharge any type of fireworks within the city limits. (1989 Code, § 7-204)

**7-205. Special fireworks displays.** Special public fireworks displays may be held when a permit therefor has been issued by the State Fire Marshal and approval for the display has been granted by the city commission. A copy of the permit issued by the State Fire Marshal must be submitted to the city commission not less than fifteen (15) days in advance of the proposed fireworks displays. (1989 Code, § 7-205)

**7-206. Violations.** It shall be unlawful for any person or organization to violate any provision of this chapter. Violations shall be punished according to the general penalty provision of this code of ordinances. (1989 Code, § 7-206)

**7-207. Fireworks sales.** Fireworks sales shall be permitted within the City of Lakeland only by businesses engaged in the fireworks business on September 4, 1986; and those businesses must meet the following conditions:

(1) Said business must be located in a C-2 commercial zone as defined by the Lakeland Zoning Ordinance.

(2) Approval must be obtained from the State Fire Marshall and other permits obtained as may be required by law.

(3) The minimum general liability insurance coverage for fireworks sales shall be not less than \$500,000 per occurrence and \$1,000,000 aggregate.

(4) Upon submission of documentation that the above provisions have been met, the annually renewable permit may be granted. (1989 Code, § 7-207, modified)

**7-208. Public fireworks displays.** Public fireworks displays will be permitted under the following conditions:

(1) Submission of an application giving the name of the organization and the responsible person to whom the permit will be issued.

(2) A draft site plan showing the location and lay-out of the area where the fireworks will be discharged will be required.

(3) Documented approval by the State Fire Marshall and other units of government as may be required by law.

(4) A certificate of insurance showing general liability coverage of at least \$500,000 per occurrence and \$1,000,000 aggregate.

(5) A permit fee of five hundred dollars (\$500.00) is required. (1989 Code, § 7-208, modified)

## CHAPTER 3

### FIRE PREVENTION CODE

#### SECTION

7-301. Adoption of the code.

7-302. Fire marshal.

7-303. Duties.

7-304. Construction must comply with code.

**7-301. Adoption of the code.** Shelby County Ordinance 193 and all amendments is hereby adopted as the Fire Prevention Code for the City of Lakeland, Tennessee. (Ord. #00-03, May 2000)

**7-302. Fire marshal.** The Shelby County Fire Marshal or a qualified member of the fire marshal's staff may be appointed as fire marshal by the City Manager for the City of Lakeland per Tennessee Code Annotated, § 6-21-704, Fire Marshal. (Ord. #00-03, May 2000)

**7-303. Duties.** The appointed fire marshal duties shall be to investigate the cause, origin, and circumstances of fires and loss occasioned thereby, and assist in the prevention of arson and to enforce the Shelby County Fire Prevention Code. (Ord. #00-03, May 2000)

**7-304. Construction must comply with code.** All construction must comply with the Fire Prevention Code, § 603.15.8.1 except any construction that began before adoption of this chapter may be exempt from this code. (Ord. #00-03, May 2000)