

TITLE 7

FIRE PROTECTION AND FIREWORKS¹

CHAPTER

1. FIRE DISTRICT.
2. FIRE CODE.
3. VOLUNTEER FIRE DEPARTMENT.
4. FIREWORKS.
5. FALSE FIRE ALARMS.
6. KEY LOCK BOX SYSTEM.

CHAPTER 1

FIRE DISTRICT

SECTION

7-101. Fire limits described.

7-101. Fire limits described. The corporate fire limits shall be and include all the territory within the C-1 Central Business District as outlined and defined by the White Pine Zoning Ordinance and the White Pine Zoning Map as adopted by the White Pine Planning Commission and the Board of Mayor and Aldermen. (1978 Code, § 7-101, as amended by Ord. #1-06, March 2006)

¹Municipal code reference

Building, utility and housing codes: title 12.

CHAPTER 2

FIRE CODE¹

SECTION

- 7-201. Fire code adopted.
- 7-202. Modifications.
- 7-203. Available in recorder's office.
- 7-204. Geographic limits established.
- 7-205. Violations and penalty.
- 7-206--7-207. [Deleted.]

7-201. Fire code adopted. Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506, and for the purpose of regulating exits, egress capacity, stairways, fire escapes, travel distance to egress, special locking arrangements in place of assembly occupancies, in any building or structure. The International Fire Code,² 2012 edition, including Appendix chapters E, and F and all subsequent amendments or additions to said code, as prepared and adopted by the International Code Council, is hereby adopted and incorporated by reference as a part of this code as fully as if copied herein verbatim, and is hereinafter referred to as the fire code for the Town of White Pine, in the State of Tennessee. (1978 Code, § 7-201, as replaced by Ord. #8-05, May 2005, and Ord. #3-13, April 2013)

7-202. Modifications. The following sections are hereby revised to read as follows:

Section [A] 101.1 Title.

Delete "[NAME OF JURISDICTION]" and insert "Town of White Pine, Tennessee" in its place.

Section [A] 101.2.1 Appendices.

Insert "The following Appendices are specifically included in the adoption. All others are excluded.

Appendix E Hazard Categories

Appendix F Hazard Ranking

¹Municipal code reference

Building, utility and housing codes: title 12.

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

Section [A] 103.2 Appointment. "Whenever the words 'Building Official or Fire Code Official' are used in the fire code, they shall refer to the person designated by the board of mayor and aldermen to enforce the provisions of the fire code."

Section [A] 109.4 Violation penalties.

Delete "guilty of a [SPECIFY OFFENSE], punishable by a fine of not more than [AMOUNT] dollars or by imprisonment not exceeding [NUMBER OF DAYS], or both such fine and imprisonment" and insert "subject to penalties as prescribed by law" in its place.

Section [A] 111.4 Failure to comply.

Deleted "liable for a fine of not less than [AMOUNT] dollars or more than [AMOUNT] dollars" and insert "subject to penalties as prescribed by law" in its place.

Section 903.2.8 Group R.

At the end of the section add "Exception: This section shall not apply to detached one and two-family dwellings and multiple single family dwellings (townhouses) not more than three stories in height where each dwelling extends from the foundation to the roof, is open on at least two sides with each dwelling having a separate means of egress and their accessory structures as regulated by the 2012 International Residential Code." (1978 Code, § 7-202, as replaced by Ord. #8-05, May 2005, and Ord. #3-13, April 2013)

7-203. Available in recorder's office. Pursuant to the requirements of the Tennessee Code Annotated, § 6-54-502, one (1) copy of the fire code has been placed on file in the recorder's office and shall be kept there for the use and inspection of the public. (1978 Code, § 7-203, as replaced by Ord. # 8-05, May 2005, and Ord. #3-13, April 2013)

7-204. Geographic limits established. The geographic limits referred to in certain parts of the fire code are those set out in § 7-101 of the White Pine Municipal Code. (as deleted by Ord. #8-05, and replaced by Ord. #3-13, April 2013)

7-205. Violations and penalty. It shall be unlawful for any person to violate any of the provisions of this chapter or the fire 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 council 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 municipal code shall not be held to prevent the enforced removal of prohibited conditions. (as deleted by Ord. #8-05, and replaced by Ord. #3-13, April 2013)

7-206--7-207. Deleted. (as deleted by Ord. #8-05, May 2005)

CHAPTER 3

VOLUNTEER 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 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 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 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, in no event less than fourteen (14), as the chief shall appoint. (1978 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 makes practicable. (1978 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. (1978 Code, § 7-303)

7-304. Records and reports. The chief of the volunteer fire department shall keep adequate records of all fires, inspections, apparatus, equipment,

¹Municipal code reference

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

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. (1978 Code, § 7-304)

7-305. Tenure 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 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. (1978 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 for maintenance of all property and equipment of the 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. (1978 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. (1978 Code, § 7-308)

CHAPTER 4

FIREWORKS

SECTION

7-401. Definition of fireworks.

7-402. Manufacture or sale of fireworks prohibited.

7-403. Discharge of fireworks prohibited.

7-404. Special fireworks displays permitted.

7-401. Definition of fireworks. "Fireworks" means any composition or device for the purpose of producing a visible or an audible effect by combustion, deflagration, or detonation, and which meets the definition of all articles of fireworks classified as 1.4G, or referred to as "consumer fireworks," or "Class C common fireworks." (as added by Ord. #11-00, Oct. 2000, replaced by Ord. #6-02, Oct. 2002, and replaced by Ord. #1-07, March 2007)

7-402. Manufacture or sale of fireworks prohibited. It shall be unlawful to manufacture or sell fireworks within the town limits of White Pine. (as added by Ord. #11-00, Oct. 2000, replaced by Ord. #6-02, Oct. 2002, and replaced by Ord. #1-07, March 2007)

7-403. Discharge of fireworks prohibited. It shall be unlawful for any person to fire, set off, or otherwise discharge fireworks within the town limits of White Pine except between the hours of 10:00 A.M. and 11:00 P.M. on July 3rd and 4th, between the hours of 10:00 A.M. on December 31st and 1:00 A.M. on January 1st, and as otherwise provided in this chapter. In no event shall any firework be discharged when the geographical area that includes the Town of White Pine is under a fire ban issued by the Tennessee Department of Forestry. (as added by Ord. #11-00, Oct. 2000, replaced by Ord. #6-02, Oct. 2002, and replaced by Ord. #1-07, March 2007)

7-404. Special fireworks displays permitted. Firework displays may be permitted for special events, such as civic and holiday celebrations. These public firework displays shall be governed by the provisions fo Tennessee Code Annotated, § 68-104-07 and required permits shall be obtained from the state fire marshal and the chief of the White Pine Volunteer Fire Department. (as added by Ord. #11-00, Oct. 2000, replaced by Ord. #6-02, Oct. 2002, and replaced by Ord. #1-07, March 2007)

CHAPTER 5

FALSE FIRE ALARMS

SECTION

7-501. Definition.

7-502. Notices and penalties.

7-501. Definition. False emergency alarm is any signal actuated by an emergency alarm to which the fire department responds which is not the result of fire or other actual emergency and not caused by an extraordinary act of nature. (as added by Ord. #3-05, March 2005)

7-502. Notices and penalties. The following schedule of notices, warnings, penalties, and costs shall be assessed to the owners and/or operators of emergency alarm systems for false emergency alarms transmitted to the fire department within any one year period:

1st False Emergency Alarm: Verbal notification by the White Pine Volunteer Fire Chief of the Town of White Pine Code Enforcement Officer.

2nd False Emergency Alarm: Written warning informing the owner or operator of the alarm system of the provisions of this ordinance and of the occurrence of a second violation.

3rd False Emergency Alarm: A fine of up to fifty dollars (\$50.00) may be imposed.

4th and Subsequent False Emergency Alarm: For each violation a fine of fifty dollars (\$50) shall be imposed and the actual cost of such response by the fire department including the costs of equipment, fuel, personnel, administration, and other such factors as determined by the fire chief. (as added by Ord. #3-05, March 2005)

CHAPTER 6

KEY LOCK BOX SYSTEM

SECTION

7-601. Key lock box system.

7-601. Key lock box system. (1) The following structures shall be equipped with a key lock box at or near the main entrance or such other location required by the fire chief.

(a) Commercial or industrial structures protected by an automatic alarm system or automatic suppression system, or such structures that are secured in a manner that restricts access during an emergency;

(b) Multi-family residential structures that have restricted access through locked doors and have a common corridor for access to the living units;

(c) Governmental structures and nursing care facilities.

(d) Other properties or structures where fire department access would be delayed as determined by the fire chief.

(e) All new commercial structures.

(f) All existed commercial buildings construction improvements that require a building permit.

(g) All existing commercial buildings equipped with automatic fire detection and/or suppression systems.

(2) All newly constructed structures subject to this chapter shall have the key lock box installed and operational prior to the issuance of an occupancy permit. All structures in existence on the effective date of this chapter and subject to this chapter shall have one (1) year from the effective date of this chapter to have a key lock box installed and operational.

(3) The fire chief shall designate the type of key lock box system to be implemented within the Town of White Pine and shall have the authority to require all structures to use the designated systems.

(4) The owner or operator of a structure required to have a key lock box shall, at all times, keep a key in the lock box that will allow for access to the structure.

(5) The fire chief shall be authorized to implement rules and regulations for the use of the lock box system.

(6) The operator of the building shall immediately notify the fire code official and provide a new key when a lock is changed or re-keyed. The key to such locks will be secured in the key-box. The Town of White Pine will require a lock box be located at the entrance or approved entrance to the building. The lock box should be at a height of seventy-two inches (72") off the ground and twenty-four inches (24") to the left or right of the door.

(7) Any person who owns or operates a structure subject to this chapter shall be subject to the penalties set forth in this code for any violations of this chapter, provided that the minimum fine for a conviction for a violation of the section shall be one hundred dollars (\$100.00). (as added by Ord. #10-17, Dec. 2017)