

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. Procedures for key lock box installation on exterior of structures.
- 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 §§ 6-54-501 through 6-54-506, and for the purpose of providing a reasonable level of life safety and property protection from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures, and premises, and to provide safety to fire fighters and emergency responders during emergency operations, the International Fire Code,² 2012 edition, as recommended by the International Code Council, is hereby adopted by reference and included as a part of this code. Said international fire code is adopted and incorporated as fully as if set out at length herein and shall be controlling within the corporate limits. (1985 Code, § 7-201, as amended by Ord. #260-98, Dec. 1998, and Ord. #272-01, Feb. 2001, replaced by Ord. #369-11, Aug. 2011, and amended by Ord. #396-14, Oct. 2014)

7-202. Enforcement. The fire 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 marshal. (1985 Code, § 7-202, as amended by Ord. #230-95, § 1, April 1995, and Ord. #369-11, Aug. 2011)

7-203. Definition of "municipality." Whenever the word "municipality" is used in the fire code herein adopted, it shall be held to mean the Town of Dover, Tennessee. (1985 Code, § 7-203, as amended by Ord. #369-11, Aug. 2011)

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.

7-204. Procedures for key lock box installation on exterior of structures.

(1) Intent. The Town of Dover Fire Department recognizes the importance and need of providing rapid entry into locked buildings. Delays in the fire department gaining rapid entry reduces the occupants' chance of survival in a fire, the chances for substantial property damage increases because of the delays in gaining entry to the structure and fire fighter safety and survival may be compromised because of said delays. Additionally, delays in providing prompt pre-hospital care to the sick and injured as a result of locked/secured structures may/will have a negative outcome on patient recovery. To assist in gaining entry into locked/secured facilities/structures, the Town of Dover Fire Department hereby references for compliance section 506.1 of the International Fire Code, 2006 edition.

(2) Key lock box system. (a) New and existing structures that are classified as any of the following shall be equipped with a key lock box at or near the main entrance or such other location required by the Municipal Fire Department for the Town of Dover.

(i) Commercial or industrial structures protected by and automatic alarm system or automatic suppression system.

(ii) Multi-family residential structures comprised of four (4) or more units in which access to the building or common areas or mechanical or electrical rooms within the building is denied through locked doors.

(iii) Commercial structures comprised of four (4) or more units.

(iv) Any building or facility containing a quantity of hazardous materials, which would require compliance with applicable codes.

(v) Governmental structures.

(vi) Nursing care facilities.

(vii) Educational facilities.

(b) All newly constructed structures subject to this section shall have the key lock box installed and operational prior to the issuance of a certificate of occupancy. Individual keys provided by the owners will no longer be accepted and any such keys in the Town of Dover Fire Department's possession shall be returned.

(c) The fire department shall designate the type of key lock box system to be implemented within the town and shall have the authority to require all structures to use the designated system.

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

(i) Keys to locked points of egress, whether on the interior or exterior of such building.

(ii) Keys to locked mechanical equipment rooms.

- (iii) Keys to locked electrical rooms.
- (iv) Key to elevator controls.
- (v) Keys to the other areas as directed by the Town of Dover Fire Department.

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

(3) Installation and location. All (Knox Boxes) and/or Knox Locking Vaults, for new construction shall be recess mounted into the building/structure at a height of not less than six feet (6') above the ground (surface grade) nor more than eight feet (8') above the ground. The "face plate" of the "Knox" box shall be flush with the exterior facade of the structure/building. All "Knox" boxes and/or Knox Locking Vaults shall be located next to the main entrance, or as close as reasonably possible to the side of the structure/building.

All "Knox Boxes" and Knox Box Vaults for existing structures shall be mounted on the building/structure at a height of not less than six feet (6') above the ground (surface grade) nor more than eight feet (8') above the ground. All "Knox" boxes and/or Knox Locking Vaults shall be located next to the main entrance, or as close as reasonably possible to the address side of the structure/building. (1985 Code, § 7-204, as replaced by Ord. #369-11, Aug. 2011)

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. Variiances and appeals. The board of appeals and adjustments established pursuant to the fire code 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 the fire code. (1985 Code, § 7-206, as amended by Ord. #369-11, Aug. 2011)

7-207. Violations. It shall be a civil offense for any person to violate or fail to comply with any provision of the fire code as herein adopted by reference and modified. The violation of any section of this chapter shall be punishable by a penalty under the general penalty provision of this code. Each day a violation is allowed to continue shall constitute a separate offense. (1985 Code, § 7-207, as replaced by Ord. #369-11, Aug. 2011)

7-208. Modifications. Within the fire 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 code shall be deemed to be the responsible official insofar as enforcing the provisions of the fire code are concerned. (as added by Ord. #260-98, Dec. 1998, and amended by Ord. #272-01, Feb. 2001, and Ord. #369-11, Aug. 2011)

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)