

**TITLE 7**

**FIRE PROTECTION AND FIREWORKS<sup>1</sup>**

**CHAPTER**

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

**CHAPTER 1**

**FIRE DISTRICT**

**SECTION**

7-101. Fire limits described.

**7-101. Fire limits described.** The corporate fire limits shall be the area of the city zoned as the central business district. (1980 Code, § 7-101)

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<sup>1</sup>Municipal code reference  
Building, utility and housing codes: title 12.

## 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. Appeals from decisions of the chief.
- 7-208. Violations and penalties.

**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,<sup>2</sup> 2006 edition, as recommended by the International Code Council, is hereby adopted by reference and included as a part of this code. Pursuant to the requirement of Tennessee Code Annotated, § 6-54-502, one (1) copy of the International Fire Code has been filed with the city recorder and is available for public use and inspection. 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.

**7-202. Enforcement.** The fire 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. (1980 Code, § 7-202)

**7-203. Definition of "municipality."** Whenever the word "municipality" is used in the fire code herein adopted, it shall be held to mean the City of Middleton, Tennessee. (1980 Code, § 7-203)

**7-204. Storage of explosives, flammable liquids, etc.** (1) The limits referred to in the fire code, in which storage of explosive materials is prohibited, are hereby declared to be the fire district as set out in § 7-101 of this code.

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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 International Code Council, 900 Montclair Road, Birmingham, Alabama 35213-1206.

(2) The limits referred to in the fire code, in which storage of flammable or combustible liquids in outside above ground tanks is prohibited, are hereby declared to be the fire district as set out in § 7-101 of this code.

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

(4) The limits referred to in the fire code, in which bulk storage of liquefied petroleum gas is restricted, are hereby declared to be the fire district as set out in § 7-101 of this code. (1980 Code, § 7-204, modified)

**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. (1980 Code, § 7-205)

**7-206. Variances.** The chief of the volunteer fire department shall have the power to recommend to the board of mayor and aldermen variances from the provisions of the fire 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. (1980 Code, § 7-206)

**7-207. Appeals from decisions of the chief.** When any person feels that he has been wrongfully aggrieved by a decision of the chief in interpreting and applying the fire code or in recommending modifications of the same, he may, within thirty (30) days, appeal said decision to the board of mayor and aldermen. Said appeal shall be in writing. (1980 Code, § 7-207)

**7-208. Violations and penalties.** It shall be unlawful for any person to violate any of the provisions of this chapter or the International 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 modified by the board of mayor and aldermen or by a court of competent jurisdiction, within the time fixed herein. 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. The application of a penalty shall not be held to prevent the enforced removal of prohibited conditions.

## CHAPTER 3

### 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 of members.
- 7-306. Chief responsible for training and maintenance.
- 7-307. Chief to be assistant to state officer.
- 7-308. Use of equipment outside corporate limits.

**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 city and shall be and remain the property of the city. The volunteer fire department shall be composed of a chief and such number of physically-fit subordinate officers and firemen as the board of mayor and aldermen shall appoint. (1980 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. (1980 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. (1980 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,

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<sup>1</sup>Municipal 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. (1980 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. So that adequate discipline may be maintained, the board of mayor and aldermen may suspend or discharge any other member of the volunteer fire department when it deems such action to be necessary for the good of the department. The chief may be suspended or dismissed by the board of mayor and aldermen. (1980 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. (1980 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 volunteer 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. (1980 Code, § 7-308, modified)

**7-308. Use of equipment outside corporate limits.** No equipment of the volunteer fire department shall be used for fighting any fire outside the corporate limits except in the following circumstances:

(1) If such fire is on city owned property or, in the opinion of the chief of the volunteer fire department, is in such hazardous proximity to property owned by or located within the city as to endanger such city property.

(2) If the fire is on private property and the owner agrees to pay a service charge of one hundred and fifty dollars (\$150.00) to the city. (1980 Code, § 7-307)

## CHAPTER 4

### FIRE HYDRANTS

#### SECTION

- 7-401. Authority.
- 7-402. Requirements for installation.
- 7-403. Color coding required.
- 7-404. Agreements by fire departments using hydrants.

**7-401. Authority.** This chapter is adopted pursuant to the requirements of the rules adopted by the Tennessee Department of Environment and Conservation, Division of Water Supply, under the authority granted to the department in Tennessee Code Annotated, § 68-221-704. (Ord. #2001-01, May 2001, modified)

**7-402. Requirements for installation.** All water mains designed for fire protection must be six inches (6") or larger and be able to provide five hundred (500) gallons per minute (gpm) with twenty (20) pounds per square inch (psi) residual pressure; and

Fire hydrants shall not be installed on water mains less than six inches (6") in diameter; and

Fire hydrants are prohibited on all water mains that cannot produce five hundred (500) gpm at twenty (20) psi residual pressure unless approval is obtained from the Tennessee Department of Environment and Conservation. (Ord. #2001-01, May 2001, modified)

**7-403. Color coding required.** The following color coding of hydrants is required to distinguish the capacity of hydrants in city limits:

Blue--1,500 gpm or greater

Green--1,000-1,499 gpm

Orange--500-999 gpm

Red--Less than 500 gpm (Ord. #2001-01, May 2001, modified)

**7-404. Agreements by fire departments using hydrants.** Each fire department that may use the hydrants must sign a statement indicating they understand this chapter and agree not to connect a pumper fire truck to those hydrants which cannot produce five hundred (500) gpm at twenty (20) psi residual pressure. (Ord. #2001-01, May 2001, modified)