

TITLE 7**FIRE PROTECTION AND FIREWORKS****CHAPTER**

1. MISCELLANEOUS.
2. VOLUNTEER FIRE DEPARTMENT.
3. FIRE SERVICE OUTSIDE CITY LIMITS.

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

- 7-101. Storage of explosives, flammable liquids, liquified petroleum gas.
7-102. Fireworks.
7-103. Gasoline trucks.
7-104. Fire hydrants.

7-101. Storage of explosives, flammable liquids, liquified petroleum gas. The storage of explosives and blasting agents at any location within the corporate limits is prohibited.

Storage of quantities of more than 150 gallons of flammable liquids in outside above ground tanks must be provided with fire protection in accordance with nationally recognized standards.

Storage of quantities of more than 2,000 gallons water capacity of liquid petroleum gas must be provided with fire protection in accordance with nationally recognized standards. (1989 Code, § 7-101)

7-102. Fireworks. The manufacture, distribution, warehousing, or sale of fireworks at any location within the corporate limits is prohibited.

The discharge of any fireworks at any location other than on the sidewalks, streets, alleys, or public ways, or in any public park, public building, or place of public gathering is permitted provided that the chief of the fire department may prohibit the discharge of fireworks at all locations within the corporate limits when atmospheric or local circumstances make such discharges hazardous. (1989 Code, § 7-102)

7-103. Gasoline trucks. No person shall operate or park any gasoline tank truck in any business or residential area at any time except for the purpose of and while actually engaged in the expeditious delivery of gasoline. (1989 Code, § 7-103)

7-104. Fire hydrants. The capacity indicating color scheme that the city shall have for fire hydrants, which are on the city's system, shall be as follows:

<u>Color</u>	<u>Class</u>	<u>Flow at 20 psig residual</u>
Green	A	1000 gpm or more
Orange	B	500 to 1000 gpm
Red	C	Less than 500 gpm

(Ord. #14-92, Oct. 1992)

CHAPTER 2

VOLUNTEER FIRE DEPARTMENT¹

SECTION

7-201. Establishment, equipment, and membership.

7-202. Objectives.

7-203. Organization, rules, and regulations.

7-204. Records and reports.

7-205. Chief responsible for training and maintenance.

7-206. Chief to be assistant to state officer.

7-201. 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. Any and all gifts to the volunteer fire department shall be turned over to, and become the property of, the town. All other apparatus, equipment, and supplies of the volunteer fire department 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 subordinate officers and firemen as the fire chief shall determine. All members of the volunteer fire department shall be approved by the board of mayor and aldermen. (1989 Code, § 7-201)

7-202. 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. (1989 Code, § 7-202)

7-203. 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 department. All such rules and regulations shall be approved by the board of mayor and aldermen. (1989 Code, § 7-203)

¹Municipal code reference

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

7-204. Records and reports. The chief of the volunteer fire department shall keep adequate records of all fires, inspections, apparatus, equipment, personnel, and work of the department. He shall submit such written reports on those matters to the mayor as the mayor requires. The mayor shall submit reports on those matters to the board of mayor and aldermen, as the board or mayor and aldermen requires. (1989 Code, § 7-204)

7-205. 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, under the direction and subject to the requirements of the board of mayor and aldermen. (1989 Code, § 7-205)

7-206. Chief to be assistant to state officer. Pursuant to requirements of Tennessee Code Annotated, § 68-102-108, the fire chief 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 commissioner in the execution of the provisions thereof. (1989 Code, § 7-206)

CHAPTER 3

FIRE SERVICE OUTSIDE CITY LIMITS

SECTION

7-301. Restrictions on fire service outside city limits.

7-302. Rural fire protection agreements.

7-301. Restrictions on fire service outside city limits. No personnel or equipment of the fire department shall be used for fighting any fire outside the city limits unless the fire is on city property or, in the opinion of the fire chief, is in such hazardous proximity to property owned or located within the city as to endanger the city property, or unless the board of mayor and aldermen has developed policies for providing emergency services outside of the city limits or entered into a contract or mutual aid agreement pursuant to the authority of:

(1) The Local Government Emergency Assistance Act of 1987, Public Acts of 1987, Chapter 155.¹

¹State law references

Tennessee Code Annotated, § 58-2-601, et seq., as amended by Public Acts 1988, Ch. 499, authorizes any municipality or other local governmental entity to go outside of its boundaries in response to a request for emergency assistance by another local government. It does not create a duty to respond to or to stay at the scene of an emergency outside its jurisdiction.

This statute, as amended, does not require written agreements between the local governments, but authorizes them to develop policies and procedures for requesting and responding to requests for emergency assistance, including provisions for compensation for service rendered.

The statute specifies which municipal officers may request and respond to requests for emergency assistance and provides for the appointment by municipal governing bodies of additional municipal officers with the same authority.

The statute provides that the senior officer of the requesting party will be in command at the scene of the emergency.

The statute outlines the liabilities of the requesting and responding governments as follows: (1) Neither the responding party nor its

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- (2) Tennessee Code Annotated, § 12-9-101, et seq.¹
- (3) Tennessee Code Annotated, § 6-54-601.²

7-302. Rural fire protection agreements. (1) Mayor authorized to enter into rural fire protection agreements on behalf of the city. The Mayor of Puryear is hereby authorized to enter into fire protection agreements with owners and tenants of rural properties located within five (5) miles of the Puryear corporate limits. The form of such agreements shall be as approved by the board of mayor and aldermen.

(2) Authorization to respond. The Puryear Volunteer Fire Department is hereby authorized to provide fire protection services to all rural property owners and tenants who have entered into a fire protection agreement with the City of Puryear pursuant to subsection (1) of this section.

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employees shall be liable for any property damage or bodily injury at the actual scene of any emergency due to actions performed in responding to a request for emergency assistance; (2) The requesting party is not liable for damages to the equipment and personnel of the responding party in response to the request for emergency assistance; and (3) Neither the requesting party nor its employees is liable for damages caused by the negligence of the personnel of the responding party while en route to or from the scene of the emergency.

¹State law reference

Tennessee Code Annotated, § 12-9-101 et seq. is the Interlocal Cooperation Act which authorizes municipalities and other governments to enter into mutual aid agreements of various kinds.

²State law reference

Tennessee Code Annotated, § 6-54-601 authorizes municipalities (1) To enter into mutual aid agreements with other municipalities, counties, privately incorporated fire departments, utility districts and metropolitan airport authorities which provide for firefighting service, and with industrial fire departments, to furnish one another with fire fighting assistance. (2) Enter into contracts with organizations of residents and property owners of unincorporated communities to provide such communities with firefighting assistance. (3) Provide fire protection outside their city limits to either citizens on an individual contractual basis, or to citizens in an area without individual contracts, whenever an agreement has first been entered into between the municipality providing the fire service and the county or counties in which the fire protection is to be provided. (Counties may compensate municipalities for the extension of fire services.)

(3) In-town fires to be given priority. The Puryear Fire Chief is hereby directed to give priority attention to fires and related emergencies occurring within the corporate city limits of Puryear. The Puryear Fire Department shall provide a full and complete response to in-town emergencies at all times and may delay or curtail responses to out-of-town calls for service when, in the opinion of the fire chief, an in-town emergency does not permit responding to an out-of-town emergency.

(4) Fee schedule. Out-of-town property owners shall pay for services provided by the Puryear Fire Department according to the following schedule:

- (a) Residences, including outbuildings. \$1,000.00
- (b) Commercial structures. \$1,000.00
- (c) Industrial structures. \$1,000.00
- (d) Vehicle/farm implement fire. \$1,000.00
- (e) Grass fire. \$1,000.00
- (f) Chemical fire, chemical spill. \$1,000.00
- (g) Automobile accident. \$1,000.00

(as added by Ord. #52-06, Dec. 2006)