

## TITLE 7

### FIRE PROTECTION AND FIREWORKS

#### CHAPTER

1. FIRE CODE.
2. FIRE DISTRICT.
3. FIRE DEPARTMENT.
4. FIRE SERVICE OUTSIDE CITY LIMITS.
5. FIREWORKS.
6. FIRE PREVENTION RAPID ENTRY REQUIREMENTS.

#### CHAPTER 1

#### FIRE CODE ADOPTED<sup>1</sup>

#### SECTION

- 7-101. Fire code adopted.
- 7-102. Enforcement.
- 7-103. Definition of "municipality."
- 7-104. Gasoline trucks.
- 7-105. Variances.
- 7-106. Appeals.
- 7-107. Appendices to the code adopted.
- 7-108. Violations and penalty.

**7-101. Fire code adopted.** Pursuant to the authority granted by *Tennessee Code Annotated*, §§ 6-54-501 to 6-54-506, and for the purposes of regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life and property in the occupancy of buildings and premises in the City of Soddy-Daisy, the *International Fire Code*<sup>2</sup>, 2015 edition, and *NFPA 101 Life Safety Code*<sup>3</sup>, 2015 edition as recommended by the International Code Council, is hereby adopted by reference and included as a part of this code. Pursuant to the

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<sup>1</sup>Municipal code reference

Building, utility and residential codes: title 12.

<sup>2</sup>Copies of this code (and any amendments) are available from the International Code Council, 900 Montclair Road, Birmingham, Alabama 35213.

<sup>3</sup>Copies of this code may be purchased from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02269-9101.

requirements of *Tennessee Code Annotated*, § 6-54-502, one (1) copy of the fire code has been placed on file in the city recorder's office and shall be kept there for the use and inspection of the public. Said fire code is adopted and incorporated as though copied herein, and shall be controlling with the corporate limits. (Ord. #2018-2019-6, Feb. 2019)

**7-102. Enforcement.** The fire code herein adopted shall be enforced by the chief of the fire department. (Ord. #2018-2019-6, Feb. 2019)

**7-103. Definition of "municipality".** Whenever the word "municipality" is used in the fire code herein adopted, it shall be held to mean the City of Soddy-Daisy. (Ord. #2018-2019-6, Feb. 2019)

**7-104. 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. (Ord. #2018-2019-6, Feb. 2019)

**7-105. Variances.** The chief of the fire department may recommend to the city council variances from the provisions of the *International Fire Code*, 2015 edition, *Life Safety Code 101*, 2015 edition. Upon application, in writing by any property owner or lessee, 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. (Ord. #2018-2019-6, Feb. 2019)

**7-106. Appeals.** Whenever the chief of the fire department shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the fire code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the chief of the fire department to the city manager within thirty (30) days from the date of the decision appealed. (Ord. #2018-2019-6, Feb. 2019)

**7-107. Appendices to the code adopted.** The following appendices/annexes to the *International Fire Code*, 2015 edition, and as further amended in this chapter, are hereby adopted as part of the official fire code of the city.

- (1) *International Fire Code*, 2015 edition:
  - Appendix B - Fire Flow Requirements for Buildings.
  - Appendix C - Fire Hydrant Location and Distribution.
  - Appendix D - Fire Apparatus.
  - Appendix E - Hazard Categories.
  - Appendix F - Hazard Ranking.

Appendix G - Cryogenic Fluids-Weight and Volume Equivalents.

Appendix H - Hazardous Material Management Plan and Hazardous Materials Inventory Statement.

Appendix I - Fire Protection Systems - Noncompliant Conditions.

Appendix J - Building Information Sign.

(2) Amendments to code adopted:

Section 105.1 through 105.3.8 shall be deleted in its entirety.

Section 105.5 through 105.7.18 shall be deleted in its entirety.

Section 109 Violations and penalties shall be deleted in its entirety and replaced with the city code reflecting those subjects.

Section 111.4 Failures to comply shall be deleted.

Section 113 shall be deleted in its entirety. (Ord. #2018-2019-6, Feb. 2019)

**7-108. Violations and penalty.** It shall be unlawful for any person to violate any of the provisions of this chapter or the fire code hereby 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 fire chief or city manager or by a court of competent jurisdiction, with the time fixed herein. The application of a penalty under the general penalty clause for the city code shall not be held to prevent the enforced removal of prohibited conditions. (Ord. #2018-2019-6, Feb. 2019)

**CHAPTER 2**

**FIRE DISTRICT**

**SECTION**

7-201. Fire limits described.

**7-201. Fire limits described.** The corporate fire district shall be as follows: all areas within a general business district zone. (2007 Code, § 7-101)

## 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 and compensation of members.
- 7-306. Chief responsible for training.
- 7-307. 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 Commissioners of the City of Soddy-Daisy. All apparatus, equipment, and supplies shall be purchased by or through the city and shall be and remain the property of the city. The fire department shall be composed of a chief appointed by the city manager and such number of physically-fit subordinate officers and firemen as the chief shall appoint. (2007 Code, § 7-201)

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#### <sup>1</sup>Charter references

For detailed charter provisions governing the operation of the fire department, see *Tennessee Code Annotated*, title 6, chapter 21, part 7. For specific provisions in part 7 related to the following subjects, see the sections indicated.

##### Fire chief

Appointment: § 6-21-701.

Duties: § 6-21-702.

Emergency: § 6-21-703.

Fire marshal: § 6-21-704.

##### Firemen

Appointment: § 6-21-701.

Emergency powers: § 6-21-703.

#### Municipal code reference

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

**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; and
- (6) To perform such rescue work as its equipment and/or the training of its personnel makes practicable. (2007 Code, § 7-202)

**7-303. Organization, rules, and regulations.** The chief of the 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 fire department. (2007 Code, § 7-203)

**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 city commission each quarter, and at the end of the year a detailed annual report shall be made. (2007 Code, § 7-204)

**7-305. Tenure and compensation of members.** The chief shall hold office so long as his conduct and efficiency are satisfactory to the city manager. However, so that adequate discipline may be maintained, the chief shall have the authority to suspend 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 of commissioners may from time to time prescribe. (2007 Code, § 7-205)

**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. (2007 Code, § 7-206)

**7-307. Chief to be assistant to state officer.** Pursuant to requirements of *Tennessee Code Annotated*, § 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 102, and shall be subject to the directions of the fire prevention commissioner in the execution of the provisions thereof. (2007 Code, § 7-207)

## CHAPTER 4

FIRE SERVICE OUTSIDE CITY LIMITS

## SECTION

7-401. Restrictions on fire service outside city limits.

**7-401. 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 or city manager, is in such hazardous proximity to property owned or located within the city as to endanger the city property, or unless the board of commissioners 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 Mutual Aid and Emergency Disaster Assistance Agreement Act of 2004, as amended, codified in *Tennessee Code Annotated*, §§ 58-21-601, *et seq.*<sup>1</sup>

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<sup>1</sup>State law references

*Tennessee Code Annotated*, §§ 58-8-101, *et seq.*, the Mutual Aid and Emergency Disaster Assistance Agreement Act of 2004, which authorizes municipalities to respond to requests from other governmental entities affected by situations in which its resources are inadequate to handle. The act provides procedures and requirements for providing assistance. No separate mutual aid agreement is required unless assistance is provided to entities in other states, but a municipality may, by resolution, continue existing agreements or establish separate agreements to provide assistance. Assistance to entities in other states is still provided pursuant to *Tennessee Code Annotated*, §§ 12-9-101, *et seq.* "Assistance" is defined in the act as "the provision of personnel, equipment, facilities, services, supplies, and other resources to assist in firefighting, law enforcement, the provision of public works services, the provision of emergency medical care, the provision of civil defense services, or any other emergency assistance one (1) governmental entity is able to provide to another in response to a request for assistance in a municipal, county, state, or federal state of emergency.

(2) *Tennessee Code Annotated*, §§ 12-9-101, *et seq.*<sup>1</sup>

(3) *Tennessee Code Annotated*, § 6-54-601.<sup>2</sup> (2007 Code, § 7-301)

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<sup>1</sup>State law references

*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 individual 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 the latter with firefighting assistance; and (3) Provide fire protection outside their city limits to either areas or citizens on an individual contractual basis 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.

<sup>2</sup>*Tennessee Code Annotated*, §§ 12-9-101, *et seq.* is the Interlocal Governmental Cooperation Act which authorizes municipalities and other governments to enter into mutual aid agreements of various kinds.



## CHAPTER 5

### FIREWORKS

#### SECTION

7-501. Definitions.

7-502. Use prohibited at times relating to public display.

7-503. Use at public gatherings.

**7-501. Definitions.** (1) For the purpose of this chapter, "fireworks" are defined as provided in *Tennessee Code Annotated*, title 68, chapter 104, or any amendment thereto.

(2) For the purpose of this chapter, the prohibited zone referred to in § 7-502 begins at (and is inclusive of) the 700 block of O'Sage Drive, extending generally west along O'Sage Drive to its intersection with Dayton Pike, then generally south along Dayton Pike to its intersection with Hixson Pike, then generally east to include the 11600 block of Hixson Pike. Within such boundaries, said zone extends from the then-existing water line of Soddy Lake outward five hundred (500) yards.

(3) For the purpose of this chapter, "public gathering" means any assembly of fifteen (15) or more persons on public property. (2007 Code, § 7-401)

**7-502. Use prohibited at times relating to public display.** At any time a public fireworks display is made by the City of Soddy-Daisy, the Soddy-Daisy Volunteer Fire Department, or any public or civic organization permitted or sanctioned by the City of Soddy-Daisy, the use or possession of fireworks within the prohibited zone described in § 7-501(2) by non-permitted individuals is unlawful. (2007 Code, § 7-402)

**7-503. Use at public gatherings.** It shall be unlawful to possess or discharge fireworks at any public gathering. (2007 Code, § 7-403)

## CHAPTER 6

### FIRE PREVENTION RAPID ENTRY REQUIREMENTS

#### SECTION

- 7-601. Purpose.
- 7-602. Key lock box system.
- 7-603. Installation.
- 7-604. Contents of lock box.
- 7-605. Exceptions to requirements to install a key lock box.
- 7-606. Violations and penalty.

**7-601. Purpose.** The Board of Commissioners of the City of Soddy-Daisy has determined that the health, welfare, and safety of its citizens is promoted by requiring certain structures to have a key lock box installed on the exterior of the structure to aid the fire department in gaining access to or within a structure when responding to calls for an emergency service and to aid in access into or within a building that is secured or is unduly difficult to gain entry into. (Ord. #2016-2017-5, Nov. 2016)

**7-602. Key lock box system.** The following structure shall be equipped with a key lock box at or near the main entrance or such other location as required by the fire marshal or fire chief.

(1) Commercial or industrial structures and places of assembly protected by an automatic fire alarm and/or automatic fire suppression system or any such structure secured in a manner that restricts access during an emergency.

(2) Multi-family residential structures that have restricted access through locked doors, but have a common corridor for access to living quarters.

(3) Schools, whether public or private, healthcare facilities and nursing homes, unless the building is staffed or open twenty-four (24) hours a day three hundred sixty-five (365) days a year.

(4) Any building deemed necessary for life safety by the fire marshal or fire chief.

(a) All new construction subject to this section shall have a key lock box installed and operational before a certificate of occupancy will be issued.

(b) All structures in existence on the effective date of this chapter and that are subject to subsection (3) above shall have twelve (12) months from the effective date of this chapter to comply.

(c) The type of key lock box to be implemented in the city shall be a knox box brand system. (Ord. #2016-2017-5, Nov. 2016)

**7-603. Installation.** (1) All knox boxes shall be installed on the left side of the main door.

(2) All knox boxes shall be flush mounted and sixty inches (60") from the ground to the center of the box if possible.

(3) In the event the box cannot be installed per subsections (1) and (2) above, the fire marshal or fire chief may designate in writing a different location and installation specifications.

(4) All real estate or property with an electric gate that meets the requirements of § 7-602(4)(c) shall have a knox box installed outside the gate and contain a method of access to the gate as well as all other required items listed in § 7-604. (Ord. #2016-2017-5, Nov. 2016)

**7-604. Contents of lock box.** The contents of the box are as follows: keys to:

(1) Locked points of ingress or egress, whether on the interior or exterior of the structure;

(2) All mechanical and electrical rooms;

(3) Elevators and their control rooms;

(4) Fire alarm panels, reset pull stations, or other fire protective devices; and

(5) Any special keys designated by the fire marshal or fire chief. (Ord. #2016-2017-5, Nov. 2016)

**7-605. Exceptions to requirements to install a key lock box.** The following structures are exempt from the mandate to install a key lock box system:

(1) Single-family and multi-family structures that do not meet the requirements in § 7-602(4)(a).

(2) Structures that have twenty-four (24) hours a day three hundred sixty-five (365) days a year onsite security personnel or other personnel onsite.

(3) Businesses that are open and staffed twenty-four (24) hours a day three hundred sixty-five (365) days a year which may include, but are not limited to, nursing homes, hospitals, police stations, etc.

(4) Rental storage facilities where there is a single lock on the separate storage pods that is supplied by the renter; however, the entry security gates or doors will require a knox box if electronically controlled or locked with a master key issued by the landlord to all tenants.

(5) Any facility not having an automatic fire alarm/suppression system unless it meets the requirements in § 7-602(4)(a).

(6) Any banking facility. (Ord. #2016-2017-5, Nov. 2016)

**7-606. Violations and penalty.** Any person, firm, corporation or agent who shall violate any provision of this code, or fail to comply therewith, or with any of the requirements thereof shall be guilty of a misdemeanor and shall be

punished according to the general penalty provisions of this code of ordinances.  
(Ord. #2016-2017-5, Nov. 2016)