

TITLE 7

FIRE PROTECTION AND FIREWORKS¹

CHAPTER

1. FIRE CODE.
2. FIRE DEPARTMENT.
3. FIRE SERVICE OUTSIDE CITY LIMITS.

CHAPTER 1

FIRE CODE²

SECTION

- 7-101. Fire code adopted.
- 7-102. Enforcement.
- 7-103. Definition of "municipality."
- 7-104. Gasoline trucks.
- 7-105. Variances.
- 7-106. Violations and penalty.

7-101. Fire code adopted. (1) A certain document, one (1) copy of which is on file in the office of the South Pittsburg City Recorder being marked and designated as the *International Fire Code*, 2015 edition, as published by the International Code Council, be and is hereby adopted as the fire code of the City of South Pittsburg, Tennessee for 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 or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said fire code on file in the office of the South Pittsburg City Recorder are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with additions, insertions, deletions and changes, if any, presented in subsection (2) of this section.

¹Municipal code reference

Building, utility, and residential codes: title 12.

²Municipal code reference

Building, utility, and residential codes: title 12.

(2) The following sections are hereby revised:

Section 101.1. Insert: City of South Pittsburg
 Section 109.3. Insert: Offense, dollar amount, number of days
 Section 111.4. Insert: \$50, as prescribed by law
 Section 404.2 Insert: and filed with the Building Inspector
 and Fire Department to the issuance of
 a Certificate of Occupancy.

(2005 Code, § 7-201, as amended by Ord. #776, July 2017, and Ord. #821, Sept. 2021)

7-102. Enforcement. The fire prevention code herein adopted by reference shall be enforced by the fire inspector acting under the supervision of the fire chief and the city administrator. He shall have the same powers as the state fire marshal. (2005 Code, § 7-202)

7-103. Definition of "municipality." Whenever the word "municipality" is used in the fire prevention code herein adopted, it shall be held to mean the City of South Pittsburg, Tennessee. (2005 Code, § 7-203)

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. (2005 Code, § 7-204)

7-105. Variances. The chief of the fire department may recommend to the board of mayor and commissioners variances from the provisions of the fire prevention 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 commissioners. (2005 Code, § 7-205)

7-106. Violations and penalty. It shall be unlawful for any person to violate any of the provisions of this chapter or the fire prevention 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 commissioners 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 of up to fifty dollars (\$50.00) for each offense. 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. (2005 Code, § 7-206, modified)

CHAPTER 2

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. Tenure and compensation of members.
- 7-206. Chief responsible for training.
- 7-207. 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 commissioners. 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 administrator and such number of physically-fit subordinate officers and firemen as the chief shall appoint and the city administrator shall approve. (2005 Code, § 7-301)

7-202. 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. (2005 Code, § 7-302)

7-203. Organization, rules, and regulations. The chief of the fire department, under the direction of the city administrator, 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. (2005 Code, § 7-303)

7-204. 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 such written reports on such

¹Municipal code reference

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

matters to the city administrator, as the city administrator requires. The city administrator shall submit a report on those matters to the board of mayor and commissioners as the board of mayor and commissioners may require. (2005 Code, § 7-304)

7-205. Tenure and compensation of members. The chief shall hold office so long as his conduct and efficiency are satisfactory to the city administrator. 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.

All personnel of the fire department shall receive such compensation for their services as the board of mayor and commissioners may from time to time prescribe. (2005 Code, § 7-305)

7-206. Chief responsible for training. The chief of the fire department under the direction of the city administrator, shall be fully responsible for the training of the firemen, and for maintenance of all property and equipment of the fire department. (2005 Code, § 7-306)

7-207. 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 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. (2005 Code, § 7-308)

CHAPTER 3**FIRE SERVICE OUTSIDE CITY LIMITS****SECTION**

7-301. Equipment to be used only within corporate limits.

7-301. Equipment to be used only within corporate limits. No equipment of the fire department shall be used for fighting any fire outside the corporate limits unless expressly authorized by the board of mayor and commissioners by resolution based upon and approving a written contract for rendering firefighting services within another municipality as set out in a written contract duly executed with and by such other municipality. (2005 Code, § 7-307)