

TITLE 7

FIRE PROTECTION AND FIREWORKS¹

CHAPTER

1. FIRE CODE.
2. FIREWORKS.

CHAPTER 1

FIRE CODE

SECTION

- 7-101. Fire code adopted.
- 7-102. Enforcement.
- 7-103. Violations and penalty.

7-101. Fire code adopted. Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 to 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 firefighters and emergency responders during emergency operations, the NFPA1 Uniform Fire Code and the NFPA 101 Life Safety Code,² 2015 editions, as recommended by the National Fire Protection Association, are 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 each of these codes has been filed with the town recorder and is available for public use and inspection. Said codes are adopted and incorporated as fully as if set out at length herein and shall be controlling within the corporate limits. (Ord. #04-008, Nov. 2004, modified, as amended by Ord. #14-008, Dec. 2014 *Ch2_8-2-21* and Ord. #2017-016, Jan. 2018 *Ch2_8-2-21*)

7-102. Enforcement. The fire code herein adopted by reference shall be enforced by the chief of the fire department. He shall have the same powers as the state fire marshal.

7-103. Violations and penalty. It shall be unlawful for any person to violate any of the provisions of this chapter or the codes herein adopted, or fail

¹Municipal code reference

Building, utility and housing codes: title 12.

²Copies of this code are available from the International Code Council, 900 Montclair Road, Birmingham, Alabama 35213-1206.

to comply therewith. 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 2

FIREWORKS

SECTION

- 7-201. Sales prohibited generally.
- 7-202. Retailers permitted on August 1, 2004.
- 7-203. Temporary use permit.
- 7-204. Permit fee.
- 7-205. Location.
- 7-206. Unlawful activity.
- 7-207. Permit not transferable.

7-201. Sales prohibited generally. It is hereby declared unlawful to sell fireworks, wholesale or retail, within the municipal limits of the Town of Thompson's Station, Tennessee. (Ord. #05-10, May 2005)

7-202. Retailers permitted on August 1, 2004. (1) Any seasonal retailer who lawfully held a permit and engaged in the seasonal retail sale of fireworks at a permitted location within the municipal limits on Aug. 1, 2004 shall be entitled to sell fireworks on a seasonal retail basis subject to the regulatory measures hereinafter set out.

(2) A seasonal retailer for the sale of common fireworks who owns real property or is the lessee under a valid lease and who has heretofore been a permit holder under subsection (1) above may engage in the seasonal retail sale of fireworks within a zone district permitting the same. (Ord. #06-001, April 2006)

7-203. Temporary use permit. (1) A seasonal retailer must first obtain from the town a temporary use permit, exhibiting thereto evidence of ownership of the real property or leasehold rights upon which seasonal retail sales will be conducted. Seasonal retail sale period(s) shall be from June 20 through July 5 and December 15 through January 1 of each year.

(2) Any seasonal retailer making application for a temporary use to sell fireworks within the municipal limits, as heretofore stated, must further comply with all state and federal regulations and obtain, pursuant to Tennessee Code Annotated, title 68, chapter 104, a seasonal retailer fireworks permit.

(3) All permits issued are temporary in nature for sales within the stated seasonal retail periods and permits for the temporary site shall not exceed thirty (30) days. Any approved sale site must at all times be free of litter and debris. (Ord. #06-001, April 2006)

7-204. Permit fee. In conjunction with the issuance of a temporary use permit, the seasonal retailer shall pay the sum of one thousand dollars

(\$1,000.00) to the town, annually, in advance of the seasonal retail periods. (Ord. #06-001, April 2006, modified)

7-205. Location. Permissible sale of common fireworks shall be in a location or facility in accordance with the regulations of the State Fire Marshal's Office and in compliance with the standard fire codes adopted by the town. (Ord. #06-001, April 2006)

7-206. Unlawful activity. (1) It shall be unlawful to sell fireworks to children under the age of ten (10) years or to any intoxicated person. Further, no fireworks shall be ignited at the location or facility where seasonal retail fireworks are sold.

(2) Fireworks may only be used during the following times:

(a) On July 4 between the hours of 12:00 P.M. until 10:00 P.M.

(b) On December 31 through January 1, between the hours of 8:00 P.M. through 12:00 P.M.

The denotation of fireworks at other times is hereby prohibited. (Ord. #06-001, April 2006, as replaced by Ord. #2017-11, Aug. 2017 **Ch2_8-2-21**)

7-207. Permit not transferable. Upon the transfer of ownership or change of use as to permitted location the rights to thereafter obtain a permit for seasonal retail sales of fireworks shall lapse and cannot be transferred to another location. (Ord. #06-001, April 2006)