

TITLE 7

FIRE PROTECTION AND FIREWORKS¹

CHAPTER

1. FIRE DISTRICT.
2. FIRE CODE.
3. FIRE DEPARTMENT.
4. FIRE SERVICE OUTSIDE TOWN LIMITS.
5. BURN PERMIT ORDINANCE.
6. FIREWORKS.

CHAPTER 1

FIRE DISTRICT

SECTION

7-101. Fire limits described.

7-101. Fire limits described. The corporate fire limits shall be and include all that area of the town zoned as the commercial A district(CBD). (1973 Code, § 7-101)

¹Municipal code reference
Building code: title 12.

CHAPTER 2

FIRE CODE¹

SECTION

- 7-201. Fire code adopted.
- 7-202. Modifications.
- 7-203. Definition of "municipality."
- 7-204. Gasoline trucks.
- 7-205. Variances.
- 7-206. Violations and penalties.

7-201. Fire code adopted.² Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 through 6-54-506, and for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, the International Fire Code,³ 2009 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 fire code has been filed with the city clerk and is available for public use and inspection. The fire code is adopted and incorporated as fully as if set out at length herein and shall be controlling within the corporate limits. (as amended by Ord. #431, Aug. 2015)

7-202. Modifications. The fire code Fire Prevention Code adopted in § 7-201 above is modified by deleting therefrom sections 1-5, titled Board of Appeals, in its entirety; § 7-206 below shall control appeals.

7-203. 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 Ashland City, Tennessee.

7-204. 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.

¹Municipal code reference

Building, utility, and housing codes: title 12.

²See title 12 of this municipal code for the adoption of the 1997 Edition of the Standard Fire Prevention Code.

³Copies of this code (and any amendments) may be purchased from the International Code Council, 900 Montclair Road, Birmingham, Alabama 35213.

7-205. Variances. The chief of the fire department may recommend to the board of mayor and aldermen 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 aldermen.

7-206. Violations and penalties. 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 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 of up to five hundred dollars (\$500) 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.

CHAPTER 3

FIRE DEPARTMENT¹

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 and maintenance.

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 city council. All apparatus, equipment, and supplies shall be purchased by or through the town and shall be and remain the property of the town. The fire department shall be composed of a chief and such number of physically-fit subordinate officers and firemen as the city council shall appoint. (1973 Code, § 7-301)

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.

(6) To perform such rescue work as its equipment and/or the training of its personnel makes practicable. (1973 Code, § 7-302)

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. (1973 Code, § 7-303)

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

¹Municipal code reference

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

mayor once each month, and at the end of the year a detailed annual report shall be made. (1973 Code, § 7-304)

7-305. Tenure and compensation of members. The chief and all members of the fire department shall serve only so long as their conduct and efficiency are satisfactory to the mayor.

All personnel of the fire department shall receive such compensation for their services as the city council may from time to time prescribe. (1973 Code, § 7-305)

7-306. 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. The minimum training shall consist of having the personnel take the fire apparatus out for practice operations not less than once a month. (1973 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 fire department is designated as an assistant to the state commissioner of 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. (1973 Code, § 7-308)

CHAPTER 4

FIRE SERVICE OUTSIDE TOWN LIMITS

SECTION

7-401. Equipment and personnel to be used only within corporate limits.

7-401. Equipment and personnel 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 such fire is on city property or, in the opinion of the chief of the fire department, is in such hazardous proximity to property owned by or located within the town as to endanger the city property or unless expressly authorized in writing by the city council. (1973 Code, § 7-307)

CHAPTER 5

BURN PERMIT ORDINANCE

SECTION

7-501. Permit must be secured.

7-502. Restrictions.

7-503. Types of materials to be burned.

7-504. Violations.

7-501. Permit must be secured. No person, firm or corporation shall burn or attempt to burn any material outdoors on private or public property within the corporate limits of the Town of Ashland City, Tennessee, without first securing a permit from the Town of Ashland City Fire Department. (as added by Ord. #123, § I, Nov. 1994)

7-502. Restrictions. Before issuing a permit, the fire chief or his designee shall advise all applicants that the following restrictions apply to outdoor burning:

(1) Open burning, as listed below may be conducted, subject to specified limitations and provided further that no public nuisance is or will be created by such open burning. The issuance of a permit will in no way relieve the person responsible for such burning from the consequences or the damages, injuries or claims resulting from such burning.

(2) All materials to be burned shall be readily combustible.

(3) An area of at least 10 feet surrounding the material to be burned must be cleared to prevent the spread of fire.

(4) A continuous water supply equipped with a shut off nozzle and a hose long enough to reach fifteen (15) feet beyond the furthest pile shall be provided.

(5) If the requirements under section 4 cannot be met, a bulldozer with operator shall be provided on site.

(6) There shall be a qualified party assigned the sole duty to attend the fire from the time it is first set until the fire is totally extinguished.

(7) Burning shall not be permitted within 25 feet of any public street, alley way, state or federal highway.

(8) Materials used to facilitate such burning shall be minimal amounts of diesel fuel. (as added by Ord. #123, § I, Nov. 1994)

7-503. Types of materials to be burned. (1) Vegetation grown on that land (trees, leaves, etc.).

(2) Natural, untreated wood products. Wood that has been treated or painted shall be prohibited from burning.

(3) Paper products are prohibited from burning either to facilitate such burning or burned as waste material.

(4) Domestic burning consisting of rubbish or garbage is prohibited, although a special permit may be obtained in the event refuse collection service for such materials is not available. (as added by Ord. #123, § I, Nov. 1994)

7-504. Violations. Any person violating any of the provisions of this chapter shall be served by the city with written notice stating the nature of the violation. In order to maintain an active permit, such person shall have forty-eight (48) hours to correct such violation. The fire chief or his designee may refuse or revoke any permit not in accordance with this chapter. (as added by Ord. #123, § I, Nov. 1994)

CHAPTER 6

FIREWORKS

SECTION

7-601. Retail sale of fireworks restricted.

7-602. Permit required.

7-603. State of Tennessee permits required.

7-601. Retail sale of fireworks restricted. Only the retail sale of fireworks shall be allowed within the corporate city limits of the Town of Ashland City and are restricted to the following times and places:

(1) The sale of fireworks are prohibited except for the following days: June 20th thru July 5th and December 10th thru January 2nd.

(2) Fireworks cannot be sold within 300 feet of a home, hospital, nursing home, or church. (Ord. #141, § 1, Dec. 1995, as replaced by Ord. #159, § 1, Aug. 1996)

7-602. Permit required. Any dealer of fireworks must first obtain a permit from the city recorder before setting up his/her business. The cost of the permit shall be one thousand dollars (\$1,000.00). Copies of the permit will be forwarded to the Ashland City Fire Chief by the recorder. The fire chief shall have the responsibility of enforcing this chapter. (Ord. #141, § 2, Dec. 1995, as replaced by Ord. #159, § 2, Aug. 1996, and amended by Ord. #236, Sept. 2001)

7-603. State of Tennessee permits required. Any and all dealers must present said recorder with copies of any and all State of Tennessee permits as required by Tennessee Code Annotated, chapter 104 before the city permit will be issued. The city's permit will reference the state fire marshal's permit number. (Ord. #141, § 3, Dec. 1995, as replaced by Ord. #159, § 3, Aug. 1996)