

TITLE 7

FIRE PROTECTION AND FIREWORKS¹

CHAPTER

1. FIRE DISTRICT DESIGNATED.
2. FIRE CODE.
3. FIRE DEPARTMENT.
4. FIRE SCENE CONTROL.
5. FALSE ALARMS.

CHAPTER 1

FIRE DISTRICT DESIGNATED

SECTION

7-101. Fire district described.

7-101. Fire district described. The corporate fire district shall be as follows: All that area within the corporate limits of the town. (1983 Code, § 7-101, modified)

¹Municipal code reference
Building, utility and housing codes: title 12.

CHAPTER 2

FIRE CODE¹

SECTION

- 7-201. Fire code adopted.
- 7-202. Enforcement.
- 7-203. Definition of "municipality."
- 7-204. Storage of explosives, flammable liquids, etc.
- 7-205. Gasoline trucks.
- 7-206. Variances.
- 7-207. Violations and penalties.

7-201. Fire code adopted. 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,² 2003 edition, as published 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 prevention code has been filed with the city recorder and is available for public use and inspection. Said fire prevention code is adopted and incorporated as fully as if set out at length herein and shall be controlling within the corporate limits. (1983 Code, § 7-201, modified, as amended by Ord. #346, Feb. 2005)

7-202. Enforcement. The fire prevention code herein adopted by reference shall be enforced by the chief of the fire department and/or a designated representative as approved by the board of mayor and aldermen/women. He shall have the same powers as the state fire marshal. (1983 Code, § 7-202, as amended by Ord. #346, Feb. 2005)

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 Town of Carthage, Tennessee. (1983 Code, § 7-203)

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.

7-204. Storage of explosives, flammable liquids, etc. (1) Geographic limits in which the storage of flammable cryogenic fluids in stationary containers is prohibited in the Town of Carthage.

(2) Geographic limits in which storage of Class I and Class II liquids in above-ground tanks outside buildings is prohibited in the Town of Carthage.

(3) Geographic limits in which storage of Class I and Class II liquids in above ground tanks is prohibited in the Town of Carthage.

(4) Geographic limits in which the storage of liquefied petroleum gas is restricted for the protection of heavily populated or congested areas in the Town of Carthage. (1983 Code, § 7-204, as replaced by Ord. #346, Feb. 2005)

7-205. 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. (1983 Code, § 7-205)

7-206. Variiances. The chief of the fire department and/or his designated representative may recommend to the city council 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 city council. (1983 Code, § 7-206, as amended by Ord. #346, Feb. 2005)

7-207. Violations and penalties. It shall be unlawful for any person to violate any of the provisions of this chapter or the fire prevention 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 city council or by a court of competent jurisdiction, within the time fixed herein. The application of a penalty under the general penalty clause for the municipal code shall not be held to prevent the enforced removal of prohibited conditions. (1983 Code, § 7-207)

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.

7-308. Equipment use.

7-301. Establishment, equipment, and membership. The self-chartered fire department and its sovereignty is hereby recognized as a separate government entity to be supported and equipped from appropriations by the town council. All apparatus, equipment, and supplies purchased in behalf of the department shall be and remain the property of said department with full custody and control. The chief and such subordinate manpower as is necessary shall be chosen in a continuous and democratic manner by the department without interference by the mayor or town council. The council, by majority vote, shall confirm the election of the chief. (1983 Code, § 7-301, modified)

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. (1983 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. (1983 Code, § 7-303)

¹Municipal code reference

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

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 mayor once each month, and at the end of the year a detailed annual report shall be made. (1983 Code, § 7-304)

7-305. Tenure and compensation of members. The chief shall hold office so long as his conduct and efficiency are satisfactory to a democratic process by his subordinates. In order that adequate authority and discipline may be maintained, the chief shall have the authority to suspend or discharge any member of the fire department when he deems such action to be necessary for the general welfare of the department.

All personnel of the fire department shall receive such compensation for their services as the city council may from time to time prescribe. (1983 Code, § 7-305, modified)

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. (1983 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 commissioner in the execution of the provisions thereof. (1983 Code, § 7-308)

7-308. Equipment use. The ranking fire officer on duty during any emergency shall direct the use of fire department equipment and manpower wherever necessary to protect the best interest of the city.

The mayor, by written communication, shall delegate authority to the fire chief. (1983 Code, § 7-307, modified)

CHAPTER 4

FIRE SCENE CONTROL¹

SECTION

7-401. Ranking fire officer authorized to establish safety zones.

7-402. Vehicle parking in safety zones restricted.

7-401. Ranking fire officer authorized to establish safety zones. The ranking fire officer at the scene of a fire or any other natural or man-created disaster is authorized to establish a safety zone around such disaster and to exclude or remove from such zone any and all persons or vehicles the ranking officer in his discretion considers is a hindrance to the fire department in controlling such disaster. (1983 Code, § 7-401)

7-402. Vehicle parking in safety zones restricted. It shall be unlawful for any person to drive or park any vehicle within the safety zone after it is established without the permission of the ranking fire officer on the scene or his designee. (1983 Code, § 7-402)

¹Municipal code reference
Emergency vehicles: title 15, chapter 2.

CHAPTER 5

FALSE ALARMS

SECTION

7-501. False alarms.

7-501. False alarms.¹ After a third false alarm is received by either the police or fire departments from the same location within a twelve (12) month period, said location shall be given notice that they will be responsible for actual expenses incurred for all false alarms received after that time. (Ord. #256, April 1994)

¹Municipal code reference

Intentional false emergency alarms: § 11-402.