

TITLE 7

FIRE PROTECTION AND FIREWORKS¹

CHAPTER

1. FIRE CODE.
2. FIREWORKS.
3. FIRE DEPARTMENT.

CHAPTER 1

FIRE CODE

SECTION

- 7-101. Fire code adopted.
- 7-102. Codification.
- 7-103. Permit required.
- 7-104. Available in recorder's office.
- 7-105. Violation.
- 7-106. Appointment.
- 7-107. Penalty.

7-101. Fire code adopted. Pursuant to the authority granted by Tennessee Code Annotated, § 6-54-501, et seq., and for the purposes of regulating fire control apparatus within the Town of Kimball, Tennessee, the International Fire Code,² as adopted by the International Code Council, 2003 edition, as prepared, is hereby adopted and incorporated by reference as part of this code and is hereinafter referred to as the fire code. (Ord. #72, May 1990, as amended by Ord. #76, Nov. 1990, modified, as replaced by Ord. #172, June 2006)

7-102. Codification. Any reference in the fire code that refers to the chief administrator shall be deemed to be a reference to the governing body of the municipality. When the building official and director of public works is named, it shall, for purposes of the fire code, be deemed the building inspector as appointed by the board of mayor and aldermen. (Ord. #76, Nov. 1990, as replaced by Ord. #172, June 2006)

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.

7-103. Permit required. No person or corporation shall install or construct a fire-saving apparatus without obtaining a permit for such construction or installation as required by the International Fire Code. (as added by Ord. #172, June 2006)

7-104. Available in recorder's office. Pursuant to the requirements of Tennessee Code Annotated, § 6-54-502, one copy of the International Fire Code has been placed on file in the recorder's office and should be kept there for the use and inspection of the public. (as added by Ord. #172, June 2006)

7-105. Violation. It shall be unlawful for any person to violate or fail to comply with any provision of the fire code as herein adopted by reference and modified. (as added by Ord. #172, June 2006)

7-106. Appointment. The building inspector as appointed by the board of mayor and aldermen shall be responsible for enforcing the provisions in the code herein adopted by reference. The building inspector shall have all of the powers and duties described in the adopted code, and shall receive such compensation as the board of mayor and aldermen may prescribe. (as added by Ord. #172, June 2006)

1-107. Penalty. Any person, firm, corporation or agent who shall violate or fail to comply with any provisions of the code herein adopted by reference shall be punishable in city court, and any civil penalty of not more than fifty dollars (\$50.00) for each offense and each day of violation or noncompliance continue shall constitute a separate offense. Said violators shall also be responsible for all costs of enforcement including but not limited the costs of bringing the matter up to code. (as added by Ord. #172, June 2006)

CHAPTER 2

FIREWORKS

SECTION

7-201. Sale or store prohibited; exception.

7-202. Fireworks defined.

7-203. Violation and penalty.

7-201. Sale or store prohibited; exception. It shall be unlawful for any person, corporation, partnership or other business establishment of any kind or character to sell fireworks, or store fireworks within the corporate limits of the Town of Kimball, Tennessee, except at a fixed business location which must be at least 1,000 feet from any church and which must be located in an area where a majority of the buildings are used for commercial purposes. (Ord. #16, May 1970)

7-202. Fireworks defined. The word "fireworks" as used in this chapter shall have the same meaning and definition as that set out in Tennessee Code Annotated, § 68-104-101 et seq. (Ord. #16, May 1970)

7-203. Violation and penalty. The violation of any section, part or provision of this chapter is hereby described to be a civil offense, punishable upon conviction, by a civil penalty of not more than five hundred dollars (\$500.00). (Ord. #16, May 1970, modified)

CHAPTER 3

FIRE DEPARTMENT

SECTION

- 7-301. Establishment, equipment and membership.
- 7-302. Operational funds.
- 7-303. Objectives.
- 7-304. Organization, rules and regulations.
- 7-305. Records and reports.
- 7-306. Disciplinary action.
- 7-307. Chief responsible for training and maintenance.
- 7-308. Chief to be assistant to state officer.
- 7-309. Use of equipment outside the corporate limits.

7-301. Establishment, equipment and membership. There is hereby established the Kimball Fire Department to be supported and equipped from appropriations by the board of mayor and aldermen and from other contributions. All apparatus, equipment, and supplies of the fire department shall be purchased in accordance with municipal purchasing requirements and shall be and remain the property of the town. The fire department shall be composed of a chief appointed by the board of mayor and aldermen, and such number of subordinate officers and firemen as may be recommended by the fire chief. The fire department shall consist of volunteers in addition to the fire chief and all officers and any paid firefighters shall be provided for in the annual operating budget of the city. (as added by Ord. #180, Oct. 2006)

7-302. Operational funds. The board of mayor and aldermen shall provide for the operations of the fire department in its annual budget. Any funds raised by the fire department auxiliary, if one is created, or by any individual or group of volunteer firemen may be accepted by the board of mayor and aldermen. All equipment, materials, supplies, etc. purchased with contributed funds shall become the property of the Town of Kimball. The board of mayor and aldermen may reject any gift or contribution it deems not to be in the best interest of the Town of Kimball. (as added by Ord. #180, Oct. 2006)

7-303. 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.

- (7) To serve as the emergency management agency of the town.
- (8) To protect the health and safety of the citizens from the transportation, storage, or manufacture of hazardous materials to the extent possible that the level of equipment and training will allow.
- (9) To work with the water department to insure that adequate water supplies for fire protection are available.
- (10) To provide public fire education materials and information to the citizens in order that they may protect themselves from harm. (as added by Ord. #180, Oct. 2006)

7-304. Organization, rules and regulations. The chief of the Town of Kimball Fire Department shall, under the direction of the board of mayor and aldermen, set up the organization of the department, make work assignments to individuals, based on input, suggestions and recommendations from the members of the volunteer fire department, and shall formulate and enforce such rules and regulations as shall be necessary for the orderly and efficient operation of the fire department. (as added by Ord. #180, Oct. 2006)

7-305. Records and reports. The chief of the Town of Kimball Fire Department shall prepare the annual departmental budget to be approved by the board of mayor and aldermen, keep adequate records of all fires, inspections, apparatus, equipment, personnel, and work of the department. He shall submit such written reports to the mayor as the mayor requires. The mayor shall submit such written reports to the board of mayor and aldermen as the board of mayor and aldermen requires. (as added by Ord. #180, Oct. 2006)

7-306. Disciplinary action. The chief of the Town of Kimball Fire Department shall have the authority to suspend or dismiss any other member of the fire department when he deems such action to be necessary for the good of the department. The board of mayor and aldermen shall dismiss the fire chief. (as added by Ord. #180, Oct. 2006)

7-307. 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, under the direction and subject to the requirements of the board of mayor and aldermen. Each volunteer firefighter and/or officer shall receive no less than forty (40) hours of in-service firefighter training annually, after an initial training period consisting of no less than sixteen (16) hours of basic firefighter training during the first ninety (90) days of his membership in the fire department. Paid firefighters shall be trained in accordance with the standards of the Tennessee Commission on Firefighter Standards and Education. (as added by Ord. #180, Oct. 2006)

7-308. Chief to be assistant to state officer. Pursuant to requirements of Tennessee Code Annotated, § 68-102-108, the fire chief is designated as an assistant to the State Commissioner of Commerce and 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. (as added by Ord. #180, Oct. 2006)

7-309. Use of equipment outside the corporate limits. Personnel and/or equipment of the Town of Kimball Fire Department may be used for fighting any fire outside the town limits if:

(1) In the opinion of the fire chief, the fire is in such hazardous proximity to property owned or located within the town as to endanger the town property; or

(2) The board of mayor and aldermen has developed policies for providing emergency services outside of the town limits or entered into a contract mutual aid agreement pursuant to the authority of

(a) The Local Government Emergency Assistance Act of 1987, as amended, codified in Tennessee Code Annotated, § 58-2-601 et seq.,

(b) Tennessee Code Annotated, § 12-9-101 et seq. or

(c) Tennessee Code Annotated, § 6-54-601. (as added by Ord. #180, Oct. 2006)