TITLE 7
FIRE PROTECTION AND FIREWORKS

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CHAPTER 1
FIRE DISTRICT

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7-101. Fire limits described. The corporate fire limits shall be and include the City Square and all the property abutting thereon back to the alley on the back side thereof or one hundred and twenty-five (125) feet, which ever is more distant.  (1967 Code, § 7-101)

7-102. Open fires regulated. No person shall make or cause to be made or set any fire of any kind in the open within the city unless such fire be and remain under the direct and constant supervision of some competent person; nor shall any person making or setting any fire allow such fire to become so large or so intense that it is not within his complete control; nor shall any person allow any fire to injure or damage any structure, ornamental shrubbery, tree, or hedge.  (1967 Code, § 7-102)

7-103. Permit required for grass fires. No person shall set or cause to be set or burn or cause to be burned, at any time, any fire commonly known

1Municipal code reference
Building, utility and housing codes:  title 12.
as a grass fire for the purpose of burning off vegetation, leaves, grass, or weeds, on any lot or parcel of ground within the city, unless he shall first obtain from the fire chief, or his duly authorized representative, a permit for such fire. The permit shall be applied for at the fire station in the City of Ripley. (1967 Code, § 7-103)

7-104. Application for permit. Any person making application to the fire department for a grass fire permit shall set forth the area to be burned, the vegetation contained thereon, the protection that will be taken against said fire, and the person under whose direction and constant supervision the fire will remain. (1967 Code, § 7-104)

7-105. Inspection of premises; issuance or denial of permit. Upon application for a grass fire permit the fire chief or his representative shall cause an inspection of the premises to be made. If the inspection reveals that such fire can be permitted without unreasonable hazard to other property the permit will be issued; otherwise it will be denied. (1967 Code, § 7-105)

7-106. Trash fires, etc. No person shall make any bonfire or burn any trash, rubbish, refuse, grass, or leaves between the hours of sunset and sunrise or at any time within twenty-five (25) feet of any building.

The foregoing provisions shall not apply to the burning of trash, rubbish, refuse, grass, weeds, or leaves between the hours of sunrise and sunset, when the fire is not within twenty-five (25) feet of any building, and such fire is confined within a fireproof container constructed of heavy wire or sheet metal with the openings in the mesh not greater than one (1) square inch, or when such fire, being more than twenty-five (25) feet from any building, is for the purpose of burning cut grass, weeds, rubbish, or trash, when the grass, weeds, rubbish, or trash shall first have been placed in suitable piles, said piles not to be so large or said fire not to be so intense as to endanger any building or property or any growing trees or shrubbery.

No trash or other matter giving off foul or unwholesome odors, shall be burned at any time or at any place. (1967 Code, § 7-106)

7-107. Fires at gins and box factories. Due to the fire hazards associated with the operation of gins and box factories and the cost of fighting fires, the cost of fires at gins and box factories shall be borne by the place having the fire after one fire call per calendar year. The second fire call and all calls thereafter shall be charged to the gin or box factory requiring such calls. Such places shall be charged what it cost the fire department to make each call after the first one.

The cost of fighting the second and subsequent fires shall become a lien upon said property and shall be collectable and enforceable as property taxes upon the property. (1967 Code, § 7-107)
CHAPTER 2

FIRE CODE

SECTION

7-201. Fire code adopted.
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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 Standard Fire Prevention Code, 2 1994 edition, as recommended by the Southern Standard Building Code Congress International, Inc. 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. (1967 Code, § 7-201, as amended by Ord. #179, Aug. 1967; Ord. #190, Dec. 1971; Ord. #194, Aug. 1972; Ord. #228, March 1982; Ord. #244, July 1985; Ord. #295, Jan. 1991, modified; and Ord. #341, June 1995)

7-202. Enforcement. The fire prevention code herein adopted by reference shall be enforced by the chief of the fire department. (1967 Code, § 7-202)

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 Ripley. (1967 Code, § 7-203)

7-204. Storage of explosives, flammable liquids, etc. (1) The limits referred to in § 1901.4.2 of the fire prevention code, in which storage of explosive

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

2Copies of this code are available from the Southern Building Code Congress International, Inc., 900 Montclair Road, Birmingham, Alabama 35213-1206.
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materials is prohibited, is hereby declared to be the fire limits as set out in § 7-101 of this code.

(2) The limits referred to in § 902.1.1 of the fire prevention code, in which storage of flammable or combustible liquids in outside above ground tanks is prohibited, are hereby declared to be the fire limits as set out in § 7-101 of this code.

(3) The limits referred to in § 906.1 of the fire prevention code, in which new bulk plants for flammable or combustible liquids are prohibited, are hereby declared to be the fire limits as set out in § 7-101 of this code.

(4) The limits referred to in § 1701.4.2 of the fire prevention code, in which bulk storage of liquefied petroleum gas is restricted, are hereby declared to be the fire limits as set out in § 7-101 of this code. (1967 Code, § 7-204)

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. (1967 Code, § 7-205)

7-206. Modifications. The chief of the fire department may recommend to the mayor and aldermen modifications 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 modifications when granted or allowed shall be contained in an amendment to this code or a resolution of the mayor and aldermen. (1967 Code, § 7-206)

7-207. Violations. It shall be unlawful for any person to violate any of the provisions of this chapter or the Standard 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 taken; or fail to comply with such an order as affirmed or modified by the mayor and aldermen 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. (1967 Code, § 7-207)
CHAPTER 3

FIRE DEPARTMENT

SECTION
7-301. Establishment, equipment and membership.
7-302. Objectives.
7-303. Organization, rules and regulations.
7-304. Records and reports.
7-305. Employment and wages.
7-306. Chief responsible for training.
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 mayor and aldermen. 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 and such number of physically-fit subordinate officers and firemen as the mayor and aldermen shall appoint. (1967 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. (1967 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. (1967 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 such written reports on those matters to the mayor once each month, and at the end of the year a detailed

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1Municipal code reference
Special privileges with respect to traffic: title 15, chapter 2.
annual report shall be made. (1967 Code, § 7-304)

7-305. Employment and wages. The board of mayor and aldermen shall appoint a head of the fire department, and said department head shall serve at the will and pleasure of the board. The board of mayor and aldermen may authorize the appointment of such employees to staff the fire department as it deems necessary, and may prescribe their duties or delegate that function to the department head. The employees of the fire department shall be appointed by, and serve at the will and pleasure of, the department head. The board of mayor and aldermen shall fix the salary and wages of all officers and employees of the fire department. (1967 Code, § 7-305, as replaced by Ord. #347, § 1, May 1996)

7-306. Chief responsible for training. The chief of the fire department shall be fully responsible for the training of the firemen, and the minimum training shall consist of having the personnel take the fire apparatus out for practice operations not less than once a month. (1967 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 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 fire prevention commissioner in the execution of the provisions thereof. (1967 Code, § 7-308)
CHAPTER 4

FIRE SERVICE OUTSIDE CITY 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 expressly authorized by the mayor and aldermen in writing. (1967 Code, § 7-307)
CHAPTER 5

FIREWORKS

SECTION
7-501. Definition.
7-502. Manufacture, sale and discharge of fireworks.
7-503. Bond for fireworks display required.
7-504. Disposal of unfired fireworks.
7-505. Exceptions.
7-506. Seizure of fireworks.

7-501. Definition. "Fireworks" shall mean and include any combustible or explosive composition, or any substance or combination of substances, or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation, and shall include blank cartridges, toy pistols, toy cannons, toy canes, or toy guns in which explosives are used, the type of balloons which require fire underneath to propel the same, firecrackers, torpedoes, skyrockets, Roman candles, Daygo bombs, sparklers, or other devices of like construction and any devices containing any explosive or flammable compound, or any tablets or other device containing any explosive substance, except that the term "fireworks" shall not include auto flares, paper caps containing not in excess of an average of twenty-five hundredths of a grain of explosive content per cap, and toy pistols, toy canes, toy guns or other devices for use of such caps, the sale and use of which shall be permitted at all times. (1967 Code, § 7-401)

7-502. Manufacture, sale and discharge of fireworks. (1) The manufacture of fireworks is prohibited within the city.
(2) Except as hereinafter provided it shall be unlawful for any person to store, to offer for sale, expose for sale, sell at retail, or use or explode any fireworks; provided that the recorder shall have power to grant permits for supervised public displays of fireworks by the city, fair associations, amusement parks, and other organizations. Every such display shall be handled by a competent operator approved by the chief of the fire department of the city, and shall be of such a character, and be so located, discharged or fired as in the opinion of the chief of the fire department, after proper inspection, shall not be hazardous to property or dangerous to any person.
(3) Applications for permits shall be made in writing in advance of the date of the display. After such privilege shall have been granted, the sale, possession, use and distribution of fireworks for such display shall be lawful for that purpose only. No permit granted hereunder shall be transferable. (1967 Code, § 7-402)
7-503. **Bond for fireworks display required.** The permittee shall furnish a bond in an amount deemed adequate by the recorder for the payment of all damages which may be caused either to a person or persons or to property by reason of the permitted display, and arising from any acts of the permittee, his agents, employees or subcontractors. (1967 Code, § 7-403)

7-504. **Disposal of unfired fireworks.** Any fireworks that remain unfired after the display is concluded shall be immediately disposed of in a way safe for the particular type of fireworks remaining. (1967 Code, § 7-404)

7-505. **Exceptions.** Nothing in this chapter shall be construed to prohibit any resident wholesaler, dealer, or jobber to sell at wholesale such fireworks as are not herein prohibited; or the sale of any kind of fireworks provided the same are to be shipped directly out of the city; or the use of fireworks by railroads or other transportation agencies for signal purposes or illumination, or the sale or use of blank cartridges for a show or theater, or for signal or ceremonial purposes in athletics or sports, or for use by military organizations. (1967 Code, § 7-405)

7-506. **Seizure of fireworks.** Policemen and firemen shall seize, take, remove, or cause to be removed at the expense of the owner all stocks of fireworks offered or exposed for sale, stored, or held in violation of this chapter. (1967 Code, § 7-406)
CHAPTER 6
FIRE ALARMS

SECTION
7-601. Penalty for false fire alarms.

5-601. Penalty for false fire alarms. 1. Penalty. A civil penalty of $25.00 shall be imposed upon any individual, business, industry, or other entity, upon whose premises a false fire alarm is sounded.

This penalty shall apply to each false fire alarm occasioned; provided, however, that no penalty shall be imposed for false fire alarms occasioned exclusively by a violent act of nature.

2. Notice. Notice in writing shall be given the said individual, business, industry, or other entity, upon whose premises a false fire alarm has sounded, of the imposition of the aforesaid civil penalty. The notice shall be given within 10 days of the sounding of the false alarm.

3. Hearing. Upon request by an individual, business, industry, or other entity aggrieved by the imposition of the civil penalty prescribed hereunder, the City of Ripley shall provide for a hearing before the board of mayor and aldermen, within 60 days, to consider the circumstances of the occasioning of the false fire alarm.

Any said request must be made:
   a. In writing; and
   b. Within 10 days of the imposition of the civil penalty.

Failure to make the request as aforesaid shall, without exception, constitute a waiver of the right to hearing.

The board of mayor and aldermen are vested with the authority to relieve the civil penalty, or any portion thereof, which they, in their sole discretion, deem reasonable under the circumstances presented by the aggrieved party. (as added by Ord. #365, Nov. 1997)