# TITLE 7

## FIRE PROTECTION AND FIREWORKS[1]

**CHAPTER**

1. FIRE DISTRICT AND LANES.
2. FIRE CODE.
3. FIRE DEPARTMENT.
4. FIRE SERVICE OUTSIDE CITY LIMITS.
5. FIREWORKS.
6. FIRE ALARM REGULATIONS.

## CHAPTER 1

## FIRE DISTRICT AND LANES

**SECTION**

7-101. Fire district.
7-102. Fire lanes.

**7-101.** **Fire district**. The fire district shall be and include all the area in the city.[2] (1985 Code, § 7-101, modified)

**7-102.** **Fire lanes**. Fire lanes shall be such area on public or private property as designated and identified as such. (1985 Code, § 7-102)

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

[2]Municipal code reference
Zoning ordinance and map: title 14.

# CHAPTER 2

## FIRE CODE[1]

**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.

**7-201. Fire code adopted.**[2] Pursuant to the 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] 2012 edition, as published by the International Code Council, is hereby adopted. Not less than one (1) copy of the International Fire Code, 2012 edition, has been filed with the Recorder of the City of Lewisburg and is available for public use and inspection. Said fire code is adopted and incorporated as fully as if set out at length herein and shall be controlling within the corporate limits. (1985 Code, § 7-201, modified, as replaced by Ord. #10-03, March 2010, and Ord. #16-17, Nov. 2016)

**7-202. Enforcement.** The fire prevention 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. (1985 Code, § 7-202)

**7-203. Definition of "municipality."** Wherever the word "municipality" is used in the fire prevention code herein adopted, it shall mean the City of Lewisburg, Tennessee. (1985 Code, § 7-203, modified)

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

[2]Municipal code reference
Fireworks: title 7, chapter 5.

[3]Copies 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.** The limits referred to in § 1901.4.2 of the fire prevention code, in which storage of explosives and blasting agents are prohibited, are hereby declared to be the fire limits as set out in § 7-101 of this code.

The limits referred to in § 902.1.1 of the fire prevention code, in which storage of flammable 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.

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.

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. (1985 Code, § 7-204)

**7-205. Gasoline trucks.** No person shall operate or park a gasoline or propane truck within the city at any time, except for the purpose of, and while actually engaged in, the expeditious delivery of gasoline and propane; however, such trucks may be parked at and on property owned by a gasoline and propane distributor. (1985 Code, § 7-205, modified)

**7-206. Variances.** The chief of the fire department 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. (1985 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 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 care; 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. (1985 Code, § 7-207)

# CHAPTER 3

## FIRE DEPARTMENT[1]

SECTION

7-301. Establishment, equipment, and membership.
7-302. Objectives.
7-303. Organization, rules, and regulations.
7-304. Records and reports.
7-305. Chief responsible for training and maintenance.
7-306. 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 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 city manager shall appoint and available funds shall permit. All such personnel shall serve at the will and pleasure of the city manager. (1985 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.

(7) Enforce fire code, fire lanes and fire districts. (1985 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 he shall deem for the orderly and efficient operation of the fire department. (1985 Code, § 7-303, modified)

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[1]Charter reference
Fire department: art. XVI.
Municipal 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 city manager once each month, and at the end of the year a detailed annual report shall be made. (1985 Code, § 7-304)

**7-305.** Chief responsible for training and maintenance. The chief of the fire department shall be fully responsible for the training of the firemen and maintain records of the training of firemen and maintenance of property and equipment of the fire department. (1985 Code, § 7-306, modified)

**7-306.** 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 banking 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. (1985 Code, § 7-308)

# CHAPTER 4

## FIRE SERVICE OUTSIDE CITY LIMITS

SECTION

7-401. Equipment to be used only within corporate limits generally.
7-402. Mutual aid agreement.

**7-401.** Equipment to be used only within corporate limits generally. No equipment of the fire department shall be used for fighting any fire outside the corporate limits unless such fire is on city-owned 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 city as to endanger the city property or unless expressly authorized in writing by the city council. (1985 Code, § 7-307)

**7-402.** Mutual aid agreement. The city has entered into certain mutual aid agreements with Marshall County and other counties and municipalities and the fire department shall abide by such agreements.

# CHAPTER 5

## FIREWORKS

SECTION
7-501. Fireworks.
7-502. Violations and penalty.

**7-501.** Fireworks. No person shall ignite or discharge, or cause to be ignited or discharged, any permissible fireworks as defined in Tennessee Code Annotated, § 68-22-108 within the corporate limits of the City of Lewisburg between the hours of 10:00 P.M. and 7:00 A.M. except on July 4 and December 24, 25 and 31. (1985 Code, § 7-401)

**7-502.** Violations and penalty. Persons violating the provisions of this ordinance shall be subject to the general penalty provision of this code for each violation. (1985 Code, § 7-402, modified)

# CHAPTER 6

## FIRE ALARM REGULATIONS

**SECTION**

7-601. Definitions.
7-602. Public nuisance.
7-603. Key holder/owner/operator.

**7-601. Definitions.** (1) "False emergency fire alarm." Any signal actuated by an emergency alarm to which the fire department responds which is not the result of fire or other actual emergency and not caused by a violent act of nature and/or drop in pressure from water supply system to sprinkler system.

(2) "Owners and/or operator." A person or persons who resides in, owns, or operates a business or residence in which an emergency fire alarm is connected. (as added by Ord. #12-01, April 2012)

**7-602. Public nuisance.** It is hereby found and determined by the city that all false alarms constitute a public nuisance and the following schedule of notice, warnings, penalties, and costs shall be assessed to the owners and/or operators of emergency alarm systems for false emergency alarms transmitted to the fire department within any year and the Lewisburg Fire Department will maintain records of all false alarms. (as added by Ord. #12-01, April 2012)

**7-603. Key holder/owner/operator.** When the Lewisburg Fire Department responds to any alarm calls, the emergency contact or (key holder) shall respond in a timely manner or within thirty (30) minutes from time of call. If key holder does not respond to the call, or does not respond in the time set forth in this chapter, it will result in the imposition of a fine of fifty dollars ($50.00) payable within thirty (30) days of said notice regardless of the number of occurrences of false alarm calls.

Otherwise the following shall apply:

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| First false alarm: | No action. |
| Second false alarm: | Notice by letter informing the owner or operator of the alarm system of the provisions of this chapter. |
| Third false alarm: | Warning letter and notice to insure the alarm system is in proper working order. Once the third false emergency alarm has been received, the fire chief shall cause to be sent, by certified mail, a notice to the owner and/or operator that further false emergency alarms |

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| | will result in the imposition of a penalty and or costs of providing such service. |
| Fourth false alarm: | A fine of fifty dollars ($50.00) shall be imposed which will be payable in thirty (30) days after notice. |
| Fifth and subsequent false alarms: | A reimbursement for each false alarm and the actual costs of such response by the fire department as calculated and set annually, including the cost of equipment, fuel, personnel, administration, and other such factors as determined by the fire chief will be payable by the owner/operator within thirty (30) days of notice. |

Any failure of key holder or owner/operator to pay said fine or reimbursement will result in the city attorney issuing a warrant in city court for said failure to pay. (as added by Ord. #12-01, April 2012)