

TITLE 7

FIRE PROTECTION AND FIREWORKS¹

CHAPTER

1. FIRE DISTRICT.
2. FIRE CODE.
3. FIRE DEPARTMENT.
4. FIRE SERVICE OUTSIDE CITY LIMITS.
5. FIREWORKS.

CHAPTER 1

FIRE DISTRICT

SECTION

7-101. Fire limits described.

7-101. Fire limits described. The corporate fire limits shall be as follows: all buildings facing and adjacent to the Court House Square in the City of Waynesboro. (Ord. #644, Oct. 1980, 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. Gasoline trucks.
- 7-205. Variances.
- 7-206. Violations.

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. (1973 Code, § 7-201, modified)

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. (1973 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 Waynesboro, Tennessee. (1973 Code, § 7-203)

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. (1973 Code, § 7-205)

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.

7-205. Variances. The chief of the fire department may recommend to the governing body 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 governing body. (1973 Code, § 7-206)

7-206. 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 governing body of the municipality or by a court of competent jurisdiction, within the time fixed herein. The application of a penalty under the general penalty clause for the city code shall not be held to prevent the enforced removal of prohibited conditions. (1973 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.
- 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 governing body of the municipality. All apparatus, equipment, and supplies shall be purchased by or through the municipality and shall be and remain the property of the municipality. The fire department shall be composed of a chief appointed by the city manager and such number of physically-fit subordinate officers and firemen as the chief shall appoint. (1973 Code, § 7-301)

¹Charter references

For detailed charter provisions governing the operation of the fire department, see Tennessee Code Annotated, title 6, chapter 21, part 7. For specific provisions in part 7 related to the following subjects, see the sections indicated.

Fire chief

Appointment: § 6-21-701.

Duties: § 6-21-702.

Emergency: § 6-21-703.

Fire marshall: § 6-21-704

Firemen

Appointment: § 6-21-701.

Emergency powers: § 6-21-703.

Municipal code reference

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

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 such written reports on those matters to the city manager once each month, and at the end of the year a detailed report shall be made. (1973 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 the city manager. However, so that adequate discipline may be maintained, the chief shall have the authority to suspend or discharge any other member of the fire department when he deems such action to be necessary for the good of the department.

All personnel of the fire department shall receive such compensation for their services as the governing body 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 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 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. (1973 Code, § 7-308)

CHAPTER 4

FIRE SERVICE OUTSIDE CITY LIMITS

SECTION

7-401. Fire service outside city limits.

7-401. Fire service outside city limits. The city manager is hereby authorized to enter into agreements for the furnishing of fire protection beyond the corporate limits of the City of Waynesboro upon the following terms and conditions:

(1) Any individual, private corporation or business owning, leasing or renting real property outside the corporate limits of the City of Waynesboro, Tennessee, but within a radius of four (4) miles from the corporate limits of Waynesboro, Tennessee, and desiring to enter into a contract with the City or Waynesboro for fire protection for said property may apply for a subscription agreement between themselves and the city. Said contract shall state the name and address of the subscriber and location of the property for which protection is desired, and the name or names of persons, other than the subscriber, authorized to issue a call for such fire protection, upon the terms and conditions required by the City of Waynesboro.

Upon receipt of said subscriber's contract, and the fees hereinafter established, the subscriber will be placed on a list of eligible parties to be provided the fire protection desired by the subscriber.

All contracts shall be for a period of ten (10) years and shall be cancellable at the option of the city at the end of ten (10) years, or upon one fire call to the property for which fire protection is sought.

The Fire Department of the City of Waynesboro shall answer only calls outside the city limits of Waynesboro, only when a subscriber's contract on the endangered property is in force. The Fire Chief of the City of Waynesboro shall only dispatch the No. 2 firetruck and such equipment and apparatus and personnel not needed to protect property within the City of Waynesboro from a fire or threat of fire or general conflagration.

All subscribers shall deposit with the Treasurer of the City of Waynesboro, at the time such contracts are entered into, the sum of \$300 for residential, or \$500.00 for business or commercial and said sums shall remain on deposit with the City of Waynesboro for the life of the contract.

All applicants shall agree that the City of Waynesboro will not in any manner be or become liable to the subscriber in damages or otherwise for any loss resulting from fire or otherwise to the property to be protected, nor shall the Commissioners of the City of Waynesboro be liable for any loss that may be sustained by the failure of the City of Waynesboro Fire Department to respond to any such call, or for its failure to provide sufficient fire apparatus and equipment that may occur on the premises to be protected.

The contracts herein authorized may be cancelled by an ordinance of the City of Waynesboro, provided 30 days notice be given prior to the adoption of such ordinance. (Ord. #644, Oct. 1980)

CHAPTER 5**FIREWORKS****SECTION**

7-501. Sale of fireworks.

7-502. Shooting of fireworks.

7-503. Violation.

7-501. Sale of fireworks. The sale of fireworks within the city limits shall be confined to the following periods June 20th through July 5th and December 10th through January 2nd. (as added by Ord. #699, May 1996)

7-502. Shooting of fireworks. The shooting of fireworks within the city limits is prohibited except under the following conditions: Fireworks may be shot between the dates of June 20th thru July 5th and December 10th thru January 2nd; however, not on Sundays with the exception of New Years Eve or July 4th. Fireworks may be shot between the hours of 10:00 a.m. and 10:00 p.m., except on New Years Eve. Fireworks can only be shot on private property only, not on public streets or on the city square. (as added by Ord. #699, May 1996)

7-503. Violation. The fine or penalty for violating any portion of this chapter shall be \$50.00 plus court costs. (as added by Ord. #699, May 1996)