

TITLE 7

FIRE PROTECTION AND FIREWORKS¹

CHAPTER

1. FIRE CODE.
2. VOLUNTEER FIRE DEPARTMENT.
3. FIRE SERVICE OUTSIDE TOWN LIMITS.

CHAPTER 1

FIRE CODE²

SECTION

- 7-101. Fire code adopted.
- 7-102. Enforcement.
- 7-103. Definition of "municipality."
- 7-104. Storage of explosives, flammable liquids, etc.
- 7-105. Gasoline trucks.
- 7-106. Variances.
- 7-107. Violations and penalties.

7-101. Fire code adopted. Pursuant to authority granted by Tennessee Code Annotated, sections 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,³ ____ edition with ____ amendments as recommended by the Southern Standard Building Code Congress International, Inc. is hereby adopted by reference and included as a part of this code. 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.

¹Municipal code reference

Building, utility and housing codes: title 12.

²Municipal code reference

Building, utility and housing codes: title 12.

³Copies of this code are available from the Southern Building Code Congress International, Inc., 900 Montclair Road, Birmingham, Alabama 35213-1206.

7-102. 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.

7-103. 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 Atoka, Tennessee.

7-104. Storage of explosives, flammable liquids, etc. (1) The district referred to in section 1901.4.2 of the fire prevention code, in which storage of explosives and blasting agents is prohibited, is hereby declared to be the fire district as set out in section 7-101 of this code.

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

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

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

7-105. 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.

7-106. Variations. The chief of the fire department may recommend to the board of mayor and aldermen 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 board of mayor and aldermen.

7-107. Violations and penalties. 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 modified by the board of 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 this municipal code shall not be held to prevent the enforced removal of prohibited conditions.

CHAPTER 2

VOLUNTEER FIRE DEPARTMENT¹

SECTION

7-201. Establishment, equipment, and membership.

7-202. Objectives.

7-203. Organization, rules, and regulations.

7-204. Records and reports.

7-205. Tenure and compensation of members.

7-206. Chief responsible for training and maintenance.

7-207. Chief to be assistant to state officer.

7-208. Key lock box system.

7-201. Establishment, equipment, and membership. The fire department of the Town of Atoka shall be run as an operational department of the town pursuant to all duly authorized automatic and mutual aid agreements. The department shall employ full-time employees and supplement its force with reserve firefighters. (Ord. no. 22, as replaced by Ord. #15-01-01, Oct. 2015)

7-202. 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 respond to medical emergencies and vehicular accidents to provide the highest level of care possible.

(6) To prevent loss of life from fire and medical emergencies.

(7) To provide education to the community regarding fire safety and preparedness.

(8) To perform such rescue work as its equipment and/or the training of its personnel makes practicable. (as replaced by Ord. #15-01-01, Oct. 2015)

7-203. Organization, rules, and regulations. The fire chief shall set up the organization of the department, make assignments to individuals and formulate and enforce rules and regulations as shall be necessary for the orderly and efficient operation of the department. Rules and regulations of the department may not be in conflict with general provisions of the Town charter,

¹Municipal code reference

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

code of ordinances or personnel regulations. (as replaced by Ord. #15-01-01, Oct. 2015)

7-204. Records and reports. The fire chief shall keep adequate records of all fires, inspections, medical calls, emergency runs, apparatus, equipment, personnel and work of the department. He shall submit such written reports on those matters to the board of mayor and aldermen as they may require. (as replaced by Ord. #15-01-01, Oct. 2015)

7-205. Tenure and compensation of members. The fire chief shall have the authority, consistent with the personnel regulations, to suspend or discharge any member of the department when he deems such action to be necessary for the good of the department. The fire chief shall be permanently appointed and permanently removed only by the board of mayor and aldermen.

All personnel of the department shall receive such compensation for their services as the board of mayor and aldermen may from time to time prescribe through budget allocation. (as replaced by Ord. #15-01-01, Oct. 2015)

7-206. Chief responsible for training and maintenance. The fire chief shall be fully responsible for the training of all subordinate staff and for maintenance of all property and equipment of the fire department under the direction of the town administrator. (as replaced by Ord. #15-01-01, Oct. 2015)

7-207. Chief to be assistant to state officer. Pursuant to requirements of Tennessee Code Annotated § 68-17-108, the fire chief 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 17, and shall be subject to the directions of the commissioner in the execution of the provisions thereof. (as replaced by Ord. #15-01-01, Oct. 2015)

7-208. Key lock box system. The Town of Atoka shall require key lock boxes on certain newly constructed and renovated structures.

(1) The following structures shall be equipped with a key lock box at or near the main entrance or such other location as required by the fire chief:

(a) Commercial, industrial and institutional structures protected by an automatic alarm system or automatic suppression system, or such structures that are secured in a manner that restricts access during an emergency.

(b) Multi-family residential structures that have restricted access through locked doors and have a common corridor for access to the living units.

(c) Governmental structures and nursing care facilities.

(2) All newly constructed structures subject to this section shall have the key lock box installed and operational prior to the issuance of an occupancy

permit. All existing structures subject to this section shall, upon addition, alteration or repair that would otherwise be subject to current building codes of the town and require the issuance of a permit for addition or alteration, comply with this section.

(3) The fire chief shall designate the type of key lock box system to be implemented with the town and shall have the authority to require use of the designated system in accordance with this section.

(4) The owner or operator of a structure required to have a key lock box shall, at all times, keep a key in the lock box that will allow for access to the structure. The owner or operator shall notify the fire chief of any changes to the key lock box system. (as added by Ord. #16-07-01, July 2016)

CHAPTER 3

FIRE SERVICE OUTSIDE TOWN LIMITS

SECTION

7-301. Restrictions on fire service outside town limits.

7-301. Restrictions on fire service outside town limits. No personnel or equipment of the fire department shall be used for fighting any fire more than three miles from the town limits or pursuant to the contract between the Town of Atoka and the City of Munford under the authority of Tennessee Code Annotated, section 12-9-101 et seq.