TITLE 7

FIRE PROTECTION AND FIREWORKS\footnote{1}

CHAPTER
1. FIRE DISTRICT.
2. FIRE CODE.
3. FIRE DEPARTMENT.
4. FIREWORKS.

CHAPTER 1

FIRE DISTRICT

SECTION

\textbf{7-101. Fire limits.} The fire limits of the city shall be as follows: Beginning in the center of Worth Street, one hundred (100) feet north of the intersection of the extension of the north line of Central Avenue with the center line of Worth Street, and extending southwardly along the center line of Worth Street, to a point located one hundred (100) feet south of the extension of the south line of Thirty-sixth Street; and extending eastwardly along a line located one hundred (100) feet south of the south line of said Thirty-sixth Street, to the center of the main line track of the Southern Railway Company; thence in a northeasterly direction along the center line of said main line or track, to a point located one hundred (100) feet north of the extension of the north line of Central Avenue; thence westwardly along a line located one hundred (100) feet north of the north line of said Central Avenue, to the point of beginning in the center of Worth Street.\footnote{2} (1981 Code, § 6-1)

\footnote{1}{Municipal code reference
Building, utility and housing codes: title 12.}

\footnote{2}{All fire limits referred to in titles 7 and 12 shall be these fire limits as set out in this section (§ 7-101).}
CHAPTER 2

FIRE CODE

SECTION

7-201. Fire code adopted.
7-203. Amendments.
7-204. Variances.
7-205. Appeals.
7-206. New materials, processes or occupancies which may require permits.
7-207. Establishment of limits of districts in which storage of explosives and blasting agents is to be prohibited.
7-208. Establishment of limits of districts in which storage of flammable liquids in outside above ground tanks is to be prohibited.
7-209. Establishment of limits in which bulk storage of liquified petroleum gases is to be restricted.
7-210. NFPA fire code adopted.

7-201. Fire code adopted. Pursuant to authority granted by Tennessee Code Annotated, § 6-54-502, the International Fire Code, 2012 edition including Appendices A, B, C, D, F, and I, is hereby adopted and incorporated by reference as fully as if set out verbatim herein, and the provisions thereof shall be controlling within the corporate limits of the city. Pursuant to the requirement of Tennessee Code Annotated, § 6-54-502, one (1) copy of this code, with the referenced appendices, has been filed with the city clerk and is available for public use and inspection.

Any matters in said fire code which are contrary to the existing ordinances of the City of Cleveland, Tennessee shall prevail, any existing ordinances to the contrary are hereby repealed in that respect only. (1981 Code § 8-56, as amended by Ord. of Oct. 1995, Ord. of July 1998, Ord. of 8/27/2001, and Ord. #2009-71, Oct. 2009, and replaced by Ord. #2014-27, June 2014)

7-202. Definitions. The following terms, when used in the Fire Prevention Code adopted by § 7-201 shall have the meaning indicated in this section:

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.
(1) "Corporation counsel" shall be held to mean the attorney for the city.

(2) "Municipality" shall be held to mean the city. (1981 Code, § 8-57)

7-203. Amendments. Within said fire code, when reference is made to the duties of a certain official named therein, that designated official of the City of Cleveland, Tennessee who has duties corresponding to those of the named official in said fire code shall be deemed to be the responsible official insofar as enforcing the provisions of said fire code are concerned. (1981 Code, § 8-58, as amended by Ord. of 7/27/98, and Ord. of 8/27/2001)

7-204. 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. (1981 Code, § 8-59, modified)

7-205. Appeals. Whenever the fire inspector shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the Fire Prevention Code adopted by this chapter do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the fire inspector to the city manager within thirty (30) days from the date of the decision appealed. (1981 Code, § 8-60, modified)

7-206. New materials, processes or occupancies which may require permits. The city manager, the chief of the fire department and the fire inspector shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies, which shall require permits, in addition to those now enumerated in the Fire Prevention Code adopted by this chapter. The fire inspector shall post such list in a conspicuous place in his office, and distribute copies thereof to interested persons. (1981 Code, § 8-61, modified)

7-207. Establishment of limits of districts in which storage of explosives and blasting agents is to be prohibited. The limits referred to in § 1901.4.2 of the Fire Prevention Code adopted by this chapter, in which storage of explosives and blasting agents is prohibited, are hereby established as follows:

Storage and locations shall be subject to approval by the chief of the fire department, or the fire inspector, with respect to the nearest residential
occupancy, place of public assembly, schools, church and hospitals, railroad and public highways, commercial or industrial and business districts. (1981 Code, § 8-63, modified)

7-208. Establishment of limits of districts in which storage of flammable liquids in outside above ground tanks is to be prohibited.

(1) The limits referred to in § 902.1.1 of the Fire Prevention Code adopted by this chapter in which storage of flammable liquids in outside above ground tanks is prohibited, are hereby established as follows:

Storage and location shall be subject to approval by the chief of the fire department or the fire inspector with respect to the nearest places of public assembly, schools, churches, hospital and business districts. The chief of the fire department or the fire inspector may continue use of the existing outside, above ground tanks, or flammable liquids, if it will not constitute a distant hazard to life or adjoining property.

(2) The limits referred to in § 906.1 of the Fire Prevention Code adopted by this chapter, in which new bulk plants for flammable or combustible liquids are prohibited, are hereby established as follows:

The storage shall be subject to approval by the chief of the fire department, or the fire inspector with respect to the nearest residential occupancy, place of public assembly, schools, churches and hospitals, commercial, industrial or business districts. (1981 Code, § 8-64, modified)

7-209. Establishment of limits in which bulk storage of liquefied petroleum gases is to be restricted. The limits referred to in § 1701.4.2 of the Fire Prevention Code adopted by this chapter, in which bulk storage of liquefied petroleum gas is restricted, are hereby established as follows:

Storage and location shall be subject to approval of the chief of the fire department or the fire inspector, with respect to residents or occupants, places of public assembly, schools, churches and hospitals, commercial, industrial or business districts. (1981 Code, § 8-65, modified)

7-210. NFPA fire code adopted. The NFPA Life Safety Code 101, 2012 edition, chapters 15, 17 and their references, is hereby adopted and incorporated by reference as fully as if set out verbatim herein, and the provisions thereof shall be controlling within the corporate limits of the city. Pursuant to the requirement of Tennessee Code Annotated, § 6-54-502, one (1) copy of this code, has been filed with the city clerk and is available for public use and inspection.

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1Municipal code reference
Amendments: § 7-203.
The Fire Chief of the Cleveland Fire Department, or the fire chief's designatee, is hereby designated as the authority having jurisdiction to enforce the provisions of this code. The building official and other properly certified persons designated by the building official shall have the authority to review and approve plans under this code in conjunction with appropriately designated fire department personnel.

Any matters in said fire code which are contrary to the existing ordinances of the City of Cleveland, Tennessee shall prevail, any existing ordinances to the contrary are hereby repealed in that respect only. (Ord. of 7/27/98, as amended by Ord. of 8/27/2001, Ord. #2004-17, May 2004, Ord. #2009-71, Oct. 2009, and Ord. #2013-8, Feb. 2013, and replaced by Ord. #2014-27, June 2014)
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. Chief responsible for training and maintenance.
7-306. Chief to be assistant to state officer.
7-307. Unlawful to interfere or tamper with fire plug or hydrant, or hose reel, etc.

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 subordinate officers and firemen as the city council shall authorize. (1981 Code, § 8-16, modified)

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.
(6) To perform such rescue work as its equipment and/or the training of its personnel makes practicable.

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, under the direction of the city manager. (1981 Code, §§ 8-19 and 8-22, modified)

7-304. Records and reports. The chief of the fire department shall keep adequate records of all fires, inspections, apparatus, equipment, personnel,

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1Municipal code reference
Special privileges with respect to traffic: title 15, chapter 2.
and work of the department. He shall submit such written reports on those matters to the city manager as the city manager requires. The city manager shall submit a report on those matters to the city council as they may require.

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 for maintenance of all property and equipment of the fire department, under the direction and subject to the requirements of the city manager.

7-306. 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 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. (1981 Code, § 8-1, modified)

7-307. Unlawful to interfere or tamper with fire plug or hydrant, or hose reel, etc. It shall be unlawful to interfere with any fire plug or hydrant, or hose reel, or to ride or drive against a plug or hydrant, or over a hose, or to turn on the water of a public hydrant or to throw stones or any other missile against the same. (1981 Code, § 8-27)
CHAPTER 4

FIREWORKS

SECTION

7-401. Discharge of firecrackers, rockets, etc.; public displays regulated.

7-402. Fireworks: sales prohibited.

7-401. **Discharge of firecrackers, rockets, etc.; public displays regulated.** It shall be unlawful for any person to discharge firecrackers or rockets of any description within the corporate limits of the city. However, pyrotechnic displays may be allowed if they are in compliance with the rules and regulations adopted by the city council. (1981 Code, § 15-65, modified)

7-402. **Fireworks: sales prohibited.** It shall be unlawful for any merchant or any one else to sell or keep for sale any firecrackers, sky rockets, or other articles used for pyrotechnic display. However, the foregoing prohibition against the sale of fireworks and the keeping of fireworks for sale shall not be construed to apply to fireworks stores deemed to be lawful pre-existing non-conforming uses under the zoning ordinance. (1981 Code, § 15-66, modified, as amended by Ord. #2003-37, Dec. 2003)