

TITLE 7**FIRE PROTECTION AND FIREWORKS¹****CHAPTER**

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

CHAPTER 1**MISCELLANEOUS****SECTION**

- 7-101. Gasoline trucks.
7-102. Open burning.

SECTION

7-101. Gasoline trucks. No person shall operate or park any gasoline tank truck within any residential area of the city at any time except for the purpose of and while actually engaged in the expeditious delivery of gasoline. (1973 Code, § 8-1)

7-102. Open burning. No person shall burn any material whatever without first obtaining the permission of the chief of the fire department therefore. (1973 Code, § 8-2)

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

CHAPTER 2

FIRE DISTRICT

SECTION

7-201. Fire limits described.

7-201. Fire limits described. The fire limits of the city shall be as follows:

Beginning on the south bank of the Big Pigeon River at a point which is the intersection of an extension of Prospect Avenue and said river bank; thence in a southerly direction with said extension and continuing along Prospect Avenue to a point two hundred (200) feet past the intersection of Prospect Avenue and Broadway; thence along a line parallel to and two hundred (200) feet to the south of Broadway in an easterly direction to the intersection of the line and College Street; thence along College Street and Broadway; thence across Broadway to the western line of the Stokley Van Camp Canning Company property; thence along said line in a northerly direction to the intersection of that line and Main Street and continuing along an extension of that line in a northerly direction, across River Road to the intersection of that line and the southern bank of the Big Pigeon River; thence in a westerly direction along the southern bank of the Big Pigeon River to the point of origin. (1973 Code, § 6-1)

CHAPTER 3

FIRE CODE

SECTION

- 7-301. Fire code adopted.
- 7-302. Enforcement.
- 7-303. Definition of "municipality."
- 7-304. Storage of flammable liquids and liquefied petroleum gas.
- 7-305. Modifications by the chief of the fire department.
- 7-306. Appeals from decisions of the chief of the fire department.
- 7-307. Violations.

7-301. Fire code adopted. The International Fire Code 2012 edition published by the International Fire Code Council and the NFPA Life Safety Code 101, 2012 edition published by the National Fire Protection Association regulating and governing the safeguarding of life and property from fire and explosion hazards arising from storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provide; providing for issuance of permits and collections of fees and terms of said Fire Code on file in the office of the City of Newport are hereby referred to, adopted, and made a part hereof, with additions, insertions, deletions, and changes, if any, prescribed in section 2a for the International Fire Code and section 2b for the NFPA Life Safety Code. When any conflict between the International Fire Code and the NFPA Life Safety Code arises the International Fire Code shall prevail.

Section 2a. That the following sections of the International Fire Code 2012 edition are hereby revised:

- 1) Section 101.1 Title. Insert: City of Newport for name of jurisdiction.
- 2) Section 109.4 Violation Penalties. Insert: class C misdemeanor for [specify offense], fifty dollars for [amount], and thirty days for [Number of Days].
- 3) Section 609.1 Shall be deleted and revised to say: Commercial kitchen exhaust hoods shall comply with the requirements of NFPA 96 Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations 2011 Edition.

Section 2b. The NFPA 101 Life Safety Code 2006 edition is hereby: for state buildings, educational occupancies and any other occupancy requiring an inspection by the state fire marshal for initial licensure.

Section 3. That the geographic limits referred to in certain sections of the 2006 International Fire Code are hereby established as follows:

- 1) Section 5704.2.9.6.1 The storage of Class I liquids in above ground tanks outside shall be prohibited except in areas zoned M-1 (Light Industrial), and M-2 (Heavy Industrial). The storage of Class II liquids in above ground tanks shall be prohibited except in areas zoned C-2 (General Business), C-3 (Interstate Business), M-1 (Light Industrial), and M-2 (Heavy Industrial).
- 2) Section 5706.2.4.4 The storage of Class I liquids in above ground tanks shall be prohibited except in areas zoned M-1 (Light Industrial), and M-2 (Heavy Industrial), .

The storage of Class II liquids in above ground tanks shall be prohibited except in areas zoned C-2 (General Business), C-3 (Interstate Business), M-1 (Light Industrial), and M-2 (Heavy Industrial).

- 3) Section 5806.2 The storage of cryogenic fluids in stationary containers in the CITY OF NEWPORT shall be prohibited except in areas zoned M-R (medical residential), M-1 (light industrial), and M-2 (heavy industrial).
- 4) Section 6104.2 The storage of liquefied petroleum gas is prohibited in areas zoned C-1 (Downtown) and is restricted in all other zones except for areas zoned M-1 (Light Industrial), M-2 (Heavy Industrial) provided that the authority having jurisdiction grants approval. (Ordinance #2018-01, March 2018)

(1973 Code, § 8-18, as amended by Ordinance #99-08-A, Aug. 1999; as amended by Ordinance #2009-06, September, 2006; as amended by Ordinance #2016-12 January 2017)

7-302. Enforcement. The fire prevention code adopted by reference shall be enforced by the chief of the fire department. (1973 Code, § 8-19)

7-303. Definition of "municipality." Whenever the word "municipality" is used in the fire prevention code herein adopted, it shall mean the City of Newport, Tennessee. (1973 Code, § 8-20)

7-304. Storage of flammable liquids, and liquefied petroleum gas. (1) The limits referred to in § 74a of the fire prevention code adopted in this chapter, in which storage of flammable liquids in outside above ground tanks is prohibited and the limits referred to in section 114 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 the § 7-201. (1973 Code, § 8-21)

7-305. Modifications by the chief of the fire department. The chief of the fire department shall have the power to modify any of the provisions of the fire prevention code adopted in this chapter upon application in writing by the owner or lessee, or the duly authorized agent of either, when there are practical difficulties in the manner of carrying out the strict letter of the fire prevention code, if the spirit of the fire prevention code shall be observed, public safety secured and substantial justice done. The particulars of the modifications, when granted or allowed and the decision of the chief of the fire department thereon, shall be entered upon the records of the fire department and a signed copy shall be furnished the applicant. (1973 Code, § 8-22)

7-306. Appeals from decisions of the chief of the fire department. When any person feels that he has been wrongfully aggrieved by a decision of the chief of the fire department in interpreting and applying the fire prevention code adopted in this chapter or granting or refusing modifications thereof, he may within thirty (30) days appeal the decision to the board of mayor and aldermen. The appeal shall be in writing. (1973 Code, § 8-23)

7-307. Violations. Any person who shall violate any of the provisions of the fire prevention code adopted in this chapter or fail to comply therewith or who shall violate or fail to comply with any order made thereunder, or who shall 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 who shall, fail to comply with such an order as affirmed or modified by the board of mayor and aldermen or by a court of competent jurisdiction, within the time fixed therefore, shall severally for each and every such violation and noncompliance respectively, be subject to the application of the penalty prescribed by the penalty provisions of this code. (1973 Code, § 8-24)

CHAPTER 4

VOLUNTEER FIRE DEPARTMENT

SECTION

7-401. Established; composition.

7-402. Rules and regulations.

7-403. General powers and duties of the chief.

7-401. Established; composition. There is hereby established a volunteer fire department, supported and equipped by the city and composed of a chief and a driver appointed by the board of mayor and aldermen and such number of subordinate officers and firemen as the chief of the fire department may initially appoint and the membership shall thereafter elect. (1973 Code, § 8-35)

7-402. Rules and regulations. The volunteer fire department and the members thereof shall be subject to such administrative and disciplinary rules and regulations as the chief of the fire department shall prescribe and the board of mayor and aldermen shall approve. (1973 Code, § 8-36)

7-403. General powers and duties of the chief. (1) The chief of the fire department shall be responsible for and shall have general control and supervision of all members of the volunteer fire department; he shall see that all the fire prevention and fire protection activities of the city are efficiently carried out and that all applicable fire regulations are observed within the city. (2) In addition to the provisions of subsection (1) and pursuant to the requirements of state law, the chief of the volunteer fire department 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 53 of chapter 24, and shall be subject to the directions of the fire prevention commissioner in the execution of the provisions thereof. (1973 Code, § 8-37)

CHAPTER 5

FIRE SERVICE OUTSIDE CITY LIMITS

SECTION

7-501. Equipment not to be used outside of the city.

7-501. Equipment not to be used outside of the city. No equipment of the volunteer fire department shall be used for fighting any fire outside the city. (1973 Code, § 8-38)