

**TITLE 7**

**FIRE PROTECTION AND FIREWORKS<sup>1</sup>**

**CHAPTER**

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

**CHAPTER 1**

**FIRE DISTRICT**

**SECTION**

7-101. Fire limits described.

**7-101. Fire limits described.** The corporate fire district shall be as follows: All areas within a general business district zone. (1990 Code, § 7-101)

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<sup>1</sup>Municipal code reference  
Building, utility and housing codes: title 12.

## CHAPTER 2

### FIRE DEPARTMENT<sup>1</sup>

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

**7-201. Establishment, equipment, and membership.** There is hereby established a fire department to be supported and equipped from appropriations by the board of commissioners of the City of Soddy-Daisy. 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 appointed by the city manager and such number of physically-fit subordinate officers and firemen as the chief shall appoint. (1990 Code, § 7-301)

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#### <sup>1</sup>Charter 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 marshal: § 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.

**7-202. 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 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. (1990 Code, § 7-302)

**7-203. 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. (1990 Code, § 7-303)

**7-204. 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 commission each quarter, and at the end of the year a detailed annual report shall be made. (1990 Code, § 7-304)

**7-205. 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 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 board of commissioners may from time to time prescribe. (1990 Code, § 7-305)

**7-206. Chief responsible for training.** 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. (1990 Code, § 7-306)

**7-207. Chief to be assistant to state officer.** Pursuant to requirements of Tennessee Code Annotated, section 68-17-108, 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. (1990 Code, § 7-307)

## CHAPTER 3

### FIRE SERVICE OUTSIDE CITY LIMITS

#### SECTION

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

**7-301. Restrictions on fire service outside city limits.** No personnel or equipment of the fire department shall be used for fighting any fire outside the city limits unless the fire is on city property or, in the opinion of the fire chief or city manager, is in such hazardous proximity to property owned or located within the city as to endanger the city property, or unless the board of commissioners has developed policies for providing emergency services outside of the city limits or entered into a contract or mutual aid agreement pursuant to the authority of

(1) The Mutual Aid and Emergency Disaster Assistance Agreement Act of 2004, as amended, codified in Tennessee Code Annotated, § 58-21-601 et seq.<sup>1</sup>

(2) Tennessee Code Annotated, § 12-9-101 et seq.<sup>2</sup>

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<sup>1</sup>State law references

Tennessee Code Annotated, § 58-8-101, et seq., the Mutual Aid and Emergency Disaster Assistance Agreement Act of 2004, which authorizes municipalities to respond to requests from other governmental entities affected by situations in which its resources are inadequate to handle. The act provides procedures and requirements for providing assistance. No separate mutual aid agreement is required unless assistance is provided to entities in other states, but a municipality may, by resolution, continue existing agreements or establish separate agreements to provide assistance. Assistance to entities in other states is still provided pursuant to Tennessee Code Annotated, § 12-9-101, et seq. "Assistance" is defined in the act as "the provision of personnel, equipment, facilities, services, supplies, and other resources to assist in firefighting, law enforcement, the provision of public works services, the provision of emergency medical care, the provision of civil defense services, or any other emergency assistance one governmental entity is able to provide to another in response to a request for assistance in a municipal, county, state, or federal state of emergency.

<sup>2</sup>State law references

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Tennessee Code Annotated, § 6-54-601 authorizes municipalities (1) To enter into mutual aid agreements with other municipalities, counties, privately incorporated fire departments, utility districts and  
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(3) Tennessee Code Annotated, § 6-54-601.<sup>1</sup> (1990 Code, § 7-401)

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(...continued)

metropolitan airport authorities which provide for firefighting service, and with individual fire departments to furnish one another with fire fighting assistance. (2) Enter into contracts with organizations of residents and property owners of unincorporated communities to provide the latter with firefighting assistance. (3) Provide fire protection outside their city limits to either areas or citizens on an individual contractual basis whenever an agreement has first been entered into between the municipality providing the fire service and the county or counties in which the fire protection is to be provided.

<sup>1</sup>Tennessee Code Annotated, § 12-9-101 et seq. is the Interlocal Governmental Cooperation Act which authorizes municipalities and other governments to enter into mutual aid agreements of various kinds.

## CHAPTER 4

### FIREWORKS

#### SECTION

7-401. Definitions.

7-402. Use prohibited at times relating to public display.

7-403. Use at public gatherings.

**7-401. Definitions.** (1) For the purpose of this chapter, "fireworks" are defined as provided in Title 68, Chapter 104 of the Tennessee Code, or any amendment thereto.

(2) For the purpose of this chapter, the prohibited zone referred to in § 7-402 begins at (and is inclusive of) the 700 block of O'Sage Drive, extending generally west along O'Sage Drive to its intersection with Dayton Pike, then generally south along Dayton Pike to its intersection with Hixson Pike, then generally east to include the 11600 block of Hixson Pike. Within such boundaries, said zone extends from the then-existing water line of Soddy Lake outward five hundred yards.

(3) For the purpose of this chapter, "public gathering" means any assembly of fifteen (15) or more persons on public property. (1990 Code, § 7-501)

**7-402. Use prohibited at times relating to public display.** At any time a public fireworks display is made by the City of Soddy-Daisy, the Soddy-Daisy Volunteer Fire Department, or any public or civic organization permitted or sanctioned by the City of Soddy-Daisy, the use or possession of fireworks within the prohibited zone described in § 7-401(2) by non-permitted individuals is unlawful. (1990 Code, § 7-502)

**7-403. Use at public gatherings.** It shall be unlawful to possess or discharge fireworks at any public gathering. (1990 Code, § 7-503)