

ORDINANCE 2019-17

ORDINANCE AMENDING TITLE 7, FIRE PROTECTION AND FIREWORKS, OF THE
MILLINGTON MUNICIPAL CODE

WHEREAS, The Board of Mayor and Aldermen have previously determined that it is in the best interest of the citizens of Millington to have our building codes uniform with those of Shelby County and have inspections conducted by the Memphis and Shelby County Office of Construction Code Enforcement; and

WHEREAS, It has been determined that it would also be in the best interest of the citizens of Millington to have our fire codes uniform with those of Shelby County; and

WHEREAS, It is necessary to amend the Millington Municipal Code to accomplish this change.

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the City of Millington, Tennessee, that Chapter 3 of Title 7 of the Millington Municipal Code is are repealed in their entirety.

BE IT FURTHER ORDAINED, that a new Chapter 3 titled Fire Codes is adopted to read:

CHAPTER 3

FIRE CODES

SECTION

7-301. Shelby County Fire Codes effective within City.

7-302. Fire lanes.

7-303. Key Lock Boxes.

7-304. Violations and penalties.

7-301. Shelby County Fire Codes effective within City. The fire code, including the NFPA Life Safety Code, in effect in Shelby County shall also be effective within the corporate limits and shall be enforced by Shelby County and/or City of Millington personnel.

7-302. Fire lanes. (1) All premises within the city which fire services may be called upon to protect in case of fire and which are not readily accessible from public roads shall be provided with suitable gates, access roads, and fire lanes so that all buildings on the premises are accessible to fire apparatus. Fire lanes shall be provided for all buildings which are set back more than one hundred fifty feet (150') from a public road or exceed thirty feet (30') in height and are set back over fifty feet (50') from a public road. Fire lanes shall be at least twenty feet (20') in width with the road edge closest to the building at least ten feet (10') from the building. Any dead-end road more than three hundred feet (300') long shall be provided with a turn-around at the closed end at least eighty feet (80') in diameter.

(2) The designation and maintenance of fire lanes on private property shall be accomplished as specified by the fire chief. It shall be the responsibility of the property owner or owners to properly mark fire lanes(s) as specified by the fire chief including signs and curb and parking lot striping.

(3) A written document, agreeable to the fire chief and for the benefit of the city, may be required for emergency access over all fire lanes.

(4) It shall be unlawful for any person to park or cause to be parked a motor vehicle on, or otherwise, obstruct, in any manner, any marked fire lane in the city. No vehicle shall be left unattended at any time in any marked fire lane within the city.

(5) Loading and unloading on or across any marked fire lane shall be limited to only the time necessary for said purpose and the operator of such vehicle shall always be within reasonable distance of said vehicle for the purpose of removing said vehicle which is preventing complete access to the fire lane by fire services.

(6) Whenever any motor vehicle without a driver is found parked or stopped in any marked fire lane in the city in violation of this section, the officer finding such vehicle may affix to such vehicle a citation for the driver and/or owner to answer for such violation in accordance with § 15-701 et seq., of this municipal code, and any person, firm or corporation violating any of the parking restrictions imposed by this section shall be subject to all of the provisions of said § 15-703, shall be guilty of a misdemeanor, and shall be fined as provided in said § 15-705.

(7) Whenever any motor vehicle is found parked or stopped in any marked fire lane in the city, or obstructing the same, the officer finding such vehicle may cause the same to be removed by towing or otherwise and the owner of such vehicle shall be liable for the cost of such removal.

(8) Any person, firm or corporation who shall violate or fail to comply with any of the provisions of this section shall be guilty of a misdemeanor and upon conviction of any such violation other than as provided in subsection (6) hereof shall be fined under the general penalty clause for this municipal code.

7-303. Key lock boxes. All facilities which provide proprietary services, such as, but not limited to, hotels, motels, hazardous, factory/industrial, etc, as well as buildings or parts of buildings served by an internal automatic fire detection or suppression system, having a connection to a central monitoring station facility, shall have a fire key lock box approved prior to installation by fire services. The lock box installed shall:

(1) Be installed after applying for and receiving a permit from fire services.

(2) Be located at or near the recognized public entrance, at a location approved by the fire chief or his designee.

(3) Be located at a height of not less than six feet (6') and not more than twelve feet (12') above final grade.

(4) Be located where no steps, displays, signs, or other fixtures or structure protrusions shall be located under the key lock box which would allow intruders to access the box without assistance

(5) Contain clearly marked keys to the locks within the building as identified during the plans review and permit process.

7-304. Violations and penalties. Any person, firm, corporation, tenant, occupant or agent who shall violate a provision of the fire code or fail to comply therewith or with any of the requirements thereof or cause such action to be taken in violation of the provisions of this code adopted by reference or locally adopted as modified shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation is committed or continued. Upon being found guilty of such violation, such person shall be punished according to the general penalty clause of the city or through injunctive remedies in state or federal court as appropriate. In the event court action is taken, the city shall be entitled to recover from any person adjudicated to have violated this chapter the city's reasonable attorney fees and litigation costs incurred in bringing the action(s) to enforce the provisions of this chapter. Further, a permit issued to a violator may be revoked

BE IT FURTHER ORDAINED, that all previous ordinances or portions thereof that are in conflict with this Ordinance are hereby repealed.

BE IF FURTHER ORDAINED, that this Ordinance shall take effect on the first day of the month following its passage, the public welfare requiring it.

Public Hearing:

First Reading: July 8, 2019

Second Reading:

Terry Jones, Mayor

Karen Findley, City Clerk