

**ORDINANCE NO. 96-13**

**AN ORDINANCE TO ESTABLISH A SERVICE FEE  
AND MINIMUM REGULATIONS FOR CONSTRUCTION FIRES  
STARTED TO DISPOSE OF CONSTRUCTION WASTE AND DEBRIS**

**Whereas**, the Town of Spring Hill is maintaining a low tax rate by maintaining a fire response service manned by a part time fire chief and volunteer firemen;

**Whereas**, building contractors are burning waste and scrap construction materials in order to avoid haul and disposal fees for same;

**Whereas**, this practice is resulting in calls from the public at large for fire service because fires are started without notification, then left burning without attendance resulting in unnecessary call out of volunteer fire responders;

**Whereas**, standard policy of the fire department is to respond to all calls for service since the merits of the call cannot be assumed until all facts are known; and

**Whereas**, it is imperative the governing Board discourage abuse of the volunteer responders and volunteer fire service by restricting and/or charging for practices which result in otherwise avoidable response calls, the public welfare requiring same.

**BE IT THEREFORE ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF SPRING HILL, TENNESSEE** that the Spring Hill 1995 Municipal Code shall be amended by imposing a service fee for fire calls made in response to fires started for the purpose of disposing of construction scrap and waste.

**Section One: Notification requirement for construction waste fires.**

In order for the fire chief to have prior knowledge, Town staff must be notified before a fire is started to burn construction waste and debris, but there will be no permitting document or fee required for a construction waste fire.

A violation of this notification requirement will subject the prime building contractor to a citation for starting an unauthorized fire.

**Section Two: Responsibility for construction fires.**

Fires started for the purpose of disposing of construction waste and debris shall be placed in a pit at a safe distance from all construction, manned continuously, and extinguished completely, which means no emission of smoke before construction employees leave the site.

The prime contractor, also known as the general contractor, for the site building construction shall be responsible for the acts of all his employees, subcontractors, vendors, or others using his site to start fires.

**Section Three: Prohibition of pollutants.**

No roofing, waste oil/fuel, plastics, oil based products, paints, insulation, or any other material emitting airborne pollutants shall be burned on site.

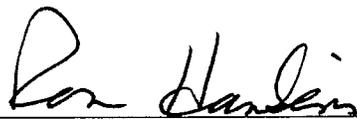
**Section Four: Actions by the Town.**

Any fire on a construction site done without prior notification and/or not done in conformance with Town requirements and/or not attended by an employee of the contractor, resulting in a fire call response by the Spring Hill fire department, shall result in a \$100 service fee charged to the prime contractor upon whose site the fire is found. The service fee shall be added to the fire department's budget.

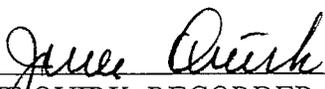
The fire chief shall keep a record of time, place, and facts related to any unauthorized construction site fire call and shall notify the Town building inspector and the appropriate contractors by regular mail of his findings.

A certificate of occupancy for the built construction shall be withheld by the Town's building inspector until the service fee is paid, and there will be no further building permits issued to the named contractor until the service fee is paid to the Town.

Passed and adopted by the Board of Mayor and Aldermen of the Town of Spring Hill, Tennessee, on the 18<sup>th</sup> day of March, 1996.

  
\_\_\_\_\_  
RON HANKINS, MAYOR

ATTEST:

  
\_\_\_\_\_  
JUNE QUIRK, RECORDER



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JUNE QUIRK, RECORDER

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LEGAL FORM APPROVED:

N. Houston Parks  
N. HOUSTON PARKS, ATTORNEY

PASSED ON 1ST READING: \_\_\_\_\_

PASSED ON 2ND READING: \_\_\_\_\_

CAPTION PUBLISHED: \_\_\_\_\_