CHAPTER 1

CIVIL DEFENSE

SECTION
20-101. Created; purpose. There is hereby created the Hardeman County Emergency Management Agency, which shall be a joint operation by the City of Bolivar and the County of Hardeman for the purpose of organizing and directing emergency management for the citizens of the entire county. All other emergency management agencies within the corporate limits of Hardeman County shall be considered as parts of the countywide emergency management resources and when such agencies operate out of their corporate limits it shall be at the direction of, subordinate to, and as a part of the Hardeman County Emergency Management Agency. (1998 Code, § 20-101)

20-102. Authority and responsibility. (1) In accordance with relevant federal and state law, the Hardeman County Emergency Management Agency is authorized to assist the regular government of the county and governments of all political subdivisions therein as may be necessary due to enemy-caused emergency or natural disasters, including but not limited to storms, floods, fires, explosions, tornadoes, hurricanes, drought, or peacetime man-made disasters, which might occur affecting the lives, health, safety, welfare, and property of the

1State law reference
citizens of the county. The emergency management agency is authorized to perform such duties and functions as may be necessary on account of such disasters. It is hereby designated the official agency to assist regular forces in time of such emergencies.

(2) The county emergency management agency shall be responsible for preparation and readiness against enemy-caused and natural emergencies arising in the county, to establish and coordinate emergency plans, forces, means, and resources, and is hereby designated the official agency to establish such emergency plans. (1998 Code, § 20-102)

20-103. Civil defense corps. The Hardeman County Civil Defense Corps is hereby created. The civil defense corps shall be under the direction of the director of civil defense and his staff members with delegated authority; it shall consist of designated regular government employees and volunteer workers. Duties and responsibilities of the corps members shall be outlined in the civil defense emergency plan, to be prepared under the direction of the director of civil defense. (1998 Code, § 20-103)

20-104. Immunity of persons acting under this chapter from civil liability. The duties prescribed in this chapter are an exercise by the city and county of governmental functions for the protection of the public peace, health and safety and neither the city, county, the agents and representatives of the city and county nor any individual, receiver, firm, partnership, corporation, association or trustee, nor any of the agents thereof, in good faith carrying out, complying with or attempting to comply with any order, rule or regulation promulgated pursuant to the provisions of this chapter shall be liable for any damage sustained to person or property as the result of said activity. No person owning or controlling real estate or other premises for the purpose of sheltering persons during an actual, impending or practice enemy attack, or his successors in interest, shall be civilly liable for the death of or injury to any person on or about such real estate or premises under such license, privilege or other permission or for loss of or damage to the property of such person. The right of any person to receive benefits of compensation to which he might otherwise be entitled under Workers' Compensation Law or any pension law or Act of Congress, shall not be affected by this section. (1998 Code, § 20-104)

20-105. Fiscal controls. (1) No person shall have the right to expend any public funds of the city or county in carrying out any civil defense activities authorized by this chapter without prior approval by the city council and county court, nor shall any person have any right to bind the city by contract, agreement or otherwise without prior and specific approval by the city council.

(2) The director of emergency management shall have control of and is responsible for the disbursement of such monies as may be provided annually by appropriation of the city for the operation of the emergency management
agency; he shall be responsible for the preparation and submission of a budget with recommendations as to its adoption by the city council.

(3) All funds shall be disbursed upon vouchers properly executed by the director of emergency management or a lawfully authorized and appointed assistant or deputy of the city treasurer.

(4) The director of emergency management is authorized to accept federal contributions in money, equipment or otherwise, when available, or state contributions, and is further authorized to accept contributions to the emergency management agency from individuals and other organizations. (1998 Code, § 20-105)
CHAPTER 2

DIRECTOR OF CIVIL DEFENSE

SECTION
20-201. Office created; appointment and term.

20-201. Office created; appointment and term. The office of director of civil defense is hereby created. The director shall be appointed by the mayor and shall serve for a term of three (3) years or until his successor is appointed. (1998 Code, § 20-201)

20-202. General powers and duties. (1) The director of civil defense shall be responsible to the city council and county court for the coordination of the authority, duties and responsibilities of the Hardeman County Civil Defense Organization, for the preparation of all plans and administrative regulations and for recruitment and training of personnel.

(2) The duties and responsibilities of the director of civil defense shall include:

(a) The duty to request the declaration of the existence of an emergency by the mayor and county judge, or either of them, or by such other authority as is appropriate.

(b) Coordination of local civil defense plans with state plans, subject to approval by the state civil defense office.

(c) Delegation of such responsibility and authority as is necessary to carry out the purposes of this chapter, subject to the approval of the city council and county court. (1998 Code, § 20-202)
CHAPTER 3

BUILDING PERMIT SYSTEM

SECTION
20-301. Requirements zone.
20-302. Permit requirements.
20-305. Review of development.
20-308. Water supply systems.
20-309. Sewage systems.
20-310. Subdivision proposals.
20-311. Level of lowest floor.
20-312. Determination of flood insurance risk premium rates.
20-313. Watercourse alteration.
20-314. Mobile homes.

20-301. Requirements zone. The measures contained in this chapter shall be required within Zone A of the Bolivar, Tennessee Flood Hazard Boundary Map issued by the Federal Insurance Administration on November 12, 1977. (1998 Code, § 20-301)

20-302. Permit requirements. (1) No person shall erect, construct, enlarge, alter, repair, improve, move or demolish any building or structure without first obtaining a separate permit for each building or structure from the designated responsible person.

(2) No man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations, shall be commenced until a separate permit has been obtained from the designated responsible person for each change.

(3) No mobile home shall be placed on improved or unimproved real estate without first obtaining a separate permit for each mobile home from the designated responsible person. (1998 Code, § 20-302)

20-303. Application. To obtain a permit, the applicant shall first file a permit application on a form furnished for that purpose. The form must be completed and submitted to the building inspector before the issuance of a permit will be considered. (1998 Code, § 20-303)
20-304. **Review of applications.** The building inspector who is to be designated will be the person responsible for examining the plans and specifications for the proposed construction or development. The building inspector will receive assistance from the Bolivar Planning Commission and the Hardeman County Health Department when needed.

After reviewing the application, the responsible person shall require any additional measures which are necessary to meet the minimum requirements of this document. (1998 Code, § 20-304)

20-305. **Review of development.** The responsible person shall review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by federal or state law, including section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334. (1998 Code, § 20-305)

20-306. **Review of permits.** The responsible person shall review all permit applications to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a flood prone area, all new construction and substantial improvements (including the placement of prefabricated buildings and mobile homes) shall:

1. Be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure;
2. Be constructed with materials and utility equipment resistant to flood damage; and

20-307. **Review of proposals.** The responsible person shall review subdivision proposals and other proposed new development to determine whether such proposals will be reasonably safe from flooding. If a subdivision proposal or other proposed new development is in a flood prone area, any such proposals shall be reviewed to assure that:

1. All such proposals are consistent with the need to minimize flood damage within the flood prone area;
2. All public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage, and
3. Adequate drainage is provided to reduce exposure to flood hazards. (1998 Code, § 20-307)

20-308. **Water supply systems.** The responsible person shall require within flood prone areas new and replacement water supply systems to be designed to minimize or eliminate infiltration of flood waters into the systems. (1998 Code, § 20-308)
20-309. **Sewage systems.** The responsible person shall require within flood prone areas:

1. New and replacement sanitary sewage systems to be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters; and
2. On-site waste disposal systems to be located to avoid impairment to them or contamination from them during flooding. (1998 Code, § 20-309)

20-310. **Subdivision proposals.** The responsible person shall require that all subdivision proposals and other proposed new developments greater than fifty (50) lots or five (5) acres, whichever is the less, include within such proposals base flood elevation data. (1998 Code, § 20-310)

20-311. **Level of lowest floor.** The responsible person shall obtain, and reasonably utilize any base flood elevation data available from a federal, state or other source, until such other data has been provided by the administrator, as criteria for requiring that:

1. All new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated to or above the base flood level; and
2. All new construction and substantial improvements of nonresidential construction have the lowest floor (including basement) elevated or floodproofed to or above the base flood level. (1998 Code, § 20-311)

20-312. **Determination of flood insurance risk premium rates.** For the purpose of the determination of applicable flood insurance risk premium rates within Zone A on a community's FHBM, the responsible person shall:

1. Obtain, or require the applicant to furnish the elevation (in relation to mean sea level) of the lowest habitable floor (including basement) of all new or substantially improved structures, and whether or not such structures contain a basement;
2. Obtain, or require the applicant to furnish, if the structure has been floodproofed, the elevation (in relation to mean sea level) to which the structure was floodproofed; and
3. Maintain a record of all such information. (1998 Code, § 20-312)

20-313. **Watercourse alteration.** The responsible person shall notify, in riverine situations, adjacent communities and the state coordinating office prior to any alteration or relocation of a watercourse, and submit copies of such notifications to the Federal Insurance Administration.

The responsible person shall assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained. (1998 Code, § 20-313)
20-314. **Mobile homes.** The responsible person shall require that all mobile homes to be placed within Zone A on the community's flood hazard boundary map shall be anchored to resist flotation, collapse, or lateral movement by providing over-the-top and frame ties to ground anchors. Specific requirements shall be that:

1. Over-the-top ties be provided at each of the four (4) corners of the mobile homes, with two (2) additional ties per side at intermediate locations and mobile homes less than fifty feet (50') long requiring one (1) additional tie per side;
2. Frame ties to be provided at each corner of the home with five (5) additional ties per side at intermediate points and mobile homes less than fifty feet (50') long requiring four (4) additional ties per side;
3. All components of the anchoring system be capable of carrying a force of four thousand eight hundred (4,800) pounds; and
4. Any additions to the mobile home be similarly anchored. (1998 Code, § 20-314)

20-315. **Official map.** The flood hazard boundary map issued by the Federal Insurance Administration for Bolivar, Tennessee and any officially published revisions to this map, is adopted as the official map for the enforcement of this document. This map delineates the area within which the requirements of this document will be enforced. (1998 Code, § 20-315)
CHAPTER 4

ALARMS SYSTEMS

SECTION
20-402. Schedule of notice, warnings, and costs.

20-401. Definitions. (1) "False emergency alarm." Any signal actuated by an emergency alarm to which the Bolivar Fire Department responds which is not the result of fire or other actual emergency and not caused by a violent act of nature.

(2) "Owner and/or operator." A person or persons, who resides in, own or operate a business or residence in which an emergency alarm is connected. (1998 Code, § 20-401)

20-402. Schedule of notice, warnings, and costs. The following schedule of notice, warnings, and costs shall be assessed to the owners and/or operators of emergency alarm systems for false emergency alarms transmitted to the fire department within a rolling twelve (12) month period.

(1) First false alarm warning. A warning letter and notice will be sent to insure that the alarm is in proper working order. No fee assessed. The fire chief shall cause the letter to be sent certified mail, with the notice to the owner and/or operator that further false emergency alarms will result in a fee and/or costs of providing such service.

(2) Second false alarm. A fee of fifty dollars ($50.00) will be assessed for the response of the Bolivar Fire Department. The fire chief shall cause a letter and notice to be sent by certified mail to the owner, and/or operator to insure that the alarm system is in proper working order.

(3) Third false alarm. Or more, a fee of fifty dollars ($50.00) will be assessed for the response of the Bolivar Fire Department. The fire chief shall cause a letter and notice to be sent by certified mail to the owner and/or operator to insure that the alarm system is in proper working order.

Annually the Bolivar Fire Department shall review charges including the costs of equipment, fuel, personnel, advertising, and other such factors as determined of the fire chief. (1998 Code, § 20-402, modified)