

ORDINANCE NO. BL2013-570

An Ordinance amending and restating Title 6, Chapter 6.20, Articles I and IV of the Metropolitan Code requiring electricians doing business within the area of the Metropolitan Government to be licensed, adding provisions regarding apprenticeship programs, and adding penalties and additional grounds for violations.

BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Title 6, Chapter 6.20, of the Metropolitan Code is hereby amended by deleting the provisions of Article I and IV in their entirety, and substituting with the following new Articles I and IV:

Article I – General Provisions

6.20.010 - Registrations and licenses—Required—Classifications established.

A. Except as hereinafter provided, it is unlawful for any person to perform electrical work within the area of jurisdiction of the metropolitan government unless such person is licensed and registered under the provisions of this chapter. For the purpose of this code, “electrical work” means the construction, renovation, installation, alteration, extension, removal, reparation, maintenance or servicing of any electrical system.

B. For the purpose of this code, every person engaged in electrical work within the area of jurisdiction of the metropolitan government, shall be "licensed" by the metropolitan board of electrical examiners and appeals and "registered" by the department of codes administration.

C. For the purpose of this code, the classification of the various licenses and registrations of the electrical industry shall be:

1. Electrical contractor;
2. Master electrician;
3. Equipment contractor;
4. Electrical equipment installer;
5. Low-voltage contractor;
6. Low-voltage wiring installer;
7. Metropolitan journeyman electrician;
8. Metropolitan apprentice electrician;
9. Metropolitan beginning electrician.

D. For the purpose of this code, a person classified as a maintenance electrician need not and will not be licensed and registered by the department of codes administration.

6.20.020 - Registrations and licenses—Classifications defined.

In this chapter:

- A. "Electrical contractor" means any person registered to engage in the business of installing, erecting, altering, repairing or contracting to install, erect, alter or repair electric wires, conductors, material, machinery, apparatus or systems used for the transmission of electrical energy for light, heat, power, control or signal purposes.
- B. "Master electrician" means any person licensed to obtain electrical permits and supervise the installation of electrical work.
- C. "Equipment contractor" means any person registered to engage in the business of electrical wiring of equipment, including but not limited to HVAC systems, swimming pools and associated equipment, electric signs, gasoline dispensing units, and other similar equipment and devices.
- D. "Electrical equipment installer" means any person licensed to install and engage in the electrical wiring of equipment, including but not limited to HVAC systems, swimming pools and associated equipment, electric signs, gasoline dispensing units, and other similar equipment and devices.
- E. "Low-voltage contractor" means any person registered to engage in the business of installing, erecting, altering, repairing or contracting to install, erect, alter or repair electric wires, conductors, material, machinery, apparatus or systems operating at fifty volts or less, used for Class 1, Class 2 and Class 3 remote control, signaling and power-limited circuits, fire-protective signaling systems, communications circuits and coaxial cable distribution of radio frequency signals.
- F. "Low-voltage wiring installer" means any person licensed to obtain electrical permits and supervise the installation of Class 1, Class 2 and Class 3 remote control, signaling and power-limited circuits, fire-protective signaling systems, communications circuits and coaxial cable distributing of radio frequency signals.
- G. "Maintenance electrician" means any person engaged in the maintenance, repair or modification of existing electrical installations.
- H. "Metropolitan journeyman electrician" means an individual who has successfully completed the journeyman electrician's examination and holds a current and valid journeyman electrician's license duly issued by the metropolitan board of electrical examiners and appeals; one who has successfully completed an electrical construction apprenticeship; or one who is regularly employed as a journeyman and works under the direction and supervision of an electrical contractor or master electrician.
- I. "Metropolitan apprentice electrician" means an individual who is enrolled in an apprenticeship program registered with the U.S. Department of Labor, Bureau of Apprenticeship and Training in accordance with the requirements of 29 C.F.R. § 29, or any nationally accredited apprenticeship program, and consists of, at a minimum, 8,000 hours of documented practical experience combined with a minimum of six hundred hours of classroom and/or shop instruction in the electrical trade; works under the direction and supervision of a master electrician or a journeyman electrician and a master electrician or a journeyman electrician must be present on same jobsite.
- J. "Metropolitan beginning electrician" means an individual who (1) has no prior electrical experience and is not enrolled in an apprenticeship program; (2) must enroll in an approved apprenticeship program after working a period of one year as a beginning electrician; (3) works under the direction and supervision of a master electrician or a journeyman electrician and a

master electrician or a journeyman electrician must be present on same jobsite and at any time for any electrical wiring project; (4) the total number of registered beginning electricians at an installation site may not exceed a ratio of five registered beginning electricians and apprentices to one licensed master electrician or one journeyman electrician at any jobsite.

6.20.030 - Registration and licensure requirements.

It is unlawful for any person to engage in business and/or to perform any electrical work as an electrical contractor, equipment contractor or low-voltage contractor, or to be employed as an electrical contractor, master electrician, equipment contractor, electrical equipment installer, low-voltage contractor, low-voltage wiring installer, metropolitan journeyman electrician, or metropolitan apprentice electrician without first having been licensed as such by the metropolitan board of electrical examiners and appeals and registered by the department of codes administration. No electrical contractor, journeyman electrician, apprentice electrician, beginning electrician, equipment contractor, electrical equipment installer, low-voltage contractor or low-voltage wiring installer may substitute as a master electrician unless that person has satisfied the qualifications for and been licensed as a master electrician.

6.20.031 – Records available to the public.

The names of all licensees shall be available to the public to verify that electricians wiring homes and places of business are licensed to do electrical work.

6.20.040 - Application for examination and licensure.

A. It shall be the duty of every person engaged in or desiring to engage in the business of electrical work, to do or perform any electrical work or to make any electrical installation as a master electrician, journeyman electrician, apprentice electrician, beginning electrician, or low-voltage wiring installer to make application to the metropolitan board of electrical examiners and appeals for an examination and issuance of a license; present licenses and low-voltage wiring installers defined below are exempted. Application for an examination and license shall be made on forms provided by the director of codes administration and shall be accompanied by the required examination fee, as hereinafter set forth.

B. Persons heretofore "certified" and registered as "certified" electrical contractors are hereafter considered to be licensed and registered as "master electrician."

C. In addition to the requirements in subsection A of this section, each applicant must furnish evidence that he/she has at least five (5) years' experience in the classification applied for. Apprentice electricians and beginning electricians are not required to have prior electrical experience.

6.20.050 - Examination—Notice.

Each applicant for licensing and registration as a master electrician, electrical equipment installer, low-voltage wiring installer, or metropolitan journeyman electrician shall be notified, in writing, by the secretary of the board, as to the time and place of such examination not less than seven days prior to the date scheduled for such examination.

6.20.060 - Examination—Conducting authority—Type.

A. An examination of each applicant for a master electrician's license, electrical equipment installer's license, low-voltage wiring installer's license, or metropolitan journeyman electrician's

license shall be conducted by the department of codes administration at the time and place determined by the board.

B. The examination may be written or oral, or a combination of both, at the discretion of the board, as to the applicant's proficiency in the art of electrical installations and his knowledge of the provisions and material requirements of this chapter and any amendments made thereto, as such are related to the applicant's request for certification.

C. No written examination shall be required of any applicant for a metropolitan apprentice electrician's license or metropolitan beginning electrician.

6.20.070 - Examination—Failure to appear.

The failure of an applicant to appear before the board of electrical examiners and appeals for examination at the time and place scheduled for such examination shall not be construed as denying any applicant the right to request a rescheduling of such examination at a later date; except, that no application for examination and licensure shall be held that pending by the board, except for just cause, for more than ninety days following receipt of such application. In the event an applicant, after due notice, shall fail to appear before the board for examination, during the ninety-day period, as set forth in this section, the application shall be rejected, the applicant notified of the action taken by the board and the examination fee shall be forfeited.

6.20.080 - Reexamination.

Any applicant for examination and licensure as a master electrician, electrical equipment installer, low-voltage wiring installer, or metropolitan journeyman electrician who shall fail to pass the examination as required by the metropolitan board of electrical examiners and appeals may not apply for reexamination within thirty days following the date of such examination.

6.20.090 - Licensure issuance conditions.

The metropolitan board of electrical examiners and appeals shall issue a license in each of the following classifications when the applicant has fulfilled the following requirements:

A. A master electrician's license shall be issued to every applicant who makes proper application for such license, successfully completes the required master electrician's examination, pays the required master electrician's licensure fee, and meets the requirements of Section 6.20.250.

B. An electrical equipment installer's license shall be issued to every applicant who makes proper application for such license, successfully completes an examination designed to measure the applicant's knowledge and ability in his/her field of equipment installation, and pays the required electrical equipment installer's licensure fee.

C. A low-voltage wiring installer's license shall be issued to every applicant who makes proper application for such license, successfully completes an examination designed to measure the applicant's knowledge and ability in his/her field of equipment installation, and pays the required low-voltage wiring installer's licensure fee.

D. A metropolitan journeyman electrician's license shall be issued to every applicant who makes proper application for such license, successfully completes the required journeyman electrician's examination, pays the required journeyman electrician's licensing fee and submits satisfactory evidence to the board that he is or will be regularly employed as a journeyman electrician by a duly registered and bonded metropolitan electrical contractor and works under the direction and supervision of a licensed master electrician.

E. A metropolitan apprentice electrician's license shall be issued to every applicant who pays the required apprentice electrician's licensing fee and meets the requirements of Section 6.20.020 I.

F. A metropolitan beginning electrician's license shall be issued to every applicant who pays the required apprentice electrician's licensing fee and meets the requirements of Section 6.20.020 J.

G. Notwithstanding any other provision of this Chapter to the contrary, journeyman electricians or apprentice electricians who meet the requirements of Sections 6.20.040 D. and Section 6.20.250 at the time of the enactment of the ordinance requiring the licensing of journeyman electricians and apprentice electricians, shall be entitled to all of the rights and privileges of a licensed journeyman electrician or licensed apprentice electrician.

H. The metropolitan board of electrical examiners shall be authorized to issue to those applicants holding equivalent licenses in other states upon a completed application, payment of the required fees, and submission of proof of license in that state.

6.20.100 - Fees—Examination, licensure and renewal.

The fees for examination and licensure of master electricians, electrical equipment installers, low-voltage wiring installers, journeyman electricians, apprentice electricians, and beginning electricians shall be as follows:

Classification	Examination Fee	Original Certificate	Renewal Certificate
Electrical contractor	N/A	N/A	N/A
Master electrician	\$50.00	\$150.00	\$100.00
Equipment contractor	N/A	N/A	N/A
Electrical equipment installer	\$50.00	\$75.00	\$50.00
Low-voltage contractor	N/A	N/A	N/A
Low-voltage wiring installer	\$50.00	\$75.00	\$50.00
Metropolitan Journeyman electrician	\$50.00	\$100.00	\$100.00
Apprentice Electrician	N/A	\$25.00	\$25.00
Beginning Electrician	N/A	\$15.00	\$15.00

6.20.110 - Certificate of licensure—Expiration and renewal—Recordation.

A. Beginning in 1992, each license issued by the board shall expire on the last day of March following issuance and shall become invalid unless renewed. Such license shall be renewed annually and recorded in the office of the director of codes administration on or before the first day of April each year, and such records shall be open to public inspection during the normal working hours of the department of codes administration.

B. Late renewal of licenses shall be accepted for a period of one year following the required renewal date. Application for late renewal shall be accompanied by the required renewal fee plus an amount equal to ten percent of the regular fee for each calendar month or portion of a month of delinquency.

C. Licenses which have not been renewed for one calendar year following the required renewal date will be revoked and license holders will be required to reapply for licensing.

6.20.120 - Registrations or licenses—Revocation and suspension.

A. The metropolitan board of electrical examiners may issue stop work orders and shall revoke or suspend a registration or license issued to any electrical contractor, master electrician, equipment contractor, electrical equipment installer, low-voltage contractor, low-voltage wiring installer, metropolitan journeyman electrician, metropolitan apprentice electrician, or metropolitan beginning electrician upon positive proof that such person:

1. Knowingly violated the provisions of this chapter or the rules and regulations of the board;
2. Practiced fraud or deception in making application for or obtaining such registration or license;
3. Has become incompetent under the provisions of this chapter to perform a service to the public as an electrical contractor, master electrician, equipment contractor, electrical equipment installer, low-voltage contractor, Low-voltage wiring installer, metropolitan journeyman electrician, metropolitan apprentice electrician, or metropolitan beginning electrician;
4. Permitted his/her license or registration to be used, directly or indirectly, by another to obtain or perform electrical work or services;
5. Is guilty of such other unprofessional or dishonorable conduct of such nature as to deceive or defraud the public;
6. Permitting himself or his company to represent itself as in the business or art of electrical services unless it employs a master electrician;
7. Knowingly took out a permit for work to be done by persons without a license issued by the board of electrical examiners and appeals to engage in electrical work, including the construction, renovation, installation, alteration, extension, removal, reparation, maintenance, or servicing of any electrical systems for which a permit is required, as a master electrician, electrical equipment installer, or low-voltage wiring installer.

B. The metropolitan board of electrical examiners and appeals shall revoke or suspend a registration or license issued to any master electrician who knowingly obtains an electrical permit for work to be done by a person or persons without a license issued by the board of electrical examiners and appeals, or who does not personally supervise the installation of electrical work for which an electrical permit has been obtained.

C. No action of the board to suspend or revoke a certificate of registration shall become final until the alleged offender has been given an opportunity to appear before the board to show cause as to why such action should not be taken.

D. Notice in writing of the proposed action of the board to revoke or suspend a registration or license shall be given to the holder of such registration or license, stating the specific charges upon which such action is based. The notice shall stipulate that a hearing will be scheduled at time and place set by the board for the aggrieved party to show cause why such action should not be made final. Such hearing shall not be held less than forty-eight hours following notice to the aggrieved party. Failure to appear before the board to answer the specific charges set forth in the notice shall be deemed just cause for final revocation or suspension of a registration or license.

E. In the event a registration or license is revoked by the board, an application for reinstatement of such license shall not be accepted by the board within twelve months after the date of such revocation.

F. The department of codes administration shall have the authority through use of initial work-site inspections, scheduled work-site inspections, and unannounced work-site inspections to report any ground for possible revocation or suspension to the board of electrical examiners.

6.20.121– Continuing Education Requirements.

A. Proof of Continuing Education Requirements. Prior to license renewal, each licensee shall

present proof of completion of at least six (6) hours of continuing education for each license held during the immediately-preceding twelve (12) months. The proof shall be signed by the licensee and certified by the provider of the continuing education course on a form developed by the department of codes administration.

B. Only two (2) of the six (6) hours of continuing education required for electricians, master electricians, and electrical contractors shall be safety practices and procedures.

C. Continuing Education Providers.

1. Continuing education shall be provided by an individual or organization recommended by the board of electrical examiners and approved by the director of the department of codes administration.

2. An applicant for certification as a continuing education provider shall submit the following information to the department of housing, buildings and construction:

- (a) Syllabus of courses to be offered;
- (b) Times and dates that courses will be offered;
- (c) Location where courses will be offered;
- (d) Availability of courses to the general public;
- (e) Fees to be charged for the courses;
- (f) Identity and qualifications of teachers; and
- (g) Attendance verification procedures.

3. The department of housing, buildings and construction shall certify the applicant if it determines that:

- (a) The applicant can reliably provide continuing education;
- (b) The applicant shall provide an accurate certification of attendance at all courses offered. If provided by e-mail or fax, certification shall be received by the department within five (5) business days of completion of the class. If submitted by first class mail, certification shall be postmarked within five (5) business days of completion of the class; and
- (c) All courses shall be taught by persons with sufficient technical knowledge of the subject matter.

4. Certification shall be denied, suspended, or revoked if the department of housing, buildings and construction determine that the individual or organization no longer meets the requirements of subsection B.3 of this section.

5. All continuing education providers shall notify the department of housing, buildings and construction of all courses to be offered at least thirty (30) days prior to the courses.

(a) The notice shall include the date, time, location and topic of the course and the fee to be charged, if any.

(b) The department of housing, buildings and construction shall maintain a list of all courses to be offered and make the list available to the public.

6. For classes open to the public, continuing education providers shall not establish a minimum number of attendees required to hold a class.

7.(a) Except as provided in paragraph (b) of this subsection, a provider shall notify the department of housing, buildings and construction, as well as those who have registered to attend, a minimum of one (1) week prior to the cancellation of any class.

(b) A class may be cancelled within one (1) week of the scheduled class date if necessary due to a natural disaster or inclement weather. Reasonable steps shall be taken to inform the registered attendees and the department of the cancellation and reason for the cancellation.

8. On written request by a licensee, the department of housing, buildings and construction may recognize for continuing education credit courses attended in another state if the material covered complies with Section 2 of this administrative regulation.

6.20.125 - Altering or lending a license or using another's license unlawful—Penalties.

- A. It shall be a misdemeanor for any person to do electrical work for which a permit is required unless that person has a valid license and registration as required by this chapter.
- B. It shall be a misdemeanor for any person licensed or registered under this article to alter, transfer, lend or rent his/her license or registration to another or to use a license or registration not his/her own.
- C. It shall be a misdemeanor for any person to represent himself/herself falsely to be licensed under this article, or wrongfully to use a license issued by the metropolitan board of electrical examiners and appeals.

6.20.129 – Temporary License

A. The board of electrical examiners shall issue a temporary license as a master electrician or journeyman electrician for a period of six (6) months, upon submission by the applicant the following:

- 1. A temporary license fee in the amount of \$50.00 for a master electrician and \$25.00 for a journeyman electrician; and
- 2. A completed application on a form provided by the board of electrical examiners; and
- 3. Evidence that the applicant holds a current license of the same classification issued by another state or has otherwise met the experience qualifications established in Section 6.20.040

Article IV. - Master Electricians, Electrical Equipment Installers, Low-Voltage Wiring Installers, Metropolitan Journeyman Electricians, Metropolitan Apprentice Electricians, and Metropolitan Beginning Electricians

6.20.250 - Requirements for license.

An applicant for a license as a master electrician, electrical equipment installer, low-voltage wiring installer, metropolitan journeyman electrician, metropolitan apprentice electrician, and metropolitan beginning electrician must meet the following requirements for licensure:

A. Education/Experience.

1. Master Electrician.

- (a) The applicant must be a graduate electrical engineer from an accredited university or college with at least two years' actual experience in the electrical construction industry; or
- (b) The applicant must have at least six years of working experience in the electrical construction industry covering the actual installation of electrical work.

2. Electrical Equipment Installer. The applicant must have at least three years of working experience in the industry covering the actual installation of equipment.

3. Low-Voltage Wiring Installer. The applicant must have at least three years of working experience in the industry covering the actual installation of equipment. Schooling may be substituted for up to a maximum of two years of experience as long as the schooling is directly connected with the type of equipment being installed.

4. Metropolitan Journeyman Electrician

(a) The applicant must have successfully completed an apprenticeship program registered with the U.S. Department of Labor, Bureau of Apprenticeship and Training in accordance with the requirements of 29 C.F.R. § 29, or any nationally accredited apprenticeship program in the electrical construction industry.

(b) The applicant must have at least five (5) years' experience in the electrical construction industry and performing electrical installation work.

5. Metropolitan Apprentice Electrician

(a) The applicant must be enrolled in an apprenticeship program registered with the U.S.

Department of Labor, Bureau of Apprenticeship and Training in accordance with the requirements of 29 C.F.R. § 29, or any nationally accredited apprenticeship program.

(b) The applicant is not required to have any electrical construction experience prior to enrolling in an approved apprentice program.

6. Metropolitan Beginning Electrician

(a) The applicant must be enrolled in an approved apprentice program after being employed for a period of one (1) year as a beginning electrician.

(b) The applicant is not required to have any prior electrical construction or classroom experience prior to enrolling in the approved apprentice program.

7. Evidence of Experience. All applicants must provide satisfactory evidence of the required years of experience, and such evidence must be approved by the metropolitan board of electrical examiners and appeals.

B. Examination. Applicants shall be examined by written examination by the metropolitan board of electrical examiners and appeals. A grade of seventy shall be required for the issuance of a license.

C. Existing "Certified" Electrical Contractors. Every person who, on June 4, 1991, held a valid "certified" electrical contractor's certificate, shall be licensed as a master electrician under the provisions of this chapter.

6.20.260 - Duties.

A. It shall be the duty of the master electrician, equipment installer or low-voltage wiring installer to insure that the electrical work for which he/she obtains permits is installed in accordance with all requirements of the Metropolitan Electrical Code and all other applicable ordinances. The master electrician, equipment installer or low-voltage wiring installer shall accordingly personally supervise, on a routine basis, the work being performed under a permit and shall verify that work has been done in accordance with applicable codes and ordinances before an inspection is requested.

B. No electrical work shall be begun until a permit has been obtained by the master electrician, equipment installer or low-voltage wiring installer.

C. It shall be the responsibility of the master electrician, equipment installer or low-voltage wiring installer to review the electrical plans and specifications on all work for which a permit is required. The master electrician, equipment installer or low-voltage wiring installer shall promptly notify the electrical contractor, equipment contractor or low-voltage contractor in writing of any known defects in electrical plans or specifications.

D. The master electrician, equipment installer or low-voltage wiring installer shall be responsible for requesting and securing inspections for all work for which a permit was obtained under his/her license.

E. The master electrician, equipment installer or low-voltage wiring installer shall meet with the metropolitan electrical inspector and others, when requested, at the job site.

F. The master electrician, equipment installer or low-voltage wiring installer shall promptly notify the electrical contractor, equipment contractor or low-voltage contractor in writing of any deficiencies in the work as identified to him/her in writing by a metropolitan electrical inspector. It shall be the responsibility of the master electrician, equipment installer or low-voltage wiring installer to promptly correct such deficiencies in the work.

G. A master electrician, equipment installer or low-voltage wiring installer shall not furnish permits for electrical work to any person, firm or corporation other than the electrical contractor, equipment contractor or low-voltage contractor with whom his/her license is registered.

Failure to comply with any of the duties listed above shall constitute grounds for restriction, suspension or revocation of the master electrician's, equipment installer's or low-voltage wiring installer's license.

6.20.270 - Active registration required.

A. It shall be the duty of every person licensed as a master electrician, equipment installer or low-voltage wiring installer to register with the department of codes administration the name of the electrical contractor, equipment contractor or low-voltage contractor for whom he/she will obtain permits. No person shall work as a master electrician, equipment installer or low-voltage wiring installer prior to such registration.

B. The master electrician, equipment installer or low-voltage wiring installer shall state, in his/her application, any employer for whom he/she is currently working, in any capacity. It shall be the duty of the master electrician, equipment installer or low-voltage wiring installer to keep this statement of employment current at all times.

6.20.280 - Licenses placed on inactive status—Reactivation.

A. A master electrician, equipment installer or low-voltage wiring installer may apply to the department of codes administration to place his/her license on an inactive status.

B. The license shall not become inactive until all work under permits obtained by the license holder has been satisfactorily completed or until all permits have been canceled.

C. Inactive licenses may be renewed by submitting an application to the department of codes administration. After a waiting period of ninety days from the date the application was accepted by the department of codes administration, his/her certificate shall be reactivated upon payment of current fees.

Section 2. Except as modified herein, all previous ordinances not inconsistent with the terms of this ordinance shall continue in full force and effect.

Section 3. This ordinance shall take effect from and after its enactment, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

APPROVED AS TO
AVAILABILITY OF FUNDS:

INTRODUCED BY:



Richard M. Riebeling
Director of Finance



Bo Mitchell
Member of Council