

**METROPOLITAN BOARD OF MECHANICAL, PLUMBING,
AND ELECTRICAL EXAMINERS AND APPEALS**

RULES OF PROCEDURE

I. MEETINGS

Meetings of the Metropolitan Board of Mechanical, Plumbing, and Electrical Examiners and Appeals (hereinafter called "the Board") shall be regularly scheduled on the third Tuesday of each month, unless otherwise changed by the Board. Said meetings shall be held in the Davidson Room on the second floor of the Metro Office Building located at 800 2nd Avenue South unless an alternate site is needed due to special circumstances. Meetings shall begin promptly at 1:30 P.M. Special sessions of the Board may be convened upon call by the Chairman or Director of Codes Administration.

At least 10 days prior to each meeting of the Board, the Department of Codes Administration shall develop an agenda setting forth the date, time, location, order of business and matters to be considered by the Board. Not less than 10 days prior to the meeting date of the Board, the Department of Codes Administration (hereinafter called "the Director") shall forward the agenda to the Metropolitan Department of Information Systems so that the agenda may be posted on the Nashville.gov website calendar as well as made available to all newspapers of general circulation in Davidson County in accordance with the provisions of Metropolitan Code. Meetings of the Board may be held on shorter notice in the event of an emergency in accordance with the provisions of Metropolitan Code and state law.

II. QUORUM

Five members shall constitute a quorum for the transaction of business.

III. ELECTION OF OFFICERS

The Board shall elect a Chairman and a Vice Chairman from its membership. The term of office shall be for one year, or as may be established by the Board. Elections will be held at the first meeting of the Board each calendar year. Any vacancy occurring during the year shall be filled by an election at the next regular meeting of the Board.

The Director and the Chiefs of Mechanical, Plumbing, and Electrical Inspections of the Department of Codes Administration shall be ex-officio members of the Board, and the Director or his designee shall serve as its Secretary.

IV. ORDER OF BUSINESS

The order of business or Agenda topics to be conducted at every meeting of this Board shall be as follows:

- I. Approval of last month's minutes and call meeting to order
- II. Appeal cases
- III. Appearing before the board

- IV. Registration approvals
- V. Examination approvals
- VI. Property owner permits
- VII. Other business
- VIII. Consent agenda
- IX. Adjournment

The order of the agenda may be modified by vote of the Board.

V. APPEAL CASES

Any person aggrieved by an order of decision of the Director or any Gas/Mechanical, Plumbing, or Electrical Inspector shall have the right to file an appeal requesting a hearing before this Board. Said appeal must be in writing and must set forth the grounds for requesting a variance. The written appeal must be filed with the Secretary within 10 days after the decision is rendered by the Director. The charge is \$250.00 for filing an appeal, made payable to the Metropolitan Government. In order to be included on the agenda for the next regularly scheduled meeting of the Board, an appeal must be filed with the Secretary at least 10 days prior to such next meeting; if an appeal is received fewer than 10 days prior to a regularly scheduled meeting, it will appear on the following month's agenda.

The Secretary shall notify the Appellant in writing of the date, time, and place of the hearing not less than 10 days prior to the hearing unless a shorter period of time is allowed by the Metropolitan Code of Laws. The appellant, or his representative, must be present. All appeal cases shall take precedence over other business before the Board.

After each appeal case, the Board shall take action to render a decision. All decisions of the Board are final. The Secretary shall notify the appellant in writing, of the Board's decision, and shall enter said decision in the Minutes of the Board.

VI. PUBLIC HEARINGS

Any person, firm, or corporation requesting the adoption of any new material, procedure, or method of construction shall file an application, in writing, with the Secretary, setting forth the specific conditions under which the new material, procedure, or method of construction will be used and the reason therefore.

Upon receipt of an application, the Secretary shall place the hearing on the agenda of the next regular meeting occurring at least 15 days after receipt of the application.

A public hearing shall be held at that time as required by the Metropolitan Code. Any interested party shall be heard in favor of, or in opposition to, the new material or methods. A full hearing before the Board shall be given the proponents of the said material or methods. The Board shall then render a decision in accordance with the Procedure established by the Metropolitan Code.

At least 10 days prior to a public hearing, the Secretary shall post on the nashville.gov website information pertaining to the date, time and place of such public hearing, and the new material,

procedure, or method of construction to be considered. Any interested individual requiring a copy of the agenda may contact the Administrative Office and a copy may be mailed, faxed or electronic mailed to that requestor.

VII. APPLICATIONS FOR EXAMINATION

Any person requesting examination or certification for the following items must make proper application on forms provided by the Director:

- Master Mechanical Certificate
- HVAC&R Certificate
- Gas & Appliance Certificate
- Metropolitan Master Plumber
- Metropolitan Journeyman Plumber
- Metropolitan Septic Tank and Overflow Contractor Plumber
- Metropolitan Master Electrician
- Metropolitan Equipment Installer I (Residential Electrical Appliances Installer)
- Metropolitan Equipment Installer II (Electrical Sign Installer)
- Metropolitan Low Voltage Installer
- Metropolitan Journeyman Electrician

Any person requesting certification as a Metropolitan Apprentice Plumber shall be issued an Apprentice Certificate after showing that he/she has completed the required Apprenticeship Program, under Ordinance BL-2004-178, approved June 2, 2004.

The Board shall review at each meeting all applications as submitted and shall determine if all requirements have been met in order to take the examination. Alternatively, the Board may approve a representative of the Department of Codes Administration to approve applicants after having adopted a "Consent Agenda," which the Board shall review during each monthly meeting.

VIII. EXPERIENCE REQUIREMENTS PREREQUISITE – The following prerequisites must be met before examination by the board:

METROPOLITAN MASTER MECHANICAL INSTALLER: Applicant must furnish evidence of six years of experience as a Master Mechanical Installer.

METROPOLITAN HVAC&R INSTALLER: Applicant must furnish evidence of four years of experience as a Metro HVAC&R Installer.

METROPOLITAN GAS & APPLIANCE INSTALLER: Applicant must furnish evidence of three years of experience as a Metro Gas & Appliance Installer.

METROPOLITAN MASTER PLUMBER: Applicant must furnish evidence of six months as a Journeyman Plumber or a degree in Engineering (B.E.) may be accepted in lieu of experience requirement.

METROPOLITAN JOURNEYMAN PLUMBER: Applicant must furnish evidence of trade experience.

METROPOLITAN SEPTIC TANK AND OVERFLOW CONTRACTOR – Applicant must furnish evidence in writing from a Plumbing Contractor and a Sanitation or Sanitary Engineer stating his or her experience, ability, and qualifications.

MASTER ELECTRICIAN – Applicant must furnish evidence of a minimum of three years as an apprentice electrician or helper and three years in the electrical trade as an electrician (a total of six years' experience in the field). A degree in engineering (EE) with at least two years' actual experience in the electrical construction industry may be accepted in lieu of experience requirement.

EQUIPMENT INSTALLER I (Residential Electrical Appliance Installation) – Applicant must furnish evidence of a minimum of three years' experience in the field related to the applicant's request for examination.

EQUIPMENT INSTALLER II (Electrical Sign Installation) – Applicant must furnish evidence of a minimum of three years' experience in the field related to the applicant's request for examination.

LOW VOLTAGE INSTALLER – Applicant must furnish evidence of a minimum of three years' experience of actual installation, including specific low voltage experience, in the field related to the request for examination. Schooling may be substituted for up to a maximum of two years' experience as long as the schooling is directly connected with the type of equipment being installed.

JOURNEYMAN ELECTRICIAN – Applicant must furnish evidence of one of the following criteria for approval to be examined: (1) Successfully completed an electrical construction apprenticeship program, or (2) Be regularly employed as a journeyman and work under the supervision of an electrical contractor or master electrician.

IX. EXAMINATIONS

Examinations for the following certificates and applications shall be formulated by the Board and administered by the Secretary, his designee, or a testing institute:

- Master Mechanical Certificate
- HVAC&R Certificate
- Gas & Appliance Certificate
- Metropolitan Master Plumber
- Metropolitan Journeyman Plumber
- Metropolitan Septic Tank and Overflow Contractor Plumber
- Metropolitan Master Electrician
- Metropolitan Equipment Installer I (Residential Electrical Appliances Installer)
- Metropolitan Equipment Installer I (Electrical Sign Installer)
- Metropolitan Low Voltage Installer
- Metropolitan Journeyman Electrician

A score of 70% or higher is to be considered a passing grade. Final approval or certification of grades will be determined by the Board before the grades are made public. Applicants who

successfully complete the examination will have 30 days to obtain their license from the date of notice.

X. CERTIFICATIONS

Upon request of any of the following certificate holders desiring to discontinue operations for an indefinite period, the Board may approve such certificate to be placed on an Inactive Status after all permit requirements have been satisfied. The certificate may be reinstated at any time thereafter without being re-examined, provided that such person can otherwise qualify. Anyone holding an inactive certificate under the provisions set out above must submit the application for reinstatement of active certificate by paying the current license fee without any waiting period.

- Master Mechanical Certificate
- HVAC&R Certificate
- Gas & Appliance Certificate
- Metropolitan Master Plumber
- Metropolitan Journeyman Plumber
- Metropolitan Septic Tank and Overflow Contractor Plumber
- Metropolitan Master Electrician
- Metropolitan Equipment Installer I (Residential Electrical Appliances Installer)
- Metropolitan Equipment Installer I (Electrical Sign Installer)
- Metropolitan Low Voltage Installer
- Beginning Electrician
- Apprentice Electrician
- Metropolitan Journeyman Electrician

Upon request of any certificate holder who has reached the age of 65, the Board may grant an appropriate, no-fee certificate, and the person will be eligible to receive a complimentary license each year.

XI. REGISTRATION

The Board shall review and approve all new and revised applications submitted to the Department of Codes Administration for registration as a Contractor under provisions of the Metropolitan Code. The applicants may be asked to appear before the Board to answer questions pertaining to the application for registration.

The application for registration as a Contractor shall include a business and residential address and telephone number. Post office boxes and answering services shall not be acceptable in lieu of the above. It shall be the further duty of a contractor to notify the Department of Codes Administration immediately of any change in address or telephone number of the business of registrant. The business location of said registrant must be in a zone district which will permit such activity under the Zoning Ordinance of the Metropolitan Government.

It shall be the duty of any registered Contractor to immediately notify the Director of Codes Administration, in writing of any change in status or relationship of any license holder employed. It shall also be the duty of any license holder employed by a registered contractor to immediately

notify the Director of Codes Administration in writing of any change in employer or relationship with a registered contractor.

XII. FULL TIME SERVICES

An individual holding a current and valid Metro-issued trade license as stated in the Metropolitan Code shall be defined as an employee working a yearly average of not less than 36 hours per week. The Contractors shall comply with all Federal, State, and Local laws governing employees including Workers Compensation coverage. The certificate holder being on retainer to a registered contractor shall not constitute or fulfill the definitions of a "Full Time Employee" unless he meets the foregoing requirements.

All registrations shall bear the signature of the certificate holder and the signature shall be required on all permits.

XIII. RESTRICTIONS FOR GAS/MECHANICAL CONTRACTORS

Due to the wide range of contractors that are covered by the Metropolitan Gas/Mechanical Code, such as radon testing, swimming pools, grease ventilating equipment installation, duct installations, refrigeration installer, service, installers, etc., the Board may at its discretion apply restrictions to registration of Gas/Mechanical Contractors such as but not limited to, the number of permits, the type of installations or install replacement units only, etc.

XV. In an effort to eliminate unlicensed contractors performing work in Davidson County, it is the intent of this Board to encourage development of a system for contractors to notify the Department of Codes Administration.

XVI. This Board shall have such other powers and duties as prescribed by the Metropolitan Code and the Metropolitan Charter.

XVII. The foregoing Rules and Regulations of the Metropolitan Board of Mechanical, Plumbing, and Electrical Examiners and Appeals are hereby adopted and shall become effective upon approval of the Director of the Department of Codes Administration under the provisions of the Metropolitan Code.

Secretary to the Board

Chairman