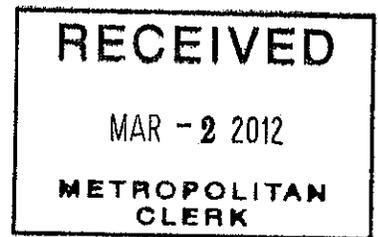


**RULES AND REGULATIONS
OF THE
METROPOLITAN BOARD
OF
GAS/MECHANICAL EXAMINERS AND APPEALS**



- I. MEETINGS – Meetings of the Metropolitan Board of Gas/Mechanical 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 Metro Office Building, Second Floor in the Meeting Room, and 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.

At least ten (10) days prior to each meeting of the Board, the Department of Codes and Building Safety shall develop an agenda setting forth the date, time, location, order of business and matters to be considered by the Board. Not less than ten (10) days prior to the meeting date of the Board, the Department of Codes and Building Safety shall forward the agenda to the Metropolitan Department of Information Systems so that the agenda may be posted on the nashville.gov website calendar. Meetings of the Board may be held on shorter notice in the event of an emergency in accordance with the provisions of Metropolitan Code Section 2.68.020 and state law.

The time and place for public hearing regarding new materials or methods shall be included in the Agenda provided to the nashville.gov website.

- II. QUORUM – Four 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. General elections will be held at the first meeting in January of each calendar year. Any vacancy occurring during the year shall be filled by an election at the next regular meeting of the Board.
- IV. ORDER OF BUSINESS – The order of business to be conducted at every meeting of this Board shall be as follows:
- a) Call to order by the Chairman
 - b) Roll Call
 - c) Approval of Minutes
 - d) Hearing of Appeal Cases
 - e) Home owners permits
 - f) Examine Applications for Examination
 - g) Old Business
 - h) New Business
 - i) Render Decisions of Appeal Cases
 - j) Adjournment

- V. APPEAL CASES – Any person aggrieved by an order or decision of the Director or any Gas/Mechanical 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 (or Director) not less than ten (10) days before the scheduled meeting of the Board.

The Secretary shall notify the appellant in writing of the date, time and place of the hearing. The appellant, or his representative, must be present. All appeal cases shall take precedence over other business before the Board.

After all appeal cases have been heard 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 fifteen (15) days after receipt of the application.

A public hearing shall be held at that time, as required by Section 2.84.070 of the Metropolitan Gas/Mechanical 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 Section 2.84.130 of the Metropolitan Gas/Mechanical Code.

At least ten (10) days prior to a public hearing, the Secretary shall cause to appear on the nashville.gov website setting forth 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

- A. Master Mechanical Certificate – Any person requesting examination for a Master Mechanical Certificate must make proper application on forms provided by the Director of the Department of Codes Administration. 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.
- B. HVAC&R Certificate – Any person requesting examination for a HVAC&R Certificate must make proper application on forms provided by the Director of the Department of the Department of Codes Administration. 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.
- C. Gas & Appliance Certificate – Any person requesting examination for a Gas & Appliance Certificate must make proper application on forms provided by the Director of the Department of Codes Administration. 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.

- VIII. EXPERIENCE REQUIREMENTS PREREQUISITE – As per Section 16.16.620 (prior §19-1-93) of the Metropolitan Gas/Mechanical Code.
- IX. EXAMINATIONS – Examinations for Master Mechanical, HVAC&R and Gas & Appliance Certificates shall be formulated by the Board and administered by the Secretary or his designee. Qualified applicant will be notified of the date, time and place of examinations. Failure of an applicant to appear shall be governed by Section 16.16.660 of the Gas/Mechanical Code. A score of seventy (70%) or above is to be considered as a passing grade. The Board will determine final approval or Certification of grades before the grades are made public.
- X. CERTIFICATES – Upon written request of any Master Mechanical or HVAC&R or Gas & Appliance Certificate holder desiring to discontinue operations for an indefinite period, the Board may suspend his certificate after all permit requirements have been satisfied with the provisions that said certificate may be re-instated at any time thereafter without re-taking the examination, provided that such person can otherwise qualify. However, a Master Mechanical or HVAC&R or Gas & Appliance Certificate holder holding a suspended certificate under the provisions set out above must submit his application for re-instatement of his active certificate at least ninety (90) days before it will be considered by the Board.
- XI. REGISTRATION – The Board shall review and approve all new and revised applications submitted to the Department of Codes Administration for registration as a Registered Master Mechanical, HVAC&R and Gas & Appliance Contractor under the provisions of Section 16.16.740; 16.16.750 and 16.16.760 of the Metropolitan Gas/Mechanical 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 thereon a provision for listing business and residence addresses and telephone numbers. The applicant shall furnish on said form his proposed 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 Laws of the Government.
- XII. FULL TIME SERVICES – An individual holding a current and valid certificate as Metropolitan Master Mechanical, HVAC&R and Gas & Appliance Certificate holder as stated in Section 16.16.620 of the Metropolitan Gas/Mechanical code shall be defined as an employee working a yearly average of not less than three and one half (3½) days per week. The Metropolitan Gas/Mechanical Code Contractors shall comply with all Federal, State and local Laws governing employees including Workmen's Compensation coverage. The Metropolitan Gas/Mechanical Certificate holder being on a retainer to the Registered Gas/Mechanical Contractor shall not constitute or fulfill the definitions of a "Full Time Employee" unless he meets the foregoing requirements.

A Registered Contractor shall have one of the following persons in residence within Davidson County throughout the duration of the work covered by each permit obtained by it:

1. Metropolitan Gas/Mechanical Certificate holder
2. Job superintendent or foreman
3. Officer of the corporation

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

- XIII. RESTRICTIONS – Due to the wide range of different types of contractors that are covered by the 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.
- XIV. RECIPROCITY – It is the policy of this Board to encourage reciprocity. The Board may approve reciprocity with an individual jurisdiction if it is determined that License requirements are equal and the reciprocity is reciprocated.
- XV. In an effort to eliminate unlicensed contractors doing 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 Gas/Mechanical Code and the Metropolitan Charter.
- XVII. The foregoing Rules and Regulations of the Metropolitan Board of Gas/Mechanical Examiners and Appeals are hereby adopted and shall become effective upon approval of the Director of the Department of Codes Administration under provisions of Section 2.84.060 of the Metropolitan Code.

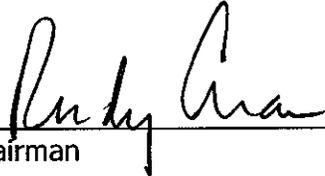
**METROPOLITAN NASHVILLE AND DAVIDSON COUNTY
BOARD OF GAS/MECHANICAL EXAMINERS AND APPEALS**



Secretary

2/21/2012

Date



Chairman

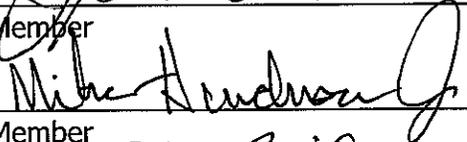
Vice-Chairman



Member



Member



Member



Member

Member

2/21/12

Date

APPROVED:



Metro Legal Department

2/29/2012

Date