

1ST READING 4-24-12
2ND READING 5-1-12

ORDINANCE NO. 12589

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 27, BY AMENDING SECTIONS 27-36, 27-38, 27-39, 27-43, 27-59, 27-61, 27-62, 27-63, 27-64, 27-66(f) AND 27-71, RELATIVE TO THE BOARD OF PLUMBING EXAMINERS.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Chattanooga City Code, Part II, Chapter 27, Section 27-36, be and is hereby amended by striking said section in its entirety and substituting in lieu thereof the following:

Sec. 27-36. Created; appointment, qualifications.

There is hereby created a board of plumbing examiners for the city to be composed of seven (7) persons, all of whom shall be appointed by the mayor, subject to the approval of the city council; three (3) of whom shall be master employer plumbers with not less than five (5) years' practical experience, with at least one being a union employer and one being a nonunion employer and three (3) of whom shall be journeyman plumbers with not less than five (5) years practical experience, with at least one being a union plumber and one being a nonunion plumber, and the seventh member of the board shall be member of the general public and representing the public.

SECTION 2. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 27, Section 27-38, be and is hereby amended by striking said section in its entirety and substituting in lieu thereof the following:

Sec. 27-38. Organization; officers.

As soon as practical after the appointment and qualification of the members of the board created under this division, they shall meet and organize by selecting one (1) of their members to be the chairman of the board, one vice-chairman, and one secretary unless that position is provided by staff of the building inspection office.

SECTION 3. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 27, Section 27-39, be and is hereby amended by striking said section in its entirety and substituting in lieu thereof the following:

Sec. 27-39. Meetings.

The board created by this division shall hold meetings semi-annually for the examination of applicants to determine their knowledge of the rules and regulations for the installation of plumbing devices, appliances and equipment as set forth in the statutes of the state, this code and other ordinances of the city and the International Plumbing Code; to issue licenses and certificates therefore; to determine the general qualifications and fitness of each applicant for executing the class of work covered by the license applied for and for the transaction of other business. A special meeting may be called by the chairman with the approval of a majority of the board, at a time and place designated.

SECTION 4. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 27, Section 27-43, be and is hereby amended by adding a new Section 27-43 as follows:

Sec. 27-43. Records to be open to inspection.

Records of the meetings of the board created by this division, including the names of all licensees, shall be open for inspection by the public at all reasonable times and a complete record of the results of every examination shall be kept on file by the Board in compliance with the Records Retention Manual adopted by the City Council pursuant to T.C.A. § 10-7-702.

SECTION 5. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 27, Section 27-59, be and is hereby amended by striking said section in its entirety and substituting in lieu thereof the following:

Sec. 27-59. Passing examination; issuance.

Any applicant answering correctly seventy (70) per cent of the questions asked in the examination shall be considered qualified to pass the examination, and the board created under division 2 of this article shall issue to the applicant a certificate of competency, either as a master plumber or as a journeyman plumber, whichever the applicant may have applied for, upon payment of the required fees within sixty (60) days after notice by the Board. Examinations given by the board created under division 2 of this article shall be written and a complete record of every examination, including the score of the applicant shall be kept on file by the board in compliance with the Records Retention Manual adopted by the City Council pursuant to T.C.A. § 10-7-702. Such certificate of competency shall be signed by the chairman and secretary of such board.

SECTION 6. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 27, Section 27-61, be and is hereby amended by striking said section in its entirety and substituting in lieu thereof the following:

Section 27-61. License fee established.

Any person who has passed the examination by the board created under division 2 of this article and is otherwise qualified to engage in work as a master plumber or a journeyman plumber shall be issued a certificate of competency by the board upon payment of the following fee:

- (1) Master employer plumber, per year or any part thereof\$100.00
- (2) Journeyman plumber, per year or any part thereof 10.00
- (3) Temporary journeyman workman plumber 10.00
- (4) Retired or inactive plumber, per year or any part thereof 25.00

SECTION 7. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 27, Section 27-62, be and is hereby amended by striking said section in its entirety and substituting in lieu thereof the following:

Sec. 27-62. Disposition of fees.

The secretary of the board created under division 2 of this article shall make a report to the city treasurer of the amount of fees collected pursuant to sections 27-57, 27-60 and 27-61 of this chapter, and shall pay the same into the city treasury within three (3) days after the collection thereof. All expenses incurred by such board shall be paid by the city treasurer from the fees collected. Any balance left in said fund shall be held by the city treasurer subject to the order of the mayor, and in no event shall the board created under division 2 of this article incur a greater expense than that collected by it in fees.

SECTION 8. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 27, Section 27-63, be and is hereby amended by striking said section in its entirety and substituting in lieu thereof the following:

Sec. 27-63. Expiration; renewal authorized.

Beginning on the date of passage of this Ordinance, all licenses issued by the Board shall be effective and renewed on a two year scheduled basis with the license expiring on the 30th day of June in odd numbered years following its date of issuance. Those whose license expires on June 30, 2012, shall be renewed for one (1) year. Beginning with the renewal due on June 30, 2013, all licenses issued by the Board shall renew every two (2) years in the odd numbered years. Each certificate of competency shall expire on the thirtieth (30th) day of June following the date of its issuance and shall be renewable without further examination upon application of the holder within sixty (60) days after notice of the expiration date, and the payment of the two-year fee set out above. Any applicant for a renewal who fails to make application and pay the required fee within sixty (60) days of notice may be required to take another examination by the Board of Examiners unless such applicant shows good and sufficient cause for the failure to make such application; provided that, if any licensee enters active service in the armed forces of the United States, the applicant shall be granted a renewal license upon his application after discharge from such service if such application is presented to the board within six (6) months following the date of his discharge. The failure to renew any license before June 30th of the third year following expiration of a license will result in retesting.

SECTION 9. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 27, Section 27-64, be and is hereby amended by striking said section in its entirety and substituting in lieu thereof the following:

Sec. 27-64. Examination of renewal application; required.

It shall be the duty of the board created under division 2 of this article to review all applications for the renewal of any certificate, and the board shall require that each applicant for renewal shall file a statement signed by the applicant that he has not misused his license and that he has abided by this Code and the ordinances of the city pertaining to plumbing, sewers and street cut-ins. If an applicant for renewal cannot honestly file such a statement, a full explanation of these reasons must accompany the renewal application in lieu of all or part of the required statement. The board may disapprove any renewal of a certificate of competency when the applicant has misused his certificate or has made any intentional misstatement in such application, provided, however, that such board shall not disapprove any renewal until after the application has been accorded an opportunity to be heard after five (5) days' notice by registered mail or personal service of such a notice.

SECTION 10. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 27, Section 27-66 be and is hereby amended by adding a new subparagraph (f) as follows:

(f) All license holders will comply with all workers compensation provisions for any employees which are required by the State of Tennessee at the time any work is performed and submit any evidence of workers compensation insurance that is required by the State of Tennessee before any license is issued.

SECTION 11. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 27, is hereby amended by adding a new Section 27-71 as follows:

27-71. Temporary Certificates.

Anything in this article to the contrary notwithstanding, however, it shall be lawful for the board created under the division 2 of this article to issue a temporary journeyman's certificate of competency to any applicant who shall have paid to the treasurer of such board an application fee of ten (\$10.00) dollars, and holds a valid unrevoked journeyman's card issued by another municipality with similar journeyman plumber requirements as this city, or who, in the opinion of such board, has the necessary qualifications of a journeyman. The temporary journeyman plumber certificate of competency shall be valid only until the day the next journeyman plumber examination is to be given. Furthermore, such board may revoke such temporary journeyman's certificate at any time and no more than one (1) temporary journeyman's certificate can be issued to any one (1) person.

SECTION 12. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two (2) weeks from and after its passage, but it shall be operative from and after its passage.

PASSED on Second and Final Reading

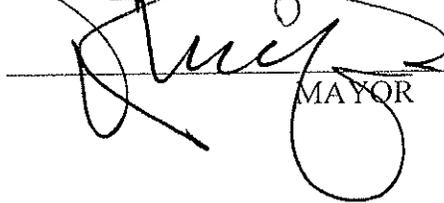
May 1, 2012.



CHAIRPERSON

APPROVED: _____ DISAPPROVED: _____

DATE: May 3, 2012



MAYOR

PAN/kac/mms