

ORDINANCE NO. 12588

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 19, SECTION 19-67, 19-69, 19-70, 19-72, 19-73, 19-75, 19-88, 19-91, 19-92, 19-93, 19-101, RELATIVE TO THE BOARD OF GAS EXAMINERS.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Chattanooga City Code, Part II, Chapter 19, Section 19-67, be and is hereby amended by deleting same in its entirety and substituting in lieu thereof the following:

Sec. 19-67. Composition; appointment; oath.

The board created by this division shall consist of seven (7) members to be appointed by the mayor and confirmed by the city council. Before entering upon their duties each member of such board shall take and subscribe to an oath to faithfully and fairly discharge his duty, without fear, favor or partiality, and to the best of his ability.

SECTION 2. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 19, Section 19-69, be and is hereby amended by deleting same in its entirety and substituting in lieu thereof the following:

Sec. 19-69. Qualifications of members.

The seven (7) members of the board created by this division shall consist of:

- (1) A mechanical engineer holding a degree from a recognized college and licensed as an engineer by the state.
- (2) A member of the mechanical contracting industry.
- (3) A journeyman gas fitter with at least five (5) years of experience.
- (4) An employee of the Chattanooga Gas Company with at least five (5) years' experience in the design and supervision of gas fitting and installations.
- (5) A representative of the general public not connected with the gas industry.

- (6) An educator or teacher, with related technical background.
- (7) A representative of the general public that is connected with the gas or plumbing industry.

SECTION 3. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 19, Section 19-70, be and is hereby amended by deleting same in its entirety and substituting in lieu thereof the following:

Sec. 19-70. Officers.

As soon as practical after the appointment and qualification of the members of the board created by 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 4. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 19, Section 19-72, be and is hereby amended by deleting same in its entirety and substituting in lieu thereof the following:

Sec. 19-72. Regular meetings.

The board created by this division shall hold meetings semi-annually in March and September, for the examination of applicants to determine their knowledge of the rules and regulations for the installation of gas piping devices, appliances and equipment as set forth in the statutes of the state, this code and other ordinances of the city and the International Gas 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.

SECTION 5. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 19, Section 19-73, be and is hereby amended by deleting same in its entirety and substituting in lieu thereof the following:

Sec. 19-73. Appeals from.

Any person aggrieved by any action or decision of the board created by this division shall have the right of appeal to the board of adjustments and appeals by requesting an appeal in writing and by lodging such request with the Chief Building Official of the city within ten (10) days after such action or decision.

SECTION 6. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 19, Section 19-75, be and is hereby amended by deleting same in its entirety and substituting in lieu thereof the following:

Sec. 19-75. 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 7. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 19, Section 19-88, be and is hereby amended by deleting same in its entirety and substituting in lieu thereof the following:

Sec. 19-88. Examination to be written, records required.

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.

SECTION 8. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 19, Section 19-91, be and is hereby amended by deleting same in its entirety and substituting in lieu thereof the following:

Sec. 19-91. Certification fees 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 gas fitter or a journeyman gas fitter shall be issued a certificate of competency by the board upon payment of the following fee:

- | | | | |
|-----|---------------------------------------|----|------------|
| (1) | Master gas fitter..... | \$ | 100.00 |
| | (per year or any part thereof) | | |
| (2) | Journeyman gas fitter..... | | 10.00 |
| | (per year or any part thereof) | | |
| (3) | Retired or inactive Master gas fitter | | 25.00/year |
| (4) | Apprentice gas fitter | | No Charge |

SECTION 9. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 19, Section 19-92, be and is hereby amended by deleting same in its entirety and substituting in lieu thereof the following:

Sec. 19-92. 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 section 19-90 or section 19-91 hereof, 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 such fund shall be held by the city treasurer subject to the order of the city council, and in no event shall the board incur a greater expense than the amount collected in fees.

SECTION 10. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 19, Section 19-93, be and is hereby amended by deleting same in its entirety and substituting in lieu thereof the following:

Sec. 19-93. Expiration of certificates; 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 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 an application after discharge from such service if such application is presented to the board within six (6) months following the date of discharge. The failure to renew any license before June 30th of the third year following expiration of a license will result in retesting.

SECTION 11. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 19, Section 19-101, be and is hereby amended by deleting same in its entirety and substituting in lieu thereof the following:

Sec. 19-101. Worker's compensation insurance required.

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 12. BE IT FURTHER ORDAINED THAT this Ordinance shall be effective two (2) weeks from and after its passage.

PASSED on Second and Final Reading


May 1, 2012.



CHAIRPERSON

APPROVED: _____ DISAPPROVED: _____

DATE: May 3, 2012


MAYOR

PAN/kac