

RULES AND PROCEDURES

City of Oak Ridge Trade Licensing Board

ARTICLE I. MEMBERS

Section 1. Members. The Board shall consist of seven (7) members with at least two (2) members holding a current and valid Class I or Class II electrical license from the City of Oak Ridge, if such qualified applicants are available; two (2) members holding a current and valid plumber's license from the City of Oak Ridge, if such qualified applicants are available; and the remaining members from the public at large, including persons who may possess current and valid electrical and plumbing licenses.

Section 2. Chairperson. The Chairperson of the Board shall be elected by the Board from members serving on the Board.

Section 3. Secretary. A Secretary shall be elected by the Board from the members serving on the Board.

Section 4. Election of Officers. The Chairperson and Secretary of the Board shall be elected for a one year term of office beginning at the first meeting in January, except for the initial election of officers when the Board was first created. In the event that an office is vacated prior to the end of the current term, the Board shall elect a new officer from its membership to serve the remainder of the term.

ARTICLE II. DUTIES

Section 1. General. The Board shall establish standards and procedures for the qualification, examination, and licensing of Class I and Class II electrical contractors, master plumbers and journeyman plumbers under provisions of the Oak Ridge Code of Ordinances (City Code).

Section 2. Chairperson. The Chairperson shall preside at all meetings and hearings of the Board, decide all points of order or procedure, and perform any duty required by law, ordinance, and/or these Rules and Procedures.

Section 3. Secretary. The Secretary shall prepare or have prepared minutes of all meetings and shall serve as Chairperson Pro Tem in the Chairperson's absence. In the absence of both the Chairperson and the Secretary, the Board shall elect a Chairperson Pro Tem and a Secretary Pro Tem for the meeting. Copies of all minutes shall be filed with and kept in the custody of the City Clerk, and shall be available for public inspection.

Section 4. Issuance of Licenses. The City Manager shall issue an appropriate license to each person who meets all minimum qualifications and standards as specified in Title 12 Chapters 5 and 9 of the City Code, and pays all necessary fees. The Board shall notify the City Manager of all persons who have passed the examination and are eligible for issuance of a license.

Section 5. Staff Representative. The Staff Representative to the Board shall process all official correspondence of the Board; send out all notices required by law and these Rules and Procedures; keep a record of each meeting, hearing or

any official action of the Board; and perform all other duties required by law, ordinance, and/or these Rules and Procedures. The Staff Representative shall be responsible for preparation and distribution of the agenda to the Board.

Section 6. Examinations. The Board shall use the Thomson Prometric Examinations or the current Board approved testing agency for measurement of competency in the electrical and/or plumbing profession, which shall include the State of Tennessee Licensing Board's approved test designed to measure competency in the electrical and plumbing professions. A minimum score of seventy (70) shall be required for passing the examination in all categories.

ARTICLE III. REGULAR MEETINGS

Section 1. Regular Meetings. Regular meetings of the Board shall be held on the second Tuesday of each month at 5:00 p.m. in the City Manager's Conference Room in the Municipal Building, when there is business to be conducted. Regular meeting dates, times, and/or locations may be rescheduled by the Board due to City-observed holidays, other holidays of practice in the community, emergency/special meetings, or other schedule conflicts.

Section 2. Special Meetings. Special meetings may be held upon call of the Chairperson and at such other times as the Board may determine, provided that at least twenty-four (24) hours notice of the meeting is given to each member. Notice shall be considered to be given if delivered to the member's residence. The notice of a special meeting shall state the purpose of such meeting and no other matter shall be considered.

Section 3. Quorum. A quorum shall consist of four (4) members of the Board.

Section 4. Order of Business. The order of business of all regular meetings of the Board shall be as follows:

- (A) Roll call.
- (B) Reading and adoption of minutes from the previous meeting.
- (C) Deliberation on new applicants for licenses.
- (D) Disciplinary actions.
- (E) Staff report.
- (F) Unfinished business.
- (G) New business.
- (H) Adjournment.

Section 5. Agenda. At least forty-eight (48) hours prior to each regular meeting, the members shall be furnished an agenda reflecting items to be considered and the order of business as specified in III.4 above.

Section 6. Minutes. The Secretary shall keep minutes of the proceedings of each meeting of the Board, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact. Such minutes shall be forwarded to members of the Board prior to the next regular meeting along with the meeting agenda. Approved minutes, signed by the Chairperson, shall be

forwarded by the Staff Representative to the office of the City Clerk.

Section 7. Public Meetings. All meetings and hearings of the Board shall be open to the public. Any action calling for a formal vote shall take place only at a public meeting and all decisions shall be by public vote, public ballot or public roll call.

The Board shall conduct a public hearing before a license is issued to a Class I Electrical Contractor, Class II Residential Electrical Contractor, Master Plumber, Journeyman Plumber, **Class I Commercial/Residential Mechanical Contractor and Class II Residential Mechanical Contractor.** Such public hearing will be advertised in the official city newspaper ten (10) days before the date of the scheduled hearing.

Section 8. Attendance. When a member of the Board is absent from three (3) regularly-scheduled or regularly-called meetings during the Board's term-year, the Chairperson shall request that the member provide a written explanation of the absences. The Board shall determine whether to accept or reject the explanation by a majority vote. If the Board votes to accept the explanation, the absences shall be considered "excused" and will not accrue for purposes of removal from the Board. If the Board votes to reject the explanation, the absence will accrue for purposes of removal. If a member is absent from three (3) meetings and makes no effort to comply with the Chairperson's request for an explanation, those absences will accrue for purposes of removal. Accrual of four (4) unexcused absences shall result in removal from the Board per policy established by City Council.

When a member is absent from four (4) regularly-scheduled or regularly-called meetings during the Board's term-year and, consistent with the procedure set forth, the Board rejects the explanation of absences or no explanation is forthcoming, the member shall be notified that he/she has been removed from the Board by a vote of his/her peers. The Chairperson of the Board shall notify City Council of the vacancy by letter, and the City Clerk shall schedule an election to fill the vacancy in the customary manner.

ARTICLE IV. PROCEDURES OF THE TRADE LICENSING BOARD

Section 1. Application for Licenses. All applications for licenses shall be made on forms provided in the Department of Community Development, Code Enforcement Division.

Section 2. Equal Opportunity. All applicants for licenses will be given equal consideration without regard for organizational affiliation, place of residence, race, color, creed, gender, national origin, sexual orientation, or other matters not pertaining to reliability for electrical or plumbing work.

Section 3. Deliberation on Applicants. A decision on the issuance of a license shall be reached by the Board after review of the applicant's file and a determination that the applicant fulfills the requirements set forth in Title 12 Chapters 5 & 9 of the City Code. The Board may grant conditional approval up to ninety (90) days for recommending the issuance of a license by the City Manager to any applicant subject to verification of specific minimum standards and qualifications under the City Code including minimum work experience, favorable work references, an acceptable score on the examination and/or any other requirements for licensing. Any license granted to an applicant by the City Manager under conditional approval status shall be reviewed by the Board at the

next regular meeting.

Section 4. Notification to Applicants. Applicants will be notified by the Staff Representative as to the results of their application.

Section 5. Consultation with Applicants. Applicants failing to fulfill license requirements may, upon appropriate request, appear before the Board and receive guidance toward understanding areas of weakness that need to be improved.

Section 6. Reciprocity. The Board shall issue licenses to applicants from outside Oak Ridge provided that they successfully meet the minimum score on the appropriate Thomson Prometric Examination and/or other current State of Tennessee approved testing agency and meet the other requirements specified under the City Code.

Section 7. Examination Scores. The outcome of individual examinations are a public record and shall be available to any citizen making such a request of the City of Oak Ridge.

Section 8. Official Actions. All official actions of the Board shall have the concurrence of at least a majority of the official members of the Board.

Section 9. Processing Actions. The Board shall render its decisions without unreasonable or unnecessary delay.

ARTICLE V. RECORDS

Section 1. Files. A file of all materials and decisions relating to each applicant shall be kept in the Department of Community Development, Code Enforcement Division, and shall serve as the official records of the Board.

Section 2. Public Records. All records of the Board shall be public records.

ARTICLE VI. AMENDMENTS

Section 1. These rules and procedures may be amended on the affirmative vote of four (4) members of the Board, subject to approval by City Council and filed with the City Clerk.

Section 2. The Board shall be allowed to accept name changes to Thompson Prometric Exams that provides testing services which would include any subsequent company mergers or different testing providers approved by the Board and/or by the State of Tennessee Licensing Board.

Section 3. The Board shall be allowed to permanently change the time, date, and/or location that it conducts its business without further approval of City Council. In the event the Board does permanently change the time, date and/or location of the meetings, the Board shall submit written notice of the change to City Council through the City Clerk's Office.

Section 4. The Board shall accept name changes to any City Department or Division that may take place through consolidation, activity transfer, etc. without further approval of City Council.

ADOPTION

In accordance with the authority granted by City Code §12-307, the foregoing Rules and Procedures of the Trade Licensing Board are adopted on this 12th day of February, 2013 and will be transmitted to City Council for their review and approval.

APPROVED AS TO FORM AND LEGALITY:

City Attorney

Chairperson

APPROVED BY CITY COUNCIL

Mayor

Date

Resolution No. _____