

TITLE 2

BOARDS AND COMMISSIONS, ETC.

CHAPTER

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CHAPTER 1

CITY BEAUTIFUL COMMISSION

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2-101. Creation, organization and compensation. A city beautiful commission is hereby established to be made up of seven (7) members, one (1) from each voting precinct and the remaining members at-large. The city beautiful commission shall elect a chairperson, vice chairperson and a secretary. A representative from each voting precinct shall be elected ward chairperson. All members shall serve without pay. (1963 Code, § 1-301, as amended by Ord. #10-05, Sept. 2004, and Ord. #22-05, May 2005)

2-102. Functions. The city beautiful commission shall function under the city manager and shall study, investigate, develop and promote the carrying out of plans for improving the health, sanitation, safety and cleanliness of the city by beautifying the streets, highways, alleys, lots, yards and other similar places in the city. It shall work with and through the health department and other departments of the city in the prevention of flies, diseases and casualties by the regular removal and elimination of trash and other debris from streets, highways and other public and private property. The commission shall encourage the placing, planting and/or preservation of trees, flowers, plants, shrubbery, and other objects of ornamentation in the city. It shall advise and recommend plans to the city council and to agencies of the city for the beautification of the city and shall otherwise promote public interest in the general appearance of the city. (1963 Code, § 1-302)

2-103. Annual budget. The city beautiful commission shall consider its annual budgetary needs in carrying out the above functions and shall present a proposed annual budget to the city on or before the first day of July of each year. (1963 Code, § 1-303)

2-104. Semiannual report. The city beautiful commission shall make a semiannual report to the city council as to its activities and functions, its needs and its recommendations for further activities. (1963 Code, § 1-304)

2-105. Terms of office. In the appointment of the first eight (8) commissioners, the city council shall designate their terms of office as follows:

The first two designated shall serve for three years each; the next three shall serve for two years each; and the next three shall serve for a period of one year each. Thereafter appointments shall be made annually by the city council on July 1 for replacing those commissioners whose term of office expires. (1963 Code, § 1-305)

2-106. Wards. For the purpose of administration and for the division of duties of ward chairpersons, the city shall be divided into wards that coincide with boundaries of voting precincts. (1963 Code, § 1-306)

CHAPTER 2

MUNICIPAL BOARD OF EXAMINERS

SECTION

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2-201. Creation, membership and powers. There is hereby created a municipal board of examiners, hereinafter referred to as the board, for the purpose of regulating, examining and issuing licenses to applicants for permits to perform electrical, gas and plumbing services in Union City, Obion County, Tennessee, or similar services outside the corporate limits, if performed on or related to municipal owned or franchised utilities. The board shall have additional powers as listed hereafter. The board shall consist of five (5) members to be appointed by the mayor and councilmen; one (1) a representative of the gas utility, one (1) a representative of the electric utility, one (1) a representative of the plumbing industry, two (2) residents of Union City, one (1) of which shall be associated with the building and trades industry. The director of planning and code enforcement shall serve as ex-officio member of the board. Members of the board shall have at least five (5) years experience in their respective field, and shall serve without compensation. Except for the initial appointments, the terms of the members of the board shall be three years, ending the first Tuesday in February. The five (5) members first appointed shall be appointed for terms of one for one (1) year, two for two (2) years and two for three (3) years, or adjusted portions thereof to conform with expiration date respectively, so that terms of members will be staggered. (1963 Code, § 4-701)

2-202. Organization and meetings of the board. The board shall hold its first meeting not later than thirty (30) days following its appointment. Thereafter, the board shall meet at such intervals as may be necessary for the proper performance of its duties, but in any case not less than twice each year; the second Monday in February and August. The board shall elect a chairman annually at its first meeting after the first Tuesday in February of each year.

The planning and code enforcement director shall serve as secretary to the board and shall keep minutes of the meeting. (1963 Code, § 4-702)

2-203. Examination and certification of applicants. The board shall establish standards and procedures for the qualification, examination and licensing of plumbers, electricians and gas fitters and shall authorize an appropriate license for each person who meets the qualifications. At the request of an applicant who has successfully qualified for an electrician's, plumber's and gas fitter's license, the board may issue a general utility code license authorizing the licensee to engage in the performing of service work as regulated in the utility codes of the municipality. The secretary of the board shall keep an official record of all its transactions. (1963 Code, § 4-703)

2-204. Re-examination. Any person who fails to pass an examination as prescribed by the board may apply for re-examination after the expiration of thirty (30) days upon payment of one-half the examination fee. (1963 Code, § 4-704)

2-205. Examination fee. Any person desiring to be licensed as a plumber, electrician or gas fitter shall make written application in a suitable form prescribed by the board. The examination and license fees shall be in accordance with a schedule of fees as may be adopted from time to time by resolution of the mayor and councilmen; and such fee shall accompany the application. Examination fees are not returnable. (1963 Code, § 4-705)

2-206. Issuance and term of license. Licenses shall be issued by the city clerk to all applicants therefor who comply with all the requirements of this chapter. Licensee's eligibility shall continue in full force and effect so long as the licensee pays all applicable fees and complies with all applicable laws, ordinances and codes. (1963 Code, § 4-706)

2-207. Proof of insurance. It shall be required of every person obtaining a plumbing or gas fitters license, before engaging in the business of plumbing work or gas fitting, to file with the city clerk at city hall a certificate of insurance insuring his license related activities, signed by the qualified agent of the insurer, showing the type of policy issued; the policy number; the name of the insurer; the effective date of the policy; an agreement by the insurer to give thirty (30) days written notice by registered mail to the city clerk of the intent to cancel the policy for any reason. Such insurance policy shall be maintained at all times with an insurance company authorized to do business in the State of Tennessee, the limits of insurance required by any other applicable law or authority having jurisdiction, but not less than \$100,000 per occurrence combined bodily injury and property damage insurance, including

any damage to public right-of-way or shrubbery. Proof of said liability insurance shall be required for renewal of said license. (Ord. #10-92, May 1992)

2-208. Suspension or revocation of license. Any person engaged in doing plumbing, electrical or gas fitting work which does not conform to the applicable plumbing, electrical, gas fitting, and mechanical codes or whose workmanship or materials are of inferior quality shall, on notice from the planning and code enforcement director make necessary changes or corrections at once so as to conform to the applicable code. The board of examiners and licensing may revoke any license issued hereunder for continuous violations. When the revocation of any license is to be considered at any meeting, the person to whom the license has been issued shall be given at least seven (7) days notice in writing of the time and place of such meeting, together with a statement of the grounds upon which it is proposed to revoke his license. At such meeting, the licensee shall be allowed to appear in his own behalf, to be represented by counsel, and to present witnesses. If said license is revoked, no new license may be issued until the expiration of at least one (1) year from the date of such revocation. The licensee may, within ten (10) days, file an appeal on the decision of the board to the mayor and councilmen. (1963 Code, § 4-708)

2-209. Allowing name or license to be used fraudulently. No person engaged in doing plumbing, electrical work or gas fitting shall allow his name to be used by any other person, firm, or corporation, directly or indirectly, to obtain a permit, or for the construction of any work under his name or license nor shall he make any misrepresentation or omissions in his dealings with the city. Every person licensed shall notify the director of planning and code enforcement of the address of his place of business, if any, and the name under which such business is carried on and shall give immediate notice to the director of planning and code enforcement of any change in either. The person licensed is responsible for all work involving piping, electric wiring and gas fitting done on any premise. The person licensed shall supervise all work authorized by such permit. (1963 Code, § 4-709)

2-210. Provisions not applicable under certain conditions. (1) The provisions of this chapter requiring licensing do not apply to an owner of residential property altering or repairing his own property. An owner of residential property may construct one single family residence for his own use and occupancy without qualifying for a license, but the application for a building permit for construction of more than one single family residence in a year's time shall be construed as engaging in the construction business and such an owner must secure a license before the permit will be issued. Nothing herein shall release the owner-builder from the requirements of obtaining a permit.

(2) The following work may be performed for their employer by the regular employees of the utility companies, who are regularly engaged in the

distribution of gas or electricity, providing that all work shall be performed under the supervision of the duly authorized official of such utility:

- (a) Outside construction work;
- (b) The installation and maintenance of underground or overhead services, service equipment, or metering equipment on consumer's premises, which is the property of the utility company;
- (c) The installation and maintenance of equipment necessary for the operation of the utility, in central stations, sub-stations, plants or exchanges, owned or occupied by such public utility company; and
- (d) The installing, extending, replacing, altering, or repairing of consumer's piping or electrical service provided such work is duly authorized by the officials of such utility. (1963 Code, § 4-710)

2-211. Violations. Any person violating any of the provisions of this chapter or the code adopted by chapter 2, § 12-201, chapter 3, § 12-301, chapter 4, § 12-401, or chapter 6, § 12-601, for which no other penalty is provided shall be punished under the general penalty clause for the city code. (1963 Code, § 4-711)

CHAPTER 3**BOARD OF EDUCATION****SECTION****2-301. Members.**

2-301. Members. (1) The membership of the board of education is increased from five (5) to seven (7) members and the two (2) additional members shall be elected at-large at the November 2000 general election. The person receiving the highest number of votes shall be elected for a term of four (4) years and the person receiving the second highest number of votes shall be elected for a term of two (2) years.

(2) The ordinance comprising this section must be passed by the council on two (2) successive readings on separate days and the candidates must be qualified by filing their nominating petition as required by Tennessee Code Annotated, § 2-5-101(a)(3), by the third Tuesday of the third month before the November general election. Accordingly, the council declares that an emergency exists and the ordinance comprising this section shall take effect from and after its passage, the public safety and welfare requiring it. (Ord. #1-01, July 2000)