

Date January 8, 2007

RESOLUTION APPROVING A CHAPTER 28E AGREEMENT WITH THE CITIES OF ALTOONA, ANKENY, BONDURANT, CARLISLE, CLIVE, DES MOINES, DE SOTO, GRIMES, INDIANOLA, JOHNSTON, MITCHELLVILLE, NORWALK, PLEASANT HILL, POLK CITY, URBANDALE, WAUKEE, WEST DES MOINES, AND WINDSOR HEIGHTS AND THE UNINCORPORATED AREAS OF DALLAS, POLK AND WARREN COUNTIES TO ESTABLISH A METROPOLITAN LICENSING BOARD OF EXAMINERS FOR THE ELECTRICAL, MECHANICAL AND PLUMBING TRADES

WHEREAS, the Metro Advisory Council (MAC) was created in February of 2001 and consists of the Mayor, one council member and one alternative council member of sixteen (16) Des Moines metropolitan communities and two supervisors from the counties of Dallas, Polk and Warren; and

WHEREAS, the goal of the MAC is to improve the quality of life and economic viability of the Central Iowa region by providing a forum for governmental bodies to engage in dialogue and pursue common purposes and objectives which make the region stronger, more competitive and a better place to live; and

WHEREAS, the MAC at its November 14, 2006 meeting voted unanimously to send the Metro Licensing Board of Examiners Licensing Agreement to the participating City Councils and Board's of Supervisors for adoption. The parties to the Agreement are the Cities of Altoona, Ankeny, Bondurant, Carlisle, Clive, Des Moines, De Soto, Grimes, Indianola, Johnston, Mitchellville, Norwalk, Pleasant Hill, Polk City, Urbandale, Waukee, West Des Moines, and Windsor Heights and the unincorporated areas Dallas, Polk, and Warren Counties; and

WHEREAS, this agreement provides for the establishment of a Metro Licensing Board of Examiners appointed by the participating entities and responsible for establishing criteria for license qualifications and approving license applications; and

WHEREAS, under Chapter 28E of the Code of Iowa, the City of Des Moines as a public agency may enter into agreements with public or private agencies authorized under the laws of this state to cooperate in such a way as to provide joint services and facilities with other agencies, and to cooperate in other ways to mutual advantage; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa that:

1. The attached Chapter 28E Agreement is hereby approved and the Mayor is authorized and directed to sign the attached Agreement. The City Clerk is authorized to attest to the Mayor's signature, to obtain proper acknowledgment and thereafter to deliver the original or counterparts to the City's Office of Community Development.


.....
Date January 8, 2007
.....

2. The Office of Community Development is authorized and directed to record the Agreement with the Polk, Dallas and Warren County Recorders and to file a copy of the Agreement with the Secretary of State.

BE IT FURTHER RESOLVED, the Des Moines City Council directs the Community Development Department to incorporate the agreement into the Des Moines Building Code. (Council Communication No. **07-020**)

MOVED BY _____ to adopt.

FORM APPROVED:



Michael F. Kelley
Assistant City Attorney

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
KIERNAN				
HENSLEY				
MAHAFFEY				
VLASSIS				
TOTAL				
MOTION CARRIED	APPROVED			

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Mayor

City Clerk

1 Metro Licensing Board of Examiners Licensing
2 Agreement
3

4 Agreement By and Among Altoona, Ankeny, Bondurant, Carlisle, Clive, Dallas County, Des
5 Moines, De Soto, Grimes, Indianola, Johnston, Mitchellville, Norwalk, Pleasant Hill, Polk
6 City, Polk County, Urbandale, Warren County, Waukee, West Des Moines, and Windsor
7 Heights.

8
9 **NOW THEREFORE**, it is hereby agreed by the city of Altoona, the city of Ankeny, the city of Bondurant,
10 the city of Carlisle, the city of Clive, Dallas County, the city of Des Moines, the city of De Soto, the city of
11 Grimes, the city of Indianola, the city of Johnston, the city of Mitchellville, the city of Norwalk, the city of
12 Pleasant Hill, the city of Polk City, Polk County, the city of Urbandale, Warren County, the city of Waukee,
13 the city of West Des Moines, and the city of Windsor Heights as follows:

14
15 This Agreement is entered into pursuant to the CHAPTER 28E, Code of Iowa (2005), as amended, and shall
16 be recorded with the Dallas County, Polk County and Warren County Recorders office and filed with the
17 Iowa Secretary of State. This Agreement shall be known as the Metro Licensing Board of Examiners
18 Licensing Agreement.

19
20 Effective Date: This Agreement shall become effective January 1, 2007 and shall remain in effect until
21 terminated as agreed by the parties.

22
23 Purpose: The purpose of this Agreement is to establish the terms and conditions under which the
24 Jurisdictions will license electrical, mechanical, and plumbing contractors and installers and jointly exercise
25 their authority to protect the public health, safety and welfare by providing for the examination,
26 qualification, and licensing of:

- 27 • Electrical contractors, master electricians, journeyman electricians, residential electricians and the
28 registration of apprentice electricians and apprentice residential electricians;
- 29 • Plumbing contractors, master plumbers, journeyman-level plumbers, and the registration of
30 apprentice level plumbers; and
- 31 • Heating and cooling contractors, refrigeration contractors and comprehensive mechanical
32 contractors.

33

34 **DEFINITIONS**

35

36 Construction: is defined as set forth in Chapter 91C, Code of Iowa (2005), as amended, including but not
37 limited to companies or individuals performing electrical, plumbing and mechanical work when
38 considered as construction categories.

39

40 Jurisdictions: shall mean the cities of Altoona, Ankeny, Bondurant, Carlisle, Clive, Des Moines, De Soto,
41 Grimes, Indianola, Johnston, Mitchellville, Norwalk, Pleasant Hill, Polk City, Polk County, Urbandale,
42 Waukee, West Des Moines, and Windsor Heights and the unincorporated areas of Dallas, Polk and Warren
43 Counties.

44

45 Licensed: shall mean a person qualified to perform electrical, plumbing or mechanical work who has written
46 authorization pursuant to this Agreement to perform such work within the Jurisdictions.

47

48 Supervision and Responsible Charge: shall mean control and oversight by a licensed contractor, master or
49 journeyman in the trade who is the responsible license holder for the project or group of projects located
50 in close proximity.

51

52 Direct Supervision and Responsible Charge; shall mean that a licensee supervising the work is exercising,
53 directing, and guiding the work; is located in close proximity and exercises judgment in all matters
54 embodied in the work. Merely reviewing work installed does not constitute supervision, unless the
55 reviewer actually exercises frequent onsite supervision.

56

57 METRO LICENSING BOARD OF EXAMINERS ESTABLISHED

58

59 There is hereby established a METRO LICENSING BOARD OF EXAMINERS, hereinafter referred to as
60 the "MLBE". Beginning on January 1, 2007 the board shall be composed of twelve members appointed
61 as follows:

62

63 Three of such members shall be at-large, one selected by the Dallas County Board of Supervisors and one
64 by the Polk County Board of Supervisors and one by the Warren County Board of supervisors. Alternates
65 shall be selected by the same method. The remaining nine members of the MLBE shall be selected by
66 each of the respective electrical, plumbing and mechanical Mini-Boards. Each Mini-Board shall select
67 three members to sit on the MLBE.

68

69 MLBE Meetings: The MLBE shall hold a regular meeting once every month, unless there is no business
70 to conduct, but in any event the MLBE shall meet every fourth month. The first meeting of each calendar
71 year shall be the Annual Meeting. All meetings of the Board shall comply with the open meetings law.

72

73 MLBE Election and Terms of Officers:

74

75 Officers: At its annual meeting the MLBE shall elect from its members a chairperson and a vice-
76 chairperson. The chairperson shall appoint a secretary who need not be a member of the MLBE. Each of

77 these officers shall serve a term of one year. The chairperson shall preside at all meetings of the MLBE.

78 In the absence of the chairperson, the vice-chairperson shall preside

79

80 Rules: At the first meeting the MLBE shall adopt by-laws and meeting schedules. By the second meeting

81 the new licensing criteria shall be in place.

82

83 Meeting Records: The MLBE shall keep minutes of its proceedings, showing the vote of each member

84 upon every question, or if absent or failing to vote, indicating such fact. The MLBE shall keep records of

85 its examinations and other official actions.

86

87 The MLBE shall establish reasonable criteria for license qualification and acceptance of those contractors

88 who have been working in Jurisdictions which have not required licensing prior to the effective date of

89 this Agreement.

90

91 **ELECTRICAL, PLUMBING AND MECHANICAL MINI-BOARDS ESTABLISHED**

92

93 Mini-Boards: Electrical, plumbing and mechanical Mini-Boards are hereby established and the members

94 of each shall be selected in the manner set forth herein. The electrical, plumbing and mechanical Mini-

95 Boards shall review applicant's eligibility, work history and other matters of record and recommend to the

96 MLBE whether to grant a license application. The Mini-Boards shall at its annual meeting select three of

97 its members to serve on the MBL.

98

99 Districts: Nine districts shall be created, corresponding to and within the boundaries of the nine state

100 senate districts located in Polk, Dallas and Warren Counties, except as hereafter provided. As of the

101 effective date of this Agreement these state senate districts are numbered 21, 24, 30, 31, 32, 33, 34, 35,

102 37. One member and one alternate shall be selected for each of the three Mini-Boards in each district by a
103 selection committee which shall be created in each district. The mayors of each city which is located
104 wholly or in part within such district shall comprise a selection committee and shall nominate one person
105 to serve as the member of each of the three Mini-Boards representing the district and one alternate. The
106 selection committee in each district shall select one person to serve as a member of each of the three
107 Mini-Boards and one person to serve as an alternate. In districts which consist of an area located in more
108 than one city, any impasse by the selection committee in the selection of a member or alternate shall be
109 resolved by the use of a weighted vote, in which the mayor of each city is entitled to one vote for each
110 person residing within that part of the city of which they are mayor which is located within the district,
111 according to the most recent United States decennial census, or more recent United States Census in
112 which sufficiently detailed population data is available to determine the population within each Mini-
113 Board district. In districts which are located wholly within one city, the selection of a member and an
114 alternate shall be made by the mayor and confirmed by resolution of the city council.

115

116 Overlapping Districts: To the extent that a city whose boundaries are included within a Mini-Board
117 district in Dallas, Polk or Warren counties has boundaries which extend into an adjacent county or
118 counties, the boundaries of that Board district shall be expanded to include that part of the city which is
119 located in an adjacent county or counties.

120

121 Meetings: Electrical, plumbing and mechanical Mini-Boards shall meet independently of the MLBE. The
122 Mini-Boards shall hold regular meetings each month, unless there is no business to conduct, in which case
123 the Mini-Boards will meet every fourth month. The first meeting of each calendar year shall be the annual
124 meeting. All meetings of the Mini-Boards shall comply with the open meetings law.

125

126 Mini-Board Members: Each Mini-Board shall consist of nine members. Each Mini-Board member shall
127 have one (1) vote.

128

129 Alternates: There shall be an alternate member for each Mini-Board member. For those positions
130 requiring specific qualifications, the alternate member must also have those credentials.

131

132 Length of Terms: Members and alternates shall serve terms of three years, provided that upon initial
133 appointment the terms of office shall be staggered. The terms of Mini-Board members and alternates shall
134 not expire at the same time.

135

136 Maximum Consecutive Terms: Regular Mini-Board members shall not serve more than two consecutive
137 terms.

138

139 Filling Vacancies: Vacancies due to resignation, incapacity or otherwise shall be filled by an alternate
140 Mini-Board member from the district where the vacancy occurs to serve the remainder of the term of the
141 vacating member.

142

143 Quorum: A quorum of the electrical, plumbing and mechanical Mini-Boards shall consist of three
144 current license holders and two other members. An action of a Mini-Board requires an affirmative
145 vote of at least five members.

146

147 Mini-Board Election and Terms of Officers:

148

149 Officers: at the annual meeting the members of each Mini-Board shall elect from among themselves a
150 chairperson and vice chairperson to serve a one-year term. The chairperson shall appoint a secretary who
151 need not be a member of the Mini-Board

152

153 Ex-officio Members: One staff member from the building department of each or the respective Mini-
154 Boards districts shall be appointed by the selection committee of the district as an ex-officio member.

155

156 Rules: At the first meeting each of the Mini-Boards shall adopt by-laws and meeting schedules. By the
157 second meeting the licensing review criteria shall be in place.

158

159 Meeting Records: Each Mini-Board shall keep minutes of its proceedings, showing the vote of each
160 member upon every question, or if absent or failing to vote, indicating such fact. The Mini-Board shall
161 also keep records of its examinations and other official actions.

162

163 **INSURANCE REQUIREMENTS**

164

165 The MLBE member jurisdictions hereby authorize the MLBE to purchase insurance covering its potential
166 tort liabilities, the premiums associated with such insurance coverages to be paid by a supplemental fee
167 applied to each license issued by the MLBE. The City of Des Moines, serving in its administrative capacity
168 for issuing licenses on behalf of the MLBE, is hereby authorized to purchase said insurance for the MLBE,
169 but only after MLBE approval prior to binding such coverage. To ensure the competitive nature of the
170 purchase of such insurance, the City of Des Moines shall place such insurance through its insurance agent so
171 long as the selection of an insurance agent is made periodically through a Request for Proposals process
172 conducted pursuant to the Purchasing Ordinance of the Municipal Code of the City of Des Moines.

173

174 Insurance: Electrical, plumbing and mechanical contractors shall file as part of the application a certificate
175 of insurance covering commercial auto liability, commercial general liability, and workers compensation
176 insurance in accordance with Iowa Code Chapter 85, issued by an insurance company(ies) admitted or non-
177 admitted to do business in the State of Iowa. The commercial automobile liability insurance policy and the
178 commercial general liability policy shall include "Contractual Liability" coverage that includes the cost of

179 defense and settlement and is equivalent to the coverages provided for in standard Insurance Services Office
180 (ISO) general and automobile liability policy forms for these coverages. A certificate of insurance indicating
181 compliance with all of the above insurance requirements shall be submitted to the City of Des Moines Permit
182 and Development Center prior to the issuance of a license or permit. Upon renewal of a license or permit, a
183 new certificate of insurance indicating continued compliance with the above insurance requirements shall be
184 submitted to the City of Des Moines Permit and Development Center no later than the 31st day of December
185 of each year, and shall be re-submitted and filed on or before that date for each subsequent year. All license
186 holder insurance policies shall include a provision to provide the City of Des Moines Permit and
187 Development Department no less than ten (10) days advance written notification of policy cancellation or
188 non-renewal. A license may be renewed without the filing of an insurance certificate provided that no work
189 is done or contracted for by the license holder during the terms of the license. Such license shall be marked
190 "NOT INSURED," "NOT TO BE USED FOR CONTRACTING," or "INACTIVE."

191

192 It shall be a condition of the license application form signed by the license holder that the license holder will
193 indemnify and hold the Jurisdictions and the MLBE harmless from any and all damages; including bodily
194 injury, death and property damage; sustained by reason of any act or omission on the part of the license
195 holder, his/her agents or employees in the performance of work done under a license or permit issued by the
196 MLBE.

197

198 **LICENSING REQUIREMENTS**

199

200 Application: A person who desires to be licensed shall file an application with the City of Des Moines
201 Permit and Development Center. The completed application shall include the applicant's name, home
202 address, business address, a brief résumé of the applicant's training and experience, the date of application,
203 and the classification of the license being applied for. The Permit and Development Center will issue
204 licenses to applicants approved by the MLBE upon payment of the license fee.

205

206 Duration and Renewal: Licenses shall be renewed upon payment of the scheduled fees from December 1st
207 through December 31st. Licenses renewed from January 1st through January 31st, the grace period each year,
208 shall be assessed a late charge equal to twice the scheduled fee. The licensee shall provide a certificate of
209 successful completion of the current update course(s) in order for the license to be renewed. Each license
210 shall be in effect for three years and may be renewed every three years thereafter upon payment of the
211 license renewal fee.

212

213 Lapse and Reinstatement: A license which has not been renewed on or before January 31 shall lapse as of
214 February 1. The lapsed license shall be reinstated by the MLBE at the recommendation of the Mini-Board
215 upon written request, provided the applicant seeking reinstatement has satisfied the current update
216 education requirement, has paid the overdue license fee, and the license has not lapsed more than one year
217 past the December 31 expiration date. If the licensee has obtained a license under the grandfather rule,
218 proof of a passing examination score for the license must accompany the reinstatement request.

219

220 Retired License: The license of an electrical, plumbing or mechanical contractor or installer who retires shall
221 be stamped "RETIRED". Such license may be reinstated at any time upon payment of the current year's fee
222 and submission of a current code update education certificate. If the licensee has obtained a license under the
223 grandfather rule, additional proof of a passing score for the respective license must accompany the
224 reinstatement request.

225

226 Death or Incapacity of licensed Contractor: In the event of death or incapacity of a licensed contractor, the
227 MLBE may issue a temporary contractor's license to a responsible member or officer of such firm,
228 corporation or other association until such time as the firm, corporation or other association acquires a
229 licensed contractor, provided that such temporary license shall not be issued for a period of more than six (6)
230 months.

231

232 Payment: License fees shall be paid to the City of Des Moines through its Permit and Development Center.

233

234 Fee Exemption: License fees shall be waived for plumbing, mechanical and electrical licenses for inspectors
235 employed by the Jurisdictions.

236

237 Qualification Acceptance: The MLBE shall determine the qualifications of each applicant upon the
238 recommendation of the Mini-Board using supporting documentation and other matters of record. If an
239 applicant is granted a license and it is thereafter determined that the application or supporting documentation
240 is untrue or invalid, the license shall be suspended immediately, pursuant to the summary procedures set
241 forth below.

242

243 **ADMINISTRATION OF LICENSING**

244

245 Administrative Authority: The City of Des Moines Permit and Development Center shall administer the
246 licensing process described in this Agreement and shall retain all fees collected pursuant to this Agreement.
247 The City of Des Moines shall furnish a list of all active and inactive license holders and registered apprentice
248 installers to each Jurisdiction by February 1 of each year and shall update the list as of the first day of each
249 quarter thereafter.

250

251 **EXAMINATION**

252

253 Testing: An applicant must achieve a minimum score of 75% on the licensing examination.

254

255 **CONTINUING EDUCATION REQUIRED FOR MASTERS AND JOURNEYMEN:**

256

257 Code Education Criteria: A minimum of eight hours of code update education per each three-year code
258 change cycle is required for all levels of licensees.

259
260 Trade Education Criteria: Each Mini-Board shall establish continuing educational criteria with a
261 minimum of eight hours of trade-related education per licensing cycle, which may include safety and new
262 product seminars when approved by the Mini-Boards. Mini-Boards may accept in-house educational
263 programs by individual companies or shops.

264

265 **LICENSE NOT TRANSFERABLE**

266

267 A licensee may not transfer a license to another or allow it to be used, directly or indirectly, by another
268 person. A licensed contractor shall not obtain permits for more than one contracting firm, corporation or
269 other association. A violation of this section shall constitute cause for revocation of the license.

270

271 **SUSPENSION AND REVOCATION OF LICENSE**

272

273 Revocation and Suspension: The MLBE shall have authority to revoke or suspend a license where fraud or
274 misrepresentation was used in obtaining the license, where a the licensee attempts to transfer the license or
275 allows it to be used either directly or indirectly by any other person, for failure to comply with any of the
276 provisions of this Agreement, for negligence, for failure to obtain proper permits, for failure to call for
277 inspections, for incompetence or a history of substandard work, or for misconduct in the performance of any
278 duties of a contractor or installer.

279

280 Notice and Hearing: In all cases involving revocation or suspension of a license, at least fifteen days notice
281 shall be served by the jurisdiction upon the licensee indicating the time and place of hearing before the

282 MBLBE and the general grounds for the proposed revocation or suspension. The notice shall also advise the
283 licensee of the right to counsel.

284
285 Revocation Period: No person whose license has been revoked shall be issued a license until the expiration
286 of six months after the revocation, and then only upon successful examination and payment of all fees.

287
288 No Refund: Revocation or suspension of a license shall not entitle the holder to a refund of any fee.

289
290 Summary Suspension: If the MLBE finds that consideration of public health or safety requires emergency
291 action and incorporates a finding to that effect in its order, summary suspension of a license may issue
292 pending the usual suspension or revocation proceedings described herein. The MLBE shall institute
293 revocation or suspension proceedings immediately upon issuance of an order of summary suspension, except
294 that the 15-day notice of hearing may be waived upon written request by the licensee.

295
296 Enforcement: Suspension or revocation of a license shall be recognized and enforced by each Jurisdiction
297 under the authority of this Agreement. A violation of a municipal code which occurs within a jurisdiction
298 may be enforced pursuant to that Jurisdiction's municipal code. The method of enforcement set forth herein
299 does not preclude any other method of enforcement.

300
301 Appeal: An applicant, contractor or licensee aggrieved by any final order of the MLBE may seek review
302 pursuant to Iowa law.

303
304 **RECOGNITION OF ELECTRICAL, PLUMBING AND MECHANICAL LICENSES**

305
306 Prior License: An individual holding an electrical, plumbing or mechanical license in one or more of the
307 Jurisdictions as of January 1, 2007 may continue to hold the license for the remainder of the initial licensing

308 period. Prior licenses will be recognized and will be renewed according to the terms of this Agreement. No
309 new electrical, plumbing or mechanical licenses shall be issued in any Jurisdictions. As of January 1, 2007
310 all electrical, plumbing and mechanical licenses and renewals will be issued solely under the terms and
311 conditions of this Agreement.

312

313 Reciprocal Recognition of License: An electrical, plumbing or mechanical contractor, master or
314 journeyman installer who is licensed by another jurisdiction that has similar licensing standards and who
315 provides proof of current license credentials, a current copy of a state contractor registration, proper
316 accreditation and years of experience, as well as proof of a passing score of 75% on a nationally
317 recognized test may be licensed under this Agreement.

318

319 Grandfather Clause: An electrical, plumbing or mechanical contractor, master or journeyman installer who
320 is currently working as such may be licensed on a one-time basis under this agreement if the electrical,
321 plumbing or mechanical Mini-Board accepts the applicant's credentials and the MLBE approves the
322 credentials. The time for acceptance will expire at the next licensing cycle.

323

324 **WORK BY HOMEOWNER**

325

326 Work performed by homeowners on their own residences shall be regulated by the Jurisdiction in which they
327 reside.

328

329 **23.0 ADOPTION AND AMENDMENT**

330

331 Adopting Resolution: A Jurisdiction becomes a party to this Agreement by adopting a resolution certified by
332 the city or county clerk and delivery of resolution to the MLBE secretary and the City of Des Moines Permit
333 and Development Center.

January 1, 2007

Withdrawal: A Jurisdiction may withdraw from this agreement by adopting a resolution and delivering a certified copy thereof to the MLBE secretary.

DURATION OF AGREEMENT

This agreement shall continue until terminated by agreement of all participating Jurisdictions or, until only one participating Jurisdiction remains.

Amendment: This agreement may be amended upon passage of an amending resolution by all member Jurisdictions.

IMPLEMENTATION

Implementation: Until such time as the MLBE establishes criteria for approving license applications the present criteria used by the City of Des Moines Permit and Development Center shall be applicable.

Renewal sequence: The sequencing for the renewal of licenses shall be as follows,

- Plumbing December 2007 - January 2008, and
- Electrical December 2008 - January 2009,
- Mechanical December 2009 - January 2010.

LEGAL REPRESENTATION

358 The MLBE shall have the authority to retain legal counsel with the cost of representation shared equally by
359 all participating Jurisdictions. Legal representation may be furnished by a Jurisdiction at its own expense for
360 its MLBE member or alternate member.

361

362 **EXECUTION and FILING with SECRETARY OF STATE AND COUNTY RECORDER**

363

364 Jurisdictions approving this Agreement shall execute the separate signature page and the parties hereto
365 shall file the fully executed agreement with the Secretary of the State of Iowa and record the Agreement
366 in the official records of Polk, Dallas and Warren Counties.

367

368 **ELECTRICAL SUB-COMMITTEE TO THE METO LICENSING BOARD OF**

369

EXAMINERS

370

371 **DEFINITIONS**

372

373 Apprentice Electrician: shall mean a person who performs electrical work while employed by a licensed
374 electrical contractor, while under the direct supervision and in the presence of a licensed electrician, and
375 who is properly registered with the MLBE as an apprentice electrician.

376

377 Electrical Contractor: shall mean a person or firm who employs a licensed master electrician to contract and
378 to undertake the planning, layout, supervision and/or performance of electrical work and who is responsible
379 for the employment, management, supervision and control of electricians, residential electricians, apprentice
380 electricians and apprentice residential electricians. A licensed contractor shall be considered qualified and
381 licensed to do electrical work.

382

383 Electrical Contractor, Inactive: shall mean a licensed electrical contractor who is not actively engaged in the
384 contracting business or who may be working in the trade as a master or journeymen electrician while
385 employed by an electrical contractor.

386

387 Master Electrician: shall mean a person who has successfully passed the master electrician's examination
388 approved by the MLBE and has worked as a journeymen electrician for a period of at least two years.

389

390 Electrician: shall mean a person licensed to do electrical work while employed by a licensed electrical
391 contractor.

392

393 Journeyman: shall mean an electrician who has received a journeymen's certificate of competency.

394

395 Residential Electrician: shall mean a person licensed to do electrical work limited to residential wiring
396 restrictions while employed by a licensed electrical contractor.

397

398 Residential Wiring Restrictions: shall mean wiring limited to one and two family dwellings, multi-family
399 dwellings that do not exceed three-stories in height above grade, garages, sheds and storage buildings
400 accessory to dwellings.

401

402 Electrical Equipment: shall mean all electrical materials, controls, wiring, conductors, fittings, conduits,
403 devices, appliances, fixtures, signs and apparatus or parts thereof comprising an electrical system operating
404 at greater than 50 volts.

405

406 Electrical Work: shall mean all installations alterations repairs replacements connections disconnections and
407 maintenance of electrical wiring and equipment connected to an electrical power source. No person, except
408 apprentices, shall engage in the work or practice the trade of installing, altering maintaining or repairing

409 any electrical equipment with in the scope of the electrical code without first obtaining a journeyman's
410 certificate of competency.

411

412 **ELECTRICAL MINI-BOARD COMPOSITION:**

413

414 The electrical Mini-Board shall include at least five licensed representatives of the electrical trades and
415 shall include at least one electrical contractor, one master electrician, one journeyman electrician, and one
416 residential electrician. The remaining four members of the electrical Mini-Board may include
417 representatives of other construction trades, ex officio members, and private citizens who are familiar
418 with the construction trades. There shall be nine members of the electrical Mini-Board.

419

420 **JOURNEYMAN'S CERTIFICATE OF COMPETENCY:** A journeyman's certificate of competency
421 may be obtained by passing a journeyman's electrician's examination and by meeting the following
422 requirements:

423

424 Four years of experience working as an apprentice under a master or journeyman's supervision; and,

425

426 Completion of 60 credit hours of post secondary training in the electrical field from an accredited
427 educational institution or trade school and full-time employment for a period of two years with an
428 electrical contractor under master or journeyman's supervision. The educational training and full time
429 employment may not be concurrent.

430

431 **APPRENTICE ELECTRICIANS**

432 Registration: An electrical apprentice must be registered to perform electrical work. The apprentice must be
433 employed by an electrical contractor and must work under the supervision of a licensed electrician. The
434 supervision ratio shall be not more than two (2) apprentices to each licensed electrician.

435 Training: An apprentice must work for at least four years under the supervision of a licensed master or
436 journeyman electrician in a Mini-Board approved and MLBE sanctioned on-the-job training program or
437 satisfactorily complete an apprenticeship training program accredited by the Bureau of Apprenticeship and
438 Training, United States Department of Labor.

439 Work: No apprentice shall perform electrical work unless the apprentice is working under the supervision of
440 a licensed electrician.

441 Fee: An apprentice shall register with the MLBE and pay a registration fee before January 1 of each year.

442

443 **PLUMBING SUB-COMMITTEE TO THE METO LICENSING BOARD OF EXAMINERS**

444

445 **DEFINITIONS**

446

447 Apprentice Plumber: shall mean a person who performs plumbing work while employed by a licensed
448 plumbing contractor under the direct supervision and in the presence of a licensed plumber and who is
449 properly registered with the MLBE as an apprentice plumber.

450

451 Plumbing Contractor: shall mean a person or firm who employs a licensed master plumber to contract and to
452 undertake the planning, layout, supervision and/or performance of plumbing work and who is responsible for
453 the employment, management, supervision and control of master plumbers, journeymen plumbers and
454 apprentice plumbers. A licensed contractor shall be considered qualified and licensed to do plumbing work.

455

456 Plumbing Contractor, Inactive: shall mean a licensed plumbing contractor who is not actively engaged in the
457 contracting business or who may be working in the trade as a master or journeymen plumber while employed
458 by a plumbing contractor.

459

460 Master Plumber: shall mean a person who has successfully passed the master plumbers examination
461 approved by the MLBE and has worked as a journeymen plumber for a period of at least two years.

462

463 Plumber: shall mean a person licensed to do plumbing work while employed by a licensed plumbing
464 contractor.

465

466 Journeyman: shall mean a plumber who has received a journeyman's certificate of competency.

467

468 Plumbing Equipment: shall mean all plumbing materials, piping, fittings, devices, appliances, fixtures, and
469 apparatus or parts thereof comprising plumbing systems.

470

471 Plumbing Work: shall mean installation, alteration, repair, replacement, connection, disconnection, and
472 maintenance of plumbing systems and equipment. No person, except an apprentice, shall engage in the
473 work or practice the trade of installing, altering maintaining or repairing any plumbing equipment or
474 system within the scope of a member Jurisdiction's municipal code without first obtaining a journeyman's
475 certificate of competency.

476

477 **PLUMBING MINI-BOARD COMPOSITION:**

478

479 The plumbing Mini-Board shall include at least five licensed representatives of the plumbing trades and
480 shall include at least one plumbing contractor, one master plumber and one journeyman plumber. The
481 remaining four members of the plumbing Mini-Board may include representatives of other construction
482 trades, ex officio members, and private citizens who are familiar with the construction trades. There shall
483 be nine members of the plumbing Mini-Board.

484

485 **JOURNEYMAN'S CERTIFICATE OF COMPETENCY** A journeyman's certificate of competency
486 may be obtained by passing the journeyman's plumber's examination approved by the MLBE and by
487 meeting the following requirements:

488

489 four years of experience as an apprentice under a master or journeyman's supervision; and

490

491 completion of 60 credit hours of post secondary training in the plumbing field, from an accredited
492 educational institution or trade school and full time employment for a period of two years with a
493 plumbing contractor under master or journeyman's supervision. The educational training and full time
494 employment may not be concurrent.

495

496 **APPRENTICE PLUMBERS**

497 Registration: A plumbing apprentice must be registered to perform plumbing work. The apprentice must be
498 employed by a plumbing contractor and work under the supervision of a licensed plumber. The supervision
499 ratio shall be not more than two apprentices to each licensed plumber.

500 Training: An apprentice must work for at least four years under the supervision of a licensed master or
501 journeyman plumber in a Mini-Board approved and MLBE sanctioned on-the-job training program or
502 satisfactorily complete an apprenticeship training program accredited by the Bureau of Apprenticeship and
503 Training, United States Department of Labor.

504 Work: No apprentice shall perform plumbing work unless the apprentice is working under the supervision of
505 a licensed plumber.

506 Fee: An apprentice shall register with the MLBE and pay a registration fee before January 1 of each year.

507

508 MECHANICAL SUB-COMMITTEE TO THE METO LICENSING BOARD OF

509 EXAMINERS

510

511 DEFINITIONS:

512 Apprentice: shall mean a person who assists in the installation, alteration or repair of equipment or systems
513 governed by this Agreement while supervised by a licensed mechanical contractor and who is learning the
514 trade.

515 Ducted Air Heating and Cooling: shall mean comfort cooling by means of heated or cooled air distributed
516 through ducts to a room or space.

517 Ducted Air Heating/Cooling Contractor: shall mean a person who is licensed to contract for and to undertake
518 the planning, layout, supervision and performance of ducted air heating/cooling work, and who is
519 responsible for the employment, management, supervision and control of installers and apprentice installers
520 doing ducted air heating/cooling work. A corporation may qualify under this provision if it employs a
521 licensed contractor who is responsible for supervision and control of installers and apprentices doing
522 heating/cooling work.

523 Ducted Air Heating/Cooling Equipment: shall include warm-air furnaces, warm-air heaters, combustion
524 product vents, fuel-gas-fired decorative appliances, ducted air comfort cooling appliances,
525 heating/cooling/ventilating air-distribution ducts and fans, and all control devices and accessories installed in
526 connection with environmental heating/cooling systems appliances regulated by a Jurisdiction's municipal
527 code.

528 Ducted Air Heating/Cooling Work: shall mean erection, installation, alteration, repair, relocation,
529 replacement, maintenance or removal of ducted air heating/cooling equipment or systems.

530 Heating/Cooling: shall mean comfort heating or comfort cooling by means of a system or appliance using
531 liquid, water, or steam or air as the heating, cooling or ventilation medium.

532 Helper: shall mean a person engaged in general manual labor activities who provides assistance to an
533 apprentice, journeyman or master.

534 Hydronic Heating/Cooling Work: shall mean erection, installation, alteration, repair, relocation, replacement,
535 maintenance or removal of hydronic heating/cooling equipment or systems.

536 Hydronic Heating/Cooling: shall mean comfort heating using hot water or steam as a heating medium for the
537 distribution of heat.

538 Hydronic Heating/ Cooling Contractor: shall mean a person who is licensed to contract for and to undertake
539 the planning, layout, supervision or performance of hydronic heating/cooling work, and who is responsible
540 for the employment, management, supervision and control of persons installing equipment or systems
541 relating to hydronic heating/cooling work.

542

543 Hydronic Heating/Cooling Equipment: shall include water heaters, boilers, pressure vessels, refrigeration
544 equipment, combustion product vents, steam piping, hot or cold water piping, together with control devices
545 and accessories, installed in connection with any comfort heating or comfort cooling system or appliance
546 using liquid, water or steam as the heating or cooling medium.

547 Mechanical Contractor: shall mean a person licensed as a ducted air heating/cooling contractor, a hydronic
548 heating/cooling contractor or a refrigeration contractor.

549 Mechanical Contractor, Cass A: shall mean a person who is qualified and licensed to contract for and
550 undertake the planning, layout, supervision and performance of ducted air heating/cooling work, hydronic
551 heating/cooling work and refrigeration work and who is responsible for the employment, management,

552 supervision and control of persons installing equipment or systems relating to ducted air heating/cooling
553 work, hydronic heating/cooling work and refrigeration work.

554 Refrigeration Contractor: shall mean a person who is licensed to contract for and undertake the planning, lay
555 out, supervision and or performance of refrigeration work and who is responsible for the employment,
556 management, supervision and control of persons installing equipment or systems relating to refrigeration
557 work.

558 Refrigeration System: shall mean a combination of parts in which a refrigerant is circulated for the purpose
559 of extracting heat as defined in the Mechanical Code for cooling a room or space.

560 Refrigeration Work: includes all erection, installation, alteration, repair, relocation, replacement,
561 maintenance or removal of refrigeration equipment or systems.

562

563 **Mechanical License Classifications**: Contractors' licenses shall be classified in accordance with the type
564 of equipment to be installed, altered, or repaired by the licensee. No licensee shall engage in work outside
565 the classification for which he or she holds a license. Classes of licenses and the corresponding scope of
566 work authorized thereby shall be as follows:

567

568 **Class A Mechanical Contractor** (unrestricted)

569

570 (1) Holders of this license may obtain permits for any work or equipment regulated by the Jurisdiction's
571 municipal code relating to mechanical work.

572 (2) This license shall be available only to the following;

573 (a) A person who holds a class B, class C, and class D license; or

574 (b) A firm in which licensees wish to combine their respective class B, class C, and class D licenses
575 for the purpose of obtaining a class A license for such firm or business, in which case each

576 licensee must maintain the individual license simultaneously with the firm's or business' class A
577 license. The class A license shall be issued in the name of the firm and in the names of each of the
578 holders of the class B, class C, and class D licenses.

579

580 **Class B Comfort Heating and Cooling Contractor**

581

582 Holders of this license may obtain permits for any work or equipment regulated under municipal codes
583 pertaining to ventilation systems, exhaust systems, duct systems, combustion air systems, chimneys and
584 vents, specific appliances, fireplaces, solid fuel-burning equipment, hydronic piping, fuel oil and gas
585 special piping and storage and solar systems.

586

587 **Class C Refrigeration Contractor**

588

589 Holders of this license may obtain permits for work or equipment regulated under municipal codes
590 pertaining to refrigeration, general mechanical systems, combustion air systems, fuel gas systems,
591 refrigeration systems, refrigeration cooling equipment, absorption cooling equipment, evaporative cooling
592 equipment and low temperature piping.

593

594 **Class D Boiler Contractor**

595

596 Holders of this license may obtain permits for any work or equipment regulated under municipal codes
597 pertaining to combustion air systems, chimneys and vents, boilers, water heaters and pressure vessels,
598 hydronic piping, general mechanical system requirements, special piping and storage systems and fuel gas
599 systems.

600

601 **Class E Special Appliance Contractor**

602
603 Holders of this license or a class A, B or D license may obtain permits for work or equipment pertaining
604 to combustion air, chimneys and vents, specific appliance fireplaces and solid fuel burning equipment,
605 general mechanical systems and the installation of solid fuel burning appliances such as manufactured
606 stoves and fireplaces. All installations shall be in compliance with appliance listings, manufacturer's
607 recommendations and applicable requirements of the Jurisdiction's municipal code.

608
609 **MECHANICAL MINI-BOARD COMPOSITION:**

610
611 The mechanical Mini-Board shall include at least five representatives of the mechanical trades and shall
612 include at least one mechanical contractor, comprehensive ducted air heating/cooling contractor, hydronic
613 heating/cooling contractor, and one refrigeration contractor. The four remaining members of the
614 mechanical Mini-Board may include representatives of other construction trades, ex officio members, and
615 private citizens who are familiar with the construction trades. There shall be nine members of the
616 mechanical Mini-Board.

617
618 **Contractor License Experience Requirements:** An applicant for a Ducted Air Heating/Cooling
619 Contractor's License, Hydronic Heating/Cooling Contractor's License, or a Refrigeration Contractor's
620 License shall submit proof of two years experience installing equipment or systems in the respective
621 classification and shall attain a score of 75% on a nationally recognized test approved by the MLBE.