

NOTICE OF RULE ADOPTION

ADOPTION DATE: June 6, 2016

The Director of Development Services Department has adopted the following rule. Notice of the proposed rule was posted on April 22, 2016. Public comment on the proposed rule was solicited in the April 22, 2016 notice. This notice is issued under Chapter 1-2 of the City Code. The adoption of a rule may be appealed to the City Manager in accordance with Section 1-2-10 of the City Code as explained below.

A copy of the complete text of the adopted rule is available for public inspection and copying at the following locations.

Development Services Department, located at 505 Barton Springs Rd., 4th floor, Austin, TX 78704

Office of the City Clerk, City Hall, located at 301 West 2nd Street, Austin, TX.

EFFECTIVE DATE OF ADOPTED RULE

A rule adopted by this notice is effective June 6, 2016.

TEXT OF ADOPTED RULE

The adopted rule contains no changes from the proposed rule.

BRIEF EXPLANATION OF ADOPTED RULES

Section 15 of the Building Criteria Manual

15.5 Timeliness of Update Submittal for Tap Plan Applications

Establish deadlines for Update Submittals and establish process for Inactive Status and Reactivation Fee.

SUMMARY OF COMMENTS

The Development Services Department did not receive comments regarding the rule adopted in this notice.

AUTHORITY FOR ADOPTION OF PROPOSED RULE

The authority and procedure for the adoption of a rule to assist in the implementation, administration, or enforcement of a provision of the City Code is established in Chapter 1-2 of the City Code. The authority to require and regulate tap permits is established in 25-9-91.

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APPEAL OF ADOPTED RULE TO CITY MANAGER

A person may appeal the adoption of a rule to the City Manager. An appeal must be filed with the City Clerk not later than the 30th day after the date this notice of rule adoption is posted, the posting date is noted on the first page of this notice. If the 30th day is a Saturday, Sunday, or official city holiday, an appeal may be filed on the next day which is not a Saturday, Sunday, or official city holiday.

An adopted rule may be appealed by filing a written statement with the City Clerk. A person who appeals a rule must (1) provide the person's name, mailing address, and telephone number; (2) identify the rule being appealed, and (3) include a statement of specific reasons why the rule should be modified or withdrawn.

Notice that an appeal was filed will be posted by the city clerk. A copy of the appeal will be provided to the City Council. An adopted rule will not be enforced pending the City Manager's decision. The City Manager may affirm, modify, or withdraw an adopted rule. If the City Manager does not act on an appeal on or before the 60th day after the date the notice of rule adoption is posted, the rule is withdrawn. Notice of the City Manager's decision on an appeal will be posted by the city clerk and provided to the City Council.

On or before the 16th day after the city clerk posts notice of the City Manager's decision, the City Manager may reconsider the decision on an appeal. Not later than the 31st day after giving written notice on an intent to reconsider, the City Manager shall make a decision.

CERTIFICATION BY CITY ATTORNEY

By signing this Notice of Rule Adoption R161-16.08, the City Attorney certifies that the City Attorney has reviewed the rule and finds that adoption of the rule is a valid exercise of the Director's administrative authority.

REVIEWED AND APPROVED



Rodney Gonzales, Director
Development Services Department

Date: 6-6-2016



Anne Morgan
City Attorney

Date: 6/6/16

15.5 Timeliness of Update Submittal for Tap Plan Applications

(A) An applicant shall file a formal update with the City of Austin in compliance with the timelines set forth below or the application shall be considered inactive:

1. Update one shall be filed no later than the 30th business day after the final case comment report is issued by the City.
2. Update two shall be filed no later than the 20th business day after the final case comment report is issued by the City in response to update one.
3. Update three shall be filed no later than the 15th business day after the final case comment report is issued by the City in response to update two.
4. All subsequent updates shall be filed no later than the 15th business day after the final case comment report is issued by the City in response to the previous update.

(B) The director of Austin Water may alter the deadlines in (A) based on good cause.

(C) Projects deemed inactive shall pay a reactivation fee prior to continuing the processing of the application.