

RULE NO.: R161-16.17

NOTICE OF PROPOSED RULE

POSTING DATE: October 5, 2016

The Director of the Department of Austin Water proposes to adopt the following rule after November 6, 2016.

Comments on the proposed rule are requested from the public. Comments should be submitted to Mr. Alberto Ramirez; Austin Water, 625 E. 10th Street, 7th Floor Suite 715, Austin, Texas 78701, 512-972-0211, or via email at Alberto.Ramirez@austintexas.gov . To be considered, comments must be submitted before November 6, 2016, the 32nd day after the date this notice is posted. A summary of the written comments received will be included in the notice of rule adoption that must be posted for the rule to become effective.

An affordability impact statement regarding the proposed rule has been obtained and is available for inspection or copying at the address noted in the preceding paragraph.

EFFECTIVE DATE OF PROPOSED RULE

A rule proposed in this notice may not become effective before the effective date established by a separate notice of rule adoption. A notice of rule adoption may not be posted before November 6, 2016 (the 32nd day after the date of this notice) or not after January 3, 2017 (the 90th day after the date of this notice).

If a proposed rule is not adopted on or before January 3, 2017, it is automatically withdrawn and cannot be adopted without first posting a new notice of a proposed rule.

TEXT OF PROPOSED RULE

A copy of the complete text of the proposed rule is available for public inspection and copying at the following locations. Copies may be purchased at the following locations at a cost of ten cents per page:

Austin Water, located at 625 E. 10th Street, 7th Floor Suite 715, Austin, Texas. See Mr. Alberto Ramirez and:

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

BRIEF EXPLANATION OF PROPOSED RULE

R161-16.17: Proposed revision to the Utility Criteria Manual Section 2.2

- Section 2.2.1 & 2.2.4 – In multiple places we changes Austin Water Utility and utility to Austin Water. This is being done to match the new name.
- Section 2.2.2 – This is done to remove the forms from Appendix A. The Service Extension Request (SER) group requested this change. This site had old outdated forms and fees. They would rather provide the designer with the information per requests.
- Section 2.2.3.B, C & D – The April 2013 update to LDC 25-9 (Article 1, Division 2, Subpart B) eliminated 100% “cost reimbursement.” Current code only addresses “cost participation.”
- Section 2.2.5.A – This is not current practice nor supported by LDC 25-9 (Article 1, Division 2, Subpart A).
- Section 2.2.5.D – This is contradictory to LDC 25-9-39. To extend the expiration of an SER requires City Council action.

AUTHORITY FOR ADOPTION OF PROPOSED RULE

The authority and procedure for adoption of a rule to assist in the implementation, administration, or enforcement of a provision of the City Code is provided in Chapter 1-2 of the City Code. The authority to regulate construction requirements is established in Section 552.001 and Title 15 of the City Code.

CERTIFICATION BY CITY ATTORNEY

By signing this Notice of Proposed Rule R161-16.17, the City Attorney certifies 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

Greg Meszaros, Director
Austin Water

Date: _____

Anne L. Morgan
City Attorney

Date: _____