

RULE NO.:

NOTICE OF PROPOSED RULE

POSTING DATE:

The Director of the Austin Water Utility proposes to adopt the following rule after September 30, 2012

Comments on the proposed rule are requested from the public. Comments should be submitted to Ms. Jadell Hines; Austin Water Utility, 625 E. 10th Street, 6th Floor, Suite 615, Austin, Texas 78701, 512-974-3545, or via email at jadell.hines@austintexas.gov. To be considered, comments must be submitted before _____ 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.

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 _____ (the 32nd day after the date of this notice) or not after _____ (the 90th day after the date of this notice).

If a proposed rule is not adopted on or before _____, it is automatically withdrawn and cannot be adopted without first posting a new notice of a proposed rule.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 Utility, located at 625 E. 10th Street, 4th Floor Suite 400, Austin, Texas. See Ms. Jadell Hines and:

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

BRIEF EXPLANATION OF PROPOSED RULE

The rule provides a definition of the term Automatic Irrigation System where used in Chapter 6-4 and provides clarification of the outdoor water use schedule for customers using an automatic irrigation system. The rule provides a definition of a manual irrigation system and also provides clarification of the outdoor water use schedule for customers using a manual irrigation system.

TEXT OF PROPOSED RULE

AUTOMATIC IRRIGATION SYSTEM means any irrigation system connected to and being operated by a programmable controller, including

but not limited to a permanently or temporarily installed irrigation system, is also an automatic system. Users of automatic irrigation systems shall follow the watering times required in Subsection 6-4-15(C), *Conservation Stage Regulations*, Subsection 6-4-16(C) *Drought Response Stage One Regulations*, Subsection 6-4-17(C), *Drought Response Stage Two Regulations*, or Subsection 6-4-18(C) *Drought Response Stage Three Regulations* as applicable.

MANUAL IRRIGATION SYSTEM means an irrigation system that requires the manual operation of valves or the attachment of a quick-coupling device. Users of manual irrigation systems shall follow the watering times as required in Subsection 6-4-15(C) *Water Conservation Stage*, Subsection 6-4-16(D) *Drought Response Stage One Regulations*, Subsection 6-4-17(D), *Drought Response Stage Two Regulations* or Subsection 6-4-18(D) *Drought Response Stage Three Regulations* as applicable.

In accordance with Subsection 6-4-17, *Drought Response Stage Two Regulations*, and Subsection 6-4-18, *Drought Response Stage Three Regulations*, the outdoor water use day for Commercial/Multifamily properties with an address ending in an even number is Tuesday and for Commercial/Multifamily properties with an address ending in an odd number is Friday.

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 the water use is established in Texas Local Government Code Section 552.001 and Title 6 of Austin City Code.

CERTIFICATION BY CITY ATTORNEY

By signing this Notice of Proposed Rule XXXXX, 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.

REVIEW AND APPROVED

Greg Meszaros, Director
Austin Water Utility

Date: _____

Karen M. Kennard
Acting City Attorney

Date: _____

This Notice of Proposed Rule was posted on a central bulletin board at City Hall by the City Clerk. Date and time stamp is on the front of the notice.

DRAFT