

**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. 10<sup>th</sup> Street, 6<sup>th</sup> 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If a proposed rule is not adopted on or before \_\_\_\_\_, it is automatically withdrawn and cannot be adopted without first posting a new notice of a proposed rule.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. 10<sup>th</sup> Street, 4<sup>th</sup> 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 waives the right for a person alleged to be in violation of a requirement of Chapter 6-4 to appeal enforcement action should that person fail to meet the timeframes prescribed in Chapter 6-4-43.**

**TEXT OF PROPOSED RULE**

A person alleged to be in violation of a requirement of Chapter 6-4, Water Conservation, who fails to meet an administrative enforcement timeline prescribed in Subsection 6-4-43 is considered to admit liability and waives the right for further appeal in the administrative enforcement process.

**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 RuleXXXXX, 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.