

RULE NO.:

NOTICE OF PROPOSED RULE

POSTING DATE:

The Director of the Austin Water Utility proposes to adopt the following rule after

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If a proposed rule is not adopted on or before _____, it is automatically withdrawn and cannot be adopted without first posting a new notice of a proposed rule.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

In accordance with Austin City Code Chapter 6-4-2(4) AWU Authorized Irrigation Inspector status may be awarded to an Irrigation Inspector licensed by the Texas Commission on Environmental Quality who has in addition passed a director-approved class in landscape irrigation. This rule establishes the method for asserting and maintaining AWU Authorized Irrigation Inspector status.

TEXT OF PROPOSED RULE

(A) A person seeking AWU Authorized Irrigation Inspector status shall:

1. Provide documentation to Austin Water Utility of a valid Irrigation Inspector license granted by the Texas Commission on Environmental Quality.
2. Provide documentation of successful completion of the AWU Director-approved landscape irrigation course within the preceding six (6) months.
3. Submit an application for AWU Authorized Irrigation Inspector status on forms provided by Austin Water.

(B) The Director or his designee shall grant or deny in writing any written request to assert AWU Authorized Irrigation Inspector Status within 10 working days after receipt of a complete application.

(C) The Director or his designee may deny a request to assert certified irrigator status if the Director finds that the information provided by the applicant is incorrect or incomplete.

(D) AWU Authorized Irrigation Inspector status shall be considered valid for a period of 3 years from the date of authorization, provided the Licensed Irrigation Inspector maintains licensing with the Texas Commission on Environmental Quality.

(E) Renewal of AWU Authorized Irrigation Inspector status will require the submittal of a new application along with documentation of a current Irrigation Inspector license from the Texas Commission on Environmental Quality and documentation of successful completion of the Director-approved landscape irrigation course within the preceding six (6) months.

(F) A list of AWU Authorized Irrigation Inspectors will be maintained by Austin Water and may be posted on the Austin Water Utility website or otherwise made available by Austin Water Utility.

(G) An AWU Authorized Irrigation Inspector status awarded by the Director may be revoked by the Director upon official determination of any violation of state irrigator licensing requirements as set forth in Title 30, Texas Administrative Code Chapter 344, Rules for Landscape Irrigation.

(H) An AWU Authorized Irrigation Inspector status awarded by the Director may be terminated at any time upon request by the applicant.

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

Date: _____
Greg Meszaros, Director
Austin Water Utility

Date: _____
Karen M. Kennard
Acting City Attorney

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.