

RULE NO.: R161-18.25

NOTICE OF PROPOSED RULE

POSTING DATE: October 5, 2018

The Director of the Department of Development Services proposes to adopt the following rule after November 6, 2018

Comments on the proposed rule are requested from the public. Comments should be submitted to Richard C. Anderson, CBO; Development Services; 505 Barton Springs Road 3rd Floor, Austin TX 78704; 512-974-1681 or via Email at Richard.Anderson@austintexas.gov. To be considered, comments must be submitted before November 6, 2018, the 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 is pending; once approved it 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, 2018 (the 32nd day after the date of this notice) or not after December 14, 2018 (the 70th day after the date of this notice).

If a proposed rule is not adopted on or before December 14, 2018, it is automatically withdrawn and cannot be adopted without first posting a new notice of a proposed rule.

BRIEF EXPLANATION OF PROPOSED RULE

This rule change is being submitted for revisions to the Building Criteria Manual to allow Development Services to have flexibility in hiring for Electrical Inspectors.

The proposed rule adopts policies relating to Electrical Inspector Qualifications.

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 locations at a cost of ten cents per page:

Department of Development Services, located at 505 Barton Springs Road 3rd Floor, Austin TX 78704; and

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

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 Chapter 25-12 (Technical Codes) of the City Code.

CERTIFICATION BY CITY ATTORNEY


By signing this Notice of Proposed Rule (**R161- 18.25**) 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



Rodney Gonzales, Director
Department

Date: 9-5-2018



Anne L. Morgan
City Attorney

Date: 9/13/18

R161-18.25
Proposed Changes to the Building Criteria Manual

5.2.11 - ELECTRICAL INSPECTOR QUALIFICATIONS

(A) An electrical inspector designated by the building official is authorized to administer the requirements of the Electrical Code.

(B) An electrical inspector for the City, including the chief electrical inspector, must maintain any certifications or licenses required by this section.

5.2.11.1 - Chief Electrical Inspector. The Chief Electrical Inspector must:

~~[An electrical inspector is designated by the building official to administer the requirements of the Electrical Code.]~~

- (A) be an employee of the City;
- (B) maintain a current Texas Department of Licensing and Regulation (TDLR) Master Electrician license;
- (C) be certified ~~[have certification]~~ as a residential and commercial electrical inspector, or electrical inspector general through a ~~[under the]~~ certification program established by the International Code Council (ICC) or the International Association of Electrical Inspectors (IAEI); and
- (D) have at least 10 years of experience as an engineer, contractor, or superintendent of electrical construction, or a combination thereof, with at least five years of experience in a responsible supervisory capacity and five years of experience as an electrical inspector.

5.2.11.2 – Commercial Electrical Inspector. A commercial electrical inspector must:

~~[An electrical inspector is authorized by the building official to perform electrical inspections under the requirements of the Electrical Code.]~~

- (A) be an employee of the City; and
- (B) have a current TDLR Master Electrician License ~~[that was issued at least two years before the date the inspector is hired.]~~
- (C) be certified ~~[have a current certification]~~ as a residential and commercial electrical inspector^[5] or as an electrical inspector general through a ~~[under the]~~ certification program established by ICC, ~~[or]~~ IAEI, or will obtain such certifications within one year after the date of hire and maintain the certifications thereafter.

5.2.11.3 – Residential Electrical Inspector. A residential electrical inspector must:

- (A) be an employee of the City; and
- (B) be certified as a residential electrical inspector^[5] or as an electrical inspector general through a certification program established by ICC or IAEI; or
- (C) have a current TDLR Master Electrician or Journeyman Electrician License and be certified as a residential electrical inspector, or electrical inspector general through a [under the] certification program established by ICC, IAEI, or will obtain such certifications within one year after the date of hire and maintain the certifications thereafter.