

RULE NO.: R161-18.25

NOTICE OF RULE ADOPTION

ADOPTION DATE: December 11, 2018

By: Rodney Gonzales, Director
Development Services Department

The Director of the Development Services Department has adopted the following rule. Notice of the proposed rule was posted on **October 5, 2018**. Public comment on the proposed rule was solicited in the **October 5, 2018** notice. This notice is issued under Chapter 1-2 of the City Code. The adoption of a rule may be appealed to the City Manager in accordance with Section 1-2-10 of the City Code as explained below.

A copy of the complete text of the adopted 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:

Development Services Department located at 505 Barton Springs Austin, Texas 78704 and

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

EFFECTIVE DATE OF ADOPTED RULE

A rule adopted by this notice is effective on December 11, 2018.

TEXT OF ADOPTED 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.

SUMMARY OF COMMENTS

The Development Services Department did not receive comments regarding the rule adopted in this notice.

AUTHORITY FOR ADOPTION OF 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.

APPEAL OF ADOPTED RULE TO CITY MANAGER

A person may appeal the adoption of a rule to the City Manager. **AN APPEAL MUST BE FILED WITH THE CITY CLERK NOT LATER THAN THE 30TH DAY AFTER THE DATE THIS NOTICE OF RULE ADOPTION IS POSTED. THE POSTING DATE IS NOTED ON THE FIRST PAGE OF THIS NOTICE.** If the 30th day is a Saturday, Sunday, or official city holiday, an appeal may be filed on the next day which is not a Saturday, Sunday, or official city holiday.

An adopted rule may be appealed by filing a written statement with the City Clerk. A person who appeals a rule must (1) provide the person's name, mailing address, and telephone number; (2) identify the rule being appealed; and (3) include a statement of specific reasons why the rule should be modified or withdrawn.

Notice that an appeal was filed and will be posted by the city clerk. A copy of the appeal will be provided to the City Council. An adopted rule will not be enforced pending the City Manager's decision. The City Manager may affirm, modify, or withdraw an adopted rule. If the City Manager does not act on an appeal on or before the 60th day after the date the notice of rule adoption is posted, the rule is withdrawn. Notice of the City Manager's decision on an appeal will be posted by the city clerk and provided to the City Council.

On or before the 16th day after the city clerk posts notice of the City Manager's decision, the City Manager may reconsider the decision on an appeal. Not later than the 31st day after giving written notice of an intent to reconsider, the City manager shall make a decision.

CERTIFICATION BY CITY ATTORNEY

By signing this Notice of Rule Adoption **R161-18.25** the City Attorney certifies that 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
Development Services Department

Date: 12-4-18



Anne L. Morgan
City Attorney

Date: 12/7/18

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~~;~~ 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~~;~~ 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.