

Thank you for your inquiry.

Section R403.5.5 of the City of Austin Energy Code describes instances when electric water heating is not allowed. This section does contain exceptions, one of which, exception 4, allows the use of low power electric water heaters. This exception states:

"Electric resistance water heaters with a rated requirement of 3500 watts or less. Electric water heaters will be controlled by a pre-programmed timer."

Note that the requirement is indeed 3500W, not 3000W.

To summarize, electric water heaters meeting this exception are allowed in all areas where this code has jurisdiction, even when gas service does exist in the adjacent right-of-way. Nothing need be waived.

Hope this helps!

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