



City of Austin

Recommendation for Action

File #: 24-4288, **Agenda Item #:** 3.

5/2/2024

Posting Language

Approve an ordinance amending City Code Section 15-6-3 (Administration) relating to the process for adoption of administrative rules related to solid waste services.

Lead Department

Austin Resource Recovery.

Fiscal Note

This item has no fiscal impact.

Prior Council Action:

June 28, 2012 - City Council amended City Code Chapter 15-6 (*Solid Waste Services*) in Ordinance No. 20120628-012 to require all proposed rules from Austin Resource Recovery to be approved, modified, or disapproved by City Council.

For More Information:

Richard McHale, Director, 512-974-1997; Gena McKinley, Assistant Director, 512-974-2192

Additional Backup Information:

BACKGROUND

In 2012, City Council amended Subsection (B) of City Code Section 15-6-3 (*Administration*) to add the following underlined language:

Before the director may adopt or amend a rule under this chapter, the director shall present the proposed rule to the Zero Waste Advisory Commission for consideration and recommendation to City Council and the City Council will approve, modify or disapprove of the proposed rule.

Administrative rules are created and adopted by the City Manager in accordance with Chapter 1-2 (*Adoption of Rules*) to administer the policies established by the City Council. City Code Chapter 1-2 establishes the City's administrative rule adoption process for all City departments. This process requires public posting of proposed rules, a public comment period, and an appeals process to the City Manager.

Austin Resource Recovery (ARR) operates under the unique requirements of City Code Section 15-6-3, requiring administrative rules to be approved, modified, or disapproved by City Council.

AMENDMENT

This amendment to Subsection (B) of City Code Section 15-6-3 is intended to align ARR's rulemaking procedures with the existing policies established by City Code and reduce the administrative burden on appointed officials, City Council, and City staff.

The amendment to Subsection (C) of City Code Section 15-6-3 deletes the term "customer" to be inclusive of

the public and not limit requests to those individuals receiving City services.

STAFF RECOMMENDATION

Staff recommends adoption of these amendments to City Code Section 15-6-3. ARR would follow the process established in City Code Chapter 1-2 for the rule adoption process.