



# City of Austin

## Administrative Rule Adoption Process

# Administrative Rules versus Code Amendments (Ordinances)

## Administrative Rules

- Process to update city's criteria manuals
- Initiated by Staff
- Does not go through public process (i.e., not before PC or Council)
- Code driven adoptions via the City Clerk (Chapter 1-2)
- Quarterly cycle

## Code Amendments

- Process to update the city code
- Initiated by the Planning Commission or by City Council
- Must go through a public process (public meetings)
- Must be voted on by Council
- No set calendar for initiation/approval

# City Organization and Process

- City is broken down into departments
- Each development related department has one Single Point of Contact (SPOC) responsible for pushing the legal/administrative portion of the rules posting process.
- The Rules Posting Process is a legal and administrative path that is required to make changes to the CoA's criteria Manuals
  - Building, Drainage, Environmental, Fire, Standards, Specifications, Traditional Neighborhood, Utilities, and Transportation

# Administrative Rules Adoption Process

## Review and Comment Periods

- Departmental Stakeholder reviews
  - Departmental SPOC
- External Stakeholder reviews
  - Departmental SPOC/s
- Interdepartmental review (City-wide)
  - Departmental SPOC/s
- Posting period (32 days from date of posting)
  - City Clerk's office
- Adoption Period (32-90 days from date of posting)
  - City Clerk's office
- Appeal Period (within 30 days from date of adoption)
  - City Clerk's office
- Comment Periods:
  - External Stakeholder Meetings
  - Internal Comment Period
  - Posting of Proposed Rules

# Departmental Stakeholders

- Departmental meeting to discuss any potential issues, items for posting, additional eyes to review for potential conflicts
- Include other departments proposed changes will directly effect their business

# External Stakeholders

- Stakeholders are supplied proposed changes prior to a scheduled external stakeholder meeting
- Authors of proposed changes are present at meetings to address comments and questions
- Meeting is intended to provide a constructive setting for open dialogue and conflict resolution
- Meeting is open to any interested individual, group or agency

# Interdepartmental Review

- Every proposed change is distributed to each department for review
- Sign off is required before the rule can proceed to public posting period

# Public Posting

- Notice of Proposed Rule
  - Posted at City Clerk's office for 32 days
- Notice of Rule Adoption
  - Rules can be adopted between 32<sup>nd</sup> and 90<sup>th</sup> day after Notice of Proposed Rule is posted by the City Clerk
  - Notice of Rule Adoption posted at City Clerk's office for 30 days
    - Appeals may be made until the 30<sup>th</sup> day after Notice of Rule Adoption is posted

# Useful Info

- One Stop Shop-Development
  - <http://www.ci.austin.tx.us/development/>
- American Legal Publishing
  - [http://www.amlegal.com/austin\\_techmanuals/](http://www.amlegal.com/austin_techmanuals/)
- SD<sup>2</sup>
  - [http://www.ci.austin.tx.us/sd2/spec\\_detail/exhtml/sdmenu.htm](http://www.ci.austin.tx.us/sd2/spec_detail/exhtml/sdmenu.htm)



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