

ORDINANCE NO. 734 N.S.

AN ORDINANCE AMENDING CHAPTER 5 OF THE PIEDMONT CITY CODE TO SET FORTH PROCEDURES FOR AN EXPEDITING PERMITTING PROCESSING FOR ELECTRIC VEHICLE CHARGING SYSTEMS

The City Council of the City of Piedmont hereby ordains as follows:

SECTION 1. INTENT

It is the intent of the City Council of the City of Piedmont in adopting this Ordinance to adopt an expedited permitting process for electric vehicle charging stations that complies with AB 1236, codified in Government Code §65850.7, which intends to facilitate the convenient charging of electric vehicles. This Ordinance supports the goals of the City's Climate Action Plan and advances the adoption of zero emissions vehicles.

SECTION 2. ADDITIONS TO CHAPTER 5

The following new sections are to be added to Chapter 5 of the Piedmont City Code to constitute a new article in said chapter.

NEW SECTION DEFINITIONS

The definitions in this section apply throughout this article unless the context clearly requires otherwise.

Association means a nonprofit corporation or unincorporated association created for the purpose of managing a common interest development.

Electric vehicle charging station or *charging station* means an electric vehicle supply equipment station that is designed and built in compliance with Article 625 of the California Electrical Code, as it reads on the effective date of this Article, and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle.

Electronic submittal means the submittal of the application utilizing electronic mail, the internet, or facsimile.

Specific adverse impact means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

NEW SECTION EXPEDITED PERMITTING PROCESS

Consistent with Government Code Section 65850.7, the Building Official shall implement an expedited, streamlined permitting process for electric vehicle charging stations, and adopt a checklist of all requirements with which electric vehicle charging stations shall comply with in

order to be eligible for expedited review. The expedited, streamlined permitting process and checklist may refer to the recommendations contained in the most current version of the “Plug-In Electric Vehicle Infrastructure Permitting Checklist” of the “Zero-Emission Vehicles in California: Community Readiness Guidebook” as published by the Governor’s Office of Planning and Research. The City’s adopted checklist shall be published on the City’s website.

NEW SECTION PERMIT APPLICATION PROCESSING

- (a) Prior to submitting an application for processing, the applicant shall verify that the installation of an electric vehicle charging station will not have specific, adverse impact to public health and safety and building occupants. Verification by the applicant includes but is not limited to: electrical system capacity and loads; electrical system wiring, bonding and overcurrent protection; building infrastructure affected by charging station equipment and associated conduits; areas of charging station equipment and vehicle parking.
- (b) A permit application that satisfies the information requirements in the City’s adopted checklist shall be deemed complete and be promptly processed. Upon confirmation by the Building Official that the permit application and supporting documents meet the requirements of the City’s adopted checklist, and are consistent with all applicable laws and health and safety standards, the Building Official shall, consistent with Government Code Section 65850.7, approve the application and issue all necessary permits. Electric vehicle charging stations cannot be installed or utilized until approval is granted by the Building Official. If the Building Official determines that the permit application is incomplete, he or she shall issue a written correction notice to the applicant, detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance.
- (c) Consistent with Government Code Section 65850.7, the Building Official shall allow for electronic submittal of permit applications covered by this Ordinance and associated supporting documentations. In accepting such permit applications, the Building Official shall also accept electronic signatures on all forms, applications, and other documentation in lieu of a wet signature by any applicant.

NEW SECTION TECHNICAL REVIEW

- (a) The permitting requirements in this article do not supersede the Building Official’s authority to address higher priority life-safety situations. The Building Official may deny an application to install an electric vehicle charging station only if the Building Official makes written findings based upon substantial evidence in the record that the proposed installation would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact. The findings shall include the basis for the rejection of potential feasible alternatives of preventing the adverse impact. The decision of the Building Official to deny an application to install an electric vehicle charging station may be appealed to the Planning Commission in accordance with Division 17.78 of Chapter

17 of this code.

- (b) The City shall not condition the approval for any electric vehicle charging station permit on the approval of such a system by an association.

NEW SECTION ELECTRIC VEHICLE CHARGING STATION INSTALLATION
REQUIREMENTS

- (a) Electric vehicle charging station equipment shall meet the requirements of the California Electrical Code, the Society of Automotive Engineers, the National Electrical Manufacturers Association, and accredited testing laboratories such as Underwriters Laboratories, and rules of the Public Utilities Commission or a Municipal Electric Utility Company regarding safety and reliability.
- (b) Installation of electric vehicle charging stations and associated wiring, bonding, disconnecting means and overcurrent protective devices shall meet the requirements of Article 625 and all applicable provisions of the California Electrical Code.
- (c) Installation of electric vehicle charging stations shall be incorporated into the load calculations of all new or existing electrical services and shall meet the requirements of the California Electrical Code. Electric vehicle charging equipment shall be considered a continuous load.
- (d) Anchorage of either floor-mounted or wall-mounted electric vehicle charging stations shall meet the requirements of the California Building or Residential Code as applicable per occupancy, and the provisions of the manufacturer's installation instructions. Mounting of charging stations shall not adversely affect building elements."

SECTION 3. SEVERABILITY

The provisions of this Ordinance are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the Ordinance or their applicability to other persons or circumstances.

SECTION 4. CODIFICATION

The City Clerk is directed to codify this ordinance in a manner which best reflects the legislative intent of the City Council in enacting it. The City Clerk is directed to number the new article and sections accordingly.

SECTION 5. POSTING AND EFFECTIVE DATE

This Ordinance shall be posted at City Hall after its second reading by the City Council for at least thirty (30) days and shall become effective thirty (30) days after such second reading.

I certify that the foregoing ordinance was passed and adopted as a part of the consent calendar by Resolution 61-17 at the regular meeting of the City Council of the City of Piedmont on September 5, 2017, by the following vote:

Ayes:	Cavanaugh, King, McBain, Rood
Noes:	None
Absent:	None

Attest: _____
John O. Tulloch, City Clerk