

ORDINANCE NO. 2017 - 2017-421

ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PORTOLA VALLEY ADDING CHAPTER 15.22 TO THE PORTOLA VALLEY MUNICIPAL CODE TO ESTABLISH EXPEDITED PERMITTING PROCEDURES FOR ELECTRIC VEHICLE CHARGING SYSTEMS

WHEREAS, the State of California and the Town of Portola Valley ("Town") have consistently promoted and encouraged the use of fuel-efficient electric vehicles; and

WHEREAS, the State of California recently adopted Assembly Bill 1236, which requires local agencies to adopt an ordinance that creates an expedited and streamlined permitting process for electric vehicle charging systems; and

WHEREAS, creation of an expedited, streamlined permitting process for electric vehicle charging stations would facilitate convenient charging of electric vehicles and help reduce the Town's reliance on environmentally damaging fossil fuels; and

WHEREAS, the Town desires to comply with Government Code Section 65850.7, to encourage the installation of electric vehicle charging systems and minimize barriers, obstacles, and costs of obtaining permits for their installation; and

WHEREAS, on September 13, 2017, the Town Council held a duly noticed public hearing to carefully consider the proposed ordinance, public comments, and the staff report and have determined to adopt the proposed ordinance for the public necessity, convenience and general welfare of the Town.

NOW, THEREFORE, the Town Council of the Town of Portola Valley does **ORDAIN** as follows:

SECTION 1. ADDITION OF CODE. Chapter 15.22 [Residential Electric Vehicle Charging Systems] is hereby added to Title 15 [Buildings and Construction] of the Town of Portola Valley Municipal Code to read in full as follows:

**CHAPTER 15.22
ELECTRIC VEHICLE CHARGING SYSTEMS**

15.22.010 - Intent and Purpose.

15.22.020 - Definitions.

15.22.030 - Expedited permitting process.

15.22.040 - Permit application processing.

15.22.050 - Technical review.

15.22.060 - Electric vehicle charging station installation requirements.

15.22.010 - Intent and Purpose.

The purpose of this Chapter is to promote and encourage the use of electric vehicles by creating an expedited, streamlined permitting process for electric vehicle charging stations while promoting public health and safety and preventing specific adverse impacts in the installation and use of such charging stations.

15.22.020 - Definitions.

- (a) An "Electric Vehicle Charging System or Charging Station" means any level of 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 Chapter, and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle.
- (b) "Electronic submittal" means the utilization of one or more of the following:
 - (1) Email
 - (2) Internet
 - (3) Facsimile
- (c) "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.

15.22.030 – Expedited permit process.

The Building Official shall implement the expedited, streamlined permitting process described in this Chapter for electric vehicle charging stations, and adopt a checklist of all requirements that 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 adopted checklist shall be published on the Town's website.

15.22.040 – Permit Application process

- (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, information indicating the adequacy of 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 Town's adopted checklist shall be deemed complete and be promptly processed. 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. Upon confirmation by the Building Official that the permit application and supporting documents are complete, the requirements of the Town adopted checklist are met, and are consistent with all applicable laws and health and safety standards, the Building Official shall approve the application and issue all necessary permits.
- (c) The Building Official shall allow for electronic submittal of permit applications covered by this Chapter 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.

15.22.50 – Technical review

- (a) If the Building Official makes a written finding based on substantial evidence that the electric vehicle charging station could have a specific adverse impact upon the public health or safety, as defined in this Chapter, the Building Official may require modifications to or deny the application.
- (b) In the technical review of a charging station, the Building Official shall not condition the approval for any electric vehicle charging station permit on the approval of such a system by an association, as that term is defined by Civil Code Section 4080.

15.22.60 – Electric vehicle charging station installation

- (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 2. SEVERABILITY. If any part of this Ordinance is held to be invalid or inapplicable to any situation by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or the applicability of this Ordinance to other situations.

SECTION 3. ENVIRONMENTAL REVIEW. The project is exempt from environmental review per the California Environmental Quality Act Guidelines under the General Rule, Section 15051(b)(3). The project involves additions to the Portola Valley Municipal Code that are consistent with California Law, specifically Government Code Section 65850.7. It can be seen with certainty that the Ordinance will have no significant effect on the environment.

SECTION 4. EFFECTIVE DATE; POSTING. This Ordinance shall become effective 30 days after the date of its adoption and shall be posted within the Town of Portola Valley in three public places.

INTRODUCED: September 13, 2017

PASSED: September 27, 2017

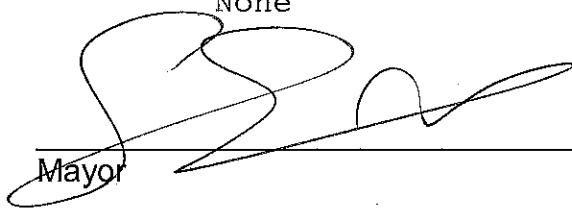
AYES: Councilmembers Derwin, Aalfs, Wengert,
Vice Mayor Richards and Mayor Hughes

NOES: None

ABSTENTIONS: None

ABSENT: None

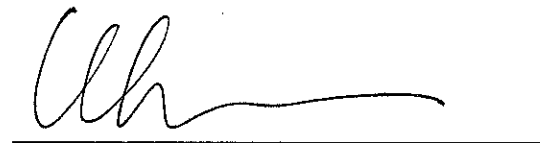
By:


Mayor

ATTEST:

APPROVED AS TO FORM:


Town Clerk


Town Attorney