



City of San Leandro

Meeting Date: October 6, 2014

Ordinance

File Number: 14-351 **Agenda Section:** CONSENT CALENDAR

Agenda Number: 8.B.

TO: City Council

FROM: Chris Zapata
City Manager

BY: Debbie Pollart
Public Works Director

FINANCE REVIEW: Not Applicable

TITLE: ORDINANCE Amending Title 6, Chapter 2 of the San Leandro Municipal Code Relating to Electric Vehicle Charging Stations (authorizes the designation of parking spaces for the exclusive purpose of charging plug-in electric vehicles, establishes penalties for infractions, and authorizes the collection of fees for use of the chargers)

The City Council of the City of San Leandro does **ORDAIN** as follows:

SECTION 1. PURPOSE.

WHEREAS, the California Energy Commission awarded funds to Bay Area Charge Ahead Project 2 via the California EV Alliance to install electric vehicle charging stations in the Bay Area; and

WHEREAS, the City is participating in the project for the deployment of three charging stations that will increase electric vehicle readiness; and

WHEREAS, the California Vehicle Code Section 22511 Off-Street Parking: Electric Vehicles provides that a local authority that owns or operates an off-street parking facility, via an ordinance or resolution, may designate stalls or spaces for the exclusive purpose of charging and parking a vehicle that is connected for electric charging purposes; and

WHEREAS, an amendment of the San Leandro Municipal Code is necessary for the purpose of designating such spaces.

SECTION 2. AMENDMENT OF CODE. Article 4 of Title 6, Chapter 2 of the San Leandro Municipal Code is hereby *added* as follows:

ARTICLE 4. ELECTRIC VEHICLE CHARGING STATIONS

6-2-400 DEFINITIONS.

6-2-405 PARKING AT PUBLIC ELECTRIC VEHICLE CHARGING STATIONS.

6-2-410 FEES.

ARTICLE 4. ELECTRIC VEHICLE CHARGING STATIONS

6-2-400 DEFINITIONS.

The definitions given in this section govern the construction of this article:

(a) An Electric Vehicle (EV) shall be defined as any motor vehicle registered to operate on California public roadways and operates either partially or exclusively on electrical energy from the grid, or an off-board source, that is stored on-board for motive purpose. Electric vehicle includes: (1) a battery electric vehicle (BEV); (2) a plug-in hybrid electric vehicle (PHEV); (3) a neighborhood electric vehicle (NEV); (4) an electric motorcycle.

(b) Charging shall mean an electric vehicle parked at an electric vehicle charging station that is electrically connected to the charging station equipment.

(c) Electric Vehicle Charging Station (EVCS) shall mean a public parking space that is served by battery charging station equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in a plug-in electric vehicle.

6-2-405 PARKING AT PUBLIC ELECTRIC VEHICLE CHARGING STATIONS.

Each electric vehicle parking stall will be clearly marked with signage. When so marked, it shall be unlawful to park in a designated electric vehicle charging station parking stall unless the vehicle is a charging electric vehicle.

6-2-410 FEES.

Fees will be charged for electric vehicle charging in conformance with the latest adopted Title 6, Chapter 4, Section 6.4.100 of the San Leandro Administrative Code. In order to encourage and facilitate maximum usage of the charging station, fees will be charged in two tiers. The first four hours of charging will be at the initial rate, and shall be the first tier; any hour or portion of an hour beyond four hours will be charged at the rate specified in the City user fees and service charges, and shall be the second tier.

SECTION 3. SEVERABILITY. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance, or its application to any other person or circumstance. The City Council of the City of San Leandro hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof is declared invalid or unenforceable.

SECTION 4. EFFECTIVE DATE AND PUBLICATION. This ordinance shall take effect thirty (30) days after adoption. The City Clerk is directed to publish the title once and post a complete copy thereof on the City Council Chamber bulletin board for five (5) days prior to adoption.

Introduced by Cutter on this 15th day of September, 2014, and passed to print by the following called vote:

Members of the Council:

AYES: Councilmembers Cutter, Gregory, Lee, Prola, Reed, Souza; Mayor Cassidy (7)

NOES: None (0)

ABSENT: None (0)