AN ORDINANCE
BY COUNCILMEMBER KEISHA LANCE BOTTOMS
AS SUBSTITUTED BY COMMUNITY DEVELOPMENT/HUMAN SERVICES COMMITTEE
AS AMENDED BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

AN ORDINANCE TO AMEND PART III (CODE OF ORDINANCES—LAND DEVELOPMENT CODE), APPENDIX B (ELECTRICAL CODE AMENDMENTS), CHAPTER 1 (ADMINISTRATION), SECTION 101 (TITLE AND SCOPE) OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA TO ADD A NEW SECTION TO BE CODIFIED AS SECTION 101.8 ENTITLED "ELECTRIC VEHICLE CHARGING INFRASTRUCTURE READINESS REQUIREMENT FOR NEW CONSTRUCTION"; TO AMEND CHAPTER 150 (CODE OF ORDINANCES-TRAFFIC AND VEHICLES), ARTICLE II (ADMINISTRATION AND ENFORCEMENT), SECTION 150 OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA TO ADD A NEW SECTION TO BE CODIFIED AS SECTION 150-30 ENTITLED "ENFORCEMENT OF ELECTRIC VEHICLE PARKING"; AND FOR OTHER PURPOSES.

WHEREAS, the State of Georgia ranks second in the United States for sales of both electric vehicles ("EV") and plug-in hybrid electric vehicles ("PHEV") with the current population being approximately 25,000 vehicles; and

WHEREAS, the Atlanta Metropolitan Area currently has 80% of the total number of EVs and PHEVs in the State of Georgia at approximately 20,000 vehicles; and

WHEREAS, there has been expressed interest from constituents to have EV and PHEV charging infrastructure available at the locations they frequent, including, but not limited to, multifamily residences, hotels, and office buildings; and

WHEREAS, the City of Atlanta ("City") has seen an increase in commercial development within the City limits due to increased economic development; and

WHEREAS, municipalities have seen growth of EV and PHEV infrastructure and deployment within their respective jurisdictions; and

WHEREAS, the installation of the electric vehicle supply equipment ("EVSE") is made cost effective when the infrastructure is installed during the initial construction phase as opposed to retrofitting existing buildings to accommodate the new electrical equipment; and

WHEREAS, the parking of any non-charging vehicles in parking spaces containing EVSE that are reserved for EV and PHEV charging restricts the availability of EV and PHEV charging equipment, making it difficult for EV and PHEV drivers to charge their vehicles; and

WHEREAS, the City should continue its support of plug-in electric vehicles and its efforts in constructing EV and PHEV charging infrastructure as this further supports the City's sustainability goals.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

SECTION 1. That Part III, Appendix B, Chapter 1, Section 101 of the City of Atlanta Code of Ordinances shall be amended by adding a new Section to be codified as Section 101.8 (Electric Vehicle Charging Infrastructure Readiness Requirement for New Construction), which shall read as follows:

101.8. - Electric Vehicle Charging Infrastructure Readiness Requirement for New Commercial Construction.

(a) Definitions:

(1) Electric Vehicle (EV): An automotive-type vehicle for on-road use, such as passenger automobiles, buses, trucks, vans, neighborhood electric vehicles, electric motorcycles, and the like, powered by an electric motor that draws current from a rechargeable storage battery, fuel cell, photovoltaic array, or other source of electric current which is charged by being plugged into an electrical source. For the purpose of this ordinance, off-road, self-propelled electric vehicles, such as industrial trucks, hoists, lifts, transports, golf carts, airline ground support equipment, tractors, boats, and the like, are not included. an automotive-type vehicle for on-road use, such as passenger automobiles, buses, trucks, vans, neighborhood electric vehicles, electric motorcycles, and the like, powered by an electric motor that draws current from a rechargeable storage battery, fuel cell, photovoltaic array, or other source of electric current which is charged by being plugged into an electrical source.

(2) Electric Vehicle Supply Equipment (EVSE): The conductors, including the ungrounded, grounded, and equipment grounding conductors, and the electric vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, or apparatus installed specifically for the purpose of transferring energy between the premises wiring and the electric vehicle.

(3) Electric Vehicle Supply Equipment (EVSE) infrastructure: The equipment, as defined by the National Electrical Code, which is provided to support future electric vehicle charging. This shall include, but not be limited to: the design load placed on electrical panels and service equipment to support the additional electrical demand, the panel capacity to support additional feeder / branch circuits, the installation of raceways, both underground and surface mounted, to support the electrical vehicle supply equipment.

(4) Plug-In Hybrid Electric Vehicle (PHEV): An automotive-type vehicle for on-road use, such as passenger automobiles, buses, trucks, vans, neighborhood electric vehicles, electric motorcycles, and the like, powered by an electric motor that draws current from a rechargeable storage battery, fuel cell, photovoltaic array, or other source of electric current which is charged by being plugged into an electrical source, and having a second source of motive power such as gasoline or diesel.

(b) All new Group A, B, E, I, M, R-1 and R-2 occupancies, as regulated by the International Building Code, are required to provide EVSE infrastructure to accommodate the future installation of Electric Vehicle Supply Equipment. The infrastructure shall be provided per this section.

(1) The EVSE infrastructure shall be installed per the requirements of the current edition of the National Electrical Code (NFPA 70) as adopted and amended by the State of Georgia for enforcement by the City of Atlanta.

(a) The off-road parking provided for buildings containing Group A, B, E, I, M, R-1 and R-2 occupancies shall have EVSE infrastructure installed at the parking spaces dedicated for the use of the building.

(b) The ratio of electric vehicle parking spaces to non-electrical vehicle parking spaces shall be 1:5.

(c) Designated dual-port EVSE may be dual-usage for ADA accessible EV charging spaces and non-ADA accessible EV charging spaces with ADA compliant hardware. The use of the space for accessible parking takes precedence over the need to use this space for EV charging.

(2) All new off-road parking, or the expansion of existing off-road parking for buildings supporting Group A, B, E, I, M, R-1 and R-2 occupancies shall include EVSE infrastructure based on the total number of parking spaces established in subsection (b).

(3) The EVSE infrastructure shall include a raceway, which is continuous from the branch circuit / feeder panel location to the future PHEV / EV parking space. The raceway shall be sized and installed per the National Electrical Code; however, in no case shall the EVSE infrastructure raceway be less than 1" (one inch) in size. The EVSE infrastructure raceway shall include a pull rope or line installed for future conductor installation, with the raceway sealed and labeled for future use.

(4) The electrical equipment room, when provided for new Group A, B, E, I, M, R-1 and R-2 occupancies must have a dedicate space for the future installation of EVSE. This space shall be identified on all construction documents submitted for review, and the dedicate space shall not allow for violation of the National Electrical Code prescriptive requirements regulating working space clearances around equipment, or violation of the National Electrical Code prescriptive requirements governing the entrance to and egress from electrical equipment working space.

(5) During construction of the electrical equipment room, all raceways installed for the EVSE infrastructure shall terminate at the space dedicated for the future EVSE installation.

(6) Prior to the final electrical inspection approval, the space dedicated within the electrical equipment room for the future EVSE installation shall have the wall stenciled or

marked legibly with the following text: "FUTURE ELECTRIC VEHICLE CHARGING EQUIPMENT AND PANELS".

(7) The proposed placement and installation of EVSE infrastructure or equipment shall not allow for any violation of the Americans with Disabilities Act of 1990 (42 U.S.C. § 12101).

(8) The placement of EVSE shall not create a trip hazard or violation of the accessible path of travel when the cord is connected to an EV or PHEV.

SECTION 2. That Part III, Appendix B, Chapter 1, Section 101 of the City of Atlanta Code of Ordinances shall be amended by adding a new Section to be codified as Section 101.9 (Electric Vehicle Charging Infrastructure Readiness Requirement for New Residential Construction), which shall read as follows:

101.9. - Electric Vehicle Charging Infrastructure Readiness Requirement for New Residential Construction.

All new Group R-3 occupancies, as regulated by the International Building Code, and all new single-family dwellings, two-family dwellings and townhomes regulated by the International Residential Code are required to provide EVSE infrastructure to accommodate the future installation of Electric Vehicle Supply Equipment. The infrastructure shall be provided per this section.

(a) The EVSE infrastructure shall be installed per the requirements of the current edition of the National Electrical Code (NFPA 70) as adopted and amended by the State of Georgia for enforcement by the City of Atlanta.

(b) All dwellings regulated by this section shall provide sufficient electrical capacity for a 40-ampere 240-volt branch circuit for the future installation of Electric Vehicle Supply Equipment.

(c) An area shall be provided within the attached or detached garage for placement of Electric Vehicle Supply Equipment.

(d) Absent an attached or detached garage, an underground electrical conduit shall be provided between the dwelling and the designated parking space for the dwelling. The EVSE infrastructure shall include a raceway, which is continuous from the branch circuit / feeder panel location to the future PHEV / EV parking space designated for the dwelling. The raceway shall be sized and installed per the National Electrical Code; however, in no case shall the EVSE infrastructure raceway be less than 1" (one inch) in size. The EVSE infrastructure raceway shall include a pull rope or line installed for future conductor installation, with the raceway sealed and labeled for future use.

(e) This requirement does not apply to dwellings without a designated parking space located on the premises, nor does this requirement apply to parking spaces located in the public right-of-way.

SECTION 3. That an annual reporting mechanism be created to track the number of new charging station installations.

SECTION 4. That all ordinances and parts of ordinances in conflict with this ordinance are hereby waived to the extent of the conflict.

A true copy,
Rhonda Dauphin Johnson
Municipal Clerk

ADOPTED *as amended* by the Atlanta City Council NOV 20, 2017
APPROVED by Mayor Kasim Reed NOV 29, 2017