

ORDINANCE 1243

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TRACY, CALIFORNIA, ADDING CHAPTER 9.68 TO TITLE 9 OF THE TRACY MUNICIPAL CODE, TO PROVIDE AN EXPEDITED, STREAMLINED PERMITTING PROCESS FOR ELECTRIC VEHICLE CHARGING STATIONS

WHEREAS, The State of California and the City of Tracy has 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 vehicles 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 City's reliance on environmentally damaging fossil fuels;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TRACY DOES ORDAIN AS FOLLOWS:

SECTION 1: The adoption of this ordinance is exempt from the California Environmental Quality Act because it is not a project which has the potential for causing a significant effect on the environment. (CEQA Guidelines, 14 Cal. Code of Regs. §15061(b)(3).)

SECTION 2: Chapter 9.68 of the City of Tracy Municipal Code is hereby added to read in its entirety as follows:

**Chapter 9.68
ELECTRIC VEHICLE CHARGING STATIONS**

Sections:

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|-----------------|-----------------------------------------------------------|
| 9.68.010 | Authority; Purpose; Applicability. |
| 9.68.020 | Definitions. |
| 9.68.030 | Requirements for expedited review and inspections. |

9.68.010 Authority; Purpose; Applicability.

(a) Authority. This chapter is adopted under the authority of Government Code Section 65850.7.

(b) Purpose. The purpose of this chapter is to adopt an expedited, streamlined permitting process for electric vehicle charging stations.

(c) Applicability. This chapter applies to electric vehicle charging stations installed in commercial and residential applications.

9.68.020 Definitions.

In this chapter:

- (a) Electric vehicle: An automotive-type vehicle for on-road use, such as passenger automobiles, buses, trucks, vans, neighborhood electric vehicles, electric motorcycles, and the like, primarily powered by an electric motor that draws current from a rechargeable storage battery, fuel cell, photovoltaic array, or other source of electric current. Plug-in hybrid electric vehicles (PHEV) are considered electric vehicles. For

the purpose of this chapter, 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.

- (b) Electric vehicle charging station: 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.
- (c) Specific, adverse impact: 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.
- (d) Electronic submittal: The utilization of one or more of the following:
 - a. Electronic mail or email.
 - b. Facsimile.
 - c. The Internet.

9.68.030 Requirements for expedited review and inspections.

(a) Application. An applicant for an electric vehicle charging system shall submit a building permit application on the form provided by the city, accompanied by plans that reflect compliance with each item of information listed in the electric vehicle charging system checklist. (Both the application and the checklist are available online).

Electronic submittal of the application and documents via email and facsimile will be made available to all electric vehicle charging station applicants. Website applications may be allowed at such time in the future that the technology is made available by the City.

An application that satisfies the application and checklist requirements will be considered complete and the City will issue a building permit. If an application is incomplete, the City will issue a written correction notice detailing the deficiency.

Where it is found that the installation of an electric vehicle charging station will have a specific, adverse impact on public health or safety a use permit may be required. The Building Official may require conditions for the installation of electric vehicle charging stations to mitigate a specific, adverse impact on public health or safety, consistent with Government Code Section 65850.7.

(b) Inspection. When a building permit is issued for a electric vehicle charging system, inspections will be performed in an efficient and timely manner, and should include consolidated inspections where possible; inspection measures taken should be consistent with all applicable laws, codes and standards to ensure the electric vehicle charging system is properly and safely installed.

SECTION 3: This Ordinance shall take effect thirty (30) days after its final passage and adoption.

SECTION 4: This Ordinance shall either (1) be published once in a newspaper of general circulation, within 15 days after its final adoption, or (2) be published in summary form and posted in the City Clerk’s office at least five days before the Ordinance is adopted and within 15 days after adoption, with the names of the Council Members voting for and against the Ordinance. (Gov’t. Code §36933.)

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The foregoing Ordinance 1243 was introduced at a regular meeting of the Tracy City Council on the 19th day of September, 2017, and finally adopted on the 3rd day of October, 2017, by the following vote:

AYES: COUNCIL MEMBERS: DEMENT, RANSOM, YOUNG, VARGAS, RICKMAN
NOES: COUNCIL MEMBERS: NONE
ABSENT: COUNCIL MEMBERS: NONE
ABSTAIN: COUNCIL MEMBERS: NONE

Signed: Robert Rickman, Mayor
Attest: Nora Pimentel, City Clerk