

ORDINANCE NO. 2216

AN ORDINANCE ADOPTING THE COLORADO MODEL ELECTRIC READY AND SOLAR READY CODE WITH AN EFFECTIVE DATE OF JANUARY 1, 2024

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY AND COUNTY OF BROOMFIELD, COLORADO:

Section 1. Chapter 15-03 - Building Codes: Adoption and Administration of the Broomfield Municipal Code is amended as follows:

Chapter 15-03-010 - Intent.

(A) The intent of this chapter is to adopt by reference and with modifications the International Building Code, 2021 Edition; the International Residential Code, 2021 Edition; the National Electrical Code, the latest edition adopted by the State of Colorado; the International Plumbing Code, 2021 Edition; the International Mechanical Code, 2021 Edition; the International Fuel Gas Code, 2021 Edition; the International Energy Conservation Code, 2021 Edition; the International Existing Building Code, 2021 Edition; the International Swimming Pool and Spa Code, 2021 Edition; the Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition; the International Fire Code, 2021 Edition; the Uniform Housing Code, 1997 Edition, ~~and~~ the most current edition of the American Society of Mechanical Engineers (ASME) A17.1 Safety Code for Elevators and Escalators, **and the Colorado Model Electric Ready and Solar Ready Code, the latest edition adopted by the State of Colorado.**

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15-03-020 - Adoption of building codes.

The following documents, one copy of each of which is on file in the office of the city clerk, being marked and designated as stated, are hereby referred to, adopted, and made a part hereof as if fully set forth in this title, with the amendments indicated in the following sections of this title. Provisions in the appendices shall not apply unless specifically adopted.

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(14) The “Colorado Model Electric Ready and Solar Ready Code” published by the Colorado Energy Office and the Colorado Department of Local Affairs on June 1, 2023, in particular Chapters 1 through 5.

15-03-030 - General.

(A) All of the sections of this chapter, including all of the administrative regulations contained herein below, shall apply to the International Building Code, the International Residential Code, the International Energy Conservation Code, the International Mechanical Code, the National Electrical Code, the ASME Elevator and Escalator Codes, the International Fuel Gas Code, the International Existing Building Code, the International Swimming Pool and Spa Code, ~~and~~ the International Plumbing Code, **and the Colorado Model Electric Ready and Solar Ready Code** as adopted in this title.

Section 2. A new Chapter 15-33 - Colorado Model Electric Ready and Solar Ready Code is hereby added as follows:

Chapter 15-33 - Colorado Model Electric Ready and Solar Ready Code

15-33-010 - Amendments to the Colorado Model Electric Ready and Solar Ready Code.

The following amendments are hereby made to the Colorado Model Electric Ready and Solar Ready Code published June 1, 2023:

- (A) Section 101.1 Title. This code shall be known as the Electric Ready and Solar Ready Code of ~~[NAME OF JURISDICTION]~~ **the City and County of Broomfield or the Broomfield Electric Ready and Solar Ready Code**, and shall be cited as such. It is referred to herein as “this code”.
- (B) **Section 102.1.1 is hereby deleted.**
- (C) **Section 102.2, including Section 102.2.1 are hereby deleted.**
- (D) **Section 103.3, including Sections 103.3.1, 103.3.2, and 103.3.3 are hereby deleted.**
- (E) **Sections 103.4, 103.5, 103.6, including 103.6.1 and 103.6.2 are hereby deleted.**
- (F) **Sections 104.4, 104.5, and 104.6 are hereby deleted.**
- (G) **Section 105, including Sections 105.1 and 105.2 are hereby deleted.**
- (H) **Section 106 is hereby deleted.**
- (I) **Section 108, including Sections 108.1, 108.2, 108.3, and 108.4 are hereby deleted.**
- (J) **Section 109, including Sections 109.1, 109.2 and 109.3 are hereby deleted.**
- (K) **Section 202 General Definitions is hereby modified to add the following definitions:**
 - (1) **Major renovations and additions shall mean:**
 - (i) **For a Residential Building renovations of more than 75% of the floor area of the entire dwelling unit or additions of 600 square feet or larger. For purposes of the Electric Vehicle Ready code the provisions shall apply when major renovations or additions include adding parking spaces to the interior of the existing dwelling unit.**
 - (ii) **For a Commercial Building renovations of more than 50% of the total floor area of an entire building or any addition to a commercial building. For purposes of the Electric Vehicle Ready code the provisions shall apply when major renovations or additions include adding parking spaces.**
- (L) **Section CV502, Table CV502.1 EV Power Transfer Infrastructure Requirements is hereby deleted and replaced with the following table:**

| Building Type/ Space Type | EVSE Installed Space | EV Ready Space | EV Capable Space | EV Capable Light Space |
|--------------------------------------------------------------------------|---------------------------------|-----------------------|-----------------------------|-----------------------------------|
| All commercial buildings, except R-2 occupancies, with 10 or less | 0 | 2 Spaces | 0 | 0 |

*Bold type indicates new material to be added to the Broomfield Municipal Code.
Dashes through words indicate deletions from the Broomfield Municipal Code.*

| | | | | |
|----------------------------------------------------------------------------------------------|---------------|---------------|---------------|---------------|
| parking spaces | | | | |
| All commercial buildings, except R-2 occupancies, with greater than 10 parking spaces | 3% of spaces | 7% of spaces | 20% of spaces | 0 |
| R-2 occupancies, with 10 or less parking spaces | 10% of spaces | 15% of spaces | 10% of spaces | 0 |
| R-2 occupancies, with greater than 10 parking spaces | 5% of spaces | 15% of spaces | 10% of spaces | 30% of spaces |

Section 3. Chapter 17-04, Definitions, of the Broomfield Municipal Code is hereby amended to read as follows:

Chapter 17-04 - Definitions

...

~~17-04-107 Electric Vehicle Capable Space. *Electric Vehicle (EV) Capable Space* or *EV Capable* means a parking space that shall have the electric panel capacity, space, and the conduit to accommodate future wiring and installation of a Level 2 electric vehicle charger with 40 Amp, 208 / 240V dedicated branch circuit or greater service. EV Capable Spaces do not require any charging equipment to be installed.~~

~~17-04-108 Electric Vehicle Installed Space. *Electric Vehicle (EV) Installed Space* or *EV Installed* means a parking space that shall have the electric panel capacity, conduit, necessary wiring for a Level 2 electric vehicle charger (40 Amp, 208 / 240V) dedicated branch circuit or greater service and a Level 2, or greater, electric vehicle charging station (i.e. the connecting and protective equipment to safely supply electricity to the vehicle).~~

~~17-04-109 Electric Vehicle Ready Space. *Electric Vehicle (EV) Ready Space* or *EV Ready* means the infrastructure, including conduit and electrical outlets (or junction box) that are able to provide electrical charge to an electric vehicle. The infrastructure needs to have sufficient load capacity in an electrical panel to support a Level 2 charging station (adequate for 208/240V and 40 ampere), and wiring or conduit from the electrical panel to the garage or parking area. EV Ready stalls require both the infrastructure and a wired outlet/junction box, but the charging equipment is not required.~~

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~~17-04-247 Level 1 electric vehicle charger. Level 1 electric vehicle charger means charging an electric vehicle through a 120 V AC plug. Does not require installation of additional charging equipment.~~

~~17-04-248 Level 2 electric vehicle charger. Level 2 electric vehicle charger means charging an electric vehicle through a 240 V (for residential) or 208 V (for commercial) plug. Requires installation of additional charging equipment.~~

Section 4. Chapter 17-32-040, Off-street parking; required spaces, of the Broomfield Municipal Code is hereby amended as follows:

17-32-040 - Off-street parking; required spaces.

(G) Electric Vehicle Parking Space Requirements. Electric vehicle parking spaces shall be provided consistent with the requirements of Chapter 15-33, the Broomfield Electric Ready and Solar Ready Code. ~~The provisions of this section shall apply to site development plans and urban renewal site development plans approved on or after October 1, 2022.~~

~~(1) Electric Vehicle Charging Spaces and Electric Vehicle Charging Station Calculations:~~

~~(i) The number of required electric vehicle charging spaces shall be provided per the ratio outlined in the tables below, for all types of parking facilities. Calculations for the required number of EV spaces shall be rounded up to the nearest whole number.~~

~~Minimum EV Parking Spaces for Non-Residential Development~~

| Total Parking Provided | 1-10 | 11-15 | 16-20 | 21-25 | 26-50 | 51-75 | 76-100 | 101+ |
|-------------------------------------|--------------------|---------------------|---------------------|---------------------|----------------------------------------|----------------------------------------|----------------------------------------|----------------------------------------|
| Min. EV-Capable Spaces | 1 space | 3 spaces | 4 spaces | 5 spaces | 20% of total parking spaces | 20% of total parking spaces | 20% of total parking spaces | 20% of total parking spaces |
| Min. EV-Ready Spaces | 0 | 1 space | 1 space | 1 space | 5% of total parking spaces | 5% of total parking spaces | 5% of total parking spaces | 5% of total parking spaces |
| Min. EV-Installed Spaces | 0 | 0 | 0 | 0 | 1 space | 2 spaces | 3 Spaces | 4% of total parking spaces |

Bold type indicates new material to be added to the Broomfield Municipal Code. Dashes through words indicate deletions from the Broomfield Municipal Code.

~~—Minimum EV Parking Spaces for Multifamily Residential Development~~

| Total Parking Provided | 1-10 | 11-15 | 16-20 | 21-25 | 26-50 | 51-75 | 76-100 | 101+ |
|-----------------------------|---------|----------|----------|----------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|
| Min. EV-Capable Spaces | 1 space | 3 spaces | 4 spaces | 5 spaces | 20% of total parking spaces | 20% of total parking spaces | 20% of total parking spaces | 20% of total parking spaces |
| Min. EV-Ready Spaces | 1 space | 1 space | 1 space | 1 space | 5% of total parking spaces | 5% of total parking spaces | 5% of total parking spaces | 5% of total parking spaces |
| Minimum EV-installed spaces | 1 space | 3 spaces | 4 spaces | 4 spaces | 4% of total parking spaces | 4% of total parking spaces | 4% of total parking spaces | 4% of total parking spaces |

Multifamily Residential Development offered for sale to individual homeowners (condominiums) shall provide ~~one EV ready space per unit.~~

~~Minimum EV Parking Spaces for One Single Family Dwelling Residential Development, Attached or Detached, (Including Townhomes)~~

| | |
|-------------------|---------------------|
| Min. EV-Capable | 0 |
| Min. EV-Ready | 1 per dwelling unit |
| Min. EV-Installed | 0 |

- (ii) ~~(1)~~ **(1)** The location of all EV ready and EV installed spaces shall be noted on the site development plan or urban renewal site plan.
- (iii) ~~(2)~~ **(2)** The site development plan or urban renewal site plan shall include a note stating the total number of EV capable parking spaces consistent with **Chapter 15-33, the Broomfield Electric Ready and Solar Ready Code**~~tables above~~ to be verified at the time of Building Permit review and issuance.
- (iv) ~~(3)~~ **(3)** All non-single family residential installations of electric vehicle charging spaces with an installed charger shall include signage identifying spaces as restricted parking for

Electric Vehicles. If time limits or vehicle removal provisions are to be privately enforced, regulatory signage including parking restrictions shall be installed immediately adjacent to, and visible from the electric vehicle charging station.

~~(v)~~—**(4)** The property owner is not restricted from collecting a service fee for the use of an electric vehicle charger utilized at a required electric vehicle charging space made available to residents, employees, and visitors to the property.

~~(vi)~~—**(5)** The property owner may limit the use of the electric vehicle charging space to ensure that it remains available for employees and customers of the business.

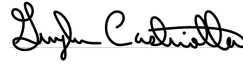
(6) Multifamily Residential Development offered for sale to individual homeowners (condominiums) shall provide one EV ready space per unit.

Section 5. This ordinance shall be effective January 1, 2024.

INTRODUCED for first reading on July 25, 2023, and ordered published in full.

INTRODUCED A SECOND TIME and approved on August 22, 2023, and further ordered published.

THE CITY AND COUNTY OF BROOMFIELD,
COLORADO



Mayor

ATTEST:



Office of the City and County Clerk



APPROVED AS TO FORM:

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City and County Attorney

First Publication: July 30, 2023

Second Publication: August 27, 2023