

ORDINANCE NO. 21-O-22AA

AN ORDINANCE OF THE CITY OF TALLAHASSEE, FLORIDA, CREATING SECTION 21-244, CITY OF TALLAHASSEE CODE, RELATING TO THE SETTING OF RATES FOR USE BY THE PUBLIC OF CERTAIN ELECTRIC VEHICLE CHARGING STATIONS OWNED AND OPERATED BY THE CITY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE PEOPLE OF THE CITY OF TALLAHASSEE, FLORIDA, AS FOLLOWS:

Section 1. Section 21-244, City of Tallahassee Code, is hereby created to read as follows:

**Sec. 21-244. Electric Vehicle (EV) Charging Rate.**

(a) *Application..* This electric vehicle charging rate (“EV Rate”) is applicable to all electric vehicle charging stations owned and operated by the city and made available for use by the public (“EV Stations”).

(b) *Payment.* Users will be required to pay all costs associated with the use of the EV Stations at the time they utilize the service. This includes both the cost of charging the vehicle and all associated idle time. The charge associated with utilization of the EV Stations will be equal to the product of the electric energy, in kwh, utilized for vehicle charging multiplied by the EV Rate, plus any applicable metered parking costs, plus any applicable idle time charges.

“Charging Cost” = (kwh used × EV Rate) + metered parking fee (if required) + Idle Time Fee (if applicable)

Charging cost may be converted to a per minute or lump sum rate.

(c) *EV Rate.* The following factors will be utilized in developing the EV Rate:

- (1) Rates of similarly situated facilities;
- (2) Costs of installation and operation of the EV Stations,
- (3) Cost of energy from the city’s electric utility to supply the energy for the EV Stations,
- (4) Relative cost of electric vehicle charging to equivalent gasoline and diesel usage, and

- (5) Type of charging equipment used, for installations using per minute or lump sum applications.

The methodology for establishing the rates shall be reviewed and reaffirmed by the City Commission no sooner than three (3) years and no later than six (6) years following the effective date.

(d) *Idle Time Fee.* A fee (“Idle Time Fee”) shall be charged for all minutes, following an applicable grace period, during which a user continues to occupy an EV Station after charging has been completed.

(e) *Initial EV Rate, Idle Time Fee, Idle Time Grace Period and Periodic Adjustments.* The following initial EV Rate, Idle Time Fee and Initial Idle Time Grace Period shall be effective upon passage of this ordinance. The City Manager will have the authority to periodically adjust the EV Rates, Idle Time Fees and Idle Time Grace Period, based upon the factors set forth in Section 21-244(c), City of Tallahassee Code.

Initial EV Rate: \$0.30 per kwh

Initial Idle Time Rate: \$0.40 per minute

Initial Idle Time Grace Period: 10-minutes

(f) *Terms of Use.* The following terms shall apply to the city’s electric vehicle charging stations:

- (1) The Stations may be used by any person regardless of where they reside. (i.e.: Users don’t have to be residents of Leon County or the City of Tallahassee).
- (2) The EV Stations will be accessible to the public for use with no limitations or requirements other than the obligation to pay the applicable Charging Cost. EV Stations located within public garages will be accessible to the public during the facility’s normal operating hours.
- (3) The energy charge (EV Rate) for all EV Stations will be the same.
- (4) Depending on the type of charger (Level 2, DC Fast charge, or other) and where it is located (on street, off street, garage, or surface lot), there may be a difference in the per minute or total cost to the user.
- (5) Vehicles utilizing a City on- or off-street EV Station without charging will be subject to ticketing under applicable state and local laws and statutes.
- (6) Vehicles using a parking garage EV Station will also be subject to the standard parking garage fee.
- (7) Vehicles using a metered parking space equipped with an EV Station will also be subject to the standard parking fee.
- (8) Users will be required to pay for the use of the EV Stations at the time of use.

(g) *Tax Adjustment.* The amount computed under this section shall be subject to taxes, assessments and surcharges imposed by any governmental authority which are assessed on the basis of usage or of revenues from electric energy or services sold.

(h) *Annual Adjustment.* The costs and rates in this section are not subject to the Annual Adjustment provisions of Section 21-241, City of Tallahassee Code.

Section 2. Conflicts. All ordinances and parts of ordinances of the City of Tallahassee Code in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 3. Severability. If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

Section 4. Effective Date. This ordinance shall become effective upon passage.

INTRODUCED in the City Commission on the 12<sup>th</sup> day of May, 2021.

PASSED by the City Commission on the 16<sup>th</sup> day of June, 2021.

CITY OF TALLAHASSEE

By: \_\_\_\_\_  
John E. Dailey  
Mayor

ATTEST:

APPROVED AS TO FORM

By: \_\_\_\_\_  
James O. Cooke, IV  
City Treasurer-Clerk

By: \_\_\_\_\_  
Cassandra K. Jackson  
City Attorney