

CITY OF ALAMEDA ORDINANCE NO. _____

AMENDING THE ALAMEDA MUNICIPAL CODE BY ADDING
SECTION 5-31 TO ESTABLISH PROCEDURES FOR EXPEDITING
PERMIT PROCESSING FOR ELECTRIC VEHICLE CHARGING
STATIONS

WHEREAS, the State of California and the City of Alameda have consistently promoted and encouraged the use of fuel-efficient electric vehicles; and

WHEREAS, the State of California adopted Assembly Bill 1236, which requires local agencies to adopt an ordinance that creates an expedited and streamlined permitting process for electric vehicle charging stations; 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 of Alameda's reliance on environmentally damaging fossil fuels.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Alameda:

Section 1. Title, Words and Phrases. This Ordinance shall be known as the City of Alameda Electric Vehicle Charging Station Permit Expediting Ordinance. The terms, phrases, and words used in this Ordinance shall be construed in compliance with the definitions set forth by Government Code Section 65850.7.

Section 2. Section 5-31 of the City of Alameda Municipal Code is hereby added to read as follows:

"Section 5-31 Expedited Electric Vehicle Charging Station Permitting

"Electric Vehicle Charging Stations that qualify for expedited permit processing, pursuant to Government Code Section 65850.7, shall be subject to the administrative permitting procedures set forth in the City's Electric Vehicle Charging Station Permit Expediting Ordinance."

Section 3. Expedited Review Process. Consistent with Government Code Section 65850.7, the Building Official shall implement an expedited administrative permit review process for electric vehicle charging stations and adopt a checklist of all requirements with which electric vehicle charging stations shall comply in order to be eligible for expedited review. The City's adopted residential and non-residential checklists shall be published on the City's website.

Section 4. Electronic Submittals. Consistent with Government Code Section 65850.7, the Building Official shall allow for electronic submittal of permit applications covered by this Ordinance and associated supporting documentation. In accepting such permit applications, the Building Official shall also accept electronic signatures on all forms, applications, and other documentation in lieu of a wet signature by any applicant.

Section 5. Permit Application Processing. A permit application that satisfies the information requirements in the City's adopted residential and non-residential checklists shall be deemed complete and promptly processed. Upon confirmation by the Building Official that the permit application and supporting documents meet the requirements of the City adopted checklists, and are consistent with all applicable laws, the Building Official shall, consistent with Government Code Section 65850.7, approve the application and issue all necessary permits within 5 business days from the date the permit application is deemed complete. If the Building Official determines that the permit application is incomplete, he or she shall issue a written correction notice to the applicant, detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance.

Section 6. Association Approval. Consistent with Government Code Section 65850.7, the Building Official shall not condition the approval for any electric vehicle charging station permit on the approval of such a station by an association, as that term is defined by Civil Code Section 4080.

Section 7. Technical Review. It is the intent of this Ordinance to encourage the installation of electric vehicle charging stations by removing obstacles to permitting for charging stations so long as the action does not supersede the Building Official's authority to address higher priority life-safety situations. If the Building official makes a finding based on substantial evidence that the electric vehicle charging station could have a specific adverse impact on public health or safety, as defined in Government Code Section 65850.7, the City may require the applicant to apply for a discretionary plan review.

Section 8. Any provision of the City of Alameda Municipal Code inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, are hereby repealed or modified to the extent necessary to effect the provisions of this Ordinance.

Section 9. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of any competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the Ordinance would be subsequently declared invalid or unconstitutional.

Section 10. This Ordinance shall become effective thirty (30) days from the second reading of the ordinance.

Presiding Officer of the City Council

Attest:

Lara Weisiger, City Clerk

* * * * *

I, the undersigned, hereby certify that the foregoing Ordinance was duly and regularly adopted and passed by the Council of the City of Alameda in a regular meeting assembled on this ____ day of February 2020, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the seal of said City this ____ day of February 2020.

Lara Weisiger, City Clerk
City of Alameda

Approved as to Form

Yibin Shen
City Attorney