

ORDINANCE NO. 1441

AN ORDINANCE OF THE CITY OF MARYSVILLE, CALIFORNIA, ADDING CHAPTER 13.26 TITLED "ELECTRIC VEHICLE CHARGING STATIONS " TO CHAPTER 13 OF THE MARYSVILLE MUNICIPAL CODE TO ESTABLISH LOCAL REGULATIONS FOR STREAMLING ELECTRIC VEHICLE CHARGING STATIONS

WHEREAS, the City of Marysville ("City") is a Charter City, incorporated under the laws of the State of California, and has the power to make and enforce within its jurisdictional limits all local, police, sanitary, and other ordinances, and regulations; and

WHEREAS, in response to Assembly Bills AB1236 and AB970, which requires all California cities and counties to develop an expedited, streamlined permitting process for electric vehicle charging stations (EVCS), the City Council desires to add to Chapter 13 of the Marysville Municipal Code, a new subsection 13.26 entitled "ELECTRIC VEHICLE CHARGING STATIONS"; and

WHEREAS, the Marysville City Council finds that this Ordinance is necessary for the preservation of the public welfare, health and safety of residents living within the City of Marysville.

NOW, THEREFORE, the City Council of the City of Marysville does ordain as follows:

Section 1. Findings:

The City Council of the City of Marysville hereby determines and finds that the facts set forth in the above Recitals of this Ordinance are true and correct, and incorporated into this Ordinance as substantive findings.

Section 2.

To facilitate the installation of Electric Vehicle Charging Stations, Chapter 13.26 is added to the Marysville Municipal Code as follows:

Chapter 13.26 Electric Vehicle Charging Stations

13.26.010 – Purpose

- A. Creation of an expedited, streamlined permitting process for electric vehicle charging stations (EVCS) would facilitate convenient charging of electric vehicles throughout the city.
- B. Electric vehicle charging stations which qualify for expedited administrative permit processing shall be subject to the permitting procedures set forth in this chapter

13.26.020 Definitions

- A. The following words and phrases as used in this chapter are defined as follows:

1. “Electric vehicle charging station” or “charging station” means any level of electric vehicle supply equipment station that is designed, and built in, compliance with Article 625 of the California Electrical Code, as may be amended from time to time, and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle.
2. “Specific, adverse impact” means 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.

13.26.030 Expedited Review Process

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 with in order to be eligible for an expedited review. The expedited administrative permit review process and checklist may refer to the recommendations in the checklist prescribed by the most current version of the “Plug-In Electric Vehicle Infrastructure Permitting Checklist” of the “Zero-Emission Vehicles in California: Community Readiness Guidebook” published by the Governor’s Office of Planning and Research, as may be amended from time to time. The City’s adopted checklist shall be published on the City’s website.

13.26.040 Permit Application Processing

- A. A permit application that satisfies the information requirements in the City’s adopted checklist shall be deemed complete and be promptly processed. Upon confirmation by the Building Official that the permit application and supporting documents meets the requirements of the City’s adopted checklist, and is consistent with all applicable laws, the Building Official shall approve the application and issue all necessary permits. Such approval does not authorize an applicant to energize or utilize the electric vehicle charging station until approval is granted by the City. 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.
- B. Nothing in this chapter shall modify or remove any obligation of the permit applicant or operator of an electric vehicle charging station to comply with any electric utility’s reasonable and feasible safety, reliability, and engineering interconnection policies.

13.26.050 Technical Review

If the Building Official makes a finding based on substantial evidence that the electric vehicle charging station could have a specific adverse impact upon the public health or safety the City may require the applicant to apply for a Use Permit.

13.26.060 Severability

The provisions of this chapter are hereby declared to be severable. If any section, sentence, clause, phrase, word, portion or provision of the ordinance codified in this chapter is held invalid

or, unconstitutional, or unenforceable, by any court of competent jurisdiction, such holding shall not affect, impair, or invalidate any other section, sentence, clause, phrase, word, portion, or provision of said ordinance which can be given effect without the invalid portion. In adopting said Ordinance, the City Council affirmatively declares that it would have approved and adopted said Ordinance even without any portion which may be held invalid or unenforceable. If any section, subsection, phrase, or clause of said Ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of said Ordinance.

Section 3. Severability.

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The City of Marysville hereby declares that it would have adopted this Ordinance irrespective of the invalidity of any particular portion thereof.

Section 3. Effective Date.

The Ordinance shall take effect thirty (30) days after its adoption by the Marysville City Council.

This Ordinance was introduced before the City Council of the City of Marysville, County of Yuba, at a duly noticed meeting of the City Council held on August 16, 2022 and passed and adopted at the regular meeting of said Council on September 6, 2022 by the following vote:

Ayes: Stuart Gilchrist, Dominique Belza, Brad Hudson, Bruce Buttacavoli and Chris Branscum
Noes: None
Absent: None
Abstain: None

By: 
Nicole Moe, City Clerk

Attestation Date: 9/8/2022

City of Marysville, California
By its Council

By: 
Chris Branscum, Mayor