

ORDINANCE NO. 22-__

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF
MAMMOTH LAKES, STATE OF CALIFORNIA, ADDING SECTION 15.04.180
PERTAINING TO EXPEDITING PERMITTING PROCESSING FOR
ELECTRIC VEHICLE CHARGING SYSTEMS TO MAMMOTH LAKES
MUNICIPAL CODE**

WHEREAS, the State of California and the Town of Mammoth Lakes have 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 vehicle 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 Town's reliance on environmentally damaging fossil fuels; and

WHEREAS, Town staff presented this Ordinance to the Board of Appeals/ Building Advisory Committee on February 23, 2022; to the Contractors Association on March 4, 2022; and to the Mammoth Lakes Fire Protection District on March 4, 2022; and

WHEREAS, the Town Council held a public meeting on April 20, 2022 at which time all interested persons had the opportunity to appear and be heard on the matter of amending the Municipal Code as set forth herein; and

**NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF
MAMMOTH LAKES, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:**

Section 1. Recitals. The above recitals are all true and correct.

Section 2. Title, Words and Phrases. The Ordinance shall be known as the Town of Mammoth Lakes 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 California Government Code Section 65850.7

Section 3. Adoption of Amendments. The Town Council hereby amends the Mammoth Lakes Municipal Code by adding Section 15.04.180, to read in full as follows:

15.04.180 – Electric Vehicle Charging Stations Review Process

A. Title and Purpose. The intent of this section is to promote and encourage the use of electric vehicles, in accordance with California Government Code Section 65850.7, by creating an expedited, streamlined permitting process for electric vehicle charging stations, while promoting public health and safety and

preventing specific adverse impacts on the installation and use of such charging stations.

B. Definitions. The following words and phrases as used in this section 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 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.
2. "Electronic submittal" means a submittal made by email, the Internet, and/or facsimile.
3. "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.

C. Duties of the Building Official. Consistent with Government Code Section 65850.7, the building official shall:

1. Implement an expedited, streamlined permitting process for electric vehicle charging stations;
2. Adopt a checklist of all requirements with which electric vehicle charging stations shall comply with in order to be eligible for expedited review, which shall be based on the "Plug-In Electric Vehicle Infrastructure Permitting Checklist" of the "Zero-Emission Vehicles in California: Community Readiness Guidebook" of the Governor's Office of Planning and Research;
3. Ensure that the expedited, streamlined permitting process and checklist shall be published on the Town's website.

D. Permit Review and Inspection Requirements.

1. The applicant may submit the permit application and associated documentation to the town's building division by personal, mailed, or electronic submittal together with any required permit processing and inspection fees. Consistent with Government Code Section 65850.7, the building official shall allow for electronic submittal of permit applications covered by this section 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.

2. Prior to submitting an application for processing, the applicant shall verify that the installation of an electric vehicle charging station will not have specific, adverse impacts to public health and safety and building occupants. Verification by the applicant includes but is not limited to: electrical system capacity and loads; electrical system wiring, bonding, and overcurrent protection; building infrastructure affected by charging station equipment and associated conduits; areas of charging station equipment and vehicle parking. Upon filing the application, the applicant shall pay a permit application fee as established by resolution adopted by the Town Council as amended from time to time.
3. A permit application that satisfies the information requirements in the Town's adopted checklist shall be deemed complete and be promptly processed. Upon confirmation by the building official that the permit application and supporting documents meet the requirements of the Town adopted checklist, and is consistent with all applicable laws and health and safety standards, the building official shall, consistent with Government Code Section 65850.7, 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 final inspection and approval of the installation of the station have been granted by the Town. 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.
4. 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, as defined in this chapter, the Town may require the applicant to apply for a use permit.

E. Electric Vehicle Charging Station Installation Requirements

1. Electric vehicle charging station equipment shall meet the requirements of the California Electrical Code, the Society of Automotive Engineers, the National Electrical Manufacturers Association, and accredited testing laboratories, such as Underwriters Laboratories, and rules of the public utilities commission or a municipal electric utility company regarding safety and reliability.
2. Installation of electric vehicle charging stations and associated wiring, bonding, disconnecting means and overcurrent protective devices shall

meet the requirements of Article 625 of the California Electrical Code and all other applicable provisions of the California Electrical Code.

3. Installation of electric vehicle charging stations shall be incorporated into the load calculations of all new or existing electrical services and shall meet the requirements of the California Electrical Code. Electric vehicle charging equipment shall be considered a continuous load.
4. Anchorage of either floor-mounted or wall-mounted electric vehicle charging stations shall meet the requirements of the California Building or Residential Code as applicable per occupancy, and the provisions of the manufacturer's installation instructions. Mounting of charging stations shall not adversely affect building elements.

F. 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 with in order to be eligible for 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. The Town's adopted checklist shall be published on the Town's website.

G. 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 documentations. 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.

H. 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 system by an association, as that term is defined by Civil Code Section 4080.

I. Permit Application Processing. A permit application that satisfies the information requirements in the Town'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 Town adopted checklist, and is consistent with all applicable laws, the Building Official shall, consistent with Government Code Section 65850.7, 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 Town. 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.

J. 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 upon the public health or safety, as defined in Government Code 65850.7, the Town may require the applicant to apply for a use permit.

Section 4. Any provision of the Town of Mammoth Lakes Municipal Code or appendices thereto, inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, are hereby repealed or modified to that extent necessary to effect the provisions of this Ordinance.

Section 5. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase added by this ordinance, or any part thereof; is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The Town Council hereby declares that it would have passed each section, subsection, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more subsections, paragraphs, sentences, clauses or phrases are declared unconstitutional, invalid or ineffective.

Section 6. Effective Date. The Mayor shall sign and the Town Clerk shall certify passage and adoption of this ordinance, and shall cause the same to be published and posted pursuant to the provisions of law in this regard, and this ordinance shall take effect thirty days after its final passage.

PASSED AND ADOPTED by the Town Council of the Town of Mammoth Lakes this 4th day of May 2022.

LYNDA SALCIDO, Mayor

JAMIE GRAY, Town Clerk