

## ORDINANCE 1526

### AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, ADDING CHAPTER 10.07, PUBLIC ELECTRIC VEHICLE INFRASTRUCTURE, TO GIG HARBOR MUNICIPAL CODE, TITLE 10, THERE BY ENCOURAGING AND SUPPORTING ELECTRIC VEHICLE USE IN THE CITY.

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**WHEREAS**, the city intends to expand a network of chargers that will serve the public and currently operates two public charging stations; and

**WHEREAS**, the creation of a robust charging infrastructure network will remove barriers to widespread adoption of electric vehicles; and

**WHEREAS**, the Gig Harbor Climate Action Plan Action ID TR1.1 seeks to implement public electric vehicle infrastructure; and

**WHEREAS**, the Gig Harbor Comprehensive Plan Transportation Element Goal 4 support the implementation of transportation technologies that are energy efficient; and

**WHEREAS**, the use of electricity as a transportation fuel instead of petroleum fuel, results in significant reductions in the emissions of pollutants including greenhouse gases, and is cheaper, making electrification of Gig Harbor's transportation one of the most promising opportunities for reducing the carbon impact of the city; and

**WHEREAS**, the city's 2023-24 strategic plan identifies assessing gaps in public charging stations for electric vehicles as an action under priority 'Promote environmental sustainability and preserve Gig Harbor's natural beauty'; and

**WHEREAS**, the city intentionally did not require payment for its existing two public charging stations when they were installed in 2017 to incentivize the use of electric vehicles and to incentivize bringing people into downtown Gig Harbor, where no other public electric vehicle charging stations exist; and

**WHEREAS**, the city believes it is appropriate to begin charging for the use of these public charging stations similar to other jurisdictions in our region; and

**WHEREAS**, by charging for the use of these and future public charging stations the city can find a revenue source to operate, maintain, and expand its public electric vehicle charging stations; and

**WHEREAS**, a separate account can be created within the street fund to track fee revenues generated at the city's public charging stations.

**NOW THEREFORE**, the City Council of the City of Gig Harbor, Washington, do ordain as follows:

**Section 1.** Gig Harbor Municipal Code Title 10, Vehicles and Traffic, hereby amended in include a new Chapter 10.07, Public Electric Vehicle Infrastructure, as shown in Exhibit A.

**Section 2.** The city shall create a separate account within the street fund to track fee revenues generated at the city's public charging stations.

**Section 3. Severability.** If any section, sentence, clause, or phrase of this ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this ordinance.

**Section 4. Correction of Errors.** The city clerk and codifiers of the ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

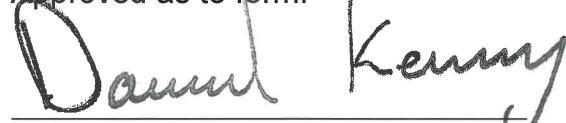
**Section 5. Effective Date.** This ordinance shall take effect and be in full force thirty (30) days after passage and publication of an approved summary consisting of the title.

ADOPTED by the Council of the City of Gig Harbor at a regular meeting thereof, held this 8<sup>th</sup> day of April, 2024.



Tracie Markley  
Mayor

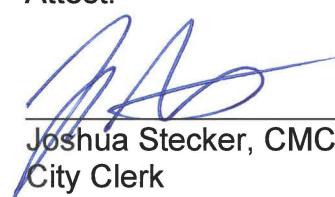
Approved as to form:



Daniel Kenny

Daniel Kenny  
City Attorney

Attest:



Joshua Stecker, CMC  
City Clerk

## **EXHIBIT A**

### **Chapter 10.07**

#### **Public Electric Vehicle Infrastructure**

##### **10.07.010 Purpose**

##### **10.07.020 Definitions**

##### **10.07.030 Location and Design Criteria for Public Charging Stations**

##### **10.07.040 Terms and Rules of Use for Public Charging Stations**

##### **10.07.050 Fee for Use of Public Charging Stations**

##### **10.07.010 Purpose**

The purpose of this chapter is to set the policies and procedures for public use of public electric vehicle charging stations located in public parking facilities owned or controlled by the city. The goal of the program is to encourage the public's equitable adoption of electric vehicles to support the city's Climate Action Plan.

##### **10.07.020 Definitions**

“Electric vehicle” means any vehicle that operates, either partially or exclusively, on electrical energy from the grid, or an off-board source, that is stored on-board for motive purpose. “Electric vehicle” includes: (1) a battery electric vehicle; (2) a plug-in hybrid electric vehicle; (3) a neighborhood electric vehicle; and (4) a medium-speed electric vehicle.

“Public electric vehicle charging station” or “Public charging station” means a city-owned parking space in the city right of way or on city properties that is publicly available and that is served by battery charging station equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle.

## 10.07.030 Location and Design Criteria for Public Charging Stations

The provision of electric vehicle parking will vary based on the design and use of the primary parking area. The following required and additional locational and design criteria are provided in recognition of the various parking area layout options.

- A. Where provided, parking for electric vehicle charging purposes is required to include the following:
  1. Signage. Each public charging station space shall be posted with signage indicating the space is only for electric vehicle charging purposes. Days and hours of operations shall be included if time limits or tow away provisions are to be enforced. All signs shall comply with RCW 46.08.185
  2. Maintenance. Public charging station equipment shall be maintained in all respects, including the functioning of the charging equipment. A phone number or other contact information shall be provided on the public charging station equipment for reporting when the equipment is not functioning or other problems are encountered.
  3. Accessibility. Where public charging station equipment is provided within an adjacent pedestrian circulation area, such as a sidewalk or accessible route to the building entrance, the charging equipment shall be located so as not to interfere with accessibility requirements of WAC 51-50-005.
  4. Lighting. Where public charging station equipment is installed, adequate site lighting shall exist, unless charging is for daytime purposes only.
- B. Parking for electric vehicles should also consider the following:
  1. Notification. Information on the public charging station, identifying voltage and amperage levels and any time of use, fees, or safety information.
  2. Signage. Installation of directional signs at the parking lot entrance and at appropriate decision points to effectively guide motorists to the public charging station space(s).

## 10.07.040 Terms and Rules of Use for Public Charging Stations

Public electric vehicle charging stations may be used by any member of the public, subject to terms of the charging station vendor, the payment of applicable charges, and any posted limitation on hours of operation and length of time a vehicle may be parking in a parking space.

## 10.07.050 Fee for Use of Public Charging Stations

- A. A fee for public charging station use shall be established by City Council by periodic resolution
- B. The fee shall be cost-based and designed to recoup the operating cost of the charging equipment. For purposes of this subsection, “operating costs” shall include electricity costs related to the public charging stations, and may include the city’s costs of planning and administration, fees charged by vendors for

management of the public charging stations, maintenance costs, facility enforcement costs and other reasonable costs associated with public vehicle charging station operations. The fee may also be designed to recoup the capital cost of the charging equipment as well as expand the electric vehicle charging network.

