

ORDINANCE NO. 2019-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON ADOPTING LOCAL AMENDMENTS TO THE 2016 CALIFORNIA BUILDING STANDARDS CODE AND CALIFORNIA RESIDENTIAL CODE FOR AN ELECTRIC VEHICLE CHARGING STATION EXPEDITED/STREAMLINED PROCESS CONSISTENT WITH CALIFORNIA ASSEMBLY BILL 1236

WHEREAS, on November 15, 2016, consistent with Government Code section 50022 et seq., the City of American Canyon adopted by reference various Codes including the CALIFORNIA BUILDING CODE, 2016 Edition; CALIFORNIA RESIDENTIAL CODE, 2016 Edition; CALIFORNIA ELECTRICAL CODE, 2016 Edition; the CALIFORNIA MECHANICAL CODE, 2016 Edition; the CALIFORNIA PLUMBING CODE, 2016 Edition; the CALIFORNIA ENERGY CODE, 2016 Edition; the CALIFORNIA HISTORICAL CODE, 2016 Edition; and

WHEREAS, the State Legislator subsequently adopted Assembly Bill 1236 to facilitate achievement of the former Governor's goal to see 1.5 million "Zero-Emission Vehicles" on California roadways by 2025; and

WHEREAS, AB 1236 requires local jurisdictions with a population less than 200,000 residents to adopt an ordinance to create an expedited, streamlined permitting process for electric vehicle charging stations; and

WHEREAS, California Health and Safety Code Section 17958.5 authorizes cities and counties to modify the California State Building Standards Code by adopting more restrictive standards if such entities determine that such standards are reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, electric vehicle charging stations at a commercial site requires a building permit in accordance with the California Building Code and an electric vehicle charging station at a residence requires a building permit in accordance with the California Residential Code; and

WHEREAS, adopting local amendments to the 2016 California Building Standards Code and California Residential Code will implement an Electric Vehicle Charging Station Expedited/Streamlined Process consistent with California Assembly Bill 1236.

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Local amendments to the California Building Code and California Residential Code as follows:

Sec. 5-9-206. - Construction documents.

A. Electric vehicle charging stations. Section 107.1.2 of Chapter 1 of Division II of the California Building Code is hereby added to read:

Section 107.1.2 Electric vehicle charging stations. Applications for electric vehicle charging stations may be processed utilizing the City of American Canyon Electric Vehicle Charging Station Expedited/Streamlined Process.

Sec. 5-9-401. - Building Code.

- A. *General definitions.* Section 202 of Chapter 2 of the California Building Code is hereby amended to add or modify the following definitions to read:

CITY OF AMERICAN CANYON ELECTRIC VEHICLE CHARGING STATION EXPEDITED/STREAMLINED PERMITTING PROCESS: A ministerial permitting process for electric vehicle charging station installations that utilizes an application checklist to expedite review of an electric vehicle charging station permit. For such installations, the process, including permit issuance, may be conducted entirely online utilizing digital forms or may be conducted at the City's Building Permit Counter utilizing printed forms.

Sec. 5-9-402. - Residential Code.

- A. *Definitions.* Section R202 of Chapter 2 of the California Residential Code is hereby amended to add the following definitions to read:

CITY OF AMERICAN CANYON ELECTRIC VEHICLE CHARGING STATION EXPEDITED/STREAMLINED PERMITTING PROCESS: A ministerial permitting process for electric vehicle charging station installations that utilizes an application checklist to expedite review of an electric vehicle charging station permit. For such installations, the process, including permit issuance, may be conducted entirely online utilizing digital forms or may be conducted at the City's Building Permit Counter utilizing printed forms.

SECTION 2. Effective Date. This Ordinance shall become effective thirty (30) days following adoption.

SECTION 3. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance for any reason is held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one (1) or more sections, subsections, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 4. Custodian of Records. The documents and materials that constitute the record of proceedings on which this Ordinance is based are located at the City Clerk's office located at 4831 Broadway, Suite 201, American Canyon, CA 94503. The custodian of these records is the City Clerk.

SECTION 5. Restatement of Existing Law. Neither the adoption of this Ordinance nor the repeal of any other Ordinance of this City shall in any manner affect the prosecution for violations of ordinances, which violations were committed prior to the effective date hereof, nor be construed as a waiver of any license or penalty or the penal provisions applicable to any violation thereof. The provisions of this Ordinance, insofar as they are substantially the same as Ordinance provisions previously adopted by the City related to the same subject matter or relating to the enumeration of permitted uses under the zoning code, shall be construed as restatements and continuations, and not as new enactments.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of American Canyon, State of California, held on the 29th day of January, 2019 by the following vote:

AYES: Council Members Joseph, Leary, Oro, Vice Mayor Aboudamous and Mayor Garcia
NOES: None
ABSTAIN: None
ABSENT: None


The foregoing Ordinance was adopted at a regular meeting of the City Council of the City of American Canyon, State of California, held on the 19th day of February, 2019, by the following vote:

AYES: Council Members Joseph, Leary, Oro, Vice Mayor Aboudamous and Mayor Garcia
NOES: None
ABSTAIN: None
ABSENT: None



Leon Garcia, Mayor

ATTEST:



Suellen Johnston, CMC, City Clerk

APPROVED AS TO FORM:



William D. Ross, City Attorney