

ORDINANCE NO. FINAL ADOPTION (CM)

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
WATSONVILLE ADDING SECTION 4-5.1021 (ELECTRIC VEHICLE
PARKING) TO ARTICLE 10 (STOPPING, STANDING AND PARKING) TO
CHAPTER 5 (TRAFFIC) OF TITLE 4 (PUBLIC SAFETY) OF THE
WATSONVILLE MUNICIPAL CODE RELATING TO ELECTRIC VEHICLE
CHARGING STATIONS AND PARKING RESTRICTIONS**

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WHEREAS, pursuant to section 7 of article XI of the California Constitution and the City of Watsonville’s (“City”) general police powers, the City is empowered and charged with responsibility for the health, safety, and welfare of its citizens; and

WHEREAS, the City has expressed support for and is committed to the goal of achieving net-negative emissions by 2030 through the adoption of its 2030 Climate Action and Adaptation Plan (“CAAP”); and

WHEREAS, CAAP uses a comprehensive and holistic approach to meet the City’s climate goals by employing three types of initiatives, including: climate action, climate adaptation, and climate restoration; and

WHEREAS, climate action requires that the City reduce its greenhouse gas emissions; and

WHEREAS, more than half of the City’s greenhouse gas emissions originate from

transportation and the use of gas-powered cars and trucks; and

WHEREAS, CAAP identifies electric vehicle infrastructure as a significant component of the City's overall strategy to reduce greenhouse gas emissions; and

WHEREAS, Vehicle Code section 22511 authorizes local authorities to designate stalls or spaces in an offstreet parking facility owned or operated by that local authority for the exclusive purpose of charging and parking a vehicle that is connected for electric charging purposes; and

WHEREAS, Vehicle Code section 22511 further authorizes local authorities to designate stalls or spaces on a public street within its jurisdiction for the exclusive purpose of charging and parking a vehicle that is connected for electric charging purposes; and

WHEREAS, Vehicle Code section 22511 further provides that vehicles parked in violation of any restrictions are subject to removal; and

WHEREAS, Vehicle Code section 22511.1 prohibits vehicle operators from parking or leaving standing vehicles in a stall or space designated for electric charges purposes unless the vehicle is connected for electric charging purposes; and

WHEREAS, the City Council desires to adopt regulations relating to the use of electric vehicle charging stations to promote sustainable transportation and manage the availability of electric vehicle charging stations.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WATSONVILLE, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. FINDINGS.

The City Council of the City of Watsonville does hereby find that the above referenced recitals are true and correct and incorporated into this Ordinance.

SECTION 2. ENACTMENT.

Article 10 (Stopping, Standing and Parking) of Chapter 5 (Traffic) of Title 4 (Public Safety) of the Watsonville Municipal Code is hereby amended by adding a new Section 4-5.1021 (Electric Vehicle Parking) to read in words and figures as follows:

CHAPTER 5 TRAFFIC

ARTICLE 10. STOPPING, STANDING AND PARKING

Sec. 4-5.1021 Electric Vehicle Parking.

(a) Definitions.

(1) For purposes of this Section, "Electric vehicle" shall mean a vehicle that operates, either partially or exclusively, on electrical energy from the electrical grid, or an off grid source, that is fueled via an electric plug-in port and stored on board for motive purposes. These include both 100% battery electric vehicles and plug-in hybrid electric vehicles possessing charge ports for the purpose of fueling.

(2) For purposes of this Section, "Electric vehicle charging equipment" shall mean equipment that has as its primary purpose the transfer of electric energy to a battery or other energy storage device on an electric vehicle.

(3) For purposes of this Section, "Charging event" shall mean an electric vehicle is plugged into the electric vehicle charging equipment and in the process of charging.

(4) For purposes of this Section, "Electric vehicle charging station" shall mean a parking space dedicated to active charging events.

(b) Designation of electric vehicle parking spaces; signs or markings.

(1) The director of public works, or designee, is authorized in

accordance with the purposes of this chapter to designate spaces in off-street public parking facilities for the exclusive parking of electric vehicles that are connected to electric vehicle charging equipment at an electric vehicle charging stations for the purpose of transfer of electricity to the battery or other energy storage device of an electric vehicle.

(2) Upon designation of a parking space or spaces for the exclusive use of electric vehicles pursuant to subsection (1), the public works department shall place signs or markings giving adequate notice that the parking space or spaces are restricted and to be used only for such electric vehicles. The signs or markings shall be in compliance with Section 22511 of the California Vehicle Code indicating that vehicles left standing in violation of the restriction may be removed. The parking restriction shall not apply to the designated parking spaces until the sign or markings have been placed.

(c) Electric vehicle parking restriction.

(1) In parking stalls designated by the use of markings and/or posting as electric vehicle charging stations, only electric vehicles are allowed to park for charging events during designated hours.

(2) It is unlawful for the operator of any vehicle to allow a vehicle to park or stand in a designated electric vehicle charging station longer than the posted time limit.

(3) It is unlawful for the operator of an electric vehicle to allow that vehicle to park or stand in a designated electric vehicle charging station unless the vehicle is actively conducting a charging event.

(4) It is unlawful for a person to obstruct, block, or otherwise bar

access to a designated electric vehicle charging station unless the vehicle is actively conducting a charging event.

(5) The police department is authorized to cite and/or remove or cause the removal of vehicles parked in violation of this section in accordance with Section 22511 of the California Vehicle Code.

(6) These regulations shall not apply to any vehicle that displays a valid permit issued by the director of public works that identifies it as exempt from these regulations.

SECTION 3. ENVIRONMENTAL REVIEW

The City Council finds and determines that this Ordinance, which regulates electric vehicle charging stations and parking restrictions, is not subject to the provisions of the California Environmental Quality Act ("CEQA") because it is not a project, since it will not have a direct or reasonably foreseeable indirect impact on the environment.

SECTION 4. SEVERABILITY

If any section, subsection, sentence, clause or phrase or word of this Ordinance is for any reason held to be unconstitutional, unlawful or otherwise invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 5. PUBLICATION

This ordinance shall be published in the Watsonville Register-Pajaronian and/or Santa Cruz Sentinel in compliance with the provisions of the Charter of the City of Watsonville.

SECTION 6. EFFECTIVE DATE

This ordinance shall be in force and take effect thirty (30) days after its final adoption.
