

ORDINANCE NO. 1089

**AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF BEAUMONT, CALIFORNIA ADDING SECTION 15.48 OF THE BEAUMONT
MUNICIPAL CODE ENTITLED “ELECTRIC VEHICLE CHARGING STATION
STREAMLINED PERMITTING PROCESS”**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEAUMONT,
RIVERSIDE COUNTY, STATE OF CALIFORNIA AS FOLLOWS:

SECTION 1. CEQA. The City Council finds that the actions contemplated by this Ordinance are exempt from the California Environmental Quality Act (“CEQA”), pursuant to 15060(c)(2), 15060(c)(3) and 15061(b)(3) of Title 14 of the California Code of Regulations. CEQA review is not required because the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment, the activity is not a project as defined in CEQA Guidelines Section 15378 and there is no possibility that this Ordinance may have a significant effect upon the environment and the proposed text amendments constitute a minor alteration in a land use limitation under CEQA Guidelines Section 15305, and such a land use limitation is a permissible exercise of the City’s zoning powers.

SECTION 2. Severability. The City Council hereby declares that if any provision, section, paragraph, sentence, or word of this Ordinance is rendered or declared to be invalid or unconstitutional by any final court action in a court of competent jurisdiction, or by reason of any preemptive legislation, such invalidity shall not affect the other provisions, sections, paragraphs, sentences, or words of this Ordinance, and to this end the provisions of this Ordinance are severable. The City Council declares that it would have adopted this Ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the Ordinance enforced.

SECTION 3. Prosecution of Prior Ordinances. Neither the adoption of this Ordinance nor the repeal of any other ordinance of this City shall in any manner affect the prosecution of any violation of any City ordinance or provision of the Beaumont Municipal Code, committed prior to the effective date hereof, nor be construed as a waiver of any penalty or the penal provisions applicable to any violation thereof.

SECTION 4. The City Council hereby adds Section 15.48, entitled “Electric Vehicle Charging Station Streamlined Permitting Process” to the Beaumont Municipal Code to read as specifically set forth in Exhibit “A”, which Exhibit is attached hereto and made a part hereof.

SECTION 5. Effective Date and Publication. The Mayor shall sign and the City Clerk shall certify to the passage of this Ordinance and cause the same or a summary thereof to be published within 15 days after adoption in accordance with Government Code Section 36933. This Ordinance shall take effect 30 days after adoption in accordance with Government Code Section 36937.

NOW, THEREFORE, BE IT ORDAINED that the City Council of the City of Beaumont, California, approves an amendment to the City Code.


INTRODUCED AND READ for the first time and ordered posted at a regular meeting of the City Council of the City of Beaumont, California, held on the 1st day of August, 2017, by the following roll call vote:

AYES: White, Carroll, Lara, Martinez
NOES
ABSENT: Orozco
ABSTAIN

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Beaumont, California, held on the 15th day of August, 2017.

AYES: Martinez, Lara, Carroll, White
NOES:
ABSENT: Orozco
ABSTAIN:


Alfred Lloyd White, Mayor

Attest: 
Andreanna Pfeiffer, City Clerk

Approved as to form:


John O. Pinkney, City Attorney

Exhibit A

Chapter 15.48

**ELECTRIC VEHICLE CHARGING STATION STREAMLINED PERMITTING
PROCESS**

Sections:

- 15.48.010 Purpose.**
- 15.48.020 Applicability.**
- 15.48.030 Definitions.**
- 15.18.040 Requirements.**
- 15.48.050 Application and Documents.**
- 15.48.060 Permit Review Requirements.**
- 15.48.070 Fees.**

15.48.010 Purpose.

The purpose of this ordinance is to create an expedited, streamlined Electric Vehicle Charging Station permitting process that complies with Government Code section 65850.7 to achieve timely and cost-effective installations of Electric Vehicle Charging Stations.

15.48.020 Applicability.

- a. This chapter applies to the permitting of all Electric Vehicle Charging Stations in the City.
- b. Electric Vehicle Charging Stations legally established or permitted prior to the effective date of this ordinance are not subject to the requirements of this ordinance unless physical modifications or alterations are undertaken that materially change the size, type, or components of an Electric Vehicle Charging Station in such a way as to require a new permit.

15.48.030 Definitions.

- a. For the purpose of this Chapter, words and terms shall be defined as set forth in this Section. Where terms are not defined in this Code and are defined in other codes, such terms shall have the meanings ascribed to them as in those codes. Where terms are not defined through the methods authorized by this Section, such terms shall have ordinary accepted meanings such as the context implies.
- b. An “Electric Vehicle Charging Station” means the following:
 - i. 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 section, and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle.
- c. “Electronic Submittal” means the utilization of the following:
 - i. Any computer based electronic plan review software maintained, operated, and utilized by the City while receiving applications through the internet.
- d. “Specific Adverse Impact” means the following:

i. 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.

15.48.040 Requirements.

a. All Electric Vehicle Charging Stations shall meet all applicable health and safety standards and the requirements imposed by the state and the City, local fire department and utility provider.

b. Electric Vehicle Charging Stations shall meet all applicable safety and performance standards established by the California Electrical Code, the Society of Automotive Engineers, the National Electrical Manufacturers Association, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability.

15.48.050 Application and Documents.

a. All documents required for the submission of an expedited Electric Vehicle Charging Station application shall be made available on the publicly accessible City website.

b. Electronic Submittal of the required permit application and documents through City utilized computer based software shall be made available to all Electric Vehicle Charging Station permit applicants.

c. An applicant's electronic signature shall be accepted on all forms, applications, and other documents in lieu of a wet signature.

d. The Building and Safety Division shall adopt a checklist of all requirements with which Electric Vehicle Charging Stations shall comply to be eligible for expedited review.

e. The Building and Safety Division may refer to the recommendation contained in the most current version of the Plug-In Electric Vehicle Infrastructure Permitting Checklist and the Zero-Emissions Vehicles in California: Community Readiness Guidebook published by the Governor's Office of Planning and Research, when adopting the electric vehicle charging permit process and checklist.

f. If the Building Official determines, based on substantial evidence, that the Electric Vehicle Charging Station could have a specific, adverse impact upon the public health and safety, the Building Official shall make written findings to support this determination and may require the applicant to apply for a conditional use permit pursuant to the provisions of Section 17.02.100 of the Beaumont Municipal Code or an administrative use permit should one be adopted in the future for Electric Vehicle Charging Stations. The decision of the Building Official on an application for an Electric Vehicle Charging Station becomes final unless the decision is appealed to the Planning Commission pursuant to the provisions of Section 17.020.030 of this Code.

15.48.060 Permit Review Requirements.

a. The Building Official shall implement an administrative review process to expedite approval of Electric Vehicle Charging Stations. Where the application meets the requirements of the approved checklist and standards and there are no specific, adverse impacts upon public health or safety, the Building and Safety Division shall complete the building permit

approval process, which is nondiscretionary. Review of the application for Electric Vehicle Charging Stations shall be limited to the Building Official's review of whether the application meets local, state, and federal health and safety requirements. It shall be unlawful for any person to install, operate, or maintain an Electric Vehicle Charging Station without such a permit for such work, and the permit shall be secured from the Building Official by the owner or the owner's agent.

b. If a permit application is deemed incomplete, a written correction notice detailing all deficiencies in the permit application and any additional information or documentation required to be eligible for expedited permit issuance shall be sent to the applicant for resubmission.

c. Any condition imposed on an application shall be designed to mitigate the specific, adverse impact upon health and safety at the lowest possible cost.

d. A feasible method to satisfactorily mitigate or avoid the specific, adverse impact includes, but is not limited to, any cost-effective method, condition, or mitigation imposed by the city on another similarly situated application in a prior successful application for a permit.

e. Any permit approvals, which are granted pursuant to the provision of this Chapter, shall not authorize an applicant to connect the Electric Vehicle Charging Station to the electricity grid of the public utility. Any such connection shall be governed by the rules and regulations of the public utility.

f. The Building Official shall have access to the premises described in a permit for the Electric Vehicle Charging Station in order to inspect the progress of the work.

15.48.070 Fees.

The City Council may establish by resolution fees that shall be charged for permits issued under this chapter.