

RECORD OF ORDINANCES

Ordinance No. 2023-64

Passed SEPTEMBER 6, 2023

SPONSOR: PLANNING & ZONING COMMITTEE

AN ORDINANCE ADOPTING SECTION 150.226 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MOGADORE, ENTITLED “ELECTRIC VEHICLE CHARGING STATIONS,” TO REGULATE THE LOCATION, CONSTRUCTION AND USE OF ELECTRIC VEHICLE CHARGING STATIONS IN THE VILLAGE, AND DECLARING AN EMERGENCY.

WHEREAS, Chapter 150 of the Village of Mogadore Codified Ordinances sets forth the permits and approvals related to the use of buildings and structures within the Village; and

WHEREAS, the Mayor and Fire Chief have recommended that this Council adopt Section 150.226 of the Codified Ordinances of the Village, entitled “Electric Vehicle Charging Stations,” as set forth on Exhibit A, attached hereto and incorporated herein by reference, which will regulate the location, construction and use of electric vehicle charging stations in the Village; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the Village to adopt Section 150.226 for the reasons set forth above.

NOW, THEREFORE BE IT ORDAINED, by the Council of the Village of Mogadore, Counties of Summit and Portage, State of Ohio, that:

SECTION 1: This Council hereby adopts Section 150.226 of the Codified Ordinances of the Village, entitled “Electric Vehicle Charging Stations,” as set forth on Exhibit A, attached hereto and incorporated herein by reference.

SECTION 2: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in open meetings of this Council and any deliberations of this Council and any of its committees that resulted in this formal action were in meetings open to the public, in compliance with all legal requirements.

SECTION 3: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the residents of the Village of Mogadore and for the purpose of immediately ensuring the safety of residents within the Village by regulating the location, construction and use of electric vehicle charging stations within the Village, and, provided this Ordinance receives the affirmative vote of at least five (5) members elected or appointed to this Council, it shall take effect and be in force upon its passage by Council and approval by the Mayor, otherwise it shall take effect and be in force at the earliest period allowed by law.

RECORD OF ORDINANCES

Ordinance No. 2023-64

Passed SEPTEMBER 6, 2023

Michael Raddish 9-6-23  
President of Council Date

[Signature] 9-6-23  
Mayor Date

Attest: [Signature]  
Clerk-Treasurer

## EXHIBIT A

### § 150.226 ELECTRIC VEHICLE CHARGING STATIONS

#### (A) Definitions.

- (1) “Electric vehicle charging station” or “EVCS” means a public parking space that is served by battery charging station equipment for the purpose of transferring electrical energy (by conductive or inductive means) to a battery or other energy storage device within an electric vehicle.

#### (B) General Requirements.

- (1) These requirements pertain to all EVCS that use either Level 2 or Level 3 charging equipment, as defined by the U.S. Department of Transportation. If a charging station has more than (1) one port, each port shall count as a charging station.
- (2) The designated parking space(s) for an EVCS shall not be included in any calculation of parking spaces on a particular site for the purpose of satisfying the parking requirements imposed by Chapter 152 of these Codified Ordinances.
- (3) The recommended parking space dimensions for an EVCS are a minimum of ten (10) feet wide by twenty (20) feet long when new spaces are installed for such use. An additional five feet in width shall be required for ADA accessible locations.
- (4) The EVCS equipment shall be protected by wheel stops and bollards in accordance with Ohio Fire Code (2017) Section 312, Vehicle Impact Protection.
- (5) Each parking space designated for EVCS shall be clearly identified as reserved for electric vehicle charging only.
- (6) All EVCS equipment shall not exceed eight (8) feet in height.
- (7) All EVCS shall not include overhead canopies.
- (8) All EVCS equipment shall comply with the current National Electric Code (NEC) and shall be inspected once a year and proof of inspection shall be made available to the Village Fire Department.
- (9) All EVCS shall be installed in all locations as follows:
  - (a) Ten (10) feet from property lines,
  - (b) Twenty (20) feet or more from buildings having combustible exterior wall surfaces, and
  - (c) Ten (10) feet or more from buildings having a one-hour fire resistive exterior surface.

- (10) EVCS shall be designed and constructed in accordance with all applicable state and county codes and these Codified Ordinances.
- (11) EVCS shall be constructed, operated, and maintained based on manufacturer's instructions.
- (12) Any attendants shall be trained in the operation of the EVCS system and able to supervise and respond to emergencies.
- (13) EVCS shall be installed with one or more clearly identified exterior shutoff devices or electrical disconnects with an approved sign stating, "Emergency Electrical Vehicle Charging System Shutoff."
- (14) EVCS shall have emergency instructions conspicuously posted in the area and shall include the following:
  - (a) Use of Emergency shutoff button/disconnection device,
  - (b) Report incident by calling 9-1-1, and
  - (c) Report location to emergency services.
- (15) Emergency shutoff devices or electrical disconnects or the EVCS charging equipment shall be installed in an approved exterior location accessible to patrons but not less than 20 feet or more than 30 feet from the EVCS.
- (16) Resetting of EVCS charging equipment from an emergency shutoff condition shall require manual intervention.
- (17) Lighting of all EVCS shall be selected and installed in accordance with applicable building codes and local ordinances and shall be sufficient for safe operation and security.
- (18) At least one portable fire extinguisher for each group of EVCS shall be provided and shall not exceed a travel distance of 75 feet.

(C) Colocation with Motor Fuel Dispensing Equipment.

- (1) The following installation requirements shall be met when an EVCS is located in proximity to motor fuel dispensing equipment:
  - (a) Shall be located twenty (20) feet or more in all directions from dispensing devices for flammable or combustible liquids;
  - (b) Shall be located ten (10) feet in all directions from above ground and underground storage tanks, tank fill connections, remote and submersible pump transfer equipment, vapor recovery equipment, and vents; and

- (d) Shall be located twenty-five (25) feet in all directions from the location of tank vehicles while filling and transferring flammable or combustible liquids.
- (2) EVCS shall be designed so that the pooling of flammable or combustible liquids cannot occur in the charging area.
- (3) At attended locations and motor fuel dispensing facilities, an additional emergency EVCS shutoff or electrical disconnect shall be located at the attendant's location