

**CITY OF FARMINGTON HILLS
OAKLAND COUNTY, MICHIGAN**

ORDINANCE C-13-2012

AN ORDINANCE TO AMEND CHAPTER 34, "ZONING," ARTICLE I, "IN GENERAL," SECTION 34-3, "DEFINITIONS," AND ARTICLE XXII, "GENERAL PROVISIONS," IN ORDER TO ESTABLISH A NEW SECTION, SECTION 34-562, "ELECTRICAL VEHICLE INFRASTRUCTURE," PROVIDING REGULATIONS FOR THE LOCATION OF CHARGING STATIONS AND RELATED INFRASTRUCTURE TO FACILITATE THE USE OF ELECTRIC VEHICLES AND ALSO PROVIDING FOR DEFINITIONS WITH THE ORDINANCE IN CONNECTION WITH SUCH REGULATIONS.

THE CITY OF FARMINGTON HILLS ORDAINS:

Section 1. Ordinance Amendment

The City Code of the City of Farmington Hills, Chapter 34, "Zoning," Article 1, "In General," Section 34-3, "Definitions," is hereby amended to add the following definitions:

Battery charging station means an electrical component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles.

Electric vehicle means any vehicle that is licensed and registered for operation on public and private highways, roads, and streets; either partially or exclusively, on electrical energy from the grid, or an off-board source, that is stored on-board via a battery for motive purpose. "Electric vehicle" includes: (1) a battery electric vehicle; and (2) a plug-in hybrid electric vehicle.

Electric vehicle charging station means a public or private parking space 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.

Electric vehicle parking space means any marked parking space that identifies the use to be exclusively for the parking of an electric vehicle

Section 2. Ordinance Amendment

The City Code of the City of Farmington Hills, Chapter 34, "Zoning," Article XXII, "General Provisions," is hereby amended to add a new Section 34-562, to be entitled "Electric Vehicle Infrastructure," to read as follows:

SECTION 34-562. ELECTRIC VEHICLE INFRASTRUCTURE

1. Intent

The intent of this section is to facilitate the use of electric vehicles and to expedite the establishment of a convenient electric vehicle infrastructure that such use necessitates.

2. Permitted Locations

- A. When accessory to the principal permitted use, and when no fees are collected for such use, electric vehicle charging stations are permitted in every zoning district.
- B. When accessory to the principal permitted use, and when fees are collected for such use, electric vehicle charging stations are permitted in all non-single-family residential zoning districts.

3. General Requirements

A. *Parking*

- 1. An electric vehicle charging station space may be included in the calculation for minimum required parking spaces required in accordance with **Section 34-540**.
- 2. Public electric vehicle charging stations are reserved for parking and charging electric vehicles only. Electric vehicles may be parked in any space designated for public parking, subject to the restrictions that would apply to any other vehicle that would park in that space.

B. *Lighting*

Site lighting shall be provided where an electric vehicle charging station is installed, unless charging takes place during daytime hours only.

C. *Equipment Standards and Protection*

- 1. Battery charging station outlets and connector devices shall be no less than 36 inches and no higher than 48 inches from the surface where mounted. Equipment mounted on pedestals, lighting posts, bollards, or other devices shall be designed and located as to not impede pedestrian travel or create trip hazards.
- 2. Adequate battery charging station protection, such as concrete-filled steel bollards, shall be used. Curbing may be used in lieu of bollards, if the battery charging station is setback a minimum of 24 inches from the face of the curb.
- 3. All equipment installed shall meet building code requirements.

D. *Signage*

- 1. Information shall be posted identifying voltage and amperage levels and any time of use, fees, or safety information related to the electric vehicle charging station.
- 2. Each electric vehicle charging station space shall be posted with **City-approved** signage indicating the space is only for electric vehicle charging purposes. For purposes of this subsection, “charging” means that an electric vehicle is parked at an electric vehicle charging station and is connected to the battery charging station equipment.

E. *Maintenance*

Electric vehicle charging stations shall be maintained in all respects, including the functioning of the equipment. A phone number or other contact information shall be provided on the equipment for reporting when it is not functioning or other problems are encountered.

Section 3. Repealer

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect, and the Farmington Hills Ordinance Code shall remain in full force and effect, amended only as specified above.

Section 4. Severability

If any section, clause or provision of this Ordinance shall be declared to be unconstitutional, void, illegal or ineffective by any Court of competent jurisdiction, such section, clause or provision declared to be unconstitutional, void or illegal shall thereby cease to be a part of this Ordinance, but the remainder of this Ordinance shall stand and be in full force and effect.

Section 5. Savings

All proceedings pending and all rights and liabilities existing, acquired, or incurred at the time this Ordinance takes effect are saved and may be consummated according to the law in force when they were commenced.

Section 6. Effective Date

The provisions of this Ordinance are hereby ordered to take effect on the date provided by applicable law following publication.

Section 7. Enactment

This Ordinance is declared to have been enacted by the City Council of the City of Farmington Hills at a meeting called and held on the 10th day of December, 2012, and ordered to be given publication in the manner prescribed by law.

Ayes: Brickner, Bridges, Bruce, Lerner, Massey and Oliverio

Nays: None

Abstentions: None

Absent: Bates

AYES:

NAYS:

ABSTENTIONS:

STATE OF MICHIGAN)
) ss.
COUNTY OF OAKLAND)

I, the undersigned, the qualified and acting City Clerk of the City of Farmington Hills, Oakland County, Michigan, do certify that the foregoing is a true and complete copy of the ordinance adopted by the City Council of the City of Farmington Hills at a meeting held on the 10th day of December, 2012, the original of which is on file in my office.

PAMELA B. SMITH, City Clerk
City of Farmington Hills

Introduced: November 12, 2012
Adopted: December 10, 2012
Effective: December 31, 2012
Published: December 16, 2012