

COMMISSIONERS REGULAR MEETING AGENDA
RIDGEFIELD PARK
November 10, 2022
7:30 PM

Mayor Anlian announces that this meeting is being held in accordance with the "Open Public Meeting Act, N.J.S.A. 10 4-6 et seq." notice of which was sent to the Record and the Star Ledger on December 27, 2021 and was posted on the Municipal Bulletin Board and the Village Website.

ROLL CALL

FLAG SALUTE

APPROVAL OF MINUTES

Commissioners Regular Meeting of October 11, 2022

Commissioners Closed Session Meeting of October 11, 2022

Commissioners Regular Meeting of October 25, 2022

PAYMENT OF BILLS

CORRESPONDENCE

Ridgefield Park Fire Department – New Junior Member

COMMISSIONER REPORTS

HEARING OF CITIZENS

NEW BUSINESS

Mayor Anlian announces that the following business is considered to be routine in nature and will be enacted in one motion. Any item may be removed for separate consideration.

RESOLUTIONS:

2022-124 Authorize Submission of Municipal Alliance Grant

2022-125 Authorize Grant Application with Bergen County Community Development Edison Street Improvements

2022-126 Amend Personnel Policies and Procedures Manual to Revise Certain Provision Concerning Health Care Coverage

ORDINANCE PUBLIC HEARINGS AND ADOPTIONS

2022-09 AN ORDINANCE OF THE VILLAGE OF RIDGEFIELD PARK MOVING CHAPTER 57, "GREEN TEAM COMMITTEE" TO A NEW CHAPTER 92, "SUSTAINABLE RIDGEFIELD PARK," AND CHANGING REFERENCES FROM THE GREEN TEAM TO SUSTAINABLE RIDGEFIELD PARK

2022-10 AN ORDINANCE OF THE VILLAGE OF RIDGEFIELD PARK, COUNTY OF BERGEN, STATE OF NEW JERSEY, REPEALING AND VACATING ORDINANCE NO. 2021-06, WHICH WAS ADOPTED BY THE VILLAGE OF RIDGEFIELD PARK ON APRIL 22, 2021

ORDINANCE PUBLIC HEARINGS AND ADOPTIONS – cont.

2022-11 AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 96
OF THE VILLAGE CODE TO AUTHORIZE AND ENCOURAGE
ELECTRIC VEHICLE SUPPLY/SERVICE EQUIPMENT (EVSE) &
MAKE-READY PARKING SPACES

CLOSED SESSION (if necessary)

2022-126 Authorize Closed Session Meeting

ADJOURNMENT

RESOLUTION 2022-124

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Village Council of the Village of Ridgefield Park , County of Bergen, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Village Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Village Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Bergen;

NOW, THEREFORE, BE IT RESOLVED by the Village of Ridgefield Park, County of Bergen, State of New Jersey hereby recognizes the following:

1. The Village Council does hereby authorize submission of a strategic plan for the Ridgefield Park Municipal Alliance grant for fiscal year 2024 in the amount of:

DEDR	\$ 4507.18
Cash Match	\$ 1126.80
In-Kind	\$ 3380.39

2. The Village Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Resolution 2022-125

WHEREAS, a Bergen County Community Development grant of \$187,000.00 has been proposed by the Village of Ridgefield Park for improvements to Edison Street in the municipality of Ridgefield Park, and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body, and

WHEREAS, the aforesaid project is in the best interest of the people of the Village of Ridgefield Park, and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Village of Ridgefield Park hereby confirms endorsement of the aforesaid project, and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

VILLAGE OF RIDGEFIELD PARK

RESOLUTION NO. 2022-126

Resolution Amending the Personnel Policies and Procedures Manual for the Village of Ridgefield Park to Revise Certain Provisions Concerning Health Care Coverage

WHEREAS, the Village of Ridgefield Park previously adopted a Personnel Policies and Procedures Manual (the “Manual”); and

WHEREAS, upon a review of the Manual, it was determined that the Manual did not prohibit employees whose spouses also are employed by the Village from obtaining duplicative and unnecessary health insurance coverage at significant cost to taxpayers; and

WHEREAS, it is the desire of the Board of Commissioners to amend the Manual to amend said policy concerning health insurance coverage when both spouses are employed by the Village or its subsidiary departments.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Village of Ridgefield Park that the Ridgefield Park Personnel Policies and Procedures Manual is hereby amended to revise the policy entitled “Health Insurance Policy,” consistent with the revised section attached hereto.

BE IT FURTHER RESOLVED that all other provisions of the Manual shall remain unchanged.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

VILLAGE OF RIDGEFIELD PARK

ORDINANCE NO. 2022-09

AN ORDINANCE OF THE VILLAGE OF RIDGEFIELD PARK MOVING CHAPTER 57, "GREEN TEAM COMMITTEE" TO A NEW CHAPTER 92, "SUSTAINABLE RIDGEFIELD PARK," AND CHANGING REFERENCES FROM THE GREEN TEAM TO SUSTAINABLE RIDGEFIELD PARK

WHEREAS, the Village of Ridgefield Park would like to more accurately define and explain the goals and objectives of the Ridgefield Park "Green Team"; and

WHEREAS, the Village also desires to change the name of the Ridgefield Park Green Team to make a clearer distinction between the Environmental Commission and Sustainable Ridgefield Park (aka Sustainable RP) and the work its members do for the Village.

Section 1. Chapter 57, "Green Team Committee," is hereby renamed "Sustainable Ridgefield Park," and is moved to a new Chapter 92, "Sustainable Ridgefield Park."

Section 2. The New Chapter 92, "Sustainable Ridgefield Park," shall have all references concerning the Green Team changed to Sustainable Ridgefield Park, and shall read as follows:

CHAPTER 92 – SUSTAINABLE RIDGEFIELD PARK

§ 92-1 Establishment.

§ 92-2 Purpose; powers.

§ 92-3 Membership; terms of office.

§ 92-4 Meetings.

§ 92-5 Secretary.

§ 92-1 Establishment.

The Village of Ridgefield Park hereby establishes a Committee known as "Sustainable Ridgefield Park" (hereinafter also referred to as "Sustainable RP" or the "Committee", and which is the successor committee to the Ridgefield Park Green Team), subject to the terms and provisions of this Chapter. The Committee shall serve as a permanent committee to the Ridgefield Park Board of Commissioners.

§ 92-2 Purpose; powers.

The general purposes and powers for the Committee shall include (without limitation) the following:

- A. Pursue and manage Ridgefield Park's participation in and certification by the Sustainable Jersey program (which is a program initiated, established and promoted by the State of New Jersey).
- B. Establish reasonable sustainability goals and Sustainable Jersey program goals for the Village.
- C. Encourage the Village's staff, employees, personnel, volunteers, departments, offices, committees, commissions, boards and agencies to pursue sustainable practices and to implement the Village's sustainability goals and Sustainable Jersey program goals.
- D. Work with and encourage Village organizations and groups to pursue sustainable practices and to implement the Village's sustainability goals and Sustainable Jersey program goals.
- E. Provide suggestions and advice to the Village Planning Board, Zoning Board of Adjustment, and Historic Preservation Commission to assure that sustainability matters are considered in their deliberations and actions.
- F. Solicit and evaluate sustainable ideas and suggestions from the community.
- G. Work jointly with the Environmental Commission on environmental matters which also have sustainability components.

§ 92-3 Membership; terms of office.

- A. The Sustainable Ridgefield Park Committee shall consist of seven members and two alternate members. The members and alternate members shall be appointed by the Board of Commissioners and shall serve without compensation. At least five members shall be residents of the Village of Ridgefield Park. At least one alternate member shall be a resident of the Village of Ridgefield Park.
- B. The Sustainable Ridgefield Park Committee shall be a continuation of the "Green Team Committee" previously established by Ordinance of the Village of Ridgefield Park. All members of the Green Team shall be deemed to become members of Sustainable Ridgefield Park upon the establishment of this Chapter. All terms of appointment of members of the Green Team shall carry over to Sustainable Ridgefield Park.
- C. All appointments, except to fill vacancies, shall be for a full term of three years, to take effect on January 1 of the year of appointment. All appointments to fill vacancies shall be for the remainder of the prior member's term.

- D. Alternate members shall be designated at the time of appointment as "Alternate No. 1" and "Alternate No. 2" and shall serve during the absence or disqualification of any regular member or members. The term of each alternate member shall be three years commencing on the day of their appointment and ending in the same manner as is set forth for regular members.
- E. An alternate member may participate in discussions of the proceedings but may not vote except in the absence or disqualification of a regular member. A vote shall not be delayed in order that a regular member may vote instead of an alternate member.
- F. Additionally, one member of the Board of Commissioners, the Superintendent of the Department of Public Works, the Village Clerk, and the Chief of Police shall serve as ex officio members of the Committee. Ex officio members shall not vote. Each aforesaid ex officio member may designate a representative to attend the meetings of the Committee on the ex officio member's behalf.
- G. Additional non-voting associate members may be appointed by the Board of Commissioners for one-year terms. Said associate members need not be residents of the Village of Ridgefield Park.
- H. On an annual basis, the Committee shall elect from among its members a Chairperson and Vice Chairperson.

§ 92-4 Meetings.

- A. Sustainable Ridgefield Park shall meet at such times and places as the Committee so determines. However, the Committee shall meet at least five times each year.
- B. The rules of procedure for the Committee shall be Roberts Rules of Order - Revised; or by such other rules of procedure as the Committee may adopt by resolution.

§ 92-5 Secretary.

The Committee shall hire a secretary to take the minutes of all meetings and provide secretarial services for Sustainable Ridgefield Park. The secretary's salary shall be set by the Commissioner who has responsibility for Sustainable Ridgefield Park.

Section 3. Ratification of Prior Actions; No Interruption in Service.

The Village does hereby ratify and reconfirm all prior actions of and appointments to the Green Team, now known as Sustainable Ridgefield Park, taken prior to the adoption of this Ordinance.

Nothing in this Ordinance shall be construed as terminating or interrupting any period of service or tenure of any member of the Committee.

Section 4. Repeal of Inconsistent Ordinances.

All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 5. Savings Clause.

Nothing in this Ordinance shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed pursuant to this Ordinance, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

Section 6. Severability.

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

Section 7. Effective Date.

This ordinance shall become effective 20 days after adoption and publication as required by law.

VILLAGE OF RIDGEFIELD PARK

ORDINANCE NO. 2022-10

AN ORDINANCE OF THE VILLAGE OF RIDGEFIELD PARK, COUNTY OF BERGEN, STATE OF NEW JERSEY, REPEALING AND VACATING ORDINANCE NO. 2021-06, WHICH WAS ADOPTED BY THE VILLAGE OF RIDGEFIELD PARK ON APRIL 22, 2021.

WHEREAS, the Village of Ridgefield Park previously adopted Ordinance No. 2021-06 on April 22, 2021, which ordinance authorized the acquisition of certain real property commonly known as 78 and 65-67 Mt. Vernon Street in the Village of Ridgefield Park, County of Bergen, State of New Jersey, designated as Block 82, Lot 23, Block 89, Lot 15 on the official tax map of the Village (the "Property") and, if necessary, authorizing the institution of eminent domain proceedings to obtain same; and

WHEREAS, the Village, through its special legal counsel, engaged in negotiations with the owner of the Property; and

WHEREAS, it appears that the parties are far apart in their opinion of fair market value for the Property; and

WHEREAS, the Village therefore wishes to end and terminate its intentions to acquire the Property described above; and

WHEREAS, the Village now wishes to repeal and vacate Ordinance No. 2021-06; and

WHEREAS, it is in the best interests of the Village of Ridgefield Park that Ordinance No. 2021-06 be repealed and vacated.

NOW, THEREFORE, BE IT ORDAINED by the Village Council of the Village of Ridgefield Park, County of Bergen, and State of New Jersey, that Ordinance No. 2021-06 adopted on April 22, 2021, be and hereby is repealed and vacated.

BE IT FURTHER ORDAINED that special legal counsel is authorized and directed to furnish a copy of this Ordinance upon its adoption to the attorney for the Property owner.

BE IT FURTHER ORDAINED that the Village Clerk, Village Engineer and Special Legal Counsel engaged for this purpose, and such other municipal officials as are appropriate, are hereby authorized to execute such documents and undertake such actions as necessary to carry out the purposes of this ordinance.

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances inconsistent or in conflict with this ordinance are hereby repealed as to said inconsistencies and conflicts.

BE IT FURTHER ORDAINED that if any section, part of any section, or clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this Ordinance, and each section and subsection thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

BE IT FURTHER ORDAINED that this ordinance shall take effect upon final publication according to law.

VILLAGE OF RIDGEFIELD PARK

ORDINANCE NO. 2022-11

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 96 OF THE VILLAGE CODE TO AUTHORIZE AND ENCOURAGE ELECTRIC VEHICLE SUPPLY/SERVICE EQUIPMENT (EVSE) & MAKE-READY PARKING SPACES

WHEREAS, this Ordinance sets forth procedures for the installation of Electric Vehicle Supply/Service Equipment (EVSE) and Make-Ready parking spaces and establishes associated regulations and other standards within the Village of Ridgefield Park in the County of Bergen; and

WHEREAS, supporting the transition to electric vehicles contributes to the Village of Ridgefield Park's commitment to sustainability and is in the best interest of public welfare; and

WHEREAS, installation of EVSE and Make-Ready parking spaces encourages electric vehicle adoption; and

WHEREAS, the Village of Ridgefield Park encourages increased installation of EVSE and Make Ready parking spaces; and

WHEREAS, adoption of this ordinance supports the State of New Jersey's goals to reduce air pollutants and greenhouse gas emissions from the transportation sector as outlined and supported by various programs related to NJ's 2019 Energy Master Plan, Global Warming Response Act (P.L.2007, c.112 (C.26:2C-37 et al.)), and EV Law (P.L. 2019, c. 362); and

WHEREAS, P.L. 2021, c.171, which Governor Murphy signed into law on July 9, 2021, requires EVSE and Make-Ready parking spaces be designated as a permitted accessory use in all zoning or use districts and establishes associated installation and parking requirements; and

WHEREAS, adoption of this ordinance will support the Master Plan of the Village of Ridgefield Park adopted in concurrence with P.L. 1975 c. 291, s. 1 eff. Aug. 1, 1976, and is consistent with the goals of the Master Plan in enhancing the downtown, promoting economic development, and addressing parking demand, and as well as the land use and circulation elements of the Master Plan; and

WHEREAS, the Village of Ridgefield Park encourages greater ownership and use of electric vehicles, thus the Village of Ridgefield Park is amending Chapter 96, "Zoning," to establish standards and regulations for the safe and efficient installation of EVSE and Make-Ready parking spaces at appropriate locations.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of the Village of Ridgefield Park in the County of Bergen, State of New Jersey, as follows:

Section 1.

Chapter 96, "Zoning" of the Village Code is hereby amended and supplemented by adding a new Section 7.10, "Electric Vehicle Supply/ Service Equipment," as follows:

§96-7.10 Electric Vehicle Supply/ Service Equipment

A. Purpose

The purpose of this ordinance is to promote and encourage the use of electric vehicles by requiring the safe and efficient installation of EVSE and Make-Ready parking spaces through municipal parking regulations and other standards. EVSE and Make-Ready parking spaces will support the State's transition to an electric transportation sector, reducing automobile air pollution, greenhouse gas emissions, and storm water runoff contaminants. The goals are to:

1. Provide adequate and convenient EVSE and Make-Ready parking spaces to serve the needs of the traveling public.
2. Provide opportunities for residents to have safe and efficient personal EVSE located at or near their place of residence.
3. Provide the opportunity for non-residential uses to supply EVSE to their customers and employees.
4. Create standard criteria to encourage and promote safe, efficient, and cost-effective electric vehicle charging opportunities in all zones and settings for convenience of service to those that use electric vehicles.

B. Definitions

Certificate of occupancy: The certificate provided for in N.J.A.C. 5:23-2, indicating that the construction authorized by the construction permit has been completed in accordance with the construction permit, the act and the regulations. See "State Uniform Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.) and regulations adopted pursuant thereto.

Charging Level: The amount of voltage provided to charge an electric vehicle varies depending on the type of EVSE as follows:

1. Level 1 operates on a fifteen (15) to twenty (20) amp breaker on a one hundred twenty (120) volt AC circuit.
2. Level 2 operates on a forty (40) to one hundred (100) amp breaker on a two hundred eight (208) or two hundred forty (240) volt AC circuit.
3. Direct-current fast charger (DCFC) operates on a sixty (60) amp or higher breaker on a four hundred eighty (480) volt or higher three phase circuit with special grounding equipment. DCFC stations can also be referred to as rapid charging stations that are typically characterized by industrial grade electrical outlets that allow for faster recharging of electric vehicles.

Electric vehicle: Any vehicle that is licensed and registered for operation on public and private highways, roads, and streets; and operates either partially or exclusively using an electric motor powered by an externally charged on-board battery.

Electric Vehicle Supply/Service Equipment or (EVSE): The equipment, including the cables, cords, conductors, connectors, couplers, enclosures, attachment plugs, power outlets, power electronics, transformer, switchgear, switches and controls, network interfaces, point of sale equipment, and associated apparatus designed and used for the purpose of transferring energy from the electric supply system to a plug-in electric vehicle. "EVSE" may deliver either alternating current or, consistent with fast charging equipment standards, direct current electricity. "EVSE" is synonymous with "electric vehicle charging station."

Make-Ready Parking Space: means the pre-wiring of electrical infrastructure at a parking space, or set of parking spaces, to facilitate easy and cost-efficient future installation of Electric Vehicle Supply Equipment or Electric Vehicle Service Equipment, including, but not limited to, Level Two EVSE and direct current fast chargers. Make Ready includes expenses related to service panels, junction boxes, conduit, wiring, and other components necessary to make a particular location able to accommodate Electric Vehicle Supply Equipment or Electric Vehicle Service Equipment on a "plug and play" basis. "Make-Ready" is synonymous with the term "charger ready," as used in P.L.2019, c.362 (C.48:25-1 et al.).

Private EVSE: EVSE that has restricted access to specific users (e.g., single and two-family homes, executive parking fleet parking with no access to the general public).

Publicly-accessible EVSE: EVSE that is publicly available (e.g., park & ride, public parking lots and garages, on-street parking, shopping center parking, non-reserved parking in multi-family parking lots, etc.).

C. Approvals and Permits

1. An application for development submitted solely for the installation of EVSE or Make-Ready parking spaces shall be considered a permitted accessory use and permitted accessory structure in all zoning or use districts and shall not require a variance pursuant to C.40:55D-70.
2. EVSE and Make-Ready Parking Spaces installed pursuant to Section D. below in development applications that are subject to site plan approval are considered a permitted accessory use as described in 1. above.
3. All EVSE and Make-Ready parking spaces shall be subject to applicable local and/or Department of Community Affairs permit and inspection requirements.
4. The Zoning Officer shall enforce all signage and installation requirements described in this ordinance. Failure to meet the requirements in this ordinance shall be subject to the same enforcement and penalty provisions as other violations of this Chapter 96, "Zoning."
5. An application for development for the installation of EVSE or Make-Ready spaces at an existing gasoline service station, an existing retail establishment, or any other existing building shall not be subject to site plan or other land use board review, shall not require variance relief pursuant to C.40:55D-1 et seq. or any other law, rule, or regulation, and shall be approved through the issuance of a zoning permit by the administrative officer, provided the application meets the following requirements:
 - a. the proposed installation does not violate bulk requirements applicable to the property or the conditions of the original final approval of the site plan or subsequent approvals for the existing gasoline service station, retail establishment, or other existing building;
 - b. all other conditions of prior approvals for the gasoline service station, the existing retail establishment, or any other existing building continue to be met; and
 - c. the proposed installation complies with the construction codes adopted in or promulgated pursuant to the "State Uniform Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.), any safety standards concerning the installation, and any State rule or regulation concerning electric vehicle charging stations.
6. An application pursuant to Section 5. above shall be deemed complete if:
 - a. the application, including the permit fee and all necessary documentation, is determined to be complete,

- b. a notice of incompleteness is not provided within 20 days after the filing of the application, or
 - c. a one-time written correction notice is not issued by the Zoning Officer within 20 days after filing of the application detailing all deficiencies in the application and identifying any additional information explicitly necessary to complete a review of the permit application.
7. EVSE and Make-Ready parking spaces installed at a gasoline service station, an existing retail establishment, or any other existing building shall be subject to applicable local and/or Department of Community Affairs inspection requirements.
8. A permitting application solely for the installation of electric vehicle supply equipment permitted as an accessory use shall not be subject to review based on parking requirements.

D. Requirements for New Installation of EVSE and Make-Ready Parking Spaces

1. As a condition of preliminary site plan approval, for each application involving a multiple dwelling with five or more units of dwelling space, which shall include a multiple dwelling that is held under a condominium or cooperative form of ownership, a mutual housing corporation, or a mixed-use development, the developer or owner, as applicable, shall:
- a. prepare as Make-Ready parking spaces at least 15 percent of the required off-street parking spaces, and install EVSE in at least one-third of the 15 percent of Make-Ready parking spaces;
 - b. within three years following the date of the issuance of the certificate of occupancy, install EVSE in an additional one-third of the original 15 percent of Make-Ready parking spaces; and
 - c. within six years following the date of the issuance of the certificate of occupancy, install EVSE in the final one-third of the original 15 percent of Make-Ready parking spaces.
 - d. Throughout the installation of EVSE in the Make-Ready parking spaces, at least five percent of the electric vehicle supply equipment shall be accessible for people with disabilities.

- e. Nothing in this subsection shall be construed to restrict the ability to install electric vehicle supply equipment or Make-Ready parking spaces at a faster or more expansive rate than as required above.
2. As a condition of preliminary site plan approval, each application involving a parking lot or garage not covered in 1. above shall:
 - a. Install at least one Make-Ready parking space if there will be 50 or fewer off-street parking spaces.
 - b. Install at least two Make-Ready parking spaces if there will be 51 to 75 off-street parking spaces.
 - c. Install at least three Make-Ready parking spaces if there will be 76 to 100 off-street parking spaces.
 - d. Install at least four Make-Ready parking spaces, at least one of which shall be accessible for people with disabilities, if there will be 101 to 150 off-street parking spaces.
 - e. Install at least four percent of the total parking spaces as Make-Ready parking spaces, at least five percent of which shall be accessible for people with disabilities, if there will be more than 150 off-street parking spaces.
 - f. In lieu of installing Make-Ready parking spaces, a parking lot or garage may install EVSE to satisfy the requirements of this subsection.
 - g. Nothing in this subsection shall be construed to restrict the ability to install electric vehicle supply equipment or Make-Ready parking spaces at a faster or more expansive rate than as required above.
 - h. Notwithstanding the provisions of this Section, a retailer that provides 25 or fewer off-street parking spaces or the developer or owner of a single-family home shall not be required to provide or install any electric vehicle supply equipment or Make-Ready parking spaces.

E. Minimum Parking Requirements

1. All parking spaces with EVSE and Make-Ready equipment shall be included in the calculation of minimum required parking spaces, pursuant to Article X of Chapter 96.
2. A parking space prepared with EVSE or Make-Ready equipment shall count as at least two parking spaces for the purpose of complying with a minimum parking

space requirement. This shall result in a reduction of no more than 10 percent of the total required parking.

3. All parking space calculations for EVSE and Make-Ready equipment shall be rounded up to the next full parking space.
4. Additional installation of EVSE and Make-Ready parking spaces above what is required in Section D. above may be encouraged, but shall not be required in development projects.

F. Reasonable Standards for All New EVSE and Make-Ready Parking Spaces

1. Location and layout of EVSE and Make-Ready parking spaces is expected to vary based on the design and use of the primary parking area. It is expected flexibility will be required to provide the most convenient and functional service to users. Standards and criteria should be considered guidelines and flexibility should be allowed when alternatives can better achieve objectives for provision of this service.
2. Installation:
 - a. Installation of EVSE and Make-Ready parking spaces shall meet the electrical subcode of the Uniform Construction Code, N.J.A.C. 5:23-3.16.
 - b. Each EVSE or Make-Ready parking space that is not accessible for people with disabilities shall be not less than 9 feet wide or 18 feet in length. Exceptions may be made for existing parking spaces or parking spaces that were part of an application that received prior site plan approval.
 - c. To the extent practical, the location of accessible parking spaces for people with disabilities with EVSE and Make Ready equipment shall comply with the general accessibility requirements of the Uniform Construction Code, N.J.A.C. 5:23, and other applicable accessibility standards.
 - d. Each EVSE or Make-Ready parking space that is accessible for people with disabilities shall comply with the sizing of accessible parking space requirements in the Uniform Construction Code, N.J.A.C. 5:23, and other applicable accessibility standards.
3. EVSE Parking:
 - a. Publicly-accessible EVSE shall be reserved for parking and charging electric vehicles only. Electric vehicles shall be connected to the EVSE.

- b. Electric vehicles may be parked in any parking space designated for parking, subject to the restrictions that would apply to any other vehicle that would park in that space.
- c. Public Parking. Pursuant to NJSA 40:48-2, publicly-accessible EVSE parking spaces shall be monitored by the municipality's police department and enforced in the same manner as any other parking. It shall be a violation of this Section to park or stand a non-electric vehicle in such a space, or to park an electric vehicle in such a space when it is not connected to the EVSE. Any non-electric vehicle parked or standing in a EVSE parking space or any electric vehicle parked and not connected to the EVSE shall be is subject to fine and/or impoundment of the offending vehicle as described in the general penalty provisions of Chapter 1, Article II. Signage indicating the penalties for violations shall comply with Section 5. below. Any vehicle parked in such a space shall make the appropriate payment for the space and observe the time limit for the underlying parking area, if applicable.
- d. Private Parking. The use of EVSE shall be monitored by the property owner or designee.

4. Safety

- a. Each publicly-accessible EVSE shall be located at a parking space that is designated for electric vehicles only and identified by green painted pavement and/or curb markings, a green painted charging pictograph symbol, and appropriate signage pursuant to Section 5. below.
- b. Where EVSE is installed, adequate site lighting and landscaping shall be provided in accordance with the Village's ordinances and regulations.
- c. Adequate EVSE protection such as concrete-filled steel bollards shall be used for publicly-accessible EVSE. Non-mountable curbing may be used in lieu of bollards if the EVSE is setback a minimum of 24 inches from the face of the curb. Any stand-alone EVSE bollards should be 3 to 4-feet high with concrete footings placed to protect the EVSE from accidental impact and to prevent damage from equipment used for snow removal.
- d. EVSE outlets and connector devices shall be no less than 36 inches and no higher than 48 inches from the ground or pavement surface where mounted, and shall contain a cord management system as described in e. below. Equipment mounted on pedestals, lighting posts, bollards, or other devices shall be designated and located as to not impede pedestrian travel, create trip hazards on sidewalks, or impede snow removal.

- e. Each EVSE shall incorporate a cord management system or method to minimize the potential for cable entanglement, user injury, or connector damage. Cords shall be retractable or have a place to hang the connector and cord a safe and sufficient distance above the ground or pavement surface. Any cords connecting the charger to a vehicle shall be configured so that they do not cross a driveway, sidewalk, or passenger unloading area.
- f. Where EVSE is provided within a pedestrian circulation area, such as a sidewalk or other accessible route to a building entrance, the EVSE shall be located so as not to interfere with accessibility requirements of the Uniform Construction Code, N.J.A.C. 5:23, and other applicable accessibility standards.
- g. Publicly-accessible EVSEs shall be maintained in all respects, including the functioning of the equipment. A 24-hour on-call contact shall be provided on the equipment for reporting problems with the equipment or access to it. To allow for maintenance and notification, the Village of Ridgely Park shall require the owners/designee of publicly-accessible EVSE to provide information on the EVSE's geographic location, date of installation, equipment type and model, and owner contact information.

5. Signs

- a. Publicly-accessible EVSE shall have posted regulatory signs, as identified in this section, allowing only charging electric vehicles to park in such spaces. For purposes of this section, "charging" means that an electric vehicle is parked at an EVSE and is connected to the EVSE. If time limits or vehicle removal provisions are to be enforced, regulatory signs including parking restrictions shall be installed immediately adjacent to, and visible from the EVSE. For private EVSE, installation of signs and sign text is at the discretion of the owner.
- b. All regulatory signs shall comply with visibility, legibility, size, shape, color, and reflectivity requirements contained within the Federal Manual on Uniform Traffic Control Devices as published by the Federal Highway Administration.
- c. Wayfinding or directional signs, if necessary, shall be permitted at appropriate decision points to effectively guide motorists to the EVSE parking space(s). Wayfinding or directional signage shall be placed in a manner that shall not interfere with any parking space, drive lane, or exit and shall comply with b. above.

- d. In addition to the signage described above, the following information shall be available on the EVSE or posted at or adjacent to all publicly-accessible EVSE parking spaces:
 - 1) Hour of operations and/or time limits if time limits or tow-away provisions are to be enforced by the municipality or owner/designee;
 - 2) Usage fees and parking fees, if applicable; and
 - 3) Contact information (telephone number) for reporting when the equipment is not operating or other problems.

6. Usage Fees

- a. For publicly-accessible municipal EVSE: In addition to any parking fees, the fee to use parking spaces within the municipality identified as EVSE spaces shall be established by resolution of the Board of Commissioners based upon prevailing rates **per kWh**.
- b. This fee may be amended by a resolution adopted by the governing body.
- c. Private EVSE: Nothing in this ordinance shall be deemed to preclude a private owner/designee of an EVSE from collecting a fee for the use of the EVSE, in accordance with applicable State and Federal regulations. Fees shall be available on the EVSE or posted at or adjacent to the EVSE parking space.

Section 2. Severability.

If any provision or portion of a provision of this ordinance is held to be unconstitutional, preempted by Federal or State law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated and shall remain in full force and effect.

Section 3. Effective date.

This Ordinance shall take effect 20 days after adoption and publication as required by law.

Section 4. Repeal of inconsistent ordinances.

All ordinances and parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.