

CITY OF NANAIMO

BYLAW NO. 7365

A BYLAW TO COLLECT ELECTRIC VEHICLE SUPPLY EQUIPMENT
AND ENERGY COST CHARGES WITHIN THE CITY OF NANAIMO

WHEREAS the Council may, pursuant to the British Columbia *Utilities Commission Act*, Ministerial Order No.M104, provide Electric Vehicle Supply Equipment for compensation;

AND WHEREAS Council has taken into consideration the following:

- (1) capital and operating costs associated with Electric Vehicle Supply Equipment;
- (2) power consumption associated with recharging Electric Vehicles at the Electric Vehicle Supply Equipment;
- (3) the City's interest in providing Electric Vehicle Supply Equipment infrastructure;
- (4) turnover of users at Electric Vehicle Supply Equipment;
- (5) encouraging accessing home charging if available; and,
- (6) current market fees for municipally-owned Electric Vehicle Supply Equipment.

AND WHEREAS in the opinion of Council the fees imposed by this Bylaw are:

- (1) related to capital costs attributable to installing, and maintaining the Electric Vehicle Supply Equipment; and,
- (2) related to operational costs required to maintain the function of the Electric Vehicle Supply Equipment.

NOW THEREFORE the Council of the City of Nanaimo, in open meeting assembled, ENACTS AS FOLLOWS:

PART 1 – CITATION

1. This Bylaw shall be cited for all purposes as "ELECTRIC VEHICLE RECHARGING BYLAW 2024 NO. 7365"

PART 2 – INTERPRETATION

2. In this Bylaw:

“Annotated Parking”

means a parking stall with pavement markings depicting an electric vehicle symbol.

“Bylaw Enforcement Officer”	means a person appointed by the City to the position of Bylaw Enforcement Officer or who otherwise, by virtue of that person’s appointment or position with the City, is authorized to enforce this Bylaw.
“City”	means the City of Nanaimo.
“Electric Vehicle”	means a vehicle that can be powered by an electric motor that draws electricity from a battery and is capable of being recharged from an external source.
“Idle Connection”	means Supply Equipment plugged into an Electric Vehicle that is not providing active charging.
“Level 2”	means electric vehicle supply equipment that is serviced by an electrical service equipped to provide 208/240V, 40-amp electric service.
“Service Provider”	means the company the City has a contract with to collect revenue on the City’s behalf.
“Supply Equipment”	means a piece of equipment that supplies electrical power for charging Electric Vehicles.
“Third Party”	means any person that is not the City.

PART 3 – PURPOSE

- 3.1 The objective of this bylaw is to recover life cycle capital and operating costs associated with Level 2 Electric Vehicle Supply Equipment.

PART 4 – JURISDICTION

- 4.1 Subject to the exemptions provided in subsection 4(a) and (b) this Bylaw shall apply to all City-owned, Level 2 Electric Vehicle Supply Equipment.
- (a) Chargers located on City property but owned by a Third Party are exempt from this Bylaw.
- (b) Chargers for the use of recharging the City’s fleet and equipment are exempt from this Bylaw.

PART 5 – FEES

- 5.1. A person using Electric Vehicle Supply Equipment shall pay to the Service Provider the applicable cost charge set out in the City of Nanaimo Fees and Charges Bylaw at the time the service is used.

- 5.2 Following a grace period Idle Connections will be charged a premium rate set out in the City of Nanaimo Fees and Charges Bylaw.
- 5.3 Applicable parking fees and time limitations in force at the location of the Electric Vehicle Supply Equipment apply while the Electric Vehicle is parked regardless of charging status.

PART 6 – INTENDED USE OF PARKING

- 6.1 Annotated Parking is for use while actively charging an Electric Vehicle.
- 6.2 Vehicles not meeting the definition of an Electric Vehicle shall not park in Annotated Parking.
- 6.3 Electric Vehicles parked but not connected to the Electric Supply Equipment are considered to not meet the definition of Electric Vehicle for the purpose of this Bylaw.

PART 7 – VIOLATION, PENALTY, AND ENFORCEMENT

- 7.1 This Bylaw may be enforced by bylaw notice pursuant to the Bylaw Notice Enforcement Bylaw 2012 No. 7159, as amended or replaced.
- 7.2 Each day that an offence continues or exists shall constitute a separate offence.
- 7.3 This Bylaw shall be enforced by a Bylaw Enforcement Officer.
- 7.4 If any section, subsection, sentence, or phrase of this Bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, it shall not affect the validity of the remaining parts of the Bylaw or the validity of this Bylaw as a whole.

PART 8 – EFFECTIVE DATE

- 8.1 This Bylaw comes into full force and effect on 2024-JUN-01.

PASSED FIRST READING: 2024-FEB-26
PASSED SECOND READING: 2024-FEB-26
PASSED THIRD READING: 2024-FEB-26
ADOPTED: _____

MAYOR

CORPORATE OFFICER