



**CITY OF LODI
COUNCIL COMMUNICATION**

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AGENDA TITLE: Introduce Ordinance Amending Lodi Municipal Code Chapter 10.44 – Stopping, Standing and Parking – by Adding Section 10.44.125 Electric Vehicle Charging Stalls

MEETING DATE: July 17, 2013

PREPARED BY: D. Stephen Schwabauer, City Attorney

RECOMMENDED ACTION: Introduce Ordinance amending Lodi Municipal Code Chapter 10.44 – Stopping, Standing and Parking – by adding Section 10.44.125 Electric Vehicle Charging Stalls.

BACKGROUND INFORMATION: The City of Lodi, through the electric utilities public benefits program, has installed electric vehicle charging stations in the following city parking lots:

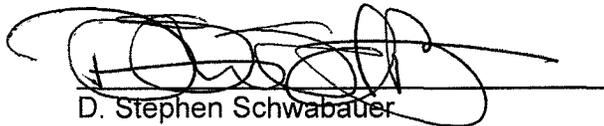
Animal Control parking lot on Kettleman Lane
Lodi Public Library - west side parking lot
Lodi Finance Department - west side parking lot
Lodi Downtown Parking Structure - first level, south entrance
Lodi City Hall - east side parking lot
Hutchins Street Square - south side parking lot near basketball court

Staff recommends reserving these stalls for electric vehicle charging so that they can be dedicated to their intended use.

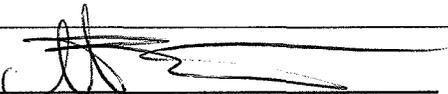
This proposed addition to Chapter 10.44 is authorized by the California Vehicle Code Section 22511, which authorizes cities to adopt local ordinances to designate stalls or spaces in an offstreet parking facility owned or operated by that local authority for the exclusive purpose of charging and parking a vehicle that is connected for electric charging purposes. The proposed ordinance also prohibits anyone from obstructing, blocking, or otherwise barring access to parking stalls or spaces specifically designated as electric vehicle charging stalls.

FUNDING: Not applicable.

FISCAL IMPACT: N/A


D. Stephen Schwabauer
City Attorney

APPROVED:


Konradt Bartlam, City Manager

ORDINANCE NO. _____

AN ORDINANCE OF THE LODI CITY COUNCIL AMENDING
LODI MUNICIPAL CODE CHAPTER 10.44 – STOPPING,
STANDING AND PARKING – BY ADDING SECTION
10.44.125, “ELECTRIC VEHICLE CHARGING STALLS”

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BE IT ORDAINED BY THE LODI CITY COUNCIL AS FOLLOWS:

SECTION 1. Lodi Municipal Code Section 10.44.125 – “Electric Vehicle Charging Stalls” is hereby added to read as follows:

- A) A person shall not park or leave standing a vehicle in a stall or space in a city-owned parking lot designated pursuant to California Vehicle Code Section 22511 unless the vehicle is connected for electric charging purposes.
- B) A person shall not obstruct, block, or otherwise bar access to parking stalls or spaces described in subdivision (a) except as provided in subdivision (a).

SECTION 2. No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

SECTION 3. Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

SECTION 4. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 5. This ordinance shall be published pursuant to law and shall become effective 30 days from the date of passage and adoption.

Approved this ____ day of _____, 2013

ALAN NAKANISHI
MAYOR

ATTEST:

RANDI JOHL
City Clerk

State of California
County of San Joaquin, ss.

I, Randi Johl, City Clerk of the City of Lodi, do hereby certify that Ordinance No. ____ was introduced at a regular meeting of the City Council of the City of Lodi held July 17, 2013, and was thereafter passed, adopted, and ordered to print at a regular meeting of said Council held _____, 2013, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

I further certify that Ordinance No. ____ was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

RANDI JOHL
City Clerk

Approved to Form:

D. STEPHEN SCHWABAUER
City Attorney