

ORDINANCE NO. 2022-25

AN ORDINANCE OF THE BOROUGH OF SOUTH RIVER, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING THE BOROUGH CODE OF THE BOROUGH OF SOUTH RIVER, SO AS TO AMEND CHAPTER 147, ENTITLED "ELECTRICAL CONNECTIONS"

BE IT ORDAINED by the Mayor and Borough Council of the Borough of South River, County of Middlesex, and State of New Jersey, as follows:

SECTION 1. Chapter 147 of the Borough Code of the Borough of South River, entitled "Electrical Connections" is hereby amended so as to add Article VI entitled "Electric Vehicle Charging Stations" to read entirely as follows:

ARTICLE VI Electric Vehicle Charging Station

§ 147-41. Consultation with municipal utility.

- A. To assure safety and the optimum value for both the customer and the municipal utility, it is essential for the customer to consult with the utility before purchasing, constructing, operating, or interconnecting any charging station, residential or commercial, to the system.
- B. No charging station may be connected to the municipal utility without receiving a permit from the Borough Utility, except as provided in § 147-43, herein, all necessary equipment, in the opinion of the municipal utility, is properly installed and the site has sufficient electrical capacity.
- C. The Electric Vehicle Charging Station permit to connect to the municipal utility is in addition to any other permit required for the installation of the equipment, including but not limited to an Electrical Technical Application and Construction Permit if required by New Jersey Uniform Construction Code.
- D. Fees for Electric Vehicle Charging Station installation, along with required escrow deposits are set forth in Chapter 155-12.1 and Chapter 155-12.2.

§ 147-42. General requirements.

- A. No electrical charging station may be connected to the municipal utility without obtaining a permit from the municipal utility and unless the requirements contained in this rule are fully and completely satisfied.
- B. The customer must provide complete plans and specifications of the proposed equipment. Plans must be certified by a registered New Jersey electrical engineer.
- C. The customer shall be financially responsible for all costs of installation, approval and connection, including, but not limited to, review of the plans for equipment and the proposed voltage regulation, wiring, labor, special metering, and inspection.
- D. If the customer is installing a Level II or Level III charging station, the customer shall be required to obtain a connection permit as set forth in Chapter 147-8 and must provide an escrow deposit as set forth in Chapter 147-8(b) and Chapter 155-12.1. The escrow deposit shall be paid to the Borough of South River. The escrow shall be utilized for the professional services of the Utility Engineer in conducting a review and analysis of the potential increase in capacity and installation for the Electrical Charging Stations and any other costs associated with the electric vehicle charging station. The escrow shall be deposited by the Chief Financial Officer of the Borough, or his/her designee, in an account for such purposes under the sole control of the Borough. Said escrow may be commingled with similar escrows from other applicants, but accurate accounts and records shall be kept so as to identify particular escrows and charges made against the same. At the conclusion of the Utility Engineer's report and analysis, the applicant shall be entitled to the return

of the balance of the escrow. In the event that the escrow deposit is not sufficient to cover the expenses in Section B, the customer is responsible for the additional expenses.

- E. Upon receipt of the certified plans, application fee and escrow deposit, if required to compensate the municipal utility for the cost of engineering services provided herein and any other costs associated with the electric vehicle charging station, the Borough will review the proposed plans and provide preliminary approval for installation.
- F. Installation must be in compliance with the National Electrical Code and all applicable municipal, County, and federal codes or regulations.
- G. Prior to connection to the municipal utility system, the equipment shall be inspected by the municipal utility or its qualified representative. Inspections undertaken by the municipal utility shall be undertaken solely for the purpose of determining compliance with the proposed plans and for the safety and integrity of the municipal utility system. Nothing done by the municipality utility inspector shall constitute approval or waiver by any other inspector who may be authorized to inspect such facility.
- H. The customer shall not change any aspect of the operation, the wiring, the controls, or Electrical Vehicle charging station equipment without first providing prior written notice to the municipal utility of all proposed changes to the plans or the as-built drawings, as the case may be. All changes or proposed changes shall be certified by an electrical engineer, in the same manner as provided in Subsection B above. The customer shall pay all reasonable engineering fees incurred by the municipal utility to review and inspect the proposed installation.

§ 147-43. Installations that require Permits

- A. Residential properties:
 - (1) Residential properties may have only Level 1 or II EV charging equipment.
 - (2) Level I- 120 VAC is a standard house outlet to charge. The EV Charging Equipment Permit is not required for Level 1 charging equipment unless the customer is installing a new 120v outlet.
 - (3) Level II- 208-240 VAC, the EV Charging Equipment Permit referred to in §§ 147-41 and 147-42 required for both residential and commercial properties
 - (4) Level III 480 VAC and above, EV Charging Equipment Permit referred to in §§ 147-41 and 147-42 is required for commercial properties, along with building and electrical permits.

§ 147-44. Meter requirements.

- A. All metering costs associated with installation of the Electric Vehicle Charging Stations and the operation of the equipment shall be the responsibility of the customer.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. This ordinance shall take effect after second reading and publication as required by law.

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- E. Upon receipt of the certified plans, application fee and escrow deposit, if required to compensate the municipal utility for the cost of engineering services provided herein and any other costs associated with the electric vehicle charging station, the Borough will review the proposed plans and provide preliminary approval for installation.
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ORDINANCE 2022-25 (page 3)

Introduced 7-11-22

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>			X			
<i>Councilman Guindi</i>		X	X			
<i>Councilman Gurchensky</i>			X			
<i>Councilwoman Meira</i>			X			
<i>Councilman Oliveira</i>			X			
<i>Council President Ciulla</i>	X		X			

Dawn McDonald

DAWN McDONALD, RMC

Adopted 8-1-22

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>						✓
<i>Councilman Guindi</i>	✓		✓			
<i>Councilman Gurchensky</i>			✓			
<i>Councilwoman Meira</i>			✓			
<i>Councilman Oliveira</i>		✓	✓			
<i>Council President Ciulla</i>			✓			

Alyssa Guglietti

ALYSSA GUGLIETTI, RMC
MUNICIPAL CLERK

SIGNED BY:

John M. Krenzel

JOHN M. KRENZEL
MAYOR

ATTESTED BY:

Alyssa Guglietti

ALYSSA GUGLIETTI, RMC
MUNICIPAL CLERK