

December 1, 2021

To: Mayor and Members of City Council

From: Paula Boggs Muething, City Manager

202103130

Subject: Installation of Privately Owned Streetside Electric Vehicle Charging Stations

Reference Document #202102639

The City Council, at its session on September 9, 2021, referred the following item for review and report:

MOTION, submitted by Councilmember Mann, I move that the City Administration assess what changes in various codes are required to allow for installation of privately owned curbside charging stations adjacent to properties with electric vehicles.

Authorizing permanent charging stations to be constructed in the right-of-way would require the amendment of Cincinnati Municipal Code Chapter 723. The attached proposed legislation would authorize administrative approvals of revocable street privileges for right-of-way items not otherwise addressed by the Cincinnati Municipal Code, such as charging stations, subject to the establishment of appropriate rules and regulations to provide for public health and safety. It would also provide the flexibility to adapt these rules and regulations to account for municipal needs as necessary to accommodate this rapidly changing technology.

In the interim, the City Administration is assessing various options for permitting the owners of electric vehicles to charge their vehicles when off-street parking is not available. To this end, the Department of Transportation and Engineering and the Office of Environment and Sustainability have established a program under their existing authority to allow the owners of electric vehicles to run a temporary and easily removable charging cable from their property across the public right-of-way to their vehicle.

If authorized to permit permanent changes in the right-of-way, there are several practical matters the City Administration would consider in promulgating applicable rules and regulations:

- 1) How to manage streetside parking that is first-come first-served, as placing a charging station next to a parking space may cause problems with persons other than the station's owner parking in those spaces and trying to charge from those stations, or the station's owner believing they have special rights to access a certain parking space.

- 2) How to account for damage to the right-of-way and interference with pedestrians and traffic that permanent installations may cause.
- 3) How to coordinate the installation of charging stations with utility providers and account for the additional costs needed to avoid electrical lines and to provide for worker safety when working near high voltage lines.
- 4) As the charging systems will likely need to run under sidewalks and pathways, future right-of-way construction costs could increase.
- 5) If a station owner moves, will the charging station and the associated responsibilities transfer to a new owner?
- 6) How to address damaged stations, as station owners may not have the capacity to respond quickly to repair or secure the stations from exposing the public to injury, such as exposed electrical lines.
- 7) Other cities and governmental agencies have attempted to enable similar streetside charging stations but found it to be time consuming and expensive. They determined that streetside charging by using a charging cable from adjacent private property to be a more viable cost-effective solution.

Finally, there are concerns that high voltage flowing through charging stations in the right-of-way may give rise to new liability for station owners and the City. The voltage needed to charge electric vehicles expediently is much higher than a typical household outlet.

The City Administration recommends adoption of the attached ordinance to facilitate making electric vehicles more accessible and convenient for those who live and work in the City.

cc: John S. Brazina, Director, Transportation and Engineering
Michael Forrester, Director of the Office of Environment and Sustainability