

**BOROUGH OF RED BANK  
COUNTY OF MONMOUTH  
STATE OF NEW JERSEY**

**ORDINANCE NO. NP2023-21**

**ORDINANCE AMENDING CHAPTER 490, “PLANNING AND DEVELOPMENT REGULATIONS” TO REQUIRE THE PROVISION AND/OR POSTING OF DISCONNECTING MEANS FOR ELECTRIC VEHICLE CHARGING STATIONS**

**WHEREAS**, by Ordinance No. 2023-12, adopted April 26, 2023, the Borough of Red Bank (the “Borough”) adopted planning and development regulations applicable to electric vehicle supply and service equipment; and

**WHEREAS**, the Borough has since determined that the aforementioned Ordinance did not include requirements for the provision and/or posting of disconnecting means for such electric vehicle supply and service equipment; and

**WHEREAS**, in the interest of public safety, the Borough now amends the aforementioned Ordinance to include such important information and regulations.

**NOW, THEREFORE, BE IT ORDAINED** by the Borough Council of the Borough of Red Bank that Subsection 490-98(Q): “Electric Vehicle Supply/Service Equipment and Make-Ready Parking Spaces” of Section 490-98: “Off-Street Parking” within Chapter 490: “Planning and Development Regulations” of the Borough’s Revised General Ordinances is hereby amended as follows (~~stricken~~ text deleted; underlined text added):

**CHAPTER 490: “PLANNING AND DEVELOPMENT REGULATIONS”**

\* \* \*

**§ 490-98      Off-Street Parking**

\* \* \*

**Q.      Electric Vehicle Supply/Service Equipment and Make-Ready Parking Spaces.**

\* \* \*

(d)      Safety

- (1) 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 e) below.
- (2) Where EVSE is installed, adequate site lighting and landscaping shall be provided in accordance with Borough of Red Bank’s ordinances and regulations.
- (3) 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.

- (4) 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 5. 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.
- (5) 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.
- (6) 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.
- (7) 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, Borough of Red Bank shall require the owners/designee of publicly-accessible EVSE to provide information on the Page 8 of 9 EVSE's geographic location, date of installation, equipment type and model, and owner contact information.
- (8) For EVSE, the disconnecting means shall be provided and installed in a readily accessible location. If the disconnecting means is/are installed remote from the EVSE, a plaque or signage shall be installed on the EVSE denoting the location of the disconnecting means. The disconnecting means shall be lockable open in accordance with 110.25 of the current edition of the NFPA 70. This subsection shall be enforced by the Electrical Subcode Official.

**BE IT FURTHER ORDAINED** by the Governing Body of the Borough of Red Bank that any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance. All other provisions of the Revised General Ordinances are ratified and remain in full force and effect.

**BE IT FURTHER ORDAINED** by the Governing Body of the Borough of Red Bank that if any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

**BE IT FURTHER ORDAINED** by the Governing Body of the Borough of Red Bank that this Ordinance shall take effect immediately upon its passage and adoption according to law.

INTRODUCTION						COUNCILMEMBER	FINAL ADOPTION					
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.	NP
	X	X				KRISTINA BONATAKIS						x
		X				DAVID CASSIDY			X			
		X				NANCY FACEY-BLACKWOOD		x	X			
		X				BEN FOREST			X			
		X				LAURA JANNONE			X			
X		X				KATE TRIGGIANO	x		X			
		X				MAYOR WILLIAM PORTMAN			x			
Introduced: November 9, 2023 Final Adoption: December 14, 2023						I hereby certify the above ordinance was adopted by the Borough Council of the Borough of Red Bank, County of Monmouth, State of New Jersey on the aforementioned date.  <div style="text-align: right;">             _____              Laura Reinertsen, Borough Clerk           </div>						