

**BOROUGH OF WILDWOOD CREST  
COUNTY OF CAPE MAY  
STATE OF NEW JERSEY**

**ORDINANCE NO. 1425**

**ORDINANCE OF THE BOROUGH OF WILDWOOD CREST AMENDING  
AND SUPPLEMENTING ARTICLE XI OF CHAPTER 79 VEHICLES AND  
TRAFFIC, OF THE CODE OF THE BOROUGH OF WILDWOOD CREST  
TO REGULATE PUBLICLY-ACCESSIBLE ELECTRIC VEHICLE  
CHARGING STATIONS**

**WHEREAS**, the Board of Commissioners of the Borough of Wildwood Crest has determined that it is necessary and proper for good government and the economic prosperity of the business community, the convenience and welfare of the Borough, its inhabitants and visitors to update, amend and supplement Chapter 79 of the Code of the Borough of Wildwood Crest to regulate the use of electric vehicle charging stations.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Commissioners of the Borough of Wildwood Crest, in the County of Cape May, New Jersey, as follows:

**Section 1.** Ordinance No. 384, adopted July 24, 1968, that has been codified in the Code of the Borough of Wildwood Crest as Chapter 79, is hereby amended and supplemented as follows:

**Section 2.** ARTICLE XI, entitled Miscellaneous Provisions, is hereby deleted in its entirety and replaced with the following:

**ARTICLE XI  
ELECTRIC VEHICLE CHARGING STATIONS**

**§ 79-29. Definitions.**

For the purposes of the article, the following definitions shall be utilized:

ELECTRIC VEHICLE SUPPLY/SERVICE EQUIPMENT OR (EVSE) - the equipment, including the cables, cords, conductors, connectors, couplers, enclosures, attachment plugs, power outlets, power electronics, transformer, switchgear, switches and controls, network interfaces, point of sale equipment, and associated apparatus designed and used for the purpose of transferring energy from the electric supply system to a plug-in electric vehicle. "EVSE" may deliver either alternating current or, consistent with fast charging equipment standards, direct current electricity. "EVSE" is synonymous with "electric vehicle charging station."

PUBLICLY-ACCESSIBLE EVSE - EVSE that is publicly available (e.g., park & ride, public parking lots and garages, on-street parking, shopping center parking, etc.).

CHARGING – for purposes of this article, "charging" means that an electric vehicle is parked at an EVSE and is connected to the EVSE and receiving electrical current.

**§ 79-30. Regulations; fees.**

- A. Only charging electric vehicles are permitted to park in the locations described in § 79-32.5 Schedule IE, attached to and made a part of this article, which are hereby designated as restricted parking zones for electric vehicle charging. It shall be a violation of this article to park or stand a non-electric vehicle in such a space, or to park an electric vehicle in such a space when it is not connected to the EVSE and not receiving electrical current.

- B. The fee to use parking EVSE spaces shall be based upon the number of kWh hours, or portion thereof, that the electric vehicle is connected to the EVSE. This fee shall be determined by the governing body and adopted by resolution which the governing body may amend from time to time.
- C. Nothing in this article shall be deemed to preclude a private owner/designee of an EVSE from collecting a fee for the use of the EVSE, in accordance with applicable State and Federal regulations. Fees shall be available on the EVSE or posted at or adjacent to the EVSE parking space.

**§ 79-31. Enforcement; Penalties.**

- A. This article shall be enforced by the Police Department in the same manner as any other parking pursuant to the provisions of the Parking Offenses Adjudication Act, N.J.S.A. 39:4-139.2, as amended.
- B. In addition to the penalties set forth herein, unauthorized motor vehicles and electric vehicles may be towed and impounded at the owner's expense in accordance with the provisions of Chapter 74A of the Code of the Borough of Wildwood Crest.
- C. Any person who commits a violation of this article shall, upon conviction thereof, pay a fine of not less than \$50 nor more than \$500 and/or be imprisoned in the County Jail for a term not exceeding 90 days.

**Section 3.** Section 79-32.5, entitled Schedule IE, electric vehicle charging stations, is hereby created which shall read as follows:

**§ 79-32.5. Schedule IE, electric vehicle charging stations.**

Only vehicles authorized pursuant to the provisions of § 79-30 shall be permitted to park upon any of the following described locations:

79-32.5 Schedule IE, electric vehicle charging stations				
Name of Street/Area	Side	Time Limit	Hours	Location
Crest Arts Pavilion	None	None	None	Block 42.04; Lot 7

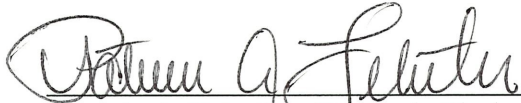
**Section 4.** The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this Ordinance shall remain in full force and effect.

**Section 5.** All other ordinances in conflict with or inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

**Section 6.** If any portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of this ordinance, but shall be confined in its effect to the provision directly involved in the controversy in which such judgment shall have been rendered.

**Section 7.** This ordinance shall become effective twenty (20) days after final passage and advertisement thereof as required by law.

Dated: March 6, 2024



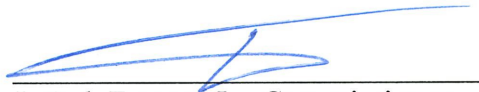
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Patricia A. Feketics, Borough Clerk




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Don Cabrera, Mayor



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Joseph Franco, Jr., Commissioner



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Joseph Schiff, Commissioner

Introduced: February 21, 2024  
Adopted: March 6, 2024