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OFFICE OF THE MAYOR
CITY OF CHICAGO

BRANDON JOHNSON
MAYOR

July 19, 2023

TO THE HONORABLE, THE CITY COUNCIL
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Commissioner of Buildings, together with Alderman Martin, I transmit herewith an ordinance amending the Municipal Code regarding Electric Vehicle Supply Equipment.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

A handwritten signature in black ink, appearing to read "BJ Johnson", written over a horizontal line.

Mayor

ORDINANCE

WHEREAS, the City of Chicago is a home rule unit under Article VII of the Constitution of the State of Illinois; and

WHEREAS, as a home rule unit, the City of Chicago may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the City of Chicago, the State of Illinois, the United States of America, and the entire globe face an imminent climate emergency, and Chicago must equitably, justly, and quickly transition from the use of fossil fuels for our transportation needs; and

WHEREAS, Chicagoans were reminded of this emergency in recent weeks as the City was impacted by climate change enhanced or influenced wildfire smoke, extreme rainfall events that caused flooding, and severe weather; and

WHEREAS, many Chicagoans today and historically have been overburdened by air pollution that causes or exacerbates respiratory and other health challenges and one of the primary causes of such air pollution are tailpipe emissions from vehicles; and

WHEREAS, the City of Chicago is first and foremost committed to a robust sustainable transportation network built around the Chicago Transit Authority's rail and bus lines, cycling, and walking; and

WHEREAS, both the City's Climate Action Plan and the Chicago Department of Transportation Strategic Plan commit the City to goals and strategies that transition continued vehicular traffic in Chicago to electrified vehicles; and

WHEREAS, in 2020, the City Council enacted the EVSE-Ready Ordinance (SO2019-8025), setting out bold new rules for electric vehicle charging readiness requirements in new buildings with five or more parking spaces; and

WHEREAS, the Chicago Electric initiative will transition the City's municipal vehicle fleet to be 100% electrified by 2035, and the City is on track to electrify at least 25% of its light-duty fleet in 2023; and

WHEREAS, in June 2023, Governor Pritzker signed into law Public Act 103-0053, the Electric Vehicle Charging Act, setting out new electric vehicle charging readiness and access requirements across Illinois; and

WHEREAS, the City of Chicago seeks to maintain its existing requirements as enacted in the EVSE-Ready Ordinance while also efficiently integrating the additional requirements of the Electric Vehicle Charging Act so that all those seeking building permits in the City can, when applicable, ensure their building meets City and State EV readiness requirements; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. Chapter 13-72 of the Municipal Code of Chicago is hereby amended by inserting a new section 13-72-055, as follows:

13-72-055 Electric Vehicle Supply Equipment.

A developer undertaking renovation of a building containing five or more dwelling units in anticipation of or in connection with a condominium conversion shall, in addition to all other work, perform work so that all existing and newly created parking spaces are either EVSE-ready spaces or EVSE-installed spaces, as those terms are defined in the Chicago Zoning Ordinance. Provided, however, nothing in this section shall be construed to require creation of EVSE-ready spaces or EVSE-installed spaces if the only feasible way to create such spaces would necessitate excavation of an existing surface lot or other parking facility to install the necessary conduit and wiring.

SECTION 2. Section 17-10-1000 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and by inserting the language underscored, as follows:

17-10-1000 Parking area design.

(Omitted text is not affected by this ordinance)

17-10-1011 Electric Vehicle Supply Equipment. This section shall apply to building permit applications for a new construction building project that ~~provides on-site parking~~ includes accessory parking or non-accessory parking as described in this section, ~~submitted after October 31, 2020.~~

17-10-1011-A. Residential Buildings.

1. Where the first building permit application for the project is submitted after October 31, 2020, and before November 1, 2023, ~~New new~~ construction of a multi-unit *residential building* containing five or more *dwelling units* where on-site parking is provided shall ~~install~~ include equipment so that at least 20 percent, and no less than one, of the parking spaces are either ~~EVSE-Ready or EVSE-Installed~~ EVSE-ready spaces or EVSE-installed spaces.

2. Where the first building permit application for the project is submitted on or after November 1, 2023, new construction of a *residential building* intended for *household living* with accessory parking provided shall include equipment so that 100 percent of the accessory parking spaces serving dwelling units, 20 percent of the accessory parking spaces serving other than dwelling units, and 20 percent of the non-accessory parking spaces are either EVSE-ready spaces or EVSE-installed spaces.

3. Where the first building permit application for the project is submitted on or after November 1, 2023, new construction of a *residential building* intended for *group living* or lodging with accessory parking provided shall include equipment so that 20 percent of parking spaces are either EVSE-ready spaces or EVSE-installed spaces.

17-10-1011-B. Nonresidential Buildings. ~~New~~ Where the first building permit application for the project is submitted after October 31, 2020, new construction of a building, ~~containing uses other than residential uses where other than a residential building,~~ with 30 or more parking spaces ~~are provided shall install~~ include equipment so that at least 20 percent of the parking spaces are either ~~EVSE-Ready or EVSE-Installed~~ EVSE-ready spaces or EVSE-installed spaces.

17-10-1011-C. Accessible EVSE-Ready Spaces and EVSE-Installed Spaces. Installation of ~~EVSE-Ready or EVSE-Installed~~ parking spaces EVSE-ready spaces or EVSE-installed spaces shall neither increase nor reduce the number, layout, or design of accessible parking spaces required by Chapter 17-10-0900 or 14B-11 of the Municipal Code of Chicago, and any accessible ~~EVSE-Ready or EVSE-Installed~~ parking space EVSE-ready space or EVSE-installed space shall also be available for use by an automobile that is not an *electric vehicle* provided such automobile bears an appropriate handicapped parking decal or device. If this section requires the installation of ~~EVSE-Ready or EVSE-Installed~~ parking spaces EVSE-ready spaces or EVSE-installed spaces, then the number of accessible parking spaces required by Chapter 17-10-0900 or 14B-11 of the Municipal Code of Chicago that must also be ~~EVSE-Ready or EVSE-Installed~~ parking spaces EVSE-ready spaces or EVSE-installed spaces is as follows:

Total EVSE-Ready or EVSE-Installed Parking Spaces <u>EVSE-ready spaces or EVSE-installed spaces</u>	Minimum Number of EVSE-Ready or EVSE-Installed Parking Spaces <u>EVSE-ready spaces or EVSE-installed spaces</u> Required to Be Accessible Parking Spaces
1 to 50	1*
51 to 75	2
76 to 100	3
More than 100	3, plus 1 for every 60 additional EVSE-Ready or EVSE-Installed parking spaces <u>EVSE-ready spaces or EVSE-installed spaces</u>

* An accessible parking space is not required by this section if no accessible parking spaces are required by Section 17-10-0902.

For the first required accessible ~~EVSE-Ready or EVSE-Installed~~ parking space EVSE-ready space or EVSE-installed space, the *electric vehicle supply equipment infrastructure* may be located so that the *electric vehicle supply equipment* will be located on an accessible route and may be shared by an accessible parking space and a parking space not required to be accessible. Otherwise, both an accessible parking space and a parking space not required to be accessible must be ~~EVSE-Ready or EVSE-Installed~~ EVSE-ready spaces or EVSE-installed spaces.

17-10-1011-D. Use of EVSE Energy Management System. The required electrical capacity to serve either EVSE-ready spaces or EVSE-installed spaces may be determined based on the use of an *EVSE energy management system* designed by an Illinois-licensed professional engineer. An *EVSE energy management system* must be capable of providing at least 12 kWh to each parking space over an 8-hour overnight period when all parking spaces are occupied by charging *electric vehicles.*

SECTION 3. Section 17-13-1000 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and by inserting the language underscored, as follows:

17-13-1000 Administrative adjustments.

(Omitted text is unaffected by this ordinance)

17-13-1002 Applicability. The *administrative adjustment* procedures of this section may be used as expressly authorized in Sec. 17-13-1003, provided that, in the case of new development, any request for more than 2 ~~4~~ *administrative adjustments* must be reviewed as *variations*, in accordance with Sec. 17-13-1100.

(Omitted text is not affected by this ordinance)

17-13-1003-LL Reduction of EVSE Requirements for Affordable Housing. The Zoning Administrator is authorized to approve an *administrative adjustment* to reduce the percentage of *EVSE-ready spaces* or *EVSE-installed spaces* required by Section 17-10-1011-A(2) to the applicable value specified below for “affordable housing” as defined in the Illinois Electric Vehicle Charging Act.

<u>Permit Application Date</u>	<u>Minimum Percentage Required</u>
<u>Before November 1, 2025</u>	<u>At least 20 percent</u>
<u>November 1, 2025, through October 31, 2028</u>	<u>At least 40 percent</u>
<u>November 1, 2028, through October 31, 2033</u>	<u>At least 50 percent</u>
<u>November 1, 2033, or after</u>	<u>At least 70 percent</u>

(Omitted text is not affected by this ordinance)

SECTION 4. Section 17-17-0200 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and by inserting the language underscored, as follows:

17-17-0200 General terms.

(Omitted text is not affected by this ordinance)

17-17-0251.5-A Electric Vehicle. Any vehicle that is licensed and registered for operation on public and private highways, roads, and streets; either partially or exclusively, on electrical energy from the grid, or an off-board source, that is stored on-board via a battery to propel the vehicle.

17-17-0251.5-B Electric Vehicle Supply Equipment or EVSE. The equipment, as defined by the National Electrical Code and adopted in Section 14E-6-625 of the Municipal Code of Chicago, that includes the conductors, including the ungrounded, grounded, and equipment grounding conductors, and the electric vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, or apparatus installed specifically for the purpose of transferring energy between the premises wiring and an *electric vehicle*.

17-17-0251.5-C Electric Vehicle Supply Equipment Infrastructure. The electrical infrastructure necessary to support future installation of *electric vehicle supply equipment*, including, but not be limited to, the design load placed on electrical panels and service equipment to support the additional electrical demand, the panel capacity to support additional feeder/branch circuits, raceways, and wiring.

17-17-0251.5-D EVSE-Ready Space. A parking space having ~~Having~~ *electric vehicle supply equipment infrastructure* ~~supply infrastructure~~ installed so as to provide conduit and wiring for a 40-ampere, 208- or 240-volt dedicated branch circuit terminating at a receptacle, or junction box, ~~or electric vehicle supply equipment adjacent to~~ within 3 feet of the parking space. For two adjacent parking spaces, a single branch circuit is allowed. The electrical panel directory and receptacle or junction box must both be permanently marked "For future electric vehicle supply equipment."

17-17-0251.5-E EVSE-Installed Space. A parking space having ~~Having~~ such *electric vehicle supply equipment* and *electric vehicle supply infrastructure* supply equipment infrastructure installed so as to be an EVSE-ready space ~~EVSE-Ready~~, including an ~~installed electric vehicle charging station~~ and with *electric vehicle supply equipment* installed within 3 feet of the parking space.

17-17-0251.5-F EVSE Energy Management System. Equipment that automatically balances the amount of electricity drawn by multiple *electric vehicles* simultaneously connected to *electric vehicle supply equipment* in the same parking facility based on the capacity of the electrical infrastructure serving the premises.

(Omitted text is not affected by this ordinance)

SECTION 5. This ordinance shall take effect 10 days after passage and publication.