



**BOROUGH OF
WEST CONSHOHOCKEN**
MONTGOMERY COUNTY, PENNSYLVANIA

WEST CONSHOHOCKEN BOROUGH HALL
112 FORD STREET, WEST CONSHOHOCKEN, PENNSYLVANIA 19428
www.WestConsho.com

**PUBLIC SAFETY, TRAFFIC & PARKING COMMITTEE MEETING
PUBLIC MEETING
August 15, 2024 at 7:00 P.M.**

PUBLIC AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Comments by the Chair
4. Comments by Committee Members
5. Public Comment on Agenda Items
6. Fire Marshal/Codes Report
7. Solicitor's Report
 - a. Review feedback and provide additional suggested revisions on the Draft Electric Vehicle Charging Stations Ordinance, which proposes to regulate the placement of and establish requirements for the installation of Electric Vehicle Charging Stations within the Borough.
 - b. Review feedback and provide additional suggested revisions and feedback on the Draft Repair of Motor Vehicles on Public Streets and Sidewalks Ordinance, which proposes to regulate and prohibit the repair and maintenance of motor vehicles on public streets and sidewalks of the Borough and provides for exceptions in emergency situations.
8. Police Department
 - a. Update on Equipment
9. George Clay Fire Company
 - a. Update on apparatus replacement
 - b. Update on recruitment and training
10. Public Comment
11. Adjourn

ORDINANCE NO. 2024-____
BOROUGH OF WEST CONSHOHOCKEN
MONTGOMERY COUNTY, PENNSYLVANIA

**AN ORDINANCE OF THE BOROUGH OF WEST CONSHOHOCKEN,
MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING CHAPTER
113, ZONING, ARTICLE IV, REGULATIONS GOVERNING ALL
DISTRICTS, TO ADD DEFINITIONS RELATED TO ELECTRIC
VEHICLES AND ELECTRIC VEHICLE CHARGING STATIONS; TO
PROVIDE FOR THE INSTALLATION OF ELECTRIC VEHICLE
CHARGING STATIONS; AND TO ESTABLISH REGULATIONS ON THE
PLACEMENT OF AND REQUIREMENTS FOR ELECTRIC VEHICLE
CHARGING STATIONS**

WHEREAS, the Pennsylvania Borough Code authorizes Borough Council of the Borough of West Conshohocken (“Borough Council”) to make, amend, and adopt ordinances that are consistent with the constitution and laws of the Commonwealth when necessary for the proper management, care and control of the Borough of West Conshohocken (“Borough”) and the maintenance of peace, good government, health and welfare of and its citizens;

WHEREAS, the Pennsylvania Municipalities Planning Code, 53 P.S. § 10101, *et seq.*, authorizes the Borough Council to enact, amend and repeal zoning ordinances;

WHEREAS, the Borough Council desires to advance, foster, and promote national, commonwealth and/or Borough goals and policies that transition the use of fossil fuels to 100% renewable energy sources and encourage net-zero greenhouse gas emissions;

WHEREAS, to further such goals, the Borough Council desires to implement policies that encourage the use of electric vehicles instead of gasoline powered vehicles within the Borough;

WHEREAS, the use of electric vehicles and vehicles that utilize lithium batteries is becoming more prevalent in and around the Borough, and the Borough Council desires to plan for the parking and charging of electric vehicles;

WHEREAS, for the above reasons, the Borough Council desires to regulate the placement and requirements of Electric Vehicle Charging Stations to minimize the increased risks and damage that comes from an electric vehicle fire, and to better maintain the peace, good government, health, safety and welfare of the Borough and its citizens;

WHEREAS, the Borough Council has met the procedural requirements of the Pennsylvania Borough Code and Pennsylvania Municipalities Planning Code, for the adoption of the proposed ordinance, including advertising, submission to the planning commissions, and holding a public hearing; and

WHEREAS, the Borough Council, after due consideration of the proposed ordinance at a duly advertised public hearing, has determined that the health, safety and general welfare of the residents and guests of the Borough will be served by this amendment of the Borough of West Conshohocken Zoning Ordinance as set forth below:

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Borough Council of the Borough of West Conshohocken, Montgomery County, Pennsylvania, as follows:

§I. **CODE AMENDMENT.** The Code of the Borough of West Conshohocken is hereby amended as follows:

A. **Chapter 113, Zoning, Article IV, Regulations Governing All Districts, of the Code of the Borough of West Conshohocken is hereby amended to add Section 33.6 “Electric Vehicle Charging Stations” to read as follows:**

§113-33.6 Electric Vehicle Charging Stations.

A. Purpose. The purpose of this section is to provide for the installation of electric vehicle charging stations and to establish regulations on the placement of and requirements for electric vehicle charging stations within the Borough.

B. Definitions. As used in this section, the following terms shall have the meanings indicated:

BATTERY CHARGING STATION

An electrical component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles.

ELECTRIC VEHICLE (EV)

A motor vehicle that derives all or part of its power from electricity received by plugging the vehicle into an outlet and storing electricity in its batteries. EVs include, but are not limited, to all electric vehicles and plug-in hybrid electric vehicles.

ELECTRIC VEHICLE CHARGING STATION (EVCS)

A public or private parking space that is served by Battery Charging Station equipment, including any electrical component, assembly, or cluster of component assemblies, that is designed to, or has a primary purpose of, the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an EV.

ELECTRIC VEHICLE CHARGING STATION-PRIVATE RESTRICTED USE

An EVCS that is not available for use by the general public.

ELECTRIC VEHICLE CHARGING STATION-PUBLIC USE

An EVCS that is accessible to and available for use by the public.

ELECTRIC VEHICLE PARKING SPACE

Any marked space that identifies the use to be exclusively for the parking of an EV.

LEVEL 1 ELECTRIC VEHICLE CHARGING STATION

An EVCS that operates on a 15 to 20 amp breaker on a 120 volt AC circuit.

LEVEL 2 ELECTRIC VEHICLE CHARGING STATION

An EVCS that operates on a 40 to 100 amp breaker on a 220 or 240 volt AC circuit.

LEVEL 3 ELECTRIC VEHICLE CHARGING STATION

An EVCS that operates on a 60 amp or higher breaker on a 480 volt or higher three phase circuit with special grounding equipment. Level 3 stations can also be referred to as rapid charging stations that are typically characterized by industrial grade electrical outputs that allow for faster recharging of EVs.

NON-ELECTRIC VEHICLE

Any motor vehicle that does not meet the definition of “Electrical Vehicle”.

SURFACE PARKING LOT

Parking which is not enclosed or created by a structure and is an area ‘at grade,’ or on ground level.

STRUCTURED PARKING LOT

Parking which is an above-grade, ramp access, open-air structure specifically designed to accommodate vehicle parking, a below-grade structure specifically designed to accommodate vehicle parking or on-grade parking that is sheltered under a building that is elevated on piers.

C. Electric Vehicle Charging Stations. EVCS shall be considered accessory structures and are permitted in all zoning districts, subject to the requirements of this section:

(1) Residential Use.

(a) Level 1 and Level 2 EVCS are permitted in every residential zoning district when used as an accessory to the primary permitted use. EVCS located at single-family, two-family, multifamily, and industrialized/manufactured home park dwellings shall be designated as private restricted use only.

(b) A property owner with an EVCS that is designated as private restricted use only shall not collect a usage fee for the use of an EVCS made available to visitors to their property.

(c) For Single-Family Residential Zoning Districts, EVCS may be located in a garage or on the exterior wall of the home or garage adjacent to a parking space.

(d) The following information shall be posted at all EVCS located at a private residence:

(i) Voltage and amperage levels; and

(ii) Safety information.

(e) EVCS shall be maintained in all respects, including the functioning of equipment, and must always be in working order.

(f) EVCS installed for residential uses shall comply with the permitting process rules, regulations, and requirements of this section.

(2) Commercial Use.

(a) Level 1, Level 2, and Level 3 EVCS are permitted in every zoning district when used as an accessory to the primary permitted use.

(b) EVCS must be operational during the normal business hours of the use(s) that it serves. EVCS may be de-energized or otherwise restricted after normal business hours of the use(s) it serves.

(c) No EV charging shall be permitted overnight.

(d) EVCS shall be maintained in all respects, including the functioning of equipment, and must always be in working order.

(e) EVCS that are located in parking lots shall be located in highly visible and accessible locations.

(f) No EVCS shall be sited where the equipment blocks sight triangles at aisles and/or intersections in a parking lot.

(g) EVCS shall be designed to minimize potential damage by accidents, vandalism, and to be safe for use in inclement weather.

(h) Site lighting shall be provided where an EVCS is installed, unless charging is for daytime purposes only.

(i) Equipment mounted on pedestals, lighting posts, bollards, or other devices for on-street EVCS shall be designed and located as to not impede pedestrian travel or create trip hazards within the right-of-way.

(j) The siting and dimensional standards for EVCS and associated equipment/infrastructure shall comply with Pennsylvania Uniform Construction Code standards, as amended.

- (k) EVCS installed for commercial uses shall comply with the permitting process rules, regulations, and requirements of this section.
- (l) An electric vehicle parking space may be included in the calculation for minimum required parking spaces.
- (m) All commercial EVCS shall be accessible for the disabled in accordance with ADA standards and connect to an accessible route to the principal buildings on the same site.
- (n) Public EVCS are reserved for parking and charging EVs only. EVs may be parked in any space designated for public parking, subject to the restrictions that would apply to any other vehicle that would park in that space.
- (o) Each EVCS shall be posted with signage indicating the space is only for EV charging purposes.
- (p) When a sign provides notice that a parking space is a publicly designated EVCS, no person shall park any non-EV in a designated electric vehicle parking space.
- (q) No person shall park an EV in a publicly designated electric vehicle parking space when not electrically charging or parked beyond the days and hours designated on the regulatory signs posted.
- (r) A police agency or duly authorized governmental agency may provide for the immediate removal of any vehicle not in compliance with the requirements contained in this section.
- (s) The following information shall be posted at all EVCS:
 - (i) Voltage and amperage levels;
 - (ii) Hours of operations if there are time limits, or notice that tow-away provisions are to be enforced by the property owner;
 - (iii) Usage fee amount and payment process;
 - (iv) Safety information;
 - (v) Geographic location, date of installation, equipment type and model;
 - (vi) Contact information for reporting when the equipment is not operating or other problems. A 24-hour on-call contact should be provided on the equipment for reporting problems with the equipment or access.

- (t) The property owner is not restricted from collecting a usage fee for the use of an EVCS made available to visitors to the property. Usage fees shall be set by the owners of the EVCS, except for those installed on municipal property, for which prices may be set by an associated fee schedule.

C. Placement of Electric Vehicle Charging Stations.

- (1) An EVCS providing a Level 3 charge, or an EVCS providing a 480+ volt charging outlet, shall not be installed inside or under any structures or buildings, or inside, under, or on the top of any parking garage or parking structure.
- (2) In a surface parking lot, the entirety of an EVCS providing a Level 2 or Level 3 charge, including the vehicle parking space area, shall be separate from the following materials and structures by the defined distance:

Item	Distance (ft)
Means of Ingress/Egress or Emergency Exit Pathway	50
Buildings/Structures	25
Utility Poles	25
Utility Distribution Infrastructure deemed to Pose a Potential Public Safety Hazard	25
Fuel Tank or Gas Pump	25
Electrical Meters, Gas Meters, or Gas Pipes	25
Trees	10
Ground Vegetation or Mulching ¹	5

- (3) In a structured parking lot, the entirety of an EVCS providing a Level 2 charge, including the vehicle parking space area, shall be separate from the following materials and structures by the defined distance:

Item	Distance (ft)
Means of Ingress/Egress or Emergency Exit Pathway	50
Utility Poles	25
Utility Distribution Infrastructure deemed to Pose a Potential Public Safety Hazard	25
Electrical Meters, Gas Meters, or Gas Pipes	25

- (4) All Level 2 and Level 3 EVCS shall be installed at parking spaces with at least a 9.5' x 19' parking stall.
- (5) All Level 2 and Level 3 EVCS shall not be installed under a canopy.

¹ Not including grass

- (6) All Level 2 and Level 3 EVCS shall include the following information: voltage and amperage levels, hours of operation, tow-away provisions, usage fees, safety information and contact information for reporting when the EVCS is not operating or other problems.
- (7) All Level 2 and Level 3 EVCS equipment shall be separated from associated parking spaces by curb stops, curbing, or bollards to protect the EVCS from errant vehicles and snowplows.
- (8) An emergency disconnect approved by the Borough's Fire Code Official shall be installed a minimum of 25 feet from the EVCS that shall shut off all electrical power to the associated EVCS. The emergency disconnect switch shall contain a readily legible sign that provides "Fire Department Use Only – Electric Vehicle Charger Shutoff."
- (9) These subsection requirements shall apply to parking and loading areas for all non-residential buildings and multifamily dwellings and shall not apply to single-family or two-family dwelling types.

D. Permitting Process of Electric Vehicle Charging Stations.

- (1) All EVCS shall obtain an approved Electric Vehicle Charger Permit from the Borough prior to installation or upgrade in voltage. The electrical installation/upgrade shall be approved and accepted by the Borough Code Inspectors and an approved Certified Registered Electrical Inspection Agency.
- (2) EVCS Plans must show compliance for voltage drops, a load study, and wiring methods in accordance with applicable NEC/NFPA provisions.
- (3) All proposed EVCS in standalone parking structures shall provide an NFPA 13 compliant automatic fire sprinkler system that protects Ordinary Hazard (Group 2) with a Sprinkler Density of 0.2/1500 or greater. The design requirements shall be for the entire parking structure. The design requirements shall be approved by the Borough Fire Chief or Fire Marshal.
- (4) All proposed EVCS in parking structures located under a building shall be protected with an NFPA 13 compliant automatic fire sprinkler system protecting Ordinary Hazard (Group 2) classification with Sprinkler Density of 0.2/1500 or greater. An automatic smoke evacuation system shall be installed, that activates when smoke is detected by a fire alarm smoke detection device inside the parking structure. The smoke evacuation system shall have a fire department override switch that can turn on or off the smoke evacuation system as needed by the fire department. The design requirements shall be for the entire parking structure. The design requirements shall be approved by the Borough Fire Chief or Fire Marshal.

E. **Storage of Batteries. – NEED FEEDBACK FROM FIRE MARSHAL AND FIRE DEPARTMENT.**

- (1) Battery Charging Station outlets and connector devices shall be regulated by State code.
- (2) Battery Charging Station outlets and connector devices shall be retractable.
- (3) Adequate Battery Charging Station protection, such as concrete-filled steel bollards shall be used. Curbing may be used in lieu of bollards, if the Battery Charging Station is setback a minimum of 24 inches from the face of the curb.

§II. REPEALER. All Ordinances or parts of Ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.

§III. REVISIONS. The Borough Council of the Borough of West Conshohocken does hereby reserve the right, from time to time, to adopt modifications of, supplements to, or amendments of its Ordinances, including this provision.

§IV. SEVERABILITY. If any section, sentence, clause, phrase or word of this Ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent, preclude or otherwise foreclose enforcement of any of the remaining portions of this Ordinance.

§V. EFFECTIVE DATE. This amendment shall take effect immediately upon its enactment.

§VI. FAILURE TO ENFORCE NOT A WAIVER. The failure of the Borough of West Conshohocken to enforce any provision of this Ordinance shall not constitute a waiver by the Borough of its rights of future enforcement hereunder.

ORDAINED AND ENACTED by the Borough Council of the Borough of West Conshohocken, Montgomery County, Pennsylvania, this ____ day of _____, 2024.

ATTEST:

BOROUGH OF WEST CONSHOCKEN:

By: _____
Michael English, Manager

By: _____
Stephen Blumenthal, Council President

Approved by the Mayor of the Borough of West Conshohocken, this _____ day of _____, 2024.

By: _____
Danelle Fournier, Mayor

ORDINANCE NO. 2024-_____
BOROUGH OF WEST CONSHOHOCKEN
MONTGOMERY COUNTY, PENNSYLVANIA

AN ORDINANCE OF THE BOROUGH OF WEST CONSHOHOCKEN,
MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING THE CODE
OF THE BOROUGH OF WEST CONSHOHOCKEN TO ADD A NEW
CHAPTER ENTITLED “REPAIR OF MOTOR VEHICLES ON PUBLIC
STREETS AND SIDEWALKS” WHICH ADDS DEFINITIONS;
PROHIBITS THE REPAIR OF MOTOR VEHICLES ON PUBLIC
STREETS AND SIDEWALKS; PROVIDES FOR EXCEPTIONS IN
EMERGENCY SITUATIONS; ESTABLISHES PENALTIES FOR
VIOLATIONS; AND PROVIDES FOR ENFORCEMENT

WHEREAS, the Pennsylvania Borough Code authorizes Borough Council of the Borough of West Conshohocken (“Borough Council”) to make, amend, and adopt ordinances that are consistent with the constitution and laws of the Commonwealth when necessary for the proper management, care and control of the Borough of West Conshohocken (“Borough”) and the maintenance of peace, good government, health and welfare of and its citizens;

WHEREAS, the Borough Council desires to regulate and prohibit the repair and maintenance of motor vehicles on public streets and sidewalks of the Borough to better maintain the peace, good government, health, safety and welfare of the Borough and its citizens;

WHEREAS, the Borough Council has met the procedural requirements of the Pennsylvania Borough Code for the adoption of the proposed Ordinance, including advertising and holding a public hearing; and

WHEREAS, the Borough Council, after due consideration of the proposed Ordinance at a duly advertised public hearing, has determined that the health, safety and general welfare of the residents of the Borough will be served by this amendment of the Code of the Borough of West Conshohocken as set forth below.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Borough Council of the Borough of West Conshohocken, Montgomery County, Pennsylvania, as follows:

§I. **CODE AMENDMENT.** The Code of the Borough of West Conshohocken is hereby amended as follows:

- A. **A new Chapter 85 entitled “Repair of Motor Vehicles on Public Streets and Sidewalks” is hereby added to Part II, General Legislation, of the Code of the Borough of West Conshohocken to read as follows:**

CHAPTER 85 REPAIR OF MOTOR VEHICLES ON PUBLIC STREETS AND SIDEWALKS

§ 85-1 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

BOROUGH

The Borough of West Conshohocken.

MOTOR VEHICLE

Any vehicle which is self-propelled except an electric personal assistive mobility device or a vehicle which is propelled solely by human power.

PERSON

Any individual, partnership, limited liability partnership, firm, company, limited liability company, corporation, association, or any other legal entity and with respect to each, its agents, servants and employees.

PUBLIC SIDEWALK

All of the constructed public walkways within the Borough.

PUBLIC STREET

All of the roads, streets and alleys within the legal rights-of-way of the Borough.

§ 85-2 Motor vehicle repairs prohibited.

It shall be unlawful for any person to service, repair, mend, fix, alter, modify, or dismantle any motor vehicle or part thereof, including, but not limited to, removal or repair of transmissions; removal or repair of motors or motor accessories; removal or repair of rear ends; repair of front ends; changing of crankcase oil, transmission oil and lubrication of chassis; brake replacement; engine tune-ups; or major body repairs, on any public street or sidewalk of the Borough.

§ 85-3 Emergency situations.

A person may service, repair, mend, fix, alter, modify, or dismantle a temporarily disabled motor vehicle on a public street or sidewalk, limited to changing or repairing tires; adding water, gasoline, or oil; replacing a battery; or using battery jumper cables, provided, such emergency road service shall be completed within three (3) hours; the motor vehicle being serviced shall not block or obstruct any public street or sidewalk; the service shall not be performed at any location on a regular basis or as a business; and such service, parking, standing, stopping, or operation of the motor vehicle shall not be in violation of any other Ordinance of the Borough or the Vehicle Code of the Commonwealth of Pennsylvania.

§ 85-4 Penalties.

Any person who shall violate any provision of this chapter shall, upon conviction thereof, be sentenced to pay a fine of not more than \$600 plus costs and, in default of payment of said fine and costs to a term of imprisonment not to exceed 30 days. Each day that a violation continues shall constitute a separate offense.

§ 85-5 Enforcement.

This chapter shall be enforced by the Borough of West Conshohocken Police Department.

§II. REPEALER. All Ordinances or parts of Ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.

§III. REVISIONS. The Borough Council of the Borough of West Conshohocken does hereby reserve the right, from time to time, to adopt modifications of, supplements to, or amendments of its Ordinances, including this provision.

§IV. SEVERABILITY. If any section, sentence, clause, phrase or word of this Ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent, preclude or otherwise foreclose enforcement of any of the remaining portions of this Ordinance.

§V. EFFECTIVE DATE. This amendment shall take effect immediately upon its enactment.

§VI. FAILURE TO ENFORCE NOT A WAIVER. The failure of the Borough of West Conshohocken to enforce any provision of this Ordinance shall not constitute a waiver by the Borough of its rights of future enforcement hereunder.

ORDAINED AND ENACTED by the Borough Council of the Borough of West Conshohocken, Montgomery County, Pennsylvania, this ____ day of _____, 2024.

ATTEST:

BOROUGH OF WEST CONSHOCKEN:

By: _____
Michael English, Manager

By: _____
Stephen Blumenthal, Council President

Approved by the Mayor of the Borough of West Conshohocken, this _____ day of _____, 2024.

By: _____
Danelle Fournier, Mayor