

## **Request for Architectural Modification**

### **Electric Vehicle Charging Station (EVCS) Policy**

#### **Introduction**

New Jersey enacted a new law regulating the installation and use of electric vehicle charging stations (EVCS) in community associations.

A vehicle charging station is defined as “a station that is designed in compliance with the State Uniform Construction Code that delivers electricity directly from a source outside an electric vehicle into one or more electric vehicles, and that is capable of providing, at a minimum, Level 2 charging.” A Level 2 charging station requires a licensed electrician to set up a dedicated 240-volt electrical circuit.

As written, the law does not apply to someone using a standard electrical outlet to charge a vehicle as there is no “station” as defined by the law.

An Association Board must grant a unit owner the use of any portion of a common element to install and use an EVCS in the owner’s garage if the space complies with the new Law’s requirements and the installation/use requires reasonable access through the common elements for utility lines or meters. Charging stations outside the garage are not permitted on the Association’s common property.

At FSSH, the board will require approval for the installation and use of an EVCS and the application will be processed in the same manner as applications to approve an architectural modification to the property.

#### **Initial Request for EVCS**

The following are requirements for an initial request to install an EVCS at FSSH:

The owner will complete an Architectural Modification Application for an EVCS which will specify:

- The owner shall sign a statement agreeing with compliance with the association’s architectural modification standards. The owner shall specify the name, address,

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telephone, and license number of a licensed electrician hired to install all necessary electric lines and electrical infrastructure.

- Within 14 days of approval and prior to installation, the owner shall be required to obtain and maintain a \$100,000.00 insurance policy at all times, while the EVCS is in place naming Four Seasons at Stone Harbor Condominium Association, LLC as a certificate holder to protect the Association from damage as a result of the existence and operation of the EVCS, and provide evidence of insurance specifying that insurance covers the EVCS in the amount of \$100,000.00 as required under this section annually as the policy renews. If the unit owner who owns the EVCS fails to show proof of maintaining the required insurance, FSSH will obtain a policy on the unit owner's behalf and assess the cost to the unit owner's account. Nothing in this subparagraph should be construed as impairing the right of FSSH to require a unit owner to maintain homeowner's insurance under the association's governing documents or rules and regulations.
- The unit owner shall pay all reasonable charges, imposed by the Association to recover the costs of review and approval of an application for the installation of an EVCS including, without limitation, reasonable engineering and legal fees.
- The owner of an EVCS shall be responsible for any damage to the EVCS, the parking space, a common element, a limited common element, and the property of other unit owners or separate interests, which damages result from the installation, maintenance, repair, removal, or replacement of the charging station.
- The owner of an EVCS shall be responsible for any maintenance, electric utility charges, repair and replacement of the EVCS as well as restoration of the area after removal of the same.
- The owner of the EVCS shall be responsible for all installation costs associated with the EVCS.
- The owner of the EVCS is responsible to meet and satisfy all applicable health and safety standards and requirements imposed by state and local authorities including, but not limited to, applicable zoning, land use and other ordinance requirements, as well as permitting costs associated with the same.
- A unit owner who owns a EVCS must hold the Association and all other unit owners harmless from any and all claims, damages, liabilities, costs and expenses, including reasonable attorney's fees, relating to any personal injuries, death or property damage caused by, or contributed by, the installation, removal or use of the EVCS.

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- A unit owner who owns an EVCS is responsible for disclosing to prospective buyers of the owner’s unit the existence of the EVCS and the owner’s related responsibilities.

**Request for Previously Installed EVCS**

Those residents who have already installed an EVCS, prior to issuance of this policy, within 60 days of board notification of this policy to residents, must also submit:

- Architectural Modification Application for EVCS specifying the original date of installation and answering all questions on the application form.
- Current certificate of the \$100,000.00 liability insurance, naming Four Seasons at Stone Harbor Condominium Association, LLC as a certificate holder on the insurance policy, with FSSH right to receive notice of cancellation.
- If the unit owner who owns the EVCS fails to show proof of maintaining the required insurance, FSSH will obtain a policy on the unit owner’s behalf and assess the cost to the unit owner’s account.

Applications for approval, requests for more information, or denial shall be in writing.

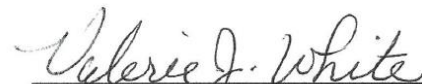
Please note that an Association may deny any application if the Association reasonably concludes that the EVCS constitutes a life safety risk.

If the application is not denied within 60 days from the date it is received, it is deemed approved unless the delay is the result of a reasonable request for additional information.

This EVCS policy is intended to satisfy all of the requirements, conditions and provisions as set forth in N.J.S.A.44:22A-48.4 and all terms and conditions shall be interpreted so that they are in compliance with the same. To the extent there is any conflict between the provisions of this policy and the N.J.S.A. 45:22A-48.4, the provisions of the above stated law shall prevail. To the extent that this policy does not contain all the provisions of the law, the provisions of the law are incorporated by reference herein and are fully applicable to any owner seeking to install an EVCS.



**ARC Committee Chair**



**ARC Board Liaison**