

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO  
ADDING SECTION 9-8.5 TO THE SAN ANSELMO MUNICIPAL CODE TO IMPOSE  
AN ELECTRIC VEHICLE INFRASTRUCTURE TRAINING PROGRAM (EVITP)  
CERTIFICATION REQUIREMENT ON TOWN-FUNDED PROJECTS**

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**WHEREAS**, the Town of San Anselmo (“Town”) is responsible for local enforcement of the California Building Standards Code; and

**WHEREAS**, the State of California and the Town have consistently promoted and encouraged the use of fuel-efficient electric vehicles; and

**WHEREAS**, Government Code Section 65850.7 requires local agencies to adopt an expedited and streamlined permitting process for electric vehicle charging systems; and

**WHEREAS**, in 2020 the Town Council adopted Ordinance No.1148, adding Title 9, Chapter 8 to the Municipal Code, to comply with Government Code Section 65850.7; and

**WHEREAS**, AB 841, adopted in September 2020, requires all electric vehicle charging infrastructure that is funded in part by the Public Utilities Commission, the Energy Commission, and the State Air Resources Board on and after January 1, 2022, be installed by a contractor with the appropriate license classification, as determined by the Contractors’ State License Board, and at least one electrician on each crew, at any given time, who holds an Electric Vehicle Infrastructure Training Program (EVITP) certification; and

**WHEREAS**, on August 23, 2022, the Town Council directed staff to develop an ordinance that would require EVITP certification on Town-funded projects, similar to the requirements of AB 841 for state-funded projects; and

**WHEREAS**, to ensure that contractors have sufficient time to secure the EVITP certification, the Ordinance shall become effective six months following its adoption; and

**WHEREAS**, on September 27, 2022, the Town Council held a duly noticed public hearing to consider the Ordinance and following the hearing, voted to introduce by title only and to waive further reading of the ordinance.

**NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF SAN ANSELMO DOES ORDAIN AS FOLLOWS:**

**SECTION 1:** Environmental Review.

The Ordinance is exempt from the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines section 15378(b)(5) because it is not a “project” under CEQA and CEQA

Guidelines section 15061(b)(3), the “common sense exemption”, because the proposed Ordinance Amendment will not have a significant environmental effect.

**SECTION 2:** The above recitals are true and correct and are incorporated as findings herein.

**SECTION 3:** San Anselmo Municipal Code Section 9-8.5 is hereby added as follows:

**9-8.5 Contractor Requirements for Town-funded Projects.**

- A. All electrical vehicle infrastructure work on projects which are constructed with funds provided or administered by the Town, in whole or in part, shall be installed by contractors holding the appropriate license classification required by the Contractors State License Board, and electricians performing such work shall hold certification from the Electric Vehicle Infrastructure Training Program in accordance with the following:
1. All of the installation, commissioning, and maintenance of electric vehicle charging stations, equipment and related infrastructure (the “EV Work”) shall be performed in accordance with the following requirements:
    - a. At a minimum, one job-site supervisor or job-site foreman supervising the EV Work at each job site shall hold EVITP certification and be a licensed electrician.
    - b. The EV work shall be performed only by duly licensed electricians. Apprentices may assist.
    - c. A minimum of fifty percent (50%) of the licensed electricians performing the EV Work on each job site shall hold EVITP certification.
    - d. The ratio of journeymen to apprentices shall comply with applicable requirements under state law.
    - e. No EVITP certification shall be required of apprentices.
    - f. All apprentices assisting on the EV Work shall be registered in an apprenticeship program compliant with California Department of Industrial Relations regulations and approved by the Division of Apprenticeship Standards, and which has a graduation rate of at least 60%.
  2. Contractors performing EV Work shall maintain written or electronic records regarding the performance of EV Work including the names of all EVITP electrician(s) who performed the EV Work. Said records shall be made available to EVITP, and/or Town upon request.

**SECTION 4. Severability.**

Should any section, subsection, paragraph, sentence, clause, or phrase of this ordinance be declared unconstitutional or invalid for any reason, such declaration shall not affect the validity of the remaining portions of this ordinance.

**SECTION 5. Effective Date.**

This ordinance shall go into effect 180 days after its adoption and shall be published or posted as required by law.

INTRODUCED AT A PUBLIC HEARING DURING A REGULAR MEETING OF THE SAN ANSELMO TOWN COUNCIL ON SEPTEMBER 27, 2022, AND ADOPTED AT A REGULAR TOWN COUNCIL MEETING ON OCTOBER 11, 2022, BY THE FOLLOWING VOTE:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

**RECUSED:**

**APPROVED:** \_\_\_\_\_  
Alexis Fineman, Mayor

**ATTEST:** \_\_\_\_\_  
Serge Avila, Town Clerk