



Town of Whitby Policy

Policy Title:	EV Charging Station User Policy
Policy Number:	OPS 080
Category:	Facility Management and Operational Services
Reference:	Council Report CAO-35-31, Traffic By-Law 1862-85, Fees By-law # 7220-17, Council Resolution # 360-21
Date Approved:	January 31, 2022
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Approval:	Council
Point of Contact:	Jade Schofield, Project Manager Sustainability & Climate Change, Tara Painchaud, Sr. Manager, Transportation Services Andre Gratton, Manager, Enforcement Services

Policy Statement

The Town of Whitby (the “Town”) recognizes the significant role of the electrification of the community’s transportation system in meeting its goals of reducing Greenhouse Gas Emissions. Providing electric vehicle charging infrastructure across the community supports the greater uptake of Electric Vehicles (EVs) for residents, employees, and the Town’s corporate fleet and Fleet EVs.

Providing access to EV charging for corporate and public use enables the corporation and the public to purchase EV’s which will contribute to improving local air quality, reduce noise pollution, reduce energy consumption, strengthen the local economy, and increase local energy resilience.

Purpose

The purpose of this policy is to provide guidance on the fees, operation and maintenance of Town of Whitby EV charging stations.

Scope

This Policy applies to EV Charging Stations located on Town of Whitby owned property and those operated by the Town of Whitby, which may be made available for use by the public and Town of Whitby Fleet EV Users.

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1. Definitions

1.1 Electric Vehicle (EV)

A vehicle that is propelled by one or more electric motors, using electrical energy stored in rechargeable batteries, or another energy storage device, and is capable of being plugged into an EV Charging Station, including, but not limited to, plug-in battery electric cars, fuel cell battery electric vehicles, and plug-in hybrid vehicles.

1.2 EV Charging Station

The vehicle charging equipment installed on Town of Whitby property, or those operated by the Town of Whitby, inclusive of the EV Charging Station pillar, electronic/physical parts, head, and the parking space designated for use when charging an EV.

1.3 EV Parking Space

A parking space designated for the use of EVs while plugged into an EV Charging Station, as indicated by authorized signs.

1.4 EV Charger Service Provider

A third-party organization that supplies and/or operates the EV charging station.

1.5 Fees By Law

The Town of Whitby Fees By-law # 7220-17, as amended.

1.6 Fleet EVs

EVs, owned by the Town of Whitby, that are used by staff for work-related purposes.

1.7 User

A person who uses an EV charging station.

1.8 Charging Station Data

Charging station data must include time and usage data for chargers, at a minimum. Identifying information about Users of EV charging stations will not be collected.

2. Responsibilities

- 2.1. Council: to approve the Policy and future amendments.
- 2.2. Staff: to follow and enforce the Policy as outlined in Section 3.
- 2.3. The public: to follow the Policy as outlined in Section 3.

3. General

3.1. Fees

- 3.1.1. EV Charging Stations will be available for use by the public and Town of Whitby staff for a fee, in circumstances where the equipment supports the charging of fees, as per the Fees By-law.
- 3.1.2. EV Parking Spaces are intended solely for EVs actively using the EV Charging Station and are available on a first-come, first-served basis.
- 3.1.3. User fees, where applicable, are assessed for the total time a vehicle is connected to an EV Charging Station, not for the period of time that the vehicle is being charged or for the total energy transfer, as outlined in the Fees By-law.
- 3.1.4. Where available, EV Parking Spaces may be reserved via an online booking platform on a first-come, first-served basis. If the User does not connect to the EV Charging Station within 10 minutes of the reserved time, the User will be charged a fee and lose their place in the queue as per the Fees By-law. Information regarding booking and availability can be found via the EV Charging Station application or through Plug Share <https://www.plugshare.com>.
- 3.1.5. If in the event an EV Parking Space that has been booked and is being occupied by another vehicle that is not actively charging Whitby By-Law Services should be contacted.
- 3.1.6. Town of Whitby owned EV Charging Stations are intended to be User-fee supported. Fees collected from the use of the EV Charging Stations will be used to cover all associated operational costs of the EV Charging Stations, including but not limited to: repair and maintenance, replacement and upgrades, data management, snow removal, and administration.

- 3.1.7. EV Charging Stations fees will be reviewed and updated annually using the Charging Station Data collected to ensure established fees meet the objective to be tax-levy neutral.
- 3.1.8. Unless specified by signage on site, closed for an event, or disabled for repair or regular maintenance, EV Charging Stations allow for unrestricted and unlimited access during business hours of the facility in which the EV Charging Station is located or during hours in which the parking lot is open to the public.

3.2. Operating Procedures

- 3.2.1. The Town of Whitby assumes no responsibility or liability for damage or loss to vehicles or property or for injury from using the EV Charging Stations. Users of the EV Charging Stations do so at their own risk.
- 3.2.2. Users (with the exception of Town of Whitby fleet operators), are responsible for acquiring the appropriate method of payment, such as downloading a mobile application, registering an account, obtaining a membership card, or payment method associated with the EV Charger Service Provider equipment.
- 3.2.3. Users are responsible for familiarizing themselves with the proper and safe use of the equipment, payment of fees, and for moving their vehicle once charging has been completed.
- 3.2.4. Users must take extra care to ensure that EV Charging Station cords are retracted, coiled and safely returned to the EV Charging Station using the provided hooks, and are not left in a position where they could be a tripping hazard.
- 3.2.5. All Users are expected to move their vehicle from the EV Parking Space once their vehicle is fully charged (with the exception of Town of Whitby fleet operators as outlined in 3.4 of this Policy). A fee will be applied to stays beyond 3 hours, as outlined in the Fees By-law.

3.3. Maintenance

- 3.3.1. The EV Charger Service Provider is responsible for the operation of the EV Charging Station with the exception of the responsibilities as set out under 3.3.2. Stations and the management of fees collected on behalf of the Town, as outlined in the agreement signed between the Town and the EV Charger Service Provider.
- 3.3.2. Day-to-day maintenance and operations activities (e.g. snow removal, garbage collection, etc.) are the responsibility of the Town's Operations

department and/or contracted service provider managing the site where the EV Parking Space is located.

- 3.3.3. Snow removal is required for all outdoor sites, and best attempts will be made given the resources available, to ensure the EV Parking Space, control equipment and adjacent access aisles are accessible. Snow removal of the access aisle and accessible routes will occur as resources allow.
- 3.3.4. Any operational issues related to the EV Charging Stations and its components are to be reported using the customer service contact information located on the EV Charging Station. If this does not result in rectification, incidents should be reported to the Town where it will be forwarded to the Sustainability Division (sustainability@whitby.ca) for further action.
- 3.3.5. This Policy will be reviewed annually to determine effectiveness. When updating its Policy, the Town of Whitby shall endeavour to consult with other municipalities in Durham Region to promote a common User experience across the region.
- 3.3.6. In event of a temporary disruption to an EV Charging Station, procedures will be followed as laid out in the Town of Whitby Policy: CA-170-001 Accessible Customer Service, as well as in compliance with Integrated Accessibility Standard Regulation, Ontario Regulation 191/11.

3.4. Town of Whitby Fleet Charging

- 3.4.1. Fleet EVs are designated at a vehicle-specific location for overnight charging.
- 3.4.2. Select EV Parking Spaces may be designated solely for Town of Whitby Fleet EVs. Such EV Parking Spaces will be signed accordingly and are not available for other Users.
- 3.4.3. Access for Fleet EV charging will be provided using vehicle specific EV Charging Station network access cards or through the EV Charger Service Provider, application installed on a Town issued mobile device, whichever the Manager of Fleet deems appropriate for the Fleet EV operator.

3.5. Restrictions and Enforcement

- 3.5.1. No person shall park a vehicle in an EV Charging Station Parking Space that is identified by a sign that satisfies the prescribed requirements, unless the vehicle is an EV Electric Vehicle and the EV is being actively charged by the EV Charging Station.
- 3.5.2. A person who contravenes section 3.5.1 of this Policy may be found guilty of an offence under the Reserved Parking for Electric Vehicle Charging Act, 2019, S.O. 2019, c. 18 - Bill 123, and, if convicted, may be subject to the prescribed fines.

- 3.5.3. Only Fleet EVs may park in EV Parking Spaces that have been designated exclusively for Fleet EV use.
- 3.5.4. Electrical outlets at Town of Whitby facilities may not be used for EV charging except those designated for use by EVs that is clearly indicated by signage.
- 3.5.5. Enforcement of the use of electrical outlets in parking facilities for vehicle charging is covered under Reserved Parking for Electric Vehicle Charging Act, 2019, S.O. 2019, c. 18 - Bill 123.

3.6. Data Collection and Sharing

- 3.6.1. Data collection and data sharing must comply with the Town of Whitby's privacy policies and stored within Canada.
- 3.6.2. The EV Charger Service Provider is responsible for ensuring compliance with Payment Card Industry Standards associated with the use of credit cards.
- 3.6.3. Charging Station Data related to the use of the EV Charging Stations will be obtained by the Town of Whitby from the EV Charger Service Provider.
- 3.6.4. Charging Station Data will be reviewed by Town of Whitby staff to monitor EV Charging Station usage trends and assess EV policies and EV Charging Station fee structures.
- 3.6.5. Charging Station Data related to the use of EV Charging Stations will be retained in accordance with the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56. Personal information will not be used for any other purpose than identified at the time of collection, nor disclosed in any circumstance, except as permitted by the Act.
- 3.6.6. Charging Station Data collected by the Town of Whitby's EV Charging Stations will be anonymized and may be shared with the Region of Durham and other area municipalities within Durham Region for reporting purposes. Disaggregated data may be shared more broadly on a case-by-case basis.

3.7. Application

- 3.7.1. This Policy applies to the public and Town of Whitby staff.

This Policy is hereby approved by Council resolution #360-21, on this day 31st day of January, 2022.