

**Ordinance #2017-21**

**AN ORDINANCE BY THE MUNICIPALITY OF PRINCETON REGULATING AND ESTABLISHING PARKING FEES FOR THE USE OF PARKING SPACES AT THE SPRING STREET MUNICIPAL PARKING GARAGE FOR CHARGING OF ELECTRIC VEHICLES AND AMENDING THE "CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY, 1974".**

BE IT ORDAINED by the Princeton Council as follows:

Section 1. Section 19-32(b) of Chapter 19 of the "Code of the Borough of Princeton, New Jersey, 1974" ("Borough Code"), entitled "Parking fees," shall be amended as follows:

**Sec. 19-32. Parking fees.**

(b) Spring Street Municipal Parking Garage.

(1) The following rates shall apply to the Spring Street Municipal Parking Garage between the hours of 9:00 A.M. and 9:00 P.M., seven days per week, unless otherwise indicated below:

- a. The first thirty minutes shall be free.
- b. For over thirty minutes and up to one hour, one dollar and twenty-five cents.
- c. For more than one hour and up to two hours, two dollars and fifty cents.
- d. For more than two hours and up to three hours, three dollars and seventy-five cents.
- e. For more than three hours and up to four hours, five dollars.

- f. For more than four hours and up to five hours, six dollars and fifty cents.
- g. For more than five hours and up to six hours, eight dollars.
- h. For more than six hours and up to seven hours, ten dollars.
- i. For more than seven hours and up to eight hours, twelve dollars.
- j. For more than eight hours and up to nine hours, fourteen dollars.
- k. For more than nine hours and up to ten hours, sixteen dollars.
- l. For more than ten hours and up to eleven hours, eighteen dollars.
- m. For more than eleven hours and up to twelve hours, twenty dollars.

(2) The following rates shall apply to the Spring Street Municipal Parking Garage between the hours of 9:00 P.M. and 9:00 A.M. seven days per week, unless otherwise indicated below:

- a. Every hour or any part thereof shall be twenty-five cents.

(3) The following rates shall apply to the Spring Street Municipal Parking Garage New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day unless otherwise indicated below:

- a. Every hour or any part thereof shall be twenty-five cents.

(4) In addition to the above parking fees, the following fees shall also apply to use of parking spaces in the Spring Street Municipal Parking Garage that are identified as “charging station spaces,” as that term is defined in section 19-38 of this chapter, between the hours of 8:00 A.M. and 12:00 A.M. seven days per week:

- a. For up to one hour of charging, one dollar and fifty cents.
- b. For more than one hour and up to two hours of charging, three dollars.
- c. For more than two hours and up to three hours of charging, five dollars and fifty cents.
- d. For more than three hours and up to four hours of charging, eight dollars.

(5) In addition to the above parking fees, the following fees shall also apply to use of parking spaces in the Spring Street Municipal Parking Garage that are identified as “charging station spaces,” as that term is defined in section 19-38 of this chapter, between the hours of 12:00 A.M. and 8:00 A.M. seven days per week:

- a. One dollar per hour or part thereof.

(6) Any person who has lost or is otherwise unable to produce his parking ticket upon request as said person leaves the parking facility shall pay the accumulated fee based upon the above-referenced schedule from 9:00 A.M. to the time said person departs the parking lot.

Section 2. Chapter 19 shall be amended by adding a NEW section 19-37A thereto, to be entitled “Parking In Spaces Reserved for Charging of Electric Vehicles,” as follows:

**Sec. 19-37A. Public Parking Spaces for Charging of Electric Vehicles.**

(a) As used herein, the following terms shall have the following meanings:

*Charging station* means a location that is fitted with charging station equipment.

*Charging station equipment* means the conductors, including ungrounded and grounded, and the electric vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, charging status or apparatus installed specifically for the purpose of delivering electrical energy from the charging station to the electric vehicle.

*Charging station space* means a dedicated, marked parking space that is fitted with charging station equipment and exclusively used for the charging of electric vehicles.

*Electric scooter and/or electric motorcycle* means a 2-wheel or 3-wheel electric vehicle that operates exclusively on electrical energy stored in the vehicle’s batteries.

*Electric vehicle* means a vehicle that operates, either partially or exclusively on electrical energy from a charging station or other electrical energy source that is stored in the vehicle’s battery for propulsion purposes. *Electric vehicle* includes: a battery electric vehicle; a plug-in hybrid electrical vehicle; a neighborhood electric vehicle; and electric scooters or electric motorcycles.

*Neighborhood electric vehicle* means an electric vehicle that is a low-speed vehicle, built to have a top speed of 25 miles per hour and have a maximum loaded weight of 3,000 lb.

*Non-electric vehicle* means a vehicle that does not meet the definition of “electric vehicle” as provided herein.

*Plug-in hybrid electric vehicle or PHEV* means an electric vehicle that: contains an internal combustion engine and also allows power to be delivered to drive wheels by an electric motor; charges its battery primarily by connecting to a charging station or other electrical source not on board the vehicle; may additionally be able to sustain a battery charge using an on-board internal-combustion-driven generator; and has the ability to be propelled through the use of electricity.

(b) The municipality has designated two parking spaces within the Spring Street Municipal Parking Garage for use as charging stations. Fees for use of the charging station spaces shall be as set forth in section 19-32(b)(4) – (5) above, and shall be in addition to the fees assessed for parking in said Garage as set forth in section 19-32(b)(1) – (3). Use of said charging station spaces shall be limited and restricted as follows:

(1) It shall be unlawful for any person to park or leave standing a vehicle in a stall or space in the Spring Street Municipal Parking Garage that is designated as a charging station space unless the vehicle is an electric vehicle as defined in this section and is connected for electric charging purposes; and

- (2) Non-electric vehicles are prohibited from parking in charging station spaces; and
- (3) Electric vehicles are authorized to park in spaces designated as charging station spaces only during the time when the vehicles are connected for electric charging purposes or up to four hours, whichever is less. When the vehicle is no longer charging, the owner or operator of said vehicle shall be required to remove the vehicle from the charging station space. If the owner or operator of said vehicle allows his or her vehicle to remain in a charging station space while the vehicle is no longer charging, then said owner or operator shall be in violation of this section.

- (c) Violations and penalties. For each violation of this section, the violator shall be subject to such fines and other penalties as provided in section 1-6 of this Code, entitled "General penalty; continuing violations; repeat violations; other penalties." Repeat offenders shall be subject to additional fines and other penalties as provided in section 1-6 of this Code.

Section 3. All ordinances and resolutions or parts thereof inconsistent with this Ordinance are repealed.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portion thereof.

Section 5. The provisions of this Ordinance shall be applicable within Princeton upon final adoption and shall become a part of the new Princeton Code once completed and adopted.

I, Kathleen Brzezynski, Municipal Clerk of Princeton, County of Mercer, State of New Jersey, do hereby certify that the foregoing is a true copy of an ordinance adopted by the Mayor and Council of Princeton at its meeting held May 22, 2017.

A handwritten signature in cursive script that reads "Kathleen K. Brzezynski".

Kathleen Brzezynski  
Municipal Clerk