

Cinnamon Ridge 3

Electric Vehicle Charging Outlet Discussion

Background and 'Thoughts' on developing a policy on EV receptacles:

- The Board has been approached by one owner about interest in installing an EV charging outlet and at least another owner has express interest in the future possibility EV charging capability.
- Colorado legislation requires multi-unit facilities with deeded garages, deeded parking spaces or assigned limited common element parking spaces to permit the installation of EV charging outlets in such locations.
- The CR III parking area is a General Common Element available for use by all owners, (ie, parking is not deeded or otherwise designated as LCE assigned parking spaces) therefore any State provisions requiring HOAs to permit owners to install EV charging outlets do not apply to CR III.
- Several 'white papers' exist that give recommendations and guidelines for Homeowner Associations for use in developing EV charging outlet policy.
- It is recognized that EVs are a trend and it could be expected that additional interest could be received. Additionally, charger capability could possibly be an attractive unit amenity for unit resale or rental.
- In the absence of EV charging outlets and a thought out policy, EV owners could attempt to use the common area maintenance outlets (theft of services) and also cause unsightly or unsafe cord conditions (including cords extending across walkways). Additionally, owners could attempt to install 'bootlegged' charger capability that is not in conformance with the Declaration and Rules (unauthorized electrical modifications, etc) or other conditions such as running a cord out a window with the possibility of pipe freeze and resulting damage (which has occurred a couple of times in the not too distant past) and also resulting trip hazard in common area walkways.

Therefore, the Board has developed a proposed Policy that would apply to any unit owner who might desire to install an EV charging outlet for their use at their expense and would address the elements of concern and benefit noted above.

The HOA's attorney and insurance carrier were consulted during the preparation of this Electric Vehicle Charging Policy and their recommendations are incorporated therein.

**Cinnamon Ridge III
Electric Vehicle Charging Policy**

Owners will be permitted to install and use the EV charging outlets providing all of the provisions of this Electric Vehicle Charging System Policy are met for system approval, registration, installation and operation.

General:

1. Owner shall submit an initial request to install an EV charging outlet for an 'apparent acceptance of concept' review by the Board. This initial request shall include the following items and / or statements:
 - a. Unit number and owner's name and contact information.
 - b. Index of information being submitted.
 - c. Type of installation requested (Level 1 or Level 2).
 - d. Data sheet of outlet device and / or enclosure box.
 - e. Proposed installation location, giving full consideration to the basic location parameters indicated within this Policy. (Note that actual location will be determined by the Board but it provides an opportunity for the applicant to nominate a conforming location)
 - f. A statement stating that the owner has made himself familiar with the Policy requirements and will abide by all of its provisions.
 - g. The Board will provide its response to the initial request within a reasonable period of time.
2. After acceptance of the initial application to install an EV charging system owner may continue with the actual system application and design complying with the association's design specifications for installation of the system;
3. Owner shall bear the expense of installation, including the costs to restore any general common elements disturbed in the process of installing the system;
4. Owner shall engage the services of a properly licensed and registered electrical contractor familiar with the installation and core requirements of an EV Charging System. Plans shall show all necessary work including architectural feature work...not just electrical work. The final design permit plans shall be submitted to the CR III HOA managing agent;
5. The EV charging outlet system shall comply with: (i) the current version of Article 625 of the National Electrical Code and (ii) the SAE International J1772. In addition, the EV Charging System must be certified by Underwriters Laboratories or an equivalent certification;
6. Owner or contractor shall obtain a building permit from the County of Summit. A copy shall be furnished to the CR III HOA managing agent prior to commencement of the work. Additionally, a copy of the final signed off permit shall be furnished to CR III HOA managing agent within 7 days of the permit sign off;
7. Owner shall provide a certificate of insurance naming the association as an additional insured on the owner's insurance policy for any claim related to installation, maintenance, or use of the system, within 14 days after receiving the association's approval, in any event the certificate shall be submitted to the CR III managing agent 5 days prior to completion of the system. The liability coverage shall be for not less than \$1,000,000. The certificate, with the association listed as an additional insured, shall be kept current at all times. The association shall be given notice directly by the insurance carrier not less than 30 days before any cancellation. If the proper insurance is not renewed and therefore expires, then the insurance carrier shall directly notify the association's manager within 5 days of the expiration date. At any time the proper certificate is not current then any use of the outlet shall immediately cease. After 15 days of a

proper certificate not being in place then the outlet shall be considered abandoned and shall be removed within 10 days. Recourse for non-compliant insurance will be as provided in the Miscellaneous Provisions section of this Policy to include, but not limited to recovery of any costs and / or legal fees incurred;

8. The owner's contractor shall provide a certificate of insurance naming the association as an additional insured. The limits and policy cancellation provisions shall be the same as required for the unit owners insurance requirements provided above.
9. Owner acknowledges that the parking area and its parking spaces are a general common element available for use by any and all unit occupants. Nothing in the granting the acceptance to install a private EV charging outlet creates an actual or implied assignment of any parking space nor permits the barricading off a space for EV use;
10. Owner is to agree in writing before final acceptance to proceed with the installation to comply with the certain conditions relating to the design, installation, expense,, insurance, operation, removal and / or transferring the obligations of this Policy to subsequent owners;

System Design and Siting:

1. The design documents shall clearly state that the unit electrical panel has adequate capacity in accordance with all governing codes to accommodate the added EV charger outlet circuit. The EV charging outlet circuit shall be its own dedicated circuit, not an extension of an existing circuit within the unit;
2. Outlets shall not be installed in any areas that would necessitate running the plug-in cord across any access walkway, stairway, sidewalk, parking area or other condition that would be a trip or snow removal hazard. Permitted cord routing to permissible parking spaces that meet this criteria shall be shown on the design plans. It is recognized that this important safety requirement may limit the area available for convenient outlet to EV connections;
3. The outlet shall not be located within primary walkways that give access to unit entry doors or within stairways. A permitted location upon field review would be within the alcoves that give access to the exterior unit lock up closets;
4. The outlet shall not protrude from the face of the wall siding more than 2 ½", the amount of a standard house convenience outlet. The preferred installation method is to be recessed;
5. Outlet device shall be lockable or contained within a metal or polycarbonate lockable enclosure meeting NEMA standards for the installation location;
6. Outlet or enclosure shall be clearly labeled with an engraved plate with the unit number and its circuit number;
7. All surfaces that may be disturbed during the system installation shall be restored to current condition (use matching new materials if necessary) including painting,, any sealants, etc;
8. Provide layout of the proposed circuit routing. Any exposed work shall be painted to match adjacent surfaces. Actual routing and installation will be subject to approval by the Board by applying standards for aesthetics, building surface integrity and safety. During any future siding and / or soffit (or walkway carpet and subfloor) replacement the owner shall cause, at its expense, to have the circuit relocated to accommodate such future work;

Operation and System Documentation:

1. Cord Management:
 - a. Cords shall be plug-in to the outlet type, not permanently hard wired and mounted to the building;
 - b. Cords shall be removed when not in use;

- c. Plug-in cords shall not be permitted to run or drape into ways of travel including if a normal way of pedestrian travel is between adjacently parked vehicles;
- d. Plug-in cord may be hooked high on the wall to get from the outlet to the exterior of the building;
- 2. Outlet box shall be locked when not in use;
- 3. Owner shall be responsible for any maintenance or repair of the EV charging system including any adjacent surfaces affected by such maintenance or repair activities;
- 4. If unit is made available for rental, either short or long term, a parking plan showing the permitted EV charging spaces indicating the operating conditions of the system and that parking spaces are not assigned to the unit shall be posted in the unit;


Miscellaneous Provisions:

- 1. If the EV charging outlet system is not installed or operated within the provisions of the Policy then:
 - The cord may be unplugged from vehicle and removed from any unapproved routing and outlet may be locked out by the HOA, and / or;
 - Other procedures for compliance will be pursued in accordance with provisions of the governing documents;
- 2. The unit owner shall permit 24/7 access to the unit's interior electrical panel by the HOA manager. If the unit is on a separate keying system from the HOA master system, then the owner shall provide access key or code to permit the 24/7 access without requiring prior request for access. Standard protocols will be followed by management staff to alert any present occupants before entering; *[This provision is consistent with the need for the Association management staff to have immediate and unencumbered access to electrical breakers controlling any outlet on general common area elements or public area]*
- 3. Requests to install an EV outlet will not be reviewed or approved if unit owner is not current with any dues, special assessments, or other obligations of the Association;
- 4. Abandoning the EV charging system in place is not permitted. Should the system become non-functional, obsolete or otherwise not viable for use, or otherwise not compliant with other requirements of this Policy it shall be removed by the owner at his expense and all common area elements restored as provided by other provisions of the Policy. If the removal is not completed within 14 days of Notification to Remove by the HOA manager then the HOA will take action to have the outlet removed at the owner's expense;
- 5. In the Event of Unit Sale:
 - Owner shall remove the EV charging outlet system including restoring all surfaces to match then current adjacent surfaces and conditions, all at owner's expense, OR;
 - Owner shall formally include the EV charging system and all its conditions and responsibilities in the sale of the unit;
 - Abandoning the EV charging system in place is not permitted;
 - For all purposes provided in this Policy, owner shall also mean each successive owner who will specifically assume all responsibilities of maintenance, repair, insurances, affected general common area elements, operational conditions, removal and all other provisions of this Policy;
- 6. The running of electrical charging cords from within condo units through open doors, windows or from limited common elements (ie, decks) and across general common area elements is not

permitted; *[This provision is consistent with mitigating trip hazards and other provisions of the Declarations as presented in the design parameters for any EV outlet]*

7. The use of common element maintenance electrical outlets for electric vehicle charging is considered Theft of Services and is not permitted;
8. If the EV outlet, EV charging activities, or any other owner's obligations relative to the EV charging Policy become non-compliant to the Policy then remedies shall be pursued in accordance with provisions of the governing documents to include, but not limited to recovery of any costs and / or legal fees incurred;
9. The Home Owner Association nor managing agent shall not be responsible for any damage to any owner installed charging system equipment;
10. Owner shall record a signed and notarized version of this EV Charging Policy document with the Summit County Recorder office;
11. This Policy may be amended from time to time to accommodate any evolving requirements or conditions.

This policy has been adopted this 10th day of October 2019.

A handwritten signature in blue ink, appearing to read 'Michael Black', written over a horizontal line.

(Signature, Michael Black)