

COSTA BRAVA AT RANCHO NIGUEL ASSOCIATION

GUIDELINES FOR ELECTRIC VEHICLE CHARGING STATIONS LOCATION, INSTALLATION AND MAINTENANCE

This document sets forth the Costa Brava at Rancho Niguel Association's ("Association") policies for the location, installation and maintenance of electric vehicle charging stations, pursuant to Section 4745 of the California Civil Code and consistent with the Association's CC&Rs. These Guidelines were adopted by the Association's Board of Directors ("Board") at a meeting of the Board, notice of which with a copy of these Guidelines was provided to the membership as required by law.

1. **Electric Vehicle Charging Station Definition.** The term "electric vehicle charging station" means a station that is designed in compliance with the California Building Standards Code and delivers electricity from a source outside an electric vehicle into one or more electric vehicles. This includes wall-mounted and free standing electric vehicle charging stations.

2. **Location of Installation.** Any electric vehicle charging station ("EVCS" or "station") may be installed in the unit owner's garage or Exclusive Use Common Area carport or detached garage, subject to all requirements of these Guidelines, unless doing so significantly increases the cost of the station or significantly decreases its efficiency or specified performance. Electric vehicles and/or EVCS may not be plugged into existing electric wall sockets, unless and until the owner can demonstrate (to the satisfaction of the Board, in its sole discretion) that the existing outlets can sufficiently and safely handle the electrical load necessary to support owner's proposed EVCS.

3. **Installation and Use Requirements; Prior Approval Required.** Prior architectural approval by the Costa Brava at Rancho Niguel Association's Board of Directors is required for the installation and use of an EVCS in Owner's Exclusive Use Common Area carport or detached garage, in addition to prior approval by the Master Association's (Rancho Niguel Master Community Association's) architectural committee as required by the governing documents. Such application, review and approval process shall be handled by the Association in the same manner as an application for approval of any other architectural modification to the property. The Board may request additional information and specifications from the unit owner, as needed. The Association shall have 60 days following its receipt of a completed application to approve or deny it, or thereafter the application shall be deemed approved by law.

4. **Compliance with Law.** Before installation and use of the EVCS, the unit owner must obtain (at his or her expense) all necessary and required building permits/approvals as required by local and/or state governmental authorities. The EVCS must meet all applicable health and safety standards and requirements imposed by the state and/or local authorities, and other applicable zoning, land use, or other ordinances, or land use permits. If the local and/or state authorities require modifications to the plans and specifications previously approved by the Board, the unit owner shall submit all modifications to the plans and specifications to the Board to reflect the modifications required by the local and/or state authorities. The Board shall have the right to review and to impose further conditions on any such modifications which are not inconsistent with the requirements imposed by local and/or state authorities.

5. **Conditions of Approval.** As part of the approval process, if the owner's proposed installation will impact the common area in any manner (e.g., trenching of common area to allow for extension of electrical power from an owner's unit to the owner's detached garage or carport parking space, modifications and/or upgrades to the electrical power supply/electrical utilities, or the puncturing or penetration of the building structure or bearing walls), then the applying unit owner must agree in writing to all of the following conditions, as well as any additional conditions the Association may impose, which, in its discretion, are reasonably related to the owner's use of the common area:

- a. The EVCS shall be installed by a contractor licensed for that purpose within the State of California and who shall carry comprehensive general liability insurance of at least \$1,000,000 and such workers compensation insurance as is required by law. The insurance policies must contain an endorsement providing coverage of claims arising from work performed in multi-family residential buildings. Such contractor shall also be bonded to the extent required by the California State Contractors Licensing Board and shall present proof of all such insurance and/or bonding to the Association prior to start of the installation work.
- b. The EVCS shall meet all applicable health and safety standards, building codes and other requirements imposed by state and local authorities, as well as all other applicable zoning, land use or other ordinances, or land use permits.
- c. Prior to installation of the EVCS, the unit owner will provide a certificate of insurance that names the Association as an additional insured under the unit owner's insurance policy in the amount set forth in subparagraph (f) below.
- d. The unit owner will be responsible for disclosing to prospective buyers the existence of the unit owner's EVCS and the related responsibilities of the unit owner and of successive unit owners.
- e. The unit owner and each successive unit owner will be responsible for the cost of damage to the EVCS, the common area or to units resulting from the installation, maintenance, repair, removal, or replacement of the station, and for the costs to restore the common area after removal.
- f. The unit owner and each successive unit owner of the EVCS will, at all times, maintain a homeowner liability coverage policy in the amount of One Million Dollars (\$1,000,000.00) and shall name the Association as an additional insured under the policy with a right to notice of cancellation.
- g. The unit owner is solely responsible for the cost of any trenching, etc., necessary to provide for electrical power from the unit owner's unit to a detached garage or carport parking space where the EVCS is to be installed, and the unit owner and each successive unit owner of the EVCS shall be responsible for the cost of electricity associated with the EVCS.
- h. The unit owner agrees to a written covenant agreement to be recorded in the County Recorder's Office in the unit owner's chain of title giving record notice of the installation, use, and maintenance requirements set forth in these Guidelines in a form to be provided by the Association. The unit owner shall be responsible for the cost of preparing and recording such agreement.

6. Maintenance. The EVCS shall at all times be owned by and remain the property of the record owner of the respective unit. Unit owners are responsible, at their sole expense, for the maintenance and repair of any EVCS they install or which was installed by their predecessor in interest. If the Board determines that the EVCS creates or is reasonably likely to create a safety hazard, the cost of removing, and if applicable, replacing the EVCS shall be the responsibility of the unit owner. Should a unit owner fail to remove the EVCS upon the Association's request, the Association may, to the extent and in the manner permitted in the governing documents, enter the unit owner's garage and remove the EVCS. The Association shall not be responsible for any damage to the EVCS or for the unit owner's cost of charging an electric vehicle from alternative sources. The unit owner shall be responsible for any expenses the Association incurs in removing the EVCS, including but not limited to the Association's legal

fees and costs, and the Association may recover such expenses in any manner allowed by law or the governing documents. If the Association removes the EVCS, the Association is not responsible for replacing it.

7. **Enforcement.** These Guidelines apply to any unit owner, tenant or resident, who installs, maintains or uses an EVCS and to all subsequent purchasers of the owner's unit for as long as the EVCS remains. However, unit owners are responsible for any EVCS installed, maintained or used by the unit owner's tenants. Failure to comply with the applicable requirements set forth in these Guidelines may result in legal action and/or disciplinary action, including suspension of membership rights, and/or monetary penalties against the unit owner.

8. **Subsequent and Prior Owners.** An owner who obtains permission to install and maintain an EVCS agrees on behalf of themselves and their successors-in-interest to abide by these Guidelines and any approval given by the Association for installation of an EVCS. Any owner who purchases a unit with an EVCS agrees to the terms of these Guidelines and any approval given by the Association for installation of the EVCS to their predecessor in interest.

Adopted by the Board of Directors

Date