

Waters Landing Association Electric Vehicle Recharging Equipment Policy and Procedures

Purpose:

This document provides guidance to Waters Landing Association (WLA) members for the planning, approval, installation, use, maintenance, and decommissioning of Electric Vehicle Recharging Equipment (EVRE) throughout WLA single-family detached house and townhouse neighborhoods by and for homeowners to charge homeowner owned, leased, or rented electric vehicles (EV).

Policy:

It is the policy of WLA to allow, encourage, and facilitate installations of Level I and Level II home EVRE on member owned personal property to allow charging of homeowner owned, leased, or rented EVs on homeowner owned private property or property owned by WLA. Where necessary, curbside charging will be facilitated to the maximum extent possible.

This policy applies to WLA neighborhoods consisting of single-family homes and townhomes that may or may not have private, deeded or designated parking adjacent to the homeowner's property.

WLA condominium and apartment complexes are governed by their respective covenants, bylaws, and policies, the Maryland Condominium Act, MD Code, Real Property, Title 11, and other applicable codes. WLA condominium and apartment complex boards of directors are encouraged to facilitate the charging of EVs within their property limits and in accordance with their policies. WLA condominium and apartment complex residents should consult with their managing agents or boards of directors.

WLA reserves the right to revoke any license or terminate the use of any installed EVRE and to order its removal where its installation or use is not compliance with federal, state, or county regulations or WLA policies and procedures.

This policy may be amended as technology and techniques advance or for any reason as determined necessary by the WLA board of directors. Homeowners shall be required to bring any previously installed EVREs into compliance with any new or revised standard issued by the WLA board of directors.

Prior to installation or use of EVRE, the homeowner must submit an application to the WLA Architectural and Environmental Review Committee (AERC) detailing the proposed installation and including all technical specifications, installation contractors' details including any quotation or contract, and proposed arrangements for parking of the homeowners owned, leased, or rented EV adjacent to the EVRE.

Attachments and Exhibits:

Indemnification/License and Insurance Requirements:

Prior to installation or use of an EVRE, the WLA homeowner shall enter into and execute the WLA designated indemnification/license agreement. The agreement shall be submitted with the AERC application. This agreement may be modified or updated as determined necessary by the WLA board of directors.

Prior to installation or use of an EVRE, the homeowner shall obtain an insurance policy valued at a minimum of \$1,000,000 naming WLA HOA as an additional insured. The issuing insurance agent shall be required to immediately notify WLA of any lapse or change in coverage. The insurance policy must be renewed annually and documentary evidence must be provided proactively to the WLA managing office.

Planning Considerations:

- Safety and aesthetics are preeminent concerns.
- AERC applications for EVRE installations must fully describe the charging equipment. All equipment must be installed per manufacturer’s specification and federal, state, and local codes.
- AERC application must describe the proposed parking location(s) of EV under charge including any constraints or needs.
- AERC application must describe how the charging cord is to be safely secured when the EV is under charge. This includes use of a charging cord ramp or *cord channel to cross WLA property (only). Note: WLA has authorized only two (2) cord channel demonstration projects in the WLA community.
- AERC application for installation of an EVRE must include the signatures of all possibly affected homeowners. The number of signatures needed will increase when EV charging needs may impact parking. AERC shall consider written or oral testimonials of impacted neighbors, for or against, in their deliberations.
- County Electrical Permit Required (Electrical only) [Montgomery County: What you need to know about Electrician Licenses and Permits](#)
- AERC application must describe, in detail, the proposed vendor(s) to be used in the installation. Vendors must be qualified, approved, or recommended, as below:

Qualified EVRE Installation Vendors – Qualified vendors must be licensed by the state of Maryland, bonded, and insured. Qualified vendors must provide to WLA, through AERC approval process, documentaty evidence of current license, bonding, and insurance prior to commencing any work within WLA.

Approved EVRE Installation Vendors – Approved vendors must have previously provided WLA with the necessary licensure, bonding, and insurance documentation. Approved vendors *may* be listed on the WLA website.

Recommended EVRE Installation Vendors – Recommended vendors are *Approved* as above and have a track record of acceptable past performance installing EVREs in WLA. Such vendors may be asked to provide special pricing and delivery *for the direct benefit of association members* in order to be recommended to WLA members. Currently, WLA has not identified *approved* or *recommended* EVRE installation vendors.

AERC Approval Process:

Level I or Level II EVRE to be installed on private property in a personally owned garage that will not be visible from the street does not require AERC approval but must comply with all necessary and prudent federal, state, and county codes.

EVRE installation that will be visible from the street and/or external to a single family detached home or townhome must be approved by the AERC prior to installation.

In no case may an EV be charged in a WLA neighborhood where a charging cord may cross association property without the homeowner first executing the WLA indemnification/license agreement; obtaining and providing proof of a \$1,000,000 insurance policy for EVRE naming WLA as an additional insured; submission of required documentation to the AERC in accordance with established guidelines; and receipt of final approval by the AERC. This includes use of a Level I charger.

EVRE AERC Submission Elements:

- AERC EVRE Charging Station Application and Approval Form [to be developed]
- Approved Montgomery County DPS electrical permit
- Proposed contract with qualified, approved, or recommended EVRE installer
- Assurance that Miss Utility will be contacted at the appropriate time
- Plat showing proposed location of EVRE
- Executed (signed) Indemnification/License Agreement
- Evidence of \$1,000,000 Insurance policy for EVRE naming WLA as additional insured
- Parking Plan
- Signature of all effected neighbors
- Cord management plan including maintaining visibility at night or in extreme weather conditions

EVRE AERC Submission and Approval / Disapproval Timeline and Checklist:

- Receipt of application _____ (date)
- Initial administrative review of application for completeness (within 7 business days)
 - Application rejected or held in suspense pending receipt of missing elements
 - Application accepted for AERC consideration _____ (date) (starts 60-day approval/denial)
- AERC review IAW established checklist [to be developed]
- Site visit by AERC members or agent _____(date)
- AERC application voted at open meeting _____(date)
- Notification of approval/disapproval issued _____ (date)
- AERC follow-up inspection _____ (date)

Note: Until final evaluation of the sidewalk channel demonstration project, a request to channel through association property is not automatically approved if no decision is provided by AERC within 60 days of application acceptance. The AERC 60 day approval/denial timeline is applicable to installation of EVRE including EVRE use with appropriate charging cord ramp as defined in this policy.

EVRE Installation:

An EVRE Pedestal must be placed a minimum of two (2) feet inside property line, two (2) feet from sidewalks, and outside the utilities setback. Where practical, EVRE charging station may be mounted to the outside wall of home.

EVRE Operation / Usage:

EVRE must be operated in compliance with manufacturers specifications, WLA indemnification/ license agreement, and (this) WLA EVRE policy, as amended. License may be revoked for any reason as determined by WLA. EVRE must be maintained according to manufactures specifications.

Charging cord management: Charging cord is to be disconnected from the EV, retracted or neatly coiled, and stored on pedestal or at house mount completely within homeowners' property boundaries.

Curbside Charging: To protect pedestrians and others who may have need to access WLA common space, at no time may charging cords cross WLA common space without encasement in a charging cord ramp or *sidewalk cord channel. EV charging cords must cross perpendicular to the sidewalk to minimize obstacles to mobility.

Charging Cord Ramp: When in use, charging cords must be covered by a highly visible, stable, and secure low-angle cable ramp meeting or exceeding ADA requirements. The charging cord ramp shall remain visible at night; therefore, members are encouraged to use florescent traffic cones, lighting,

and/or reflective tape of colors that contrast with adjacent walking surfaces. Visibility of charging cord ramps must be addressed in the application package. When not in use, EVRE charging cord and charging cord ramps must be removed from WLA common property and stored out of view on homeowners' property. Currently, only a few Homeowners have been authorized to perform the sidewalk channel installation.

ADA Compliant Cord Ramp:

WLA does not endorse any particular cord ramp. Examples are provided for information purposes only:

- [VEVOR 5Channel Cable Protector Ramp 22000lbs Load ADA Compliant Wire Cable Cover \(76 lbs.\)](#)
- [Elasco MightyGuard 2 Channel HD ADA Cable Protector, 2" Channel, Black/Orange, MG2200-W \(25 lbs.\)](#)
- [Guard Dog GD1X75-O/B Polyurethane Heavy Duty 1 Channel Low Profile Cable Protector with ADA Compliant Ramp, Orange Lid with Black Ramp, 36" Length, 27.3" Width, 1.25" Height \(24 lbs.\)](#)

*Sidewalk Cord Channel: When approved by WLA through the AERC, a sidewalk cord channel cut into the sidewalk may be constructed to traverse WLA sidewalks and common property into which a charging cord may be secured when charging a members EV. The sidewalk channel shall be installed by a licensed, bonded, and insured contractor according to industry standards and WLA requirements.

The following **only** applies to Homeowners that are currently in the **waiting-phase** for the approved sidewalk Channel installation. **Those that have already installed the approved sidewalk Channel, are free to leave their installation as-is**, since it is assumed that the sidewalk Channel already provides adequate protection for the WLA Contractor employees.

Whenever a snow-event or any other type of maintenance event occurs, the Homeowner is **required to remove** any type of "temporary" power-cord and associated rubber cover from the sidewalk, to prevent any type of damage or injury to pedestrians or WLA contractors. Alternatively, if the Homeowner **needs** to charge their EV, **while** the sidewalk and associated WLA property is impeded somehow, like by snow, ice or leaves, for example, it is highly suggested that **the Homeowner remove the snow, ice or other debris** that may potentially obscure the Charging Cable and associated rubber safety cover, and safety-cone.

And just to reiterate, **any** Homeowner who is in the waiting-phase for obtaining permission to install the WLA approved Sidewalk Channel, should **always remove** their Charging Cable, rubber-cable-cover and any associated safety cones from WLA sidewalk/property, in order to minimize the potential risk of damage or injury to WLA property or pedestrians.

This is **crucial** to ensure the safety of pedestrians and WLA/vendor maintenance employees.

EVRE Sidewalk Channel Demonstration Project:

At this time, there are two (2) sidewalk channel installations. The two installations will use different channel lining technology. Both installations will only receive final approval by the WLA board of directors or AERC after the submission of proof of a \$1,000,000 insurance policy for EVRE naming WLA as an additional insured (as above) and the execution of an indemnification/license agreement. Demonstration projects will be evaluated after 6 months of operation.

WLA requirements for the Sidewalk Cord Channel are as follows:

- Channel must be graded so water drains out into the street and does not collect or freeze in the channel so as to protect channel and sidewalk from freeze damage.
- Channel must be installed in accordance with all necessary and prudent national, and local codes.
- Channel must be of proper width so as to not require a cover or must be covered at all times.
- When the charging cord is not connected to the vehicle, charging cord is to be disconnected from the EV, removed from the cord channel, retracted or neatly coiled up, and stored on charging pedestal or at house mount completely within homeowners' property boundaries.

Parking:

Applicability: An EV must be able to park within reach of the EV charging cable and allow for the charging cable to cross perpendicular to a WLA sidewalk or common area, where necessary. All EVRE applications to be submitted to the AERC must include a parking plan describing where an EV will be parked while under charge and any constraints that may exist.

This section does not apply to homes with private garages or driveways or homes with deeded or designated parking. Where a home does have access to its own private parking space, such parking space *shall* be used when charging the homeowners EV.

This section applies to neighborhoods consisting of townhomes without deeded or designated parking and is intended to prevent, as much as possible, conflicts in common parking areas.

Where a homeowner has no deeded or designated parking, Neighborhood Advisory Councils (NAC) aka Area Councils aka Neighborhood Councils may assign or designate parking in each neighborhood subject to appropriate notice and execution of standard structured voting procedures. **Reference:** Bylaws of Waters Landing Association Inc., Article VII, Neighborhood Governance.

Maintenance:

Homeowner is responsible for obtaining regular inspections from a licensed and insured contractor of all equipment necessary and prudent to maintain equipment in safe manner and to prevent damages to HOA property and ensure public safety.

EVRE Decommissioning or Home Sale:

Upon sale or transfer of home where EVRE does not convey to new owners, indemnification/license agreement paragraph 13 shall control. If for any reason an EVRE installation is to be decommissioned or removed by the owner, the EVRE must be fully removed and all association property shall be returned to its original pristine state. Deinstallation work must be accomplished by licensed, bonded, and insured contractors. AERC inspection of final deinstallation and common element reconstruction is required.

Where the EVRE will convey with the sale of the home, the home buyer must comply with all aspects of this policy to include but not be limited to the execution of the above referenced Indemnification /license agreement, securing a \$1,000,000 EVRE insurance policy naming WLA as an additional insured, and the new homeowner must agree to operate the EVRE in compliance with all aspects of this policy, as amended.

References:

WLA Common Grounds Alteration and Improvement Policy – Association Resolution 89-1
<https://waterslanding.org/governing-documents>

Maryland Code Real Property – Electric Vehicle Recharging Equipment (EVRE)
<https://mgaleg.maryland.gov/mgaweb/Laws/StatuteText?article=grp§ion=11B-111.8&enactments=False&archived=False>

Maryland State Board of Electricians – License Search
https://www.dllr.state.md.us/cgi-bin/ElectronicLicensing/OP_search/OP_search.cgi?calling_app=ME::ME_qselect

Maryland Homeowners Association Act
<https://www.whitefordlaw.com/files/2021MarylandHomeownersAssociationActFinalUpdatedforOctober2021.pdf>

MC Residential Electric Vehicles (EV) Charging Permitting Guidelines Revised March 2021
https://www.montgomerycountymd.gov/DPS/Resources/Files/RCI/EV_Charging_Guidelines.pdf

MC Residential EV Charging Stations – Permit & Inspection Process
<https://www.montgomerycountymd.gov/DPS/Process/rci/residential-EV-charging.html>

Maryland Electric Vehicle Supply Equipment Rebate Program

https://energy.maryland.gov/transportation/Pages/incentives_evsebate.aspx

Maryland Titling – Excise Tax Credit for Plug-in EVs (Up to \$3,000 tax credit for vehicle <\$50,000)

<https://mva.maryland.gov/vehicles/Pages/27300-71T.aspx>

Federal IRS – Credits for New Clean Vehicles Purchased in 2023 or After

<https://www.irs.gov/credits-deductions/credits-for-new-clean-vehicles-purchased-in-2023-or-after>

Electric Vehicle Association of Greater DC

<https://evadc.wildapricot.org/EVInfo>