

**Town of Erie
Ordinance No. 028-2025**

An Ordinance of the Town Council of the Town of Erie Affirming the Town's Existing Permitting Review Process for Electric Vehicle Charger Permit Applications and Opting Out of the Adoption of Additional Permitting Requirements in Accordance with House Bill 24-1173

Whereas, Colorado House Bill 24-1173 ("HB 24-1173"), codified at C.R.S. § 31-23-316, *et seq.*, requires certain municipalities to do one of the following: adopt permitting processes and standards from the state's EV Charging Model Land Use Code; adopt prescribed permitting processes and standards; or adopt an ordinance stating that the Town does not wish to change its existing codes and opts out of revising its codes;

Whereas, Erie Municipal Code Section 10-6-6 addresses off-street parking and loading;

Whereas, the Town issues electric vehicle parking permits in accordance with its building code, codified at Erie Municipal Code Section 9-1-1, *et seq.*; and

Whereas, the Town desires to opt out of revising its existing codes pursuant to C.R.S. § 31-23-316(2)(a)(II).

Now Therefore be it Ordained by the Town Council of the Town of Erie, Colorado, as follows:

Section 1. The Town of Erie hereby opts out of the adoption of an ordinance or resolution regarding electric vehicle parking and permitting pursuant to C.R.S. § 31-23-316(2)(a)(II).

Section 2. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one, or part, or parts be declared unconstitutional or invalid.

Section 3. Safety. The Town Council finds that the adoption of this Ordinance is necessary for the protection of the public health, safety and welfare.

Section 4. Effective Date. This Ordinance shall take effect 10 days after publication following adoption.

Introduced, Read, Passed and Ordered Published this 28th day of October, 2025.

Andrew J. Moore, Mayor

Attest:

Debbie Stamp, Town Clerk