

Wexford Conservancy
Policy Resolution No. 2023-1
Electric Vehicle Charging Station Policy

WHEREAS, The Wexford Conservancy is organized pursuant to the Virginia Property Owners' Association Act ("Act") and the Association's Declaration of Covenants, Conditions, Restrictions and Reservation of Easements ("Declaration") and Bylaws (collectively, "Governing Documents"); and

WHEREAS, Section 55.1-1819 of the Virginia Property Owners' Association Act ("POAA") authorizes the Board of Directors ("Board") to adopt and implement reasonable regulations for the benefit of the Association; and

WHEREAS, Section 1, Article VI of the (Declaration / Bylaws) states that the business and affairs of the Association shall be managed by a Board of Directors elected by the Members; and

WHEREAS, the Board has received requests to install electric vehicle charging stations within the Common Area; specifically, within the parking lot space assigned to the owner of the electric vehicle; and

WHEREAS, the Board now desires to set forth its policy regarding installation, operation, and maintenance of electric vehicle charging stations in the Common Area;

NOW THEREFORE, BE IT RESOLVED that the Association's Board adopts the following Electric Vehicle Charging Station Policy:

- 1) Installation and Removal
 - a) Owners will only install Electric Vehicle Charging Station ("EVCS") within the asphalt portion of the parking space assigned to Owner's Lot. No EVCS are permitted to be installed on sidewalks.
 - b) Owner will pay all costs of installation and removal of EVCS.
 - c) Owner must provide application to the Association before beginning installation of EVCS. The application must include a design plan for installation of the EVCS to ensure that wires from the EVCS are not protruding across the Association's sidewalk, and that there are no other trip-and-fall hazards in the installation plan for the EVCS.
 - d) Owner must hire a licensed, bonded, and insured contractor to perform such installation, and must comply with all insurance requirements as further set forth herein.
 - e) EVCS must be installed in compliance with all applicable government codes and rules regarding the installation and use of electric charging stations for electric vehicles.
 - f) Owners may install one EVCS for each assigned parking space.
 - g) Upon sale of Owner's property, Owners must either:
 1. Remove the EVCS and return the Association's common area to its prior condition, or
 2. Obtain written consent from the purchasers of Owners' property conveying the EVCS to the purchasers. Any purchaser of a property within the Association that contains an EVCS will be required to comply with the terms of this policy.

2) Insurance and Indemnification

- a) Pursuant to Virginia Code §55.1-1823.1, any lot owner installing an electric vehicle charging station shall indemnify and hold the Association harmless from all liability, including reasonable attorney fees incurred by the Association resulting from a claim, arising out of the installation, maintenance, operation, or use of such electric charging station.
- b) Pursuant to Virginia Code §55.1-1823.1, the Association requires any Owner desiring to install an EVCS to obtain and maintain insurance covering claims and defenses of claims related to the installation, maintenance, operation, or use of the electric vehicle charging station and further requires that the Association be included as a named insured on such policy.
- c) Owner must also obtain a Certificate of Insurance (“COI”) from Owner’s contractor and must provide the COI to the Association before beginning any work at the Property.
- d) The contractor’s COI must include the Association and the Owner as additional insureds.
- e) Work on the installation of the EVCS may not begin until the Association receives a COI in compliance with this policy.
- f) In the event of any damage to Association common area as a result of the installation of the EVCS, Owner will indemnify the Association for any such damages, and will cooperate with the Association in pursuing a claim against Owner’s contractor, as needed.

3) Maintenance/Operation

- a) Owner will install and maintain any locking cover over the EVCS to prevent use of the EVCS by persons other than Owner.
- b) The EVCS will draw power only from Owner’s property and from no other source.
- c) If the EVCS becomes damaged or non-operational, Owner will repair or remove the EVCS within 30 days of such damage or failure to operate. If the EVCS is removed, Owner will restore the Association’s common area to its prior condition.
 - i) If unauthorized persons are parking in Owner’s parking space containing the EVCS, Owner may call the towing company for immediate tow.

4) Failure to Comply

- a) Any Owner’s failure to comply with this Policy will constitute a violation of the Association’s governing documents under Virginia Code §55.1-1819, for which the Association may take action to suspend Owner’s right to use Association facilities and Services, including parking, and assess charges against Owner for such violation.
- b) The Association will comply with all requirements of Virginia Code §55.1-1819 before taking action to suspend the Owner’s privileges or assess violation charges.
- c) The Association will also comply with all requirements of its Due Process policy in pursuing any violation of this policy. (if there is no Due Process policy) The Association will also comply with all requirements of its Governing Documents in pursuing any violation of this policy

**Wexford Conservancy
Policy Resolution No. 2023-01
Electric Vehicle Charging Station Policy**

RESOLUTION ACTION RECORD

Resolution Type: Policy No. 2023-01

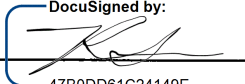
Pertaining to: Electric Vehicle Charging Stations

Duly adopted via unanimous written consent of the Board of Directors on June 15, 23.

VOTE:

	YES	NO	ABSTAIN	ABSENT
<u>Bob Hoover</u> President	✓	_____	_____	_____
<u>Lenore Boissiere</u> Vice President	✓	_____	_____	_____
<u>Christian Maul</u> Director Secretary	✓	_____	_____	_____
<u>Patrice Brown</u> Director	_____	_____	_____	✓

ATTEST:

President:  Date: 6/26/2023
DocuSigned by: 47B0DD61C24149E...

Resolution effective August 1, 2023.