

**Assembly Ordinance 2001-17  
Mandating a Fairbanks North Star Borough Motor  
Vehicle Plug-In Program**

**(2001)**

By:	Rhonda Boyles, Mayor
Introduced:	03/08/01
Advanced:	03/08/01
Substituted:	03/22/01
Postponed to another	
Public Hearing:	03/22/01
Substituted:	04/12/01
Adopted:	04/12/01

**ORDINANCE NO. 2001-17**

**AN ORDINANCE MANDATING A FAIRBANKS NORTH STAR BOROUGH  
MOTOR VEHICLE PLUG-IN PROGRAM FOR EMPLOYERS AND BUSINESSES WITH  
275 OR MORE PARKING SPACES**

WHEREAS, a portion of the Fairbanks North Star Borough is not in attainment with the National Ambient Air Quality Standard (NAAQS) for carbon monoxide; and

WHEREAS, additional emission reductions are required to ensure that the Borough can attain and maintain the NAAQS for carbon monoxide; and

WHEREAS, the Borough has a long history of encouraging motorists to plug-in their vehicles to reduce emissions; and

WHEREAS, the use of engine heaters at cold temperatures is well known to improve vehicle performance and improve maintenance and fuel economy at cold temperatures; and

WHEREAS, the Borough typically exceeds the ambient CO standard at temperatures ranging from -20° to +20°F; and

WHEREAS, motorists typically plug their vehicles in at temperatures below 0°F but are less likely to plug-in at temperatures above 0°F; and

WHEREAS, the Borough is expanding programs to encourage motorists to plug-in at all temperatures below +20°F; and

WHEREAS, the Borough is expanding the number of public parking spaces equipped with electrical outlets to increase plug-in use; and

WHEREAS, the U.S. Environmental Protection Agency (EPA) will not credit emission benefits to programs that encourage public actions unless they incorporate provisions that ensure that adopted program is enforceable, quantifiable, verifiable, and produces excess emission reductions; and

WHEREAS, a method for quantifying emission benefits of plugging-in has been developed from data collected in a test program conducted by the Alaska Department of Environmental Conservation (DEC) in cooperation with the Borough and the Municipality of Anchorage and approved by the U.S. EPA; and

WHEREAS, test measurements conducted by ADEC, the Borough and the Municipality of Anchorage have confirmed that plugging-in reduces CO emissions from cold started vehicles by 70 percent.

NOW THEREFORE, BE IT ORDAINED, by the Assembly of the Fairbanks North Star Borough:

Section 1. Sections 2 and 3 of this ordinance are of a general and permanent nature and shall be codified.

Section 2. Title 8 of the Fairbanks North Star Borough Code is amended by adding a new chapter 8.20 to read as follows:

#### **8.20.010 Vehicle Plug-in Program**

A. *Parking Lot Owner Responsibilities.* Between November 1 of each year and March 31 of the subsequent year, each employer or business with a total of 275 or more parking spaces with outlets within the Fairbanks North Star Borough nonattainment area shall supply electricity to outlets located in its parking lots for use by motorists in plugging-in vehicles equipped with engine heaters. Electricity shall be supplied on days when temperatures fall below 21°F, as measured by the National Weather Service at the Fairbanks International Airport. 1.

*Power cycling.* Power to parking lots may be cycled on and off every other hour during days when temperatures fall below the 21°F threshold to conserve electricity use.

2. *Record keeping.* Each employer or business subject to FNSB 8.20.010A shall maintain a logbook that documents the days on which power is supplied to electrical outlets located in its parking lots. Notations of special circumstances that prevent the supply of electricity to outlets shall be included. The logbooks shall be maintained for a five-year period and be available for inspection upon Borough request.

3. *New parking lots.*

a. Employers and businesses subject to FNSB 8.20.010A shall provide outlets for any new parking spaces intended for use by a motorist for longer than two hours.

b. Notwithstanding FNSB 8.20.010A, an employer or business shall provide outlets for new parking spaces when such spaces increase its number of spaces intended for use by a motorist for longer than two hours to 275 or more. The employer or business shall supply electricity to such outlets on days when temperatures fall below 21°F, as measured by the National Weather Service at the Fairbanks International Airport in accordance with this chapter.

4. *Maintenance of outlets.* Each employer or business subject to FNSB 8.20.010A shall maintain the electrical outlets in operable condition. No employer or business subject to FNSB 8.20.010A shall decrease the number of parking spaces with outlets without prior approval of the I/M program administrator.

B. *Implementing Policies and Procedures.* Within six months of the effective date of this ordinance, the Borough shall develop administrative policies and procedures for implementing and enforcing this program.

C. *Penalties for Violation.*

1. The borough may institute a civil action against an employer or business that violates a provision of this chapter. In addition to injunctive and compensatory relief, the borough may obtain a civil penalty not to exceed one thousand dollars for each violation. The borough may bring an action to enjoin a violation or to recover a civil penalty notwithstanding the availability of any other remedy.

2. Each day that a violation of this chapter continues constitutes a separate violation.

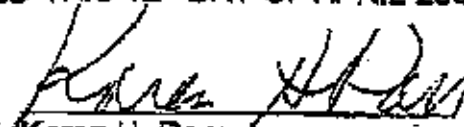
D. *Definitions*

1. Employer or business means all private and public sector entities, including state, local, and federal agencies, departments, offices, boards, commissions, corporations and political subdivisions or other organizational units, including the University of Alaska and School District. The total number of parking spaces includes all agencies, divisions, subsidiaries and locations of the employer or business within the Fairbanks North Star Borough nonattainment area.

2. Nonattainment area means the area located within the Fairbanks North Star Borough that is set out and described by federal law (40 CFR 81.302) but excluding the City of North Pole.

Section 4. Effective Date. This ordinance shall be effective at 5:00 p.m. on the day following its adoption.

PASSED AND APPROVED THIS 12<sup>th</sup> DAY OF APRIL 2001.

  
Karen H. Parr  
Presiding Officer

ATTEST:

  
Mona Lisa Drexler, CMC  
Municipal Borough Clerk

Ayes: Williams, Foote, Sattley, Cummings, Hutchison, Holm, Sofia, Veazey, Parr  
Noes: None