

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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HOUSE BILL 385

Short Title: Regulation of Battery-Charged Security Fences. (Public)

Sponsors: Representatives McNeely and Moss (Primary Sponsors).

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Regulatory Reform, if favorable, Rules, Calendar, and Operations of the House

March 16, 2023

1 A BILL TO BE ENTITLED
2 AN ACT TO PROHIBIT COUNTIES AND CITIES FROM ADOPTING CERTAIN
3 ORDINANCES, RULES, AND REGULATIONS RELATED TO BATTERY-CHARGED
4 SECURITY FENCES AND TO DEFINE AND ESTABLISH REQUIREMENTS FOR
5 THOSE BATTERY-CHARGED SECURITY FENCES.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** Article 6 of Chapter 153A of the General Statutes is amended by
8 adding a new section to read:

9 "**§ 153A-134.1. Regulation of battery-charged security fences.**

10 (a) No county may adopt an ordinance, rule, or regulation that does any of the following:

11 (1) Requires any type of permit, fee, review, or approval for the installation or use
12 of a battery-charged security fence in addition to a permit that may be required
13 by an ordinance adopted by the governing board as authorized by
14 G.S. 74D-11(c).

15 (2) Imposes installation or operational requirements for battery-charged security
16 fences that are inconsistent with the requirements and standards described in
17 subsection (b) of this section.

18 (3) Prohibits the installation or use of a battery-charged security fence on property
19 that has been zoned for nonresidential use.

20 (b) For purposes of this section, the term "battery-charged security fence" means an alarm
21 system and ancillary components, or equipment attached to that system, including a fence, a
22 battery-operated energizer that is intended to periodically deliver voltage impulses to the fence,
23 and a battery charging device used exclusively to charge the battery. A battery-charged security
24 fence shall meet the following requirements:

25 (1) Interfaces with a monitored alarm device enabling the alarm system to
26 transmit a signal intended to summon the business or law enforcement in
27 response to an intrusion or burglary.

28 (2) Is located on property that is not designated by a county or city exclusively
29 for residential use.

30 (3) Has an energizer that is powered by a commercial storage battery that is not
31 more than 12 volts of direct current.

32 (4) Has an energizer that meets the standards established by the most current
33 version of the International Electrotechnical Commission Standard
34 60335-2-76.



- 1 (5) Is surrounded by a non-electric perimeter fence or wall that is not less than 5
2 feet in height.
- 3 (6) Does not exceed 10 feet in height or 2 feet higher than the non-electric
4 perimeter fence or wall, whichever is higher.
- 5 (7) Is marked with conspicuous warning signs that are located on the
6 battery-charged security fence at not more than 30-foot intervals and read:
7 "WARNING—ELECTRIC FENCE".

8 **SECTION 2.** Article 8 of Chapter 160A of the General Statutes is amended by
9 adding a new section to read:

10 **"§ 160A-194.1. Regulation of battery-charged security fences.**

11 (a) No city may adopt an ordinance, rule, or regulation that does any of the following:

- 12 (1) Requires any type of permit, fee, review, or approval for the installation or use
13 of a battery-charged security fence in addition to a permit that may be required
14 by an ordinance adopted by the governing board as authorized by
15 G.S. 74D-11(c).
- 16 (2) Imposes installation or operational requirements for battery-charged security
17 fences that are inconsistent with the requirements and standards described in
18 subsection (b) of this section.
- 19 (3) Prohibits the installation or use of a battery-charged security fence on property
20 that has been zoned for nonresidential use.

21 (b) For purposes of this section, the term "battery-charged security fence" means an alarm
22 system and ancillary components, or equipment attached to that system, including a fence, a
23 battery-operated energizer that is intended to periodically deliver voltage impulses to the fence,
24 and a battery charging device used exclusively to charge the battery. A battery-charged security
25 fence shall meet the following requirements:

- 26 (1) Interfaces with a monitored alarm device enabling the alarm system to
27 transmit a signal intended to summon the business or law enforcement in
28 response to an intrusion or burglary.
- 29 (2) Is located on property that is not designated by a county or city exclusively
30 for residential use.
- 31 (3) Has an energizer that is powered by a commercial storage battery that is not
32 more than 12 volts of direct current.
- 33 (4) Has an energizer that meets the standards established by the most current
34 version of the International Electrotechnical Commission Standard
35 60335-2-76.
- 36 (5) Is surrounded by a non-electric perimeter fence or wall that is not less than 5
37 feet in height.
- 38 (6) Does not exceed 10 feet in height or 2 feet higher than the non-electric
39 perimeter fence or wall, whichever is higher.
- 40 (7) Is marked with conspicuous warning signs that are located on the
41 battery-charged security fence at not more than 30-foot intervals and read:
42 "WARNING—ELECTRIC FENCE".

43 **SECTION 3.** This act is effective when it becomes law.