



2023-2024 General Assembly

SENATE BILL 607: Regulatory Reform Act of 2024, Sec. 22.5: Clarify Prohibition on Counties and Cities Enacting and Enforcing Certain Ordinances, Rules, and Regulations Related to Battery- Charged Security Fences

Committee:		Date:	August 22, 2024
Introduced by:		Prepared by:	William Brewer
Analysis of:	Sec. 22.5 of S.L. 2024-45		Staff Attorney

OVERVIEW: *Section 22.5 of S.L. 2024-45 does the following:*

- *Prohibits counties and cities from enforcing any existing ordinances, rules, or regulations related to battery-charged security fences.*
- *Clarifies that the preemption on adopting battery-charged security fence ordinances applies to property zoned "exclusively" for nonresidential uses.*
- *Modifies the height requirements for battery-charged security fences to "exactly 10 feet."*

This section became effective on July 9, 2024, and applies to any ordinances adopted before, on, or after that date.

CURRENT LAW:

Counties and cities are prohibited from adopting any ordinance, rule, or regulation that does the following:

Requires a permit, fee, review, or any other kind of approval for a property owner to install a battery-charged security fence (unless that fence is also an alarm-system subject to regulation under G.S. 74D-11(c)).

Imposes a restriction on any installation or operational requirements that are inconsistent with regulations found in State law.

Prohibits the installation of battery-charged security fences in property zoned for nonresidential usage.

BILL ANALYSIS:

Section 22.5 of S.L. 2024-45 does the following:

- Prohibits counties and cities from enforcing any existing ordinances, rules, or regulations related to battery-charged security fences.
- Clarifies that the preemption on adopting battery-charged security fence ordinances applies to property zoned "exclusively" for nonresidential uses.
- Modifies the height requirements for battery charged security fences to "exactly 10 feet."

EFFECTIVE DATE:

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Director



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