

SENATE BILL NO. 208—SENATORS FLORES, STONE, GOICOECHEA;
DALY, KRASNER AND OHRENSCHALL

MARCH 2, 2023

Referred to Committee on Government Affairs

SUMMARY—Requires counties and cities to enact certain ordinances relating to battery-charged fences. (BDR 20-853)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

CONTAINS UNFUNDED MANDATE (§§ 1, 2)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to local governments; requiring the governing body of a county or city to enact ordinances relating to battery-charged fences; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes the governing body of a county or city to enact ordinances that regulate certain health and safety issues. (NRS 244.355-244.369, 268.409-268.427) **Sections 1 and 2** of this bill require the governing body of a county or city to enact an ordinance that regulates battery-charged fences. **Sections 1 and 2** require that such an ordinance require that a battery-charged fence: (1) be located on property not zoned exclusively for residential use; (2) use a battery that is not more than 12 volts of direct current; (3) have an energizer that meets the most current standards set forth by the International Electrotechnical Commission; (4) be surrounded by a nonelectric perimeter fence or wall; (5) be not more than a certain height; and (6) be marked with certain conspicuous warning signs located on the battery-charged fence. **Sections 1 and 2** prohibit such an ordinance from: (1) requiring a permit for the installation or use of a battery-charged fence that is in addition to an alarm system permit issued by the county or city; (2) imposing installation or operational requirements for a battery-charged fence that are inconsistent with the standards set forth by the International Electrotechnical Commission; or (3) prohibiting the installation or use of a battery-charged fence.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 244 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Except as otherwise provided in subsection 3, a board of county commissioners shall enact ordinances regulating battery-charged fences.

2. An ordinance enacted pursuant to this section must, without limitation, require that a battery-charged fence:

(a) Be located on property that is not zoned exclusively for residential use;

(b) Use a battery that is not more than 12 volts of direct current;

(c) Have an energizer that meets the most current standards set forth by the International Electrotechnical Commission;

(d) Be surrounded by a nonelectric perimeter fence or wall that is at least 5 feet in height;

(e) Not be higher than 10 feet in height or 2 feet higher than the height of the nonelectric perimeter fence or wall described in paragraph (d), whichever is greater; and

(f) Be marked with conspicuous warning signs that are located on the battery-charged fence at intervals of not more than 40 feet and that read: "WARNING: ELECTRIC FENCE."

3. A board of county commissioners, in enacting an ordinance pursuant to this section, may not enact an ordinance that:

(a) Requires a permit for the installation or use of a battery-charged fence that is in addition to any permit that is required to install an alarm system;

(b) Imposes any installation or operational requirement for a battery-charged fence that is inconsistent with the most current standards set forth by the International Electrotechnical Commission; or

(c) Prohibits the installation or use of a battery-charged fence.

4. As used in this section:

(a) "Alarm system" means a device or system that transmits an audible, visual or electronic signal intended to summon or alert law enforcement. The term does not include a system which does not transmit a signal from outside of a building or residence and is intended to alert only occupants of a building or residence.

(b) "Battery-charged fence" means a fence that interfaces with an alarm system in a manner that enables the fence to cause the connected alarm system to transmit a signal intended to summon



1 *law enforcement in response to an intrusion and has an energizer*
2 *that is driven by a battery.*

3 **Sec. 2.** Chapter 268 of NRS is hereby amended by adding
4 thereto a new section to read as follows:

5 *1. Except as otherwise provided in subsection 3, a city council*
6 *or other governing body of an incorporated city shall enact*
7 *ordinances regulating battery-charged fences.*

8 *2. An ordinance enacted pursuant to this section must,*
9 *without limitation, require that a battery-charged fence:*

10 *(a) Be located on property that is not zoned exclusively for*
11 *residential use;*

12 *(b) Use a battery that is not more than 12 volts of direct*
13 *current;*

14 *(c) Have an energizer that meets the most current standards*
15 *set forth by the International Electrotechnical Commission;*

16 *(d) Be surrounded by a nonelectric perimeter fence or wall*
17 *that is at least 5 feet in height;*

18 *(e) Not be higher than 10 feet in height or 2 feet higher than*
19 *the height of the nonelectric perimeter fence or wall described in*
20 *paragraph (d), whichever is greater; and*

21 *(f) Be marked with conspicuous warning signs that are located*
22 *on the battery-charged fence at intervals of not more than 40 feet*
23 *and that read: "WARNING: ELECTRIC FENCE."*

24 *3. A city council or other governing body of an incorporated*
25 *city, in enacting an ordinance pursuant to this section, may not*
26 *enact an ordinance that:*

27 *(a) Requires a permit for the installation or use of a battery-*
28 *charged fence that is in addition to any permit that is required to*
29 *install an alarm system;*

30 *(b) Imposes any installation or operational requirement for a*
31 *battery-charged fence that is inconsistent with the most current*
32 *standards set forth by the International Electrotechnical*
33 *Commission; or*

34 *(c) Prohibits the installation or use of a battery-charged fence.*

35 **4. As used in this section:**

36 *(a) "Alarm system" means a device or system that transmits an*
37 *audible, visual or electronic signal intended to summon or alert*
38 *law enforcement. The term does not include a system which does*
39 *not transmit a signal from outside of a building or residence and is*
40 *intended to alert only occupants of a building or residence.*

41 *(b) "Battery-charged fence" means a fence that interfaces with*
42 *an alarm system in a manner that enables the fence to cause the*
43 *connected alarm system to transmit a signal intended to summon*
44 *law enforcement in response to an intrusion and has an energizer*
45 *that is driven by a battery.*



1 **Sec. 2.5.** The provisions of NRS 354.599 do not apply to any
2 additional expenses of a local government that are related to the
3 provisions of this act.

4 **Sec. 3.** Any ordinance, regulation or rule enacted by a county
5 or city before, on or after July 1, 2023, which conflicts with the
6 provisions of this act is void and unenforceable.

7 **Sec. 4.** This act becomes effective on July 1, 2023.

