

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE DRH50317-LD-58A* (02/14)

Short Title: Energy Devices That Use Renewable Resources. (Public)

Sponsors: Representatives Fisher and Harrison (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT CITY ORDINANCES, COUNTY ORDINANCES,
AND DEED RESTRICTIONS, COVENANTS, AND OTHER SIMILAR
AGREEMENTS CANNOT PROHIBIT OR HAVE THE EFFECT OF
PROHIBITING THE INSTALLATION OF ENERGY DEVICES THAT ARE
BASED ON THE USE OF RENEWABLE RESOURCES.

The General Assembly of North Carolina enacts:

SECTION 1. Article 8 of Chapter 160A of the General Statutes is amended
by adding a new section to read:

**"§ 160A-201. Limitations on regulating energy devices based on the use of
renewable resources.**

(a) No city shall by ordinance prohibit, or have the effect of prohibiting, the
installation of a solar collector, clothesline, or any other energy device based on the use
of renewable resources. No person shall be denied permission by a city to install any
energy device based on the use of renewable resources.

(b) In any civil action arising under this section, the court may award costs and
reasonable attorneys' fees to the prevailing party.

(c) This section does not apply to an ordinance regarding patio railings in a
condominium, cooperative, or apartment."

SECTION 2. Article 6 of Chapter 153A of the General Statutes is amended
by adding a new section to read:

**"§ 153A-144. Limitations on regulating energy devices based on the use of
renewable resources.**

(a) No county shall by ordinance prohibit, or have the effect of prohibiting, the
installation of a solar collector, clothesline, or any other energy device based on the use
of renewable resources. No person shall be denied permission by a county to install any
energy device based on the use of renewable resources.

