

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE BILL 475
State and Local Government Committee Substitute Adopted 4/21/09
House Committee Substitute Favorable 6/24/09

Short Title: Amend Carrboro Charter/Conserve Energy/Water.

(Local)

Sponsors:

Referred to:

March 10, 2009

A BILL TO BE ENTITLED

AN ACT TO AMEND THE CHARTER OF THE TOWN OF CARRBORO TO AUTHORIZE
THE BOARD OF ALDERMEN TO ADOPT ORDINANCES FOR THE ORDERLY
INSTALLATION OF ENERGY-SAVING AND WATER-SAVING DEVICES.

The General Assembly of North Carolina enacts:

SECTION 1. Article 10 of the Charter of the Town of Carrboro, being Chapter 476
of the 1987 Session Laws, is amended by adding a new section to read:

"Section 10-2. **Providing for the Orderly Installation of Energy-Generating or Energy-
or Water-Saving Devices.**

(a) The board of aldermen may by ordinance provide for the orderly installation of solar
collectors, clotheslines, rain barrels, garden fences, or any further technology designed
specifically to generate or conserve energy through the use of renewable resources or to
capture, store, or reuse water, so long as such installation is done by or on behalf of a person
who otherwise has a property right to install such device. The ordinance may provide for
review and approval or denial of homeowners association legal documents, including restrictive
covenants, for compliance with the ordinance as a part of granting or denying approval of a
subdivision. An ordinance adopted pursuant to this section shall not prohibit the adoption or
enforcement of any deed restriction, covenant, equitable servitude, similar binding agreement,
or any rule or regulation adopted by a property owners association that does any of the
following:

- (1) Affects a common area.
- (2) That is designed to ensure that any device described in subsection (a) of this
section is installed and maintained in such a manner that it does not pose a
risk to the safety of any person.
- (3) Regulates the location or screening of any device described in subsection (a)
of this section, provided the deed restriction, covenant, equitable servitude,
or similar binding agreement or rule or regulation adopted by a homeowners
association does not have the effect of preventing the reasonable use of such
device.

No ordinance adopted pursuant to this section shall apply to any condominium created under
Chapter 47A or 47C of the General Statutes.

(b) If any provision of this section conflicts with the provisions of G.S. 160A-201 or
G.S. 22B-20, the provisions of this section shall control.

(c) An ordinance adopted under this section may provide for enforcement using any of
the means authorized by G.S. 160A-175."



1 **SECTION 2.** This act becomes effective October 1, 2009, and applies to deed
2 restrictions, covenants, or similar binding agreements that run with the land recorded on or after
3 that date.