

1 AN ACT relating to the regulation of low voltage battery-charged security fences
2 by local governments.

3 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

4 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 65 IS CREATED TO
5 READ AS FOLLOWS:

6 *(1) As used in this section:*

7 *(a) "Local government" means a city, county, urban-county government,*
8 *charter county government, consolidated local government, or unified local*
9 *government;*

10 *(b) "Low voltage battery-charged security fence":*

11 *1. Means a fence that:*

12 *a. Is interfaced with an alarm system in a manner that enables the*
13 *fence to cause the connected alarm system to transmit a signal*
14 *intended to alert the business occupying the property and a*
15 *monitoring station operator in response to an intrusion or*
16 *burglary;*

17 *b. Is energized by a commercial direct current storage battery of*
18 *twelve (12) volts or less that is designed to periodically deliver*
19 *voltage impulses to the fence;*

20 *c. Includes a battery charging device used exclusively to charge the*
21 *fence energizer's battery, the energizer of which is certified to*
22 *meet the current International Electrotechnical Commission*
23 *Standard 60335-2-76 or a successor standard;*

24 *d. Is surrounded by a nonelectric perimeter barrier;*

25 *e. Is ten (10) feet in height, or two (2) feet higher than the*
26 *surrounding nonelectric perimeter barrier, whichever is greater;*

27 *and*

- 1 f. Has warning signs that read, "WARNING—ELECTRIC
2 FENCE" or substantially similar language posted on it at
3 intervals not greater than thirty (30) feet apart for its entire
4 length; and
- 5 2. Does not mean a:
- 6 a. Security alarm system that does not attach to a security fence
7 system capable of delivering an electric pulse; or
- 8 b. Low voltage battery-charged security fence surrounding a
9 property used as or zoned exclusively for residential purposes;
10 and
- 11 (c) "Nonelectric perimeter barrier" means a fence or wall that is at least five
12 (5) feet in height and not capable of delivering an electric pulse.
- 13 (2) A low voltage battery-charged security fence may be installed and operated on
14 any property that is not used as or exclusively zoned for residential purposes
15 without the need to obtain any local government permit, approval, or other
16 authorization, except for an alarm permit when required by a local government.
- 17 (3) The authorizations provided in subsection (2) of this section shall not be
18 interpreted or construed to limit a local government's powers and abilities to
19 regulate a nonelectric perimeter barrier as it relates to:
- 20 (a) Generally applicable safety, building, electrical, and fire codes, including
21 the Kentucky Building Code and Kentucky Electrical Code; or
- 22 (b) Generally applicable setback, height, and lot coverage requirements that
23 apply uniformly to other fences or accessory structures.