

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007

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SENATE DRS55216-LD-58 (02/14)

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

Sponsors: Senator Cowell.

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.

