

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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SENATE BILL 475  
State and Local Government Committee Substitute Adopted 4/21/09

Short Title: Amend Carrboro Charter/Conserve Energy/Water. (Local)

Sponsors:

Referred to:

March 10, 2009

1 A BILL TO BE ENTITLED  
2 AN ACT TO AMEND THE CHARTER OF THE TOWN OF CARRBORO TO AUTHORIZE  
3 THE BOARD OF ALDERMEN TO ADOPT ORDINANCES FOR THE ORDERLY  
4 INSTALLATION OF ENERGY-SAVING AND WATER-SAVING DEVICES.

5 The General Assembly of North Carolina enacts:

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

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

10 (a) The board of aldermen may by ordinance provide for the orderly installation of solar  
11 collectors, clotheslines, rain barrels, garden fences, or any further technology designed  
12 specifically to generate or conserve energy through the use of renewable resources or to  
13 capture, store, or reuse water, so long as such installation is done by or on behalf of a person  
14 who otherwise has a property right to install such device. The ordinance may provide for  
15 review and approval or denial of homeowners association legal documents, including restrictive  
16 covenants, for compliance with the ordinance as a part of granting or denying approval of a  
17 subdivision. An ordinance adopted pursuant to this section shall not prohibit the adoption or  
18 enforcement of any deed restriction, covenant, equitable servitude, similar binding agreement,  
19 or any rule or regulation adopted by a property owners association affecting a common area or  
20 that is designed to ensure that any such device is installed and maintained in such a manner that  
21 it does not pose a risk to the safety of any person. No ordinance adopted pursuant to this section  
22 shall apply to any condominium created under Chapter 47A or 47C of the General Statutes.

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

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

