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**AB-549 Local government: building permit: electrified security fence: notice.** (2017-2018)

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**Assembly Bill No. 549**

**CHAPTER 138**

An act to add Section 50031 to the Government Code, relating to local government.

[ Approved by Governor July 31, 2017. Filed with Secretary of State July 31, 2017. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AB 549, Quirk. Local government: building permit: electrified security fence: notice.

Existing law authorizes an owner of real property to install and operate an electrified security fence on his or her property if the property is not in a residential zone, the fence is identified by prominently placed warning signs, the height of the fence does not exceed 10 feet, the fence is located behind a perimeter fence that is not less than 6 feet in height, and the fence meets specified electrotechnical and local requirements. Existing law prohibits an owner of real property from installing and operating an electrified security fence where also prohibited by local ordinance.

This bill would require a city, including a charter city, county, including a charter county, or city and county, including a charter city and county, that approves a building permit for the construction of an electrified security fence, as defined, to notify the local fire department and fire marshal and to provide them with a copy of the approved permit. Because the bill would require local officials to perform additional duties, the bill would impose a state-mandated local program.

This bill would make findings that this bill addresses a matter of statewide concern and would declare that its provisions would apply to all cities and counties, including a charter city, a charter county, or a charter city and county.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

**THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:**

**SECTION 1.** Section 50031 is added to the Government Code, to read:

**50031.** (a) A city, including a charter city, county, including a charter county, or city and county, including a charter city and county, that approves a building permit for the construction of an electrified security fence shall notify the local fire department and fire marshal and provide them with a copy of the approved permit.

(b) For purposes of this section, the term "electrified security fence" has the same meaning as that term is defined in Section 835 of the Civil Code.

**SEC. 2.** The Legislature finds and declares that this act addresses a matter of statewide concern, and not a municipal affair. Therefore, the changes made by this act are applicable to all cities and counties, including a charter city, a charter county, and a charter city and county.

**SEC. 3.** No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.