



Ohio Revised Code

Section 3781.1011 Battery-charged fences.

Effective: July 21, 2022

Legislation: House Bill 397

(A) As used in this section:

(1) "Alarm system" means a device or system that transmits a signal intended to summon law enforcement to a county, township, or municipal corporation in response to an alleged violation of an offense under Chapter 2911. of the Revised Code occurring in a nonresidential zone of the applicable county, township, or municipal corporation. The term includes an alarm that emits an audible signal on the exterior of a structure. The term does not include an alarm installed on a vehicle or an alarm designed to alert only the inhabitants within the premises. The term includes an alarm system for which a permit may be issued under any applicable section of the Revised Code or Ohio Constitution.

(2) "Battery-charged fence" means a fence connected to a battery-operated energizer that is intended periodically to deliver voltage impulses to the fence, a battery charging device used exclusively to charge the battery, and any other ancillary components or equipment attached to such a system.

(3) "Permit" means a certificate, license, permit, or other form of permission that authorizes a person to engage in an action.

(B) A battery-charged fence installed on private, nonresidential property within a county, township, or municipal corporation shall satisfy all of the following:

(1) Interface with a monitored alarm system;

(2) Have a battery-operated energizer that is powered by a commercial storage battery that is not more than twelve volts of direct current, and that meets the standards set forth by the international electrotechnical commission 60335-02-76 current edition;

(3) Be completely surrounded by a nonelectric perimeter fence or wall that is not less than five feet



in height;

(4) Be not more than the higher of ten feet in height, or two feet higher than the height of the nonelectric perimeter fence or wall; and

(5) Be marked with conspicuous warning signs that are located on the battery-charged fence at not more than forty-foot intervals and that read: "WARNING--ELECTRIC FENCE."

(C) Division (B) of this section does not apply to any of the following:

(1) Fences that are required to be constructed by persons or corporations owning, controlling, or managing a railroad pursuant to Chapter 4959. of the Revised Code;

(2) Partition fences constructed in accordance with Chapter 971. of the Revised Code;

(3) Fences constructed or installed by the state or a political subdivision, or by the federal government;

(4) Fences installed at a facility that is an accredited member of the association of zoos and aquariums or the zoological association of America and that is licensed by the United States department of agriculture under the federal animal welfare act;

(5) Fences installed at a wildlife sanctuary;

(6) Fences constructed and used for agricultural purposes, as agriculture is defined in either section 303.01 or 519.01 of the Revised Code.

(D) Notwithstanding any other section of the Revised Code, a county, township, or municipal corporation may adopt and enforce an ordinance, order, resolution, or regulation that does any of the following:

(1) Imposes installation or operational requirements for battery-charged fences in nonresidential properties that are not in conflict with the requirements and standards set forth in division (B) of this



section;

(2) Requires a permit or fee for the installation or use of a battery-charged fence to which this section applies in accordance with a permit or fee for an alarm system issued or charged by the county, township, or municipal corporation;

(3) Prohibits the installation or use of a battery-charged fence in a nonresidential zone that does not meet the requirements and standards set forth in division (B) of this section.