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# 191912

Ordinance

## Amend Electric Fences Code to comply with House Bill 4027 and Oregon Revised Statute 195.870 related to certain nonresidential alarm systems and battery-charged fences and add requirements for the installation of battery-operated electric fences (amend Code Section 26.03.110)

Passed

The City of Portland ordains:

Section 1. The City Council finds:

1. Portland Permitting & Development (PP&D) promotes safety, livability, and economic vitality through efficient and collaborative application of building and development codes.
2. PP&D administers Portland City Code (PCC) Title 26, Electrical Regulations, which outlines the requirements for electrical fences.
3. In 2021, the Oregon State legislature enacted HB 4027 which amended ORS 195.870 to limit local government regulations on certain nonresidential alarm systems and battery-charged fences. A battery-charged fence is a fence that is connected to an alarm system to summon the police and delivers an electrical charge on contact, which is energized by a battery.
4. Consequently, PP&D seeks to amend the provisions in Title 26 that regulate electric fences.
5. Proposed amendments clarify the differing requirements for hardwired and battery-operated electric fences, and refine existing language related to hardwired installations.
6. Per ORS 195.870, PP&D is adding new requirements specifically for the installation of battery-charged electric fences to Title 26.
7. These amendments align Title 26 content and language with ORS 195.870, revising the scope of this section to include battery-charged fence allowances, as required.

NOW, THEREFORE, the Council directs:

- A. Amend City Code Section 26.03.110 as shown in Exhibit A.

Introduced by

[Mayor Ted Wheeler](#)

City department

[Permitting & Development](#)

Contact

Matthew Rozzell

Building Official

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📞 [711](#) Oregon Relay Service

Requested Agenda Type

Consent

Date and Time Information

Requested Council Date

October 16, 2024

Changes City Code

## Exhibits and Attachments

 [Exhibit A](#) 278.52 KB

 [Memo to Council](#) 167.52 KB

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed by Council  
October 16, 2024

Auditor of the City of Portland  
Simone Rede

## Impact Statement

### Purpose of Proposed Legislation and Background Information

Portland Permitting & Development (PP&D) administers Portland City Code (PCC) Title 26, Electrical Regulations. The Oregon State legislature enacted HB 4027 in 2021, which amended ORS 195 to add Section 195.870 Battery-charged fence: preemption of local laws.

ORS 195.870 limits local government regulations on certain nonresidential alarm systems and battery-charged fences. Due to details included in ORS 195.870, PP&D seeks to amend the provisions in Title 26 that regulate electric fences to reflect adopted state legislation.

To comply with ORS 195.870, PP&D needs to clarify the provisions in Title 26 that regulate hard-wired electric fences, as well as address new requirements for the installation of battery-charged electric fences.

These amendments are intended to align Portland City Code Title 26 with state-approved requirements.

### Financial and Budgetary Impacts

This ordinance has no budgetary impacts and would not impact staffing levels. Any changes in work resulting from this ordinance is expected to be performed using existing resources.

### Community Impacts and Community Involvement

No community involvement was conducted in the development of this ordinance.

## 100% Renewable Goal

This ordinance does not impact the City's sustainability goals.

## Document History

Item 848 Consent Agenda in [October 9-10, 2024 Council Agenda](https://www.portland.gov/council/agenda/2024/10/9)  
(<https://www.portland.gov/council/agenda/2024/10/9>)

City Council

Passed to second reading

Passed to second reading October 16, 2024 at 9:30 a.m.

Item 877 Consent Agenda in [October 16, 2024 Council Agenda](https://www.portland.gov/council/agenda/2024/10/16)  
(<https://www.portland.gov/council/agenda/2024/10/16>)

City Council

Passed

Aye (4): Mingus Mapps, Carmen Rubio, Dan Ryan, Rene Gonzalez

Absent (1): Ted Wheeler