

JAN 16 2014

A BILL FOR AN ACT

RELATING TO ENERGY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 196-8.5, Hawaii Revised Statutes, is
2 amended to read as follows:

3 " [+]§196-8.5[+] **Placement of clotheslines.** (a)

4 Notwithstanding any law to the contrary, no person shall be
5 prevented by any covenant, declaration, bylaws, restriction,
6 deed, lease, term, provision, condition, codicil, contract, or
7 similar binding agreement, however worded, from installing a
8 clothesline on any [~~single-family~~] residential dwelling,
9 apartment, condominium, or townhouse [~~that the person owns~~].

10 Any provision in any lease, instrument, or contract contrary to
11 the intent of this section shall be void and unenforceable.

12 (b) Every private entity may adopt rules that reasonably
13 restrict the placement and use of clotheslines for the purpose
14 of drying clothes on the premises of any [~~single-family~~]
15 residential dwelling or townhouse; provided that those
16 restrictions do not prohibit the use of clotheslines altogether.

17 A reasonable restriction is any restriction that is necessary to
18 protect:



- 1 (1) Public health and safety, including but not limited to
- 2 ensuring safe access to and rapid evacuation of
- 3 buildings;
- 4 (2) Buildings from damage;
- 5 (3) Historic or aesthetic values, when an alternative of
- 6 reasonably comparable cost and convenience is
- 7 available; or
- 8 (4) Shorelines under shoreline setback provisions pursuant
- 9 to section 205A-43.

10 No private entity shall assess or charge any homeowner any fees
11 for the placement of any clothesline."

12 SECTION 2. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:

[Handwritten signatures and names]

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S.B. NO. 2178

Report Title:

Household Energy Demand; Clotheslines; Reasonable Restrictions

Description:

Permits the installation of clotheslines in any residential dwelling or townhouse. Defines a reasonable restriction on the placement and use of clotheslines as any restriction that is necessary to protect public health and safety, buildings from damage, historic or aesthetic values, and shorelines under certain circumstances.

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