
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. Any
10 provision in any lease, instrument, or contract contrary to the
11 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, apartment, condominium, or townhouse;
16 provided that those restrictions do not prohibit the use of
17 clotheslines [~~altogether.~~]; provided further that, for a multi-
18 story apartment or condominium structure, the private entity may



1 restrict the placement and use of clotheslines on a balcony or
2 lanai to no higher than the height of the exterior wall or
3 railing of the balcony or lanai. A reasonable restriction is
4 any restriction that is necessary to protect:

5 (1) Public health and safety, including but not limited to
6 ensuring safe access to and rapid evacuation of
7 buildings;

8 (2) Buildings from damage;

9 (3) Historic or aesthetic values, when an alternative of
10 reasonably comparable cost and convenience is
11 available; or

12 (4) Shorelines under shoreline setback provisions pursuant
13 to section 205A-43.

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

16 SECTION 2. Statutory material to be repealed is bracketed
17 and stricken. New statutory material is underscored.

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



Report Title:

Household Energy Demand; Clotheslines; Reasonable Restrictions

Description:

Permits the installation of clotheslines in any residential dwelling, apartment, condominium, 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. (SD1)

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