

JAN 22 2016

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 by amending subsections (a) and (b) to read as follows:

3 "(a) Notwithstanding any law to the contrary, no person
4 shall be prevented by any covenant, declaration, bylaws,
5 restriction, deed, lease, term, provision, condition, codicil,
6 contract, or similar binding agreement, however worded, from
7 installing a clothesline on any [~~single family~~] residential
8 dwelling, apartment, condominium, or townhouse that the person
9 owns. Any provision in any lease, instrument, or contract
10 contrary to the intent of this section shall be void and
11 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



1 clotheslines [~~altogether~~]. A reasonable restriction is any
2 restriction that is necessary to protect:

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

6 (2) Buildings from damage;

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

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

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

14 SECTION 2. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

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

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INTRODUCED BY:

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S.B. NO. 2654

A handwritten signature in black ink, appearing to be "M. Mitchell", written in a cursive style and underlined.

S.B. NO. 2654

Report Title:

Household Energy Demand; Clotheslines; Residential Property;
Reasonable Restrictions

Description:

Permits the installation of clotheslines in any residential dwelling, apartment, condominium, or townhouse, under certain conditions. 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, or shorelines under certain circumstances.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

