

April 9, 2009

H 1353. CONSERVE ENERGY/WATER. Filed 4/8/09. *TO AUTHORIZE CITIES AND COUNTIES TO ADOPT ORDINANCES THAT PROHIBIT DEED RESTRICTIONS, COVENANTS, EQUITABLE SERVITUDES, OR ANY SIMILAR BINDING AGREEMENTS THAT WOULD PROHIBIT THE INSTALLATION OF SOLAR COLLECTORS, CLOTHESLINES, RAIN BARRELS, GARDEN FENCES, OR ANY OTHER DEVICES DESIGNED TO GENERATE OR CONSERVE ENERGY THROUGH THE USE OF RENEWABLE RESOURCES OR TO CAPTURE, STORE, OR REUSE WATER.*

Enacts new GS 160A-202 and GS 153A-144.1 as the title indicates. Provides for enforcement.

Intro. by Harrison.

GS 153A, 160A

May 11, 2009

H 1353. NO ORDINANCES/DEEDS MAY STOP CLOTHESLINES (NEW). Filed 4/8/09. House committee substitute makes the following changes to 1st edition. Rewrites title to read, *AN ACT TO PROVIDE THAT CITY ORDINANCES AND COUNTY ORDINANCES CANNOT PROHIBIT OR HAVE THE EFFECT OF PROHIBITING THE INSTALLATION OF CLOTHESLINES NOT VISIBLE BY A PERSON ON THE GROUND AND NOT FACING AREAS OPEN TO COMMON OR PUBLIC ACCESS.* Deletes provisions in the previous edition and amends proposed new GS 160A-202 and GS 153A-144.1 to provide that no city or county ordinance may prohibit or have the effect of prohibiting installation of a clothesline, and no city or county may deny a person permission to install a clothesline for residential property as defined in GS 160A-201 and GS 153A-144. The statutes do not prohibit ordinances (1) that regulate the location or screening of clotheslines, provided the ordinance does not have the effect of preventing the reasonable use of a clothesline for residential property or (2) that would prohibit the location of clotheslines that are visible by a person on the ground and that face areas open to common or public access. In a civil action under either section, the court may award costs and reasonable attorneys' fees to the prevailing party. Makes act effective October 1, 2009 (was, effective when the act became law).

May 12, 2009

H 1353. NO ORDINANCES/DEEDS MAY STOP CLOTHESLINES. Filed 4/8/09. House committee substitute makes the following changes to 2nd edition. Eliminates provisions allowing the award of costs and attorneys' fees to a prevailing party bringing suit under the proposed statutory sections. Defines residential property as a property where the predominant use is for residential purposes (was, as defined in GS 160A-201).