

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 1353
PROPOSED COMMITTEE SUBSTITUTE H1353-PCS80424-TD-37

Short Title: No Ordinances/Deeds May Stop Clotheslines.

(Public)

Sponsors:

Referred to:

April 9, 2009

A BILL TO BE ENTITLED

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.

The General Assembly of North Carolina enacts:

SECTION 1. Article 8 of Chapter 160A of the General Statutes is amended by
adding a new section to read:

"§ 160A-202. Limitations on regulating clotheslines.

(a) No city ordinance shall prohibit, or have the effect of prohibiting, the installation of a clothesline, and no person shall be denied permission by a city to install a clothesline for a residential property. As used in this section, the term "residential property" has the same meaning as in G.S. 160A-201.

(b) This section does not prohibit an ordinance regulating the location or screening of clotheslines, provided the ordinance does not have the effect of preventing the reasonable use of a clothesline for a residential property.

(c) This section does not prohibit an ordinance 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.

(d) In any civil action arising under this section, the court may award costs and reasonable attorneys' fees to the prevailing party."

SECTION 2. Article 6 of Chapter 153A of the General Statutes is amended by
adding a new section to read:

"§ 153A-144.1. Limitations on regulating clotheslines.

(a) No county ordinance shall prohibit, or have the effect of prohibiting, the installation of a clothesline for a residential property. No person shall be denied permission by a county to install a clothesline for a residential property. As used in this section, the term "residential property" has the same meaning as in G.S. 153A-144.

(b) This section does not prohibit an ordinance regulating the location or screening of clotheslines, provided the ordinance does not have the effect of preventing the reasonable use of a clothesline for a residential property.

(c) This section does not prohibit an ordinance 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.



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1 (d) In any civil action arising under this section, the court may award costs and
2 reasonable attorneys' fees to the prevailing party."

3 **SECTION 3.** This act becomes effective October 1, 2009.