

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 417 Session of 2011

INTRODUCED BY BENNINGHOFF, V. BROWN, CALTAGIRONE, CLYMER,
D. COSTA, FLECK, FREEMAN, GIBBONS, GROVE, HARPER, HORNAMAN,
HUTCHINSON, JOSEPHS, KAUFFMAN, KAVULICH, KNOWLES, KORTZ,
MATZIE, MILLARD, MILLER, MURT, PYLE, RAPP, ROCK, SCAVELLO,
SCHRODER, SONNEY, STURLA, SWANGER, TALLMAN, J. TAYLOR,
YOUNGBLOOD, M. O'BRIEN AND FABRIZIO, FEBRUARY 3, 2011

REFERRED TO COMMITTEE ON URBAN AFFAIRS, FEBRUARY 3, 2011

AN ACT

1 Prohibiting certain governing bodies from restricting persons
2 who occupy dwelling units from using solar clothes-drying
3 devices.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Right To Dry
8 Clothes by Solar Energy Act.

9 Section 2. Legislative findings and purpose.

10 The General Assembly finds and declares:

11 (1) That prohibiting or limiting the ability to sun dry
12 laundry has the effect of discouraging individuals from
13 conserving energy.

14 (2) There is a significant energy cost savings
15 associated with the use of various methods of direct solar
16 drying of laundry. A typical household electric dryer

accounts for approximately 10% of the electrical use in a typical home.

(3) The use of direct solar-drying devices is one small method to help reduce our dependency on foreign energy sources.

Section 3. Definitions.

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Dwelling unit." A building that is used as a primary residence, including the grounds on which the building is situated.

"Governing body." The governing body of a municipality, homeowners association, unit owners association or condominium owners association.

"Solar clothes-drying device." A clothes line, drying rack or other equipment used for the drying of clothes directly by the sun.

Section 4. Prohibited action.

(a) General rule.--A governing body shall be prohibited from imposing any ordinance, regulation or other restriction that prohibits a person who occupies a dwelling unit from drying clothes with a solar clothes-drying device at the dwelling unit.

(b) Exception.--Notwithstanding subsection (a), a governing body may prohibit a solar clothes-drying device in order:

(1) To protect access to an adjacent building.

(2) To ensure the proper emergency evacuation of buildings.

(3) To protect aesthetic values of the building and any surrounding dwelling units.

1 Section 5. Construction.

2 Nothing in this act shall be construed:

3 (1) To restrict a governing body from ensuring that a
4 solar clothes-drying device adheres to existing zoning
5 requirements, including, but not limited to, dwelling unit
6 setback restrictions, height limitations or other similar
7 local zoning regulations.

8 (2) To supersede the legal authority of any governing
9 body to adopt and enforce any law, rule or regulation on any
10 matter, other than the installation and use of solar energy
11 devices on residential property.

12 Section 6. Effective date.

13 This act shall take effect in 60 days.