

Superseded 5/12/2015

57-8-39 Limitation on requirements for amending declaration or bylaws.

- (1) When the period of control described in Section 57-8-16.5 ends, neither the declaration nor bylaws may require that an amendment to the declaration or bylaws be approved by more than 67% of the voting interests.
- (2) Voting interests under Subsection (1) are calculated in the manner required by the declaration or bylaws.
- (3) Nothing in this section affects any other rights reserved by a declarant.
- (4) Subsection (1) does not apply to an amendment affecting only:
 - (a) the undivided interest of each unit owner in the common areas and facilities, as expressed in the declaration;
 - (b) unit boundaries; or
 - (c) members' voting rights.
- (5)
 - (a) A contract for services such as garbage collection, maintenance, lawn care, or snow removal executed on behalf of the association during a period of administrative control is binding beyond the period of administrative control unless terminated by the board of directors after the period of administrative control ends.
 - (b) Subsection (5)(a) does not apply to golf course and amenity management, utilities, cable services, and other similar services that require an investment of infrastructure or capital.