

Effective 5/1/2024

57-8-7.2 Scope -- Designation of certain areas.

- (1) Unless otherwise provided in the declaration, this section applies to a unit if the declaration designates a wall, floor, or ceiling as a boundary of the unit.
- (2)
 - (a) The following are part of a unit:
 - (i) lath;
 - (ii) furring;
 - (iii) wallboard;
 - (iv) plasterboard;
 - (v) plaster;
 - (vi) paneling;
 - (vii) tiles;
 - (viii) wallpaper;
 - (ix) paint;
 - (x) finished flooring; and
 - (xi) any other material constituting part of the finished surface of a wall, floor, or ceiling.
 - (b) Any portion of a wall, floor, or ceiling not listed in Subsection (2)(a) is part of the common areas and facilities.
- (3) If a chute, flue, duct, pipe, wire, conduit, bearing wall, bearing column, or any other fixture lies partially within and partially outside the designated boundaries of a unit:
 - (a) any portion of an item described in this Subsection (3) serving only that unit is part of the limited common areas and facilities; and
 - (b) any portion of an item described in this Subsection (3) is part of the common areas and facilities if the item serves:
 - (i) more than one unit; or
 - (ii) any portion of the common areas and facilities.
- (4) Subject to Subsection (3), the following within the boundaries of a unit are part of the unit:
 - (a) spaces;
 - (b) interior partitions; and
 - (c) other fixtures and improvements.
- (5) The following, if designated to serve a single unit but located outside the unit's boundaries, are limited common areas and facilities allocated exclusively to a unit:
 - (a) a shutter;
 - (b) an awning;
 - (c) a window box;
 - (d) a doorstep;
 - (e) a stoop;
 - (f) a porch;
 - (g) a balcony;
 - (h) a patio;
 - (i) an exterior door;
 - (j) an exterior window; and
 - (k) any other fixture.

Amended by Chapter 519, 2024 General Session