

***Effective 5/7/2025***

**57-8a-109 Approval of plans.**

(1) As used in this section:

(a) "Fire-resistant material" means a material designed and tested to resist ignition, slow the spread of fire, or withstand high temperatures, including:

- (i) Class A roofing;
- (ii) non-combustible siding;
- (iii) a fiber cement product;
- (iv) metal roofing; or
- (v) fire-rated gypsum board.

(b) "Lot plans" means plans:

- (i) for the construction or improvement of a lot; and
- (ii) that are required to be approved by the association before the lot construction or improvement may occur.

(c) "Plan fee" means a fee that an association charges for review and approval of lot plans.

(2) An association may not charge a plan fee that exceeds the actual cost of reviewing and approving the lot plans.

(3) An association may not prohibit, unreasonably restrict, deny, or delay a plan due to the plan's inclusion of a fire-resistant material in an area with heightened risk of wildfire.

(4) If the association denies a lot plan, the association shall provide written notice to the lot owner specifying:

- (a) each governing document provision on which the association relied when denying the plan; and
- (b) the specific aspect of the proposed plan that does not conform to the specified governing document provision.

Amended by Chapter 226, 2025 General Session