

CONDOMINIUM AMENDMENTS

2004 GENERAL SESSION

STATE OF UTAH

Sponsor: Michael G. Waddoups

LONG TITLE

General Description:

This bill modifies the Condominium Ownership Act.

Highlighted Provisions:

This bill:

- ▶ designates certain areas within a condominium as:
 - part of a unit;
 - common areas and facilities; or
 - limited common areas and facilities.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

57-8-7.2, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **57-8-7.2** is enacted to read:

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, 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.