

1 **CONDOMINIUM AMENDMENTS**

2 2004 GENERAL SESSION

3 STATE OF UTAH

4 **Sponsor: Michael G. Waddoups**



6 **LONG TITLE**

7 **General Description:**

8 This bill modifies the Condominium Ownership Act.

9 **Highlighted Provisions:**

10 This bill:

11 ▶ designates certain areas within a condominium as:

- 12 • part of a unit;
- 13 • common areas and facilities; or
- 14 • limited common areas and facilities.

15 **Monies Appropriated in this Bill:**

16 None

17 **Other Special Clauses:**

18 None

19 **Utah Code Sections Affected:**

20 ENACTS:

21 **57-8-7.2**, Utah Code Annotated 1953



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

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

25 **57-8-7.2. Scope -- Designation of certain areas.**

26 (1) Unless otherwise provided in the declaration, this section applies to a unit if the  
27 declaration designates a wall, floor, or ceiling as a boundary of the unit.



- 28           (2) (a) The following are part of a unit:
- 29           (i) lath;
- 30           (ii) furring;
- 31           (iii) wallboard;
- 32           (iv) plasterboard;
- 33           (v) plaster;
- 34           (vi) paneling;
- 35           (vii) tiles;
- 36           (viii) wallpaper;
- 37           (ix) paint;
- 38           (x) finished flooring; and
- 39           (xi) any other material constituting part of the finished surface of a wall, floor, or
- 40 ceiling.
- 41           (b) Any portion of a wall, floor, or ceiling not listed in Subsection (2)(a) is part of the
- 42 common areas and facilities.
- 43           (3) If a chute, flue, duct, wire, conduit, bearing wall, bearing column, or any other
- 44 fixture lies partially within and partially outside the designated boundaries of a unit:
- 45           (a) any portion of an item described in this Subsection (3) serving only that unit is part
- 46 of the limited common areas and facilities; and
- 47           (b) any portion of an item described in this Subsection (3) is part of the common areas
- 48 and facilities if the item serves:
- 49           (i) more than one unit; or
- 50           (ii) any portion of the common areas and facilities.
- 51           (4) Subject to Subsection (3), the following within the boundaries of a unit are part of
- 52 the unit:
- 53           (a) spaces;
- 54           (b) interior partitions; and
- 55           (c) other fixtures and improvements.
- 56           (5) The following, if designated to serve a single unit but located outside the unit's
- 57 boundaries, are limited common areas and facilities allocated exclusively to a unit:
- 58           (a) a shutter;

- 59            (b) an awning;
- 60            (c) a window box;
- 61            (d) a doorstep;
- 62            (e) a stoop;
- 63            (f) a porch;
- 64            (g) a balcony;
- 65            (h) a patio;
- 66            (i) an exterior door;
- 67            (j) an exterior window; and
- 68            (k) any other fixture.

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**Legislative Review Note**  
**as of 1-20-04 2:04 PM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**

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**Fiscal Note**  
**Bill Number SB0147**

**Condominium Amendments**

*02-Feb-04*

*10:49 AM*

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**State Impact**

No fiscal impact.

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**Individual and Business Impact**

No fiscal impact.

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**Office of the Legislative Fiscal Analyst**