

Representative Larry B. Wiley proposes the following substitute bill:

SEISMIC REQUIREMENTS FOR CONDOMINIUM

CONVERSION PROJECTS

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Larry B. Wiley

Senate Sponsor: _____

LONG TITLE

General Description:

This bill enacts a provision relating to seismic requirements for certain structures converted to condominiums.

Highlighted Provisions:

This bill:

- ▶ requires the owner of a structure two or more stories high to cause a seismic evaluation of the structure to be performed if the owner converts the structure to a condominium;
- ▶ establishes standards for a person performing a seismic evaluation; and
- ▶ imposes requirements on the owner of a structure if the seismic evaluation shows that the structure fails to comply with an applicable standard.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:



26 **57-8-42**, Utah Code Annotated 1953

27

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

29 Section 1. Section **57-8-42** is enacted to read:

30 **57-8-42. Seismic evaluation required if multi-level structure converted to**
31 **condominium -- Requirements if structure not in compliance.**

32 (1) If a structure that is two or more stories high and was built before 1975 is converted
33 to a condominium under this chapter, the structure's owner shall cause a seismic evaluation of
34 the structure to be performed by a person licensed as a professional structural engineer under
35 Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act.

36 (2) The person performing the seismic evaluation under Subsection (1) shall perform
37 the evaluation according to standards and requirements set forth in the code, as defined in
38 Section 58-56-3, of the applicable compliance agency, as defined in Section 58-56-3.

39 (3) If the seismic evaluation under Subsection (1) indicates that the structure is not in
40 compliance with an applicable standard, the structure's owner shall:

41 (a) before occupancy of the converted condominium:

42 (i) review the noncompliance with, as applicable:

43 (A) the county in whose unincorporated area the converted condominium is located; or

44 (B) the municipality in which the converted condominium is located;

45 (ii) correct the noncompliance; and

46 (iii) comply with applicable county or municipal requirements, including:

47 (A) submitting the converted condominium to an inspection; and

48 (B) obtaining a required approval or permit; or

49 (b) (i) submit the evaluation for recording with the recorder of the county in which the
50 structure is located; and

51 (ii) provide a document at the closing of the sale of each unit within the converted
52 condominium disclosing the existence of the evaluation and summarizing its content.

FISCAL NOTE

H.B. 53 1st Sub. (Buff)

SHORT TITLE: **Seismic Requirements for Condominium Conversion Projects**

SPONSOR: **Wiley, L.**

2011 GENERAL SESSION, STATE OF UTAH

STATE GOVERNMENT (UCA 36-12-13(2)(b))

Enactment of this bill likely will not materially impact the state budget.

LOCAL GOVERNMENTS (UCA 36-12-13(2)(c))

Enactment of this bill likely will not result in direct, measurable costs for local governments.

DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Building owners who wish to convert their structure to a condominium would incur the cost of the required seismic evaluation and remediation.