

- 584 (b) type or style of exterior cladding material;
- 585 (c) style, dimensions, or materials of a roof structure, roof pitch, or porch;
- 586 (d) exterior nonstructural architectural ornamentation;
- 587 (e) location, design, placement, or architectural styling of a window or door;
- 588 (f) location, design, placement, or architectural styling of a garage door, not including a
- 589 rear-loading garage door;
- 590 (g) number or type of rooms;
- 591 (h) interior layout of a room;
- 592 (i) minimum square footage over 1,000 square feet, not including a garage;
- 593 (j) rear yard landscaping requirements;
- 594 (k) minimum building dimensions; or
- 595 (l) ~~the~~ a requirement to install ~~the~~ front yard fencing ~~the~~ [requirements] ~~the~~ .
- 596 (2) Except as provided in Subsection (3), a municipality may not impose a requirement
- 597 for a building design element on a one to two family dwelling or townhome.
- 598 (3) Subsection (2) does not apply to:
- 599 (a) a dwelling located within an area designated as a historic district in:
- 600 (i) the National Register of Historic Places;
- 601 (ii) the state register as defined in Section 9-8-402; or
- 602 (iii) a local historic district or area, or a site designated as a local landmark, created by
- 603 ordinance before January 1, 2021;
- 604 (b) an ordinance enacted as a condition for participation in the National Flood
- 605 Insurance Program administered by the Federal Emergency Management Agency;
- 606 (c) an ordinance enacted to implement the requirements of the Utah ~~the~~ Wildland ~~the~~
- 606a Urban Interface
- 607 Code adopted under Section 15A-2-103;
- 608 (d) building design elements agreed to under a development agreement;
- 609 (e) a dwelling located within an area that:
- 610 (i) is zoned primarily for residential use; and
- 611 (ii) was substantially developed before calendar year 1940;
- 612 (f) an ordinance enacted to implement water efficient landscaping in a rear yard;
- 613 (g) an ordinance enacted to regulate type of cladding, in response to findings or
- 614 evidence from the construction industry of:

677 ~~[(8)]~~ (9) "Executive director" means the executive director of the Department of
678 Commerce.

679 ~~[(9)]~~ (10) "Legislative action" includes legislation that:

680 (a) adopts a new State Construction Code;

681 (b) amends the State Construction Code; or

682 (c) repeals one or more provisions of the State Construction Code.

683 ~~[(10)]~~ (11) "Local regulator" means a political subdivision of the state that is
684 empowered to engage in the regulation of construction, alteration, remodeling, building, repair,
685 and other activities subject to the codes.

686 (12) "Membrane-covered frame structure" means a nonpressurized building with a
687 structure composed of a rigid framework to support a tensioned membrane that provides a
688 weather barrier.

689 (13) "Natural disaster" means:

690 ~~Ĥ→~~ ~~[(a)]~~ ~~an explosion;~~

691 ~~——~~ ~~[(b)]~~ ~~fire;~~

692 ~~——~~ ~~[(c)]~~ ~~[(a)]~~ ~~←Ĥ~~ a flood;

693 ~~Ĥ→~~ ~~[(d)]~~ ~~[(b)]~~ ~~←Ĥ~~ a storm;

694 ~~Ĥ→~~ ~~[(e)]~~ ~~[(c)]~~ ~~←Ĥ~~ a tornado;

695 ~~Ĥ→~~ ~~[(f)]~~ ~~[(d)]~~ ~~←Ĥ~~ winds;

696 ~~Ĥ→~~ ~~[(g)]~~ ~~[(e)]~~ ~~←Ĥ~~ an earthquake;

697 ~~Ĥ→~~ ~~[(h)]~~ ~~[(f)]~~ ~~←Ĥ~~ lightning; or

698 ~~Ĥ→~~ ~~[(i)]~~ ~~[(g)]~~ ~~←Ĥ~~ any other adverse weather event.

699 ~~[(11)]~~ (14) "Not for human occupancy" means use of a structure for purposes other
700 than protection or comfort of human beings, but allows people to enter the structure for:

701 (a) maintenance and repair; and

702 (b) the care of livestock, crops, or equipment intended for agricultural use which are
703 kept there.

704 ~~[(12)]~~ (15) "Opinion" means a written, nonbinding, and advisory statement issued by
705 the commission concerning an interpretation of the meaning of the codes or the application of
706 the codes in a specific circumstance issued in response to a specific request by a party to the
707 issue.

1204 (3)(a)(i); and

1205 (g) any other element the county considers appropriate.

1206 Section 11. Section **17-27a-527** is enacted to read:

1207 **17-27a-527. Regulation of building design elements prohibited -- Exceptions.**

1208 (1) As used in this section, "building design element" means:

1209 (a) exterior color;

1210 (b) type or style of exterior cladding material;

1211 (c) style, dimensions, or materials of a roof structure, roof pitch, or porch;

1212 (d) exterior nonstructural architectural ornamentation;

1213 (e) location, design, placement, or architectural styling of a window or door;

1214 (f) location, design, placement, or architectural styling of a garage door, not including a
1215 rear-loading garage door;

1216 (g) number or type of rooms;

1217 (h) interior layout of a room;

1218 (i) minimum square footage over 1,000 square feet, not including a garage;

1219 (j) rear yard landscaping requirements;

1220 (k) minimum building dimensions; or

1221 (l) ~~H~~→ a requirement to install ~~H~~ front yard fencing ~~H~~→ [requirements] ~~H~~ .

1222 (2) Except as provided in Subsection (3), a county may not impose a requirement for a
1223 building design element on a one to two family dwelling or townhome.

1224 (3) Subsection (2) does not apply to:

1225 (a) a dwelling located within an area designated as a historic district in:

1226 (i) the National Register of Historic Places;

1227 (ii) the state register as defined in Section 9-8-402; or

1228 (iii) a local historic district or area, or a site designated as a local landmark, created by
1229 ordinance before January 1, 2021;

1230 (b) an ordinance enacted as a condition for participation in the National Flood

1231 Insurance Program administered by the Federal Emergency Management Agency;

1232 (c) an ordinance enacted to implement the requirements of the Utah ~~H~~→ **Wildland** ~~H~~

1232a Urban Interface

1233 Code adopted under Section 15A-2-103;

1234 (d) building design elements agreed to under a development agreement;