

Representative Raymond P. Ward proposes the following substitute bill:

LANDSCAPING REQUIREMENT PROHIBITION

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Raymond P. Ward

Senate Sponsor: _____

LONG TITLE

General Description:

This bill addresses the planting and maintaining of lawn or turf.

Highlighted Provisions:

This bill:

- ▶ prohibits certain government or private entities from requiring a property owner or resident to meet certain landscaping requirements; and
- ▶ directs the government or private entities to provide landscaping alternatives.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

- 10-9a-535**, Utah Code Annotated 1953
- 17-27a-531**, Utah Code Annotated 1953
- 57-8a-231**, Utah Code Annotated 1953
- 57-16-20**, Utah Code Annotated 1953



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

27 Section 1. Section **10-9a-535** is enacted to read:

28 **10-9a-535. Lawn requirements.**

29 (1) As used in this section:

30 (a) Except as provided in Subsection (1)(b), "lawn or turf" means nonagricultural land
31 planted in closely mowed, managed grasses.

32 (b) "Lawn or turf" does not include a golf course, park, athletic field, or sod farm.

33 (2) A municipality may not enact an ordinance, resolution, or policy that requires, or
34 has the effect of requiring, a property owner to plant or maintain only lawn or turf on any
35 portion or percentage of the landscaped portion of the property owner's property.

36 (3) A municipality shall provide a property owner with landscaping alternatives to be
37 used in place of lawn or turf.

38 Section 2. Section **17-27a-531** is enacted to read:

39 **17-27a-531. Lawn requirements.**

40 (1) As used in this section:

41 (a) Except as provided in Subsection (1)(b), "lawn or turf" means nonagricultural land
42 planted in closely mowed, managed grasses.

43 (b) "Lawn or turf" does not include a golf course, park, athletic field, or sod farm.

44 (2) A county may not enact an ordinance, resolution, or policy that requires, or has the
45 effect of requiring, a property owner to plant or maintain only lawn or turf on any portion or
46 percentage of the landscaped portion of the property owner's property.

47 (3) A county shall provide a property owner with landscaping alternatives to be used in
48 place of lawn or turf.

49 Section 3. Section **57-8a-231** is enacted to read:

50 **57-8a-231. Lawn requirements.**

51 (1) As used in this section:

52 (a) Except as provided in Subsection (1)(b), "lawn or turf" means nonagricultural land
53 planted in closely mowed, managed grasses.

54 (b) "Lawn or turf" does not include a golf course, park, athletic field, or sod farm.

55 (2) An association may not enact a governing document that requires, or has the effect
56 of requiring, a lot owner of a detached dwelling to plant or maintain only lawn or turf on any

57 portion or percentage of the landscaped portion of the lot owner's property.

58 (3) An association shall provide a lot owner with landscaping alternatives to be used in
59 place of lawn or turf.

60 Section 4. Section **57-16-20** is enacted to read:

61 **57-16-20. Lawn requirements.**

62 (1) As used in this section:

63 (a) (i) Except as provided in Subsection (1)(a)(ii), "lawn or turf" means nonagricultural
64 land planted in closely mowed, managed grasses.

65 (ii) "Lawn or turf" does not include a golf course, park, athletic field, or sod farm.

66 (b) "Park operator" means an owner, operator, or manager of a mobile home park,
67 including an employee, agent, or independent contractor of the owner, operator, or manager.

68 (2) Notwithstanding Subsection 57-16-7(3), a park operator may not require, or adopt a
69 rule that has the effect of requiring, a mobile park resident to plant or maintain only lawn or
70 turf on any portion or percentage of the landscaped portion of the property that the mobile park
71 resident leases or rents.

72 (3) A park operator shall provide a mobile park resident with landscaping alternatives
73 to be used in place of lawn or turf.