

TITLE 2: NATURAL RESOURCES
DIVISION 6: UNIFORM CONDOMINIUM ACT

§ 6219. Amendment of Declaration.

(a) Except in cases of amendments that may be executed by a declarant under 2 CMC §§ 6210(e) and (f), 6211(a) or 6212(a); the association under 2 CMC §§ 6107, 6207(d), 6209(c) or 6215(a); or certain unit owners under 2 CMC §§ 6209(b), 6214(a), 6215(b) or 6220(b), and except as limited by subsection (d) of this section, the declaration, including the plats and plans, may be amended only by vote or agreement of unit owners of units to which at least 67 percent of the votes in the association are allocated, or any larger majority the declaration specifies. The declaration may specify a smaller number only if all of the units are restricted exclusively to nonresidential use.

(b) No action to challenge the validity of an amendment adopted by the association pursuant to this section may be brought more than one year after the amendment is recorded.

(c) Every amendment to the declaration must be recorded in every district in which any portion of the condominium is located, and is effective only upon recordation.

(d) Except to the extent expressly permitted or required by other provisions of this division, no amendment may create or increase special declarant rights, increase the number of units, or change the boundaries of any unit, the common element interest, common expense liability, or voting strength in the association allocated to a unit, or the uses to which any unit is restricted, in the absence of unanimous consent of the unit owners.

(e) Amendments to the declaration required by this division to be recorded by the association shall be prepared, executed, recorded, and certified by any officer of the association designated for that purpose or, in the absence of designation, by the president of the association.

Source: PL 3-86, § 2-119.