

11B-104.

(A) ~~(1)~~ THE PROVISIONS OF ALL LAWS, ORDINANCES, AND REGULATIONS CONCERNING BUILDING CODES OR ZONING SHALL HAVE FULL FORCE AND EFFECT TO THE EXTENT THAT THEY APPLY TO A DEVELOPMENT AND SHALL BE CONSTRUED AND APPLIED WITH REFERENCE TO THE OVERALL NATURE AND USE OF THE PROPERTY WITHOUT REGARD TO WHETHER THE PROPERTY IS PART OF A DEVELOPMENT.

~~(2) A LAW, ORDINANCE, OR REGULATION CONCERNING BUILDING CODES OR ZONING MAY NOT ESTABLISH ANY REQUIREMENT OR STANDARD GOVERNING THE USE, LOCATION, PLACEMENT, OR CONSTRUCTION OF ANY LAND OR IMPROVEMENTS WHICH ARE PART OF A DEVELOPMENT, UNLESS THE REQUIREMENT OR STANDARD IS UNIFORMLY APPLICABLE TO ALL LAND AND IMPROVEMENTS OF THE SAME KIND OR CHARACTER WHICH IS NOT PART OF A DEVELOPMENT.~~

(B) A LOCAL GOVERNMENT MAY NOT ENACT ANY LAW, ORDINANCE, OR REGULATION WHICH WOULD:

(1) IMPOSE A BURDEN OR RESTRICTION ON PROPERTY WHICH IS PART OF A DEVELOPMENT ~~THAT IS NOT IMPOSED ON ALL OTHER PROPERTY OF A SIMILAR CHARACTER WHICH IS NOT PART OF A DEVELOPMENT~~ BECAUSE IT IS PART OF A DEVELOPMENT;

(2) REQUIRE THAT ADDITIONAL DISCLOSURES RELATING TO THE DEVELOPMENT BE MADE TO PURCHASERS OF LOTS WITHIN THE DEVELOPMENT, OTHER THAN THE DISCLOSURES REQUIRED BY § 11B-105 OR § 11B-106 OF THIS TITLE;

(3) PROVIDE THAT THE DISCLOSURES REQUIRED BY § 11B-105 OR § 11B-106 OF THIS TITLE BE REGISTERED OR OTHERWISE SUBJECT TO THE APPROVAL OF ANY GOVERNMENTAL AGENCY;

(4) PROVIDE THAT ADDITIONAL RESCISSION RIGHTS BE PROVIDED TO PURCHASERS, OTHER THAN THE RESCISSION RIGHTS UNDER § 11B-107(B) OF THIS TITLE;

(5) CREATE ADDITIONAL IMPLIED WARRANTIES OR REQUIRE ADDITIONAL EXPRESS WARRANTIES ON IMPROVEMENTS TO COMMON AREAS OTHER THAN THOSE WARRANTIES DESCRIBED IN § 11B-109 OF THIS TITLE; OR

(6) EXPAND THE OPEN MEETING REQUIREMENTS OF § 11B-110 OF THIS TITLE OR OPEN RECORD REQUIREMENTS OF § 11B-111 OF THIS TITLE.

11B-105.

(A) A CONTRACT FOR THE INITIAL SALE OF A LOT IN A DEVELOPMENT CONTAINING MORE THAN 12 LOTS TO A MEMBER OF THE PUBLIC WHO INTENDS TO OCCUPY OR RENT THE LOT FOR RESIDENTIAL PURPOSES IS NOT ENFORCEABLE BY THE VENDOR UNLESS: