

**381.9129 Construction and validity of declaration and bylaws. (Effective January 1, 2011)**

- (1) All provisions of the declaration and bylaws are severable.
- (2) The rule against perpetuities shall not be applied to defeat any provision of the declaration, bylaws, rules, or regulations adopted pursuant to KRS 381.9167.
- (3) In the event of a conflict between the provisions of the declaration and the bylaws, the declaration prevails except to the extent the declaration is inconsistent with KRS 381.9101 to 381.9207.
- (4) Title to a unit and common elements is not rendered unmarketable or otherwise affected by reason of an insubstantial failure of the declaration to comply with KRS 381.9101 to 381.9207.

**Effective:** January 1, 2011

**History:** Created 2010 Ky. Acts ch. 97, sec. 15, effective January 1, 2011.