

MUTUAL OPERATIONS

RESIDENT REGULATIONS

Smoking Regulations – Mutual Five

Associations are not required to accommodate a request for smoking if it endangers the health and quiet enjoyment of their neighbors. (see Occupancy Agreement Article 6, **Member's Right to Peaceable Possession**.)

HOA members have a right to the enjoyment of their own units and should not have to endure the problems associated with secondhand smoke wafting into their units.

Your Occupancy Agreement also provides under Article 15 that you must comply with all our rules and regulations, including these Smoking Regulations.

Because secondhand smoke is injurious to health, even low levels of exposure are considered a nuisance. The smoker can be required to take appropriate measures to cease **his/her** violation of the Occupancy Agreement. Therefore, smoking of cigarettes, e-cigarettes, cigars, pipes, marijuana, is prohibited as detailed below.

Mutual 5 prohibits smoking on:

1. common or adjoining patios unless fully enclosed by windows and doors to prevent the escape of smoke.
2. Laundry rooms.
3. Please note that the Mutual does not **forbid** smoking inside private homes.
4. If second hand smoke from a unit is drifting into the other units, the Board shall require that the smoker abate the nuisance by taking one or more of the following steps:
 - a. Purchase HEPA filters [at the smoker's expense] and operate them inside the unit at a level that prevents smoke from migrating to surrounding areas.
 - b. Seal all penetrations in walls, ceilings and floors [at the smoker's expense] to prevent smoke from migrating to surrounding areas.
 - c. Install exhaust fans that vent to the outdoors [at the smoker's expense].
 - d. Install weather stripping and door sweeps around their external doors.

FINES FOR ILLEGAL SMOKING

Individuals who smoke in areas where smoking is prohibited may be fined up to \$50 per violation.

HOW TO REPORT ILLEGAL SMOKING

Policy 7850.05 provides the Alleged Complaint Form. See any Director for this form.

ARCHITECTURAL STANDARDS

During a remodeling fire stops must be installed included in all wall, floor and ceiling penetrations.