

**RESOLUTION TO PROHIBIT SMOKING ANYWHERE WITHIN
THE WOLF LODGE CONDOMINIUM PROJECT**

**BY THE MANAGEMENT COMMITTEE OF
THE WOLF LODGE HOMEOWNERS ASSOCIATION, INC.
FOR
THE WOLF LODGE CONDOMINIUM PROJECT**

RECITALS

WHEREAS, the EPA and the Utah State Legislature have determined that environmental tobacco smoke and vaping smoke is a Group A carcinogen, to which there is no acceptable level of exposure (UCA §78B -6-1105 and related addendums);

WHEREAS, the Utah State Legislature has determined that secondhand tobacco/ vaping smoke is a nuisance as it is offensive to the senses, injurious to health, and interferes with the comfortable enjoyment of life (UCA §78B-6-1101 and related addendums);

WHEREAS, Article III, Section 7 of the Declaration of Condominium of the Wolf Lodge Condominium Project ("Declaration") prohibits nuisances within the Condominium Project;

WHEREAS, each owner, tenant, guest, invitee, or other occupant is bound by the terms of the Declaration;

WHEREAS, the Wolf Lodge Condominium Project is managed, maintained, and operated by the Wolf Lodge Homeowner's Association Management Committee ("Committee");

WHEREAS, the Committee is authorized to enforce the terms of the Declaration and create rules and regulations concerning the Condominium Project and the protection of its members;

WHEREAS, the Committee has received various complaints from members that secondhand, tobacco, marijuana, and other substances used for smoking¹ and vaping is drifting into their units through open windows and doors, through bathroom exhaust and thereby subjecting them to carcinogens and interfering with their right to the quiet use and enjoyment of their condominium unit;

WHEREAS, the Committee deems it in the best interests of the Association to protect the health and well-being of its members from the harmful effects of drifting secondhand smoke.

RESOLUTION

NOW, THEREFORE, IT IS RESOLVED, that the Committee hereby defines drifting secondhand smoke from tobacco, marijuana, and other substances used in smoking and vaping a "nuisance" under the Declaration;

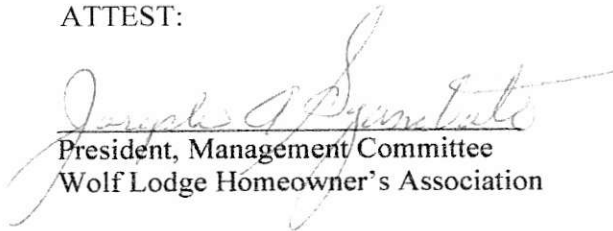
NOW, BE IT FURTHER RESOLVED, that due to the known adverse health effects of secondhand smoke, and the fact that secondhand smoke has been defined as a nuisance by the Utah State Legislature, the Committee hereby declares that tobacco, marijuana, and other substances used for smoking¹ shall be prohibited throughout the entire Condominium Project including but not limited to: inside individual units, all common areas comprising Areas of the Wolf Lodge Condominium Project, whether enclosed or outdoors. These prohibited areas shall include the patios, decks, and any storage spaces attached to or adjacent to a Building , parking lots, cars in said parking lots, grassy areas and land within the boundaries of the Wolf Lodge Condominium Project;

NOW, BE IT FURTHER RESOLVED, that those who violate the terms of this no smoking policy shall be subject to fines as follows:

- First Violation: Written notice of violation
- Second and Third Violation: \$100.00 fine
- Subsequent Violations: \$150.00 fine up to the allowable maximum of \$500 in Accordance with the provisions of Section 57-8-37 of the Utah Condominium Act (UCA)

NOW, BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to all Owners at their last known address.

ATTEST:



President, Management Committee
Wolf Lodge Homeowner's Association



Secretary, Management Committee
Wolf Lodge Homeowner ' s Association

Date: January 14th, 2020

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¹ The term "Smoking" means inhaling , exhaling, burning, or carrying any lighted cigar, cigarette, or other forms of tobacco, marijuana, or other products used for smoking or vaping in any manner or in any form.