**UNIT OWNERS’ ASSOCIATION OF DOMINION STATION CONDOMINIUM**

**POLICY RESOLUTION NO. 2023-04**

**(SMOKING ON COMMON ELEMENT)**

WHEREAS, the Declaration of Covenants, Conditions and Restrictions establishes covenants and restrictions for the use of the property within the Association; and

WHEREAS, Article XX Section 2 of the Declaration provides that each Unit and the Common Elements shall be occupied and used in compliance with the rules and regulations adopted by the Board of Directors; and

WHEREAS, the Board of Directors deem it necessary and in the best interests of the Association to prohibit the smoking of tobacco and cannabis products in the hallways and other common elements near the condominium building because it presents a hazard to the condominium buildings and threatens the safety of the residents; and

NOW, THEREFORE, BE IT RESOLVIED THAT the Board of Directors adopts the following policy prohibiting the smoking of tobacco and cannabis products in certain parts of the common elements because it presents a fire hazard to the condominium buildings and threatens the safety of the residents.

1. The smoking of tobacco and cannabis products in the common element hallways is prohibited because it presents a hazard to the condominium buildings and threatens the safety of the residents
2. The smoking of tobacco and cannabis products on any portion of the common elements within ten (10) feet of any condominium building is prohibited because it presents a hazard to the condominium buildings and threatens the safety of the residents
3. Each owner is responsible for making any tenants and/or guests they invite on to the property aware of the rules and policies in this resolution. Each owner is responsible for any violations of this resolutions by their tenants and/or guests.
4. If any damage is caused to the common elements as a result of smoking, the cost to repairs such damage shall be levied against each unit as a special assessment against that unit and will be reflected to each unit owner’s assessment account as a special assessment. The special assessment shall be payable in a lump sum within thirty (3) days after the special assessment is made.
5. The special assessment levied against all units shall be treated as a lien against the unit in accordance with the Association’s condominium instruments and the Virginia Condominium Act