

Exchange North No-Smoking Policy

Effective June 1, 2024

Beginning **12:00am June 1**, the Exchange North no-smoking policy as ratified by the Fourth Amendment to the Declaration goes into full effect. The language of the Fourth Amendment is shown below, followed by FAQs and a restricted area map.

No Smoking of any kind is permitted on the Real Estate, including but not limited to, within the Units, and upon any Common Elements and Limited Common Elements located on the Real Estate as those terms are defined herein.

Smoking means inhaling, burning, carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated product containing, made or derived from nicotine, tobacco, marijuana, or other plant, whether natural or synthetic, that is intended for inhalation. Smoking includes using an electronic smoking device, such as an e-cigarette or vapor pen.

Each Unit Owner shall inform his/her occupants, agents, guests, tenants, residents, visitors, contractors and invitees of this Smoke Free Policy. Each Unit Owner is responsible for the acts of his/her occupants, agents, guests, tenants, residents, visitors, contractors and invitees in violation of this Smoke Free Policy.

A violation of this Smoke Free Policy by a Unit Owner or his/her occupants, agents, guests, tenants, residents, visitors, contractors and invitees shall be deemed a nuisance or annoyance.

Exchange North No-Smoking Policy

Effective June 1, 2024

Frequently Asked Questions Page1

1. **Q:** Will any units be grandfathered? **No units will be grandfathered.**
2. **Q:** Will there be any warnings to anyone smoking in the building or within the restricted boundary area? **No. All violations of the smoking policy will result in a fine that escalates on repeat violations.**
3. **Q:** Can I appeal a fine that I receive? **Yes. Send your appeal to ExchangeNorthBoard@outlook.com.**
4. **Q:** What do I do if I smell that someone is smoking or vaping something in their unit? **If you smell the odor of burning tobacco, marijuana, hemp, etc., find a second person (“witness”) to help you confirm from where the odor is emanating. Then send a complaint to ExchangeNorthViolations@outlook.com listing the offending unit number, time and date of the offense, and the name of the witness. **DO NOT CONFRONT THE OFFENDER DIRECTLY!****
5. **Q:** What do I do if I see someone is smoking inside the restricted area? **If you see someone smoking or vaping inside the restricted area, take a picture of the individual(s) and send a complaint with picture to ExchangeNorthViolations@outlook.com with the time and date of the offense. If you recognize the individual(s), please include the name(s) in the complaint. **DO NOT CONFRONT THE OFFENDER DIRECTLY!****
6. **Q:** Can I smoke marijuana in the restricted area for medicinal purposes? **No. HOAs have the legal authority to make their properties smoke free, which includes prohibiting the smoking or vaping of medically prescribed marijuana in individual units and common areas, even in jurisdictions in which the use of medical marijuana is permitted by state law.**

Exchange North No-Smoking Policy

Effective June 1, 2024

Frequently Asked Questions Page 2

7. **Q:** What do I do if I see an AirBnB guest of the South smoking inside the restricted area? **If you see someone you believe to be an AirBnB guest smoking inside the restricted area, take a picture of the individual(s) and send a complaint with picture to ExchangeNorthViolations@outlook.com with the time and date of the offense. The North Board will issue a fine to the South Association. **DO NOT CONFRONT THE OFFENDER DIRECTLY!****
8. **Q:** May I smoke on the sidewalk in front of the building. **No. The sidewalk is within 15 feet of unit windows. You may smoke on the grass between the sidewalk and the Riverfront Parkway curb.**
9. **Q:** May I smoke on my balcony or terrace? **No. Balconies and terraces are all in the restricted area.**
10. **Q:** May I smoke in the field north of the building? **Technically no as that belongs to Blue Cross Blue Shield of Chattanooga.**
11. **Q:** May I smoke on the South Association property? **The South Association has not imposed any restrictions regarding smoking on its property.**
12. **Q:** Will there be any cigarette butt urns on the north property? **No.**
13. **Q:** Where do I dispose of my cigarette or cigar butts? **There are urns in front of the South building. **DO NOT DISPOSE OF BUTTS ON THE GROUND. DO NOT PUT LIT BUTTS IN TRASH CANS OR IN THE DUMPSTERS!****
14. **Q:** What happens if I am caught throwing butts on the ground? **An appropriate fine will be issued.**

Exchange North No-Smoking Policy

Effective June 1, 2024

Restricted Area Map

