

**FAIRFIELD HOUSE CONDOMINIUM
UNIT OWNERS ASSOCIATION
POLICY RESOLUTION NO. 2009-3**

(Policy banning smoking within the common and limited common elements)

WHEREAS, Article III, Section 2 of the Bylaws provides that the Board may do all such acts and things as are not prohibited by the Condominium Act, the Declaration or by the Bylaws required to be exercised and done by the Association, including the power to adopt Rules and Regulations that the Board deems necessary for the benefit and enjoyment of the Condominium; and

WHEREAS, for a multiplicity of reasons which include, but are not limited to a desire to mitigate a) the irritation and known health effects of secondhand smoke; b) the increased need for clean-up of the property; c) the increased risk of fire from smoking; and d) the higher costs of fire hazard insurance for a non-smoke free condominium, the Board of Directors has decided to take steps toward the reduction of smoking in the more public areas of the condominium and to adopt a Rule which prohibits residents from smoking anywhere within the common elements and limited common elements of the condominium buildings, including, but not limited to the stairwells, related covered areas, patios, balconies and parking lots;

NOW, THEREFORE BE IT RESOLVED THAT the following Rule is hereby adopted by the Board of Directors, effective immediately:

I. Residents shall be prohibited from smoking anywhere within the common and limited common elements of the condominium buildings, including, but not limited to the stairwells, related covered areas, patios, balconies, and parking lots. Residents shall be responsible for the enforcement of this prohibition as it relates to their guests, invitees, etc, and Unit Owners bear similar responsibility as it relates to their tenants or other occupants. The Association reserves the power to hold Unit Owners responsible for the violations of this Rule committed by 3rd parties; accordingly, Unit Owners shall be obligated to inform their tenants, guests, invitees, or other occupants of this Rule.

Nothing herein at this time shall prohibit anyone from smoking within the privacy of their own unit.

The term "smoking" shall mean inhaling, exhaling, breathing, or carrying any lighted cigar, cigarette, or other tobacco product or similar lighted product in any manner or in any form.

In any situation when anyone properly smokes within their unit, they shall use due care in order to avoid causing a nuisance or annoyance to anyone else, including the proper disposal of the butts and packaging of the tobacco or lighted product. Improper disposal of butts and/or packaging anywhere within the Condominium shall be considered an act of littering the property and a violation of this Rule.

The Board of Directors reserves the right to create designated areas for smoking on the common elements, but shall not have the responsibility to do so.

11. Enforcement of the Resolution

By adopting this Rule, the Board of Directors has decided to take steps toward a no-smoke environment; however, this Rule does not prohibit smoking within the interior of dwellings out of respect for the fact that some residents enjoy smoking legally permitted tobacco products. In this regard, the Board of Directors wishes to clarify that it is not seeking to make the condominium entirely smoke-free and disclaims any related responsibility to do so or to bear responsibility for the health of anyone who believes that they are being adversely impacted by the migration of second-hand smoke from another unit within the Condominium.

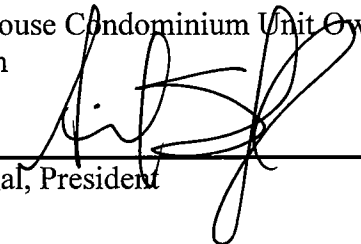
In addition, the Board of Directors disclaims responsibility for taking active steps on their part of the part of the Association’s managing agent to surveil the condominium for enforcement purposes.

All residents shall have the right to file written complaints with the Association concerning any alleged violation of this Rule. The Board of Directors shall respond to all credible complaints in its reasonable discretion.

Violation of this Rule is subject to appropriate action by the Board of Directors including, but not limited to, the initiation of legal action and/or assessment of special charges as a sanction. Should any legal action be required, all legal fees and costs shall be assessed and attributed to the Unit Owner responsible for the offense. Unit Owners shall be responsible for the offense(s) of their tenants and their guests.

This Resolution is adopted this 2nd day of June, 2009, by the Board of Directors.

Fairfield House Condominium Unit Owners
Association



Avi Sahgal, President

FOR ASSOCIATION RECORDS

I hereby certify that the foregoing Policy Resolution No. 2009- 3 was mailed to all Owners of the Fairfield House Condominium Unit Owners Association on this 2nd day of June, 2009.



Community Manager