

**RESOLUTION OF THE BOARD OF DIRECTORS OF
GLEN COVE OWNERS ASSOCIATION**

*RULE REGARDING SMOKING CIGARETTES
AND GROWING, USE, SALE AND SMOKING MARIJUANA*

WHEREAS, the Declaration of Covenants, Conditions, and Restrictions for Glen Cove Homes (“Declaration”) was duly recorded on December 17, 1998 at Reception No. 584159 in the real property records of Summit County, Colorado; and

WHEREAS, the Declaration contains covenants and restrictions that bind the property subject to the Declaration and the owners of such property; and

WHEREAS, the Declaration of the Glen Cove Owners Association (the “Association”) empowers the Board of Directors (the “Board”) of the Association to make reasonable rules and regulations appropriate for the operation and maintenance of the community; and

WHEREAS, Section 13.4 of the Declaration prohibits noxious or offensive activities within the community, activities that may become an annoyance or nuisance to the neighborhood; and activities that are or might be unsafe or hazardous to any person; and

WHEREAS, Section 13.4 of the Declaration prohibits all noxious or offensive activities in any Home, as well as prohibiting anything, including odors, that may be or may become an annoyance or nuisance to others; and

WHEREAS, the Board has determined that second-hand smoke from cigarettes and marijuana is a noxious or offensive activity, which may become an annoyance or nuisance to the neighborhood and others; and

WHEREAS, the Board has also determined that odors and smoke from growing or smoking marijuana constitute noxious or offensive activities, which may become annoyances or nuisances to the neighborhood and others; and

WHEREAS, the Colorado General Assembly enacted the Colorado Clean Indoor Air Act, C.R.S. 25-14-101 *et seq.*, effective July 1, 2006, which applies to condominium associations such as the Glen Cove Owners Association, and seeks to limit exposure to tobacco and marijuana smoke by regulating where people may use tobacco products; and

WHEREAS, the Board, on behalf of the Association intends to comply with the Colorado Clean Indoor Air Act, to enact rules and regulations that comport with the restrictions stated in the Declaration, to decrease the risk of fire, to minimize the adverse health impacts of secondhand smoke, to maintain compliance with federal law restricting the growing, using, selling, and smoking marijuana, and these actions are desirable or appropriate for the operation and maintenance of the Condominium Community.

NOW THEREFORE, the Association, by and through its Board of Directors, hereby adopts the following rules and regulations concerning smoking cigarettes and growing, using, selling, and smoking marijuana, effective 2/20/2014 :

1. Cigarettes. Owners, residents and guests may not smoke cigarettes in any Common Element, including Limited Common Elements, not specifically posted as a cigarette smoking area, in the

stairwells, on balconies or patios, or within fifteen feet of any building, mail kiosk or picnic table within the community.

2. Cigarette Smoking Locations. Owners, residents and guests may only smoke cigarettes in the following locations within the community, and only if such activity is not noxious or offensive, is not an annoyance or nuisance to others, and is not unsafe or hazardous to others:

- (a) Inside the Units, with the doors and windows closed; or
- (b) In designated cigarette smoking areas as may be posted by the Association. The Association is not required to designate cigarette smoking areas.

3. Debris. Owners, residents, and guests must place any tobacco product debris, including but not limited to cigarette butts, product packaging, and matches, in appropriate trash receptacles, which may include containers specifically designed to minimize the fire hazards associated with extinguished tobacco products.

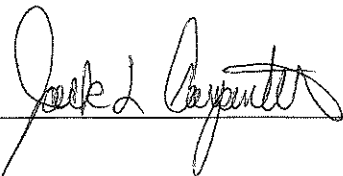
4. Definition. For the purpose of these rules, "cigarette smoking" or "smoking cigarettes" shall mean to burn a lighted cigarette, cigar, pipe, or any other matter or substance that contains tobacco.

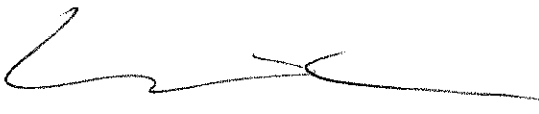
5. Marijuana. Growing, using, selling, and smoking marijuana is a noxious or offensive activity, which may become an annoyance or nuisance to the neighborhood and others. No marijuana, in any form, may be grown, used, sold, or smoked at the community. In the event an individual requires a reasonable accommodation for a disability under state fair housing laws, such individual shall contact the Board to discuss the terms of such accommodation.

6. Enforcement. To the extent that any cigarette smoking and marijuana growth, use, sale, or smoking is noxious or offensive, an annoyance or nuisance to others, including for example, that cigarette smoking in permitted locations is offensive to other residents due to infiltration into the other residents' Units, the Association may take action to enforce the Declaration. All enforcement shall be conducted in accordance with the Association's Rules and Regulations and Bylaws.

The undersigned hereby certify that the foregoing Rule was adopted in accordance with the Association's Adoption and Amendment Procedure at the meeting of the Board of Directors of the Association conducted on the 20th day of February, 2014.

GLEN COVE OWNERS ASSOCIATION

By:  President

Attested: 
Secretary