

ABC CONDOMINIUM

RULES SECOND HAND SMOKE

THESE RULES ON SECOND HAND SMOKE ("Rules") are adopted this 1 day of October, 2013 by the Board of Managers of ABC Condominium, the unit owners association of the Condominium ("Association").

WHEREAS, The ABC Condominium ("Condominium") exists under the Missouri Condominium Property Act, Sections 448.005 to 448.210, RSMo. ("CPA") and applicable provisions of the Missouri Uniform Condominium Act, Sections 448.1-101 to 448.4-120, RSMo. ("UCA") by virtue of the "Declaration of Condominium Ownership for Aberdeen Condominium" dated November 21, 1977 as recorded in Book 142M, Page 778, as amended by the "First Amendment to Declaration of Condominium Ownership for Aberdeen Condominium" as recorded September 27, 1983 in Book M367, Page 168, and as further amended by the "Second Amendment to Declaration of Condominium Ownership for ABC Condominium" as recorded on March 11, 1994 in Book M1052, Page 1878, all of the records of the City of St. Louis, Missouri ("Declaration"); and

WHEREAS, the Association is administered under its By-Laws attached to the Declaration as Exhibit "C" ("By-Laws"); and

WHEREAS, the Board may adopt and enforce reasonable rules governing the Condominium to protect the general welfare of the owners and residents and in the best interests of the entire Condominium community as a whole, pursuant to UCA Section 448.3-102.1(1) and By-Laws Article II, Section 8(e); and

WHEREAS, the Board deems that second hand smoke is a recognized health hazard as determined by the Surgeon General of the United States, is noxious and offensive, and constitutes a nuisance under the Declaration, Article Seven, Section F which prohibits behavior and conduct that results in nuisances and annoyances in the Condominium; and

WHEREAS, the Board desires and intends to adopt reasonable rules to prohibit second hand smoke in common elements of the Condominium, as more particularly set forth below.

NOW THEREFORE, the Board adopts the following Rules:

1. Smoking of tobacco or any related product in the hallways, lobbies, elevators, and any other portion of the common elements of the Condominium, and within a distance of twenty feet (20') of the exterior of any building, shall be prohibited.

2. Any Owner who engages in or permits smoking within his unit shall take all reasonable steps and utilize all devices reasonably available to minimize the migration of second hand smoke to another unit or the common elements.

3. Any second hand smoke that enters a unit or the common elements from a unit shall be grounds for the affected owner or the Association, as the case may be, to consider such second hand smoke as a nuisance which shall be enforceable by the Association as a violation of the restriction against nuisances in the Declaration, Article Seven, Section F.

4. Any violation of these Rules shall be enforceable by the Association and/or any aggrieved Owner as provided under the UCA, Declaration and By-Laws.

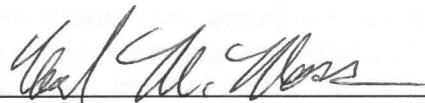
5. The Board may post informational signs on the common elements as it deems reasonable to foster voluntary compliance with these Rules.

6. These Rules shall be effective ten (10) days after publication to the owners and residents of the Condominium and shall apply to activities and circumstances occurring after the effective date.

IN WITNESS WHEREOF, the Board of Managers certifies that the foregoing Rules have been duly adopted on the date first above written.

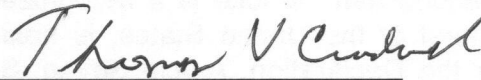
BOARD OF MANAGERS,
ABC CONDOMINIUM,
a Missouri nonprofit corporation

By:



President

Attest:



Secretary