



HORIZON TOWERS CONDOMINIUM ASSOCIATION

AMENDED AND RESTATED POLICY #B: SMOKING AND VAPING

BE IT RESOLVED, the Association hereby adopts the following procedures to be followed for enforcing policies, rules and regulations and other governing documents of the Association as adopted at a regular meeting of the Board of Directors.

Purpose: To adopt a Policy setting forth rules and regulations, in addition to the Covenants, Conditions and Restrictions, Article VII – Residence and Use Restrictions, Section 7.03 Nuisances, the Association has identified smoking or vaping of any substance (including but not limited to tobacco or marijuana) on or within any part of the premises or building as a nuisance.

NOW, THEREFORE, IT IS RESOLVED that the Association does hereby adopt the following policy and enforcement procedure regarding smoking and vaping nuisances.

1. **Smoking and vaping clarification.** Smoking or vaping tobacco, marijuana, or other substances on the HTCA premises may expose other residents and/or guests to potentially harmful or noxious substances. Owners and residents are responsible for strictly adhering to the forbiddance of smoking and vaping. Owners and residents are responsible for ensuring their guests and invitees, including tradespersons, are aware of and adhere to the smoking and vaping prohibition.
2. **Premises are smoke-free and vapor free.** This means that all forms of smoking/vaping are strictly prohibited.
 - a. Smoking/vaping of any substance is not allowed anywhere inside the premises or outside on any of the common areas. This includes all limited common areas, restricted common areas and areas within individual units.
 - b. Smoking/vaping of any substance is prohibited in or on any portion of the building, including, but not limited to, balconies and patios, garages, hallways, individual units, elevators, stairways, recreation and exercise areas, social areas, locker rooms, restrooms, offices, lobbies, courtyards and entryways, storage areas, mechanical rooms, electrical rooms, maintenance closets, and rooftops.
 - c. Smoking/vaping of any substance is prohibited throughout the Horizon Towers grounds, including but not limited to driveways, sidewalks, parking lots, landscaped areas, tables, benches, and lawn areas.
 - d. Smoking/vaping of any substance is prohibited in any vehicle on the premises.
3. **Policy Enforcement.** The first step in policy enforcement is “self-policing” on the part of each owner or resident. Be considerate and avoid creating a nuisance by smoking or vaping on the HTCA premises.
 - a. Any person who is observed smoking or vaping should immediately cease upon being informed of the smoking and vaping prohibition or at the request of any person on the premises.



- b. Owners, residents, building staff observing smoking or vaping on the premises should notify the HT office or a Board member to file a complaint (via phone, e-mail, fax, or mail). When making a complaint, be certain to note the date, time, and location of the violation of policy along with the name of the offender(s) and/or their description(s) if the person(s) are not known and what was observed. Also note any witness name(s) and statement(s) on the complaint as well as any other pertinent information.
- c. The HT Office or a Board member will attempt to immediately contact any person observed or reported as smoking or vaping on or within the premises and inform that person of the policy and request they cease smoking or vaping. A report will be compiled with any photo or video clips of the incident if it occurred in a common area under video surveillance.
 - i. The first violation will be given a written warning to the tenant and/or owner either observed smoking/vaping or responsible for inviting the guest or vendor observed smoking/vaping onto the premises. The responsible owner will have ten days to acknowledge and accept the warning or request a hearing by the Board.
 - ii. If the policy violator refuses to comply with the request to stop smoking or vaping when requested or has been previously warned in writing of this policy, the matter shall be referred in writing to the Board for review.
 - iii. Upon request by the owner, or referral by the HT office or a Board member, the Board shall schedule a hearing and render a decision on the incident in accordance with the HT hearing process.
 - iv. Fines shall be assessed by the Board in accordance with the fine schedule for nuisances. Non-payment of fines will fall under the collection policy.

Automatic Revision: This policy shall be revised automatically to include any revisions to the applicable statute referenced above.

PRESIDENT’S CERTIFICATION: The undersigned, being the President of the HTCA, A Colorado nonprofit corporation, certified that the foregoing Amended and Restated Policy #B was introduced for the first reading at a fully called and held meeting of the Board on September 8, 2025, and approved and adopted by the Board at the Board meeting on November 3, 2025.

Signature on File
President

11/03/2025
Date

Signature on File
Vice President

11/03/2025
Date