

Foxwood Hills Property Owners Association (POA)
Smoking Policy

The Property Owners Association is responsible for the day-to-day management of the common areas and other public places within Foxwood Hills. The Board of Directors believes it is necessary and in the best interest of the Association and its members to prohibit smoking of tobacco products and the use of electronic devices in all common areas and in other designated places in order to minimize health and safety risks associated with smoking. The intent of this policy is 1) to protect the health and welfare by prohibiting smoking and the use of electronic smoking devices in common areas and other identified areas and 2) to strike a reasonable balance between the need of persons who smoke and the need of non smokers to breathe smoke/vapor-free air, and to recognize that, where these meet conflict, the need to breathe smoke/vapor-free air should have priority.

The Board of Directors hereby adopts the following no smoking policy:

No person, including but not limited to owners, guests, family members, employees visitors or business invitees shall use electronic smoking device or smoke or ignite cigarettes, cigars or other tobacco products, marijuana or any other illegal substances within any common area, the POA office building, or POA-owned vehicles.

Designated outdoor smoking areas will be provided for employees, members, guests, family members, visitors or business invitees.

Definitions

1. Common area refers to those areas used by members, e.g., balcony of the POA office building, tennis and basketball courts, swimming pool, comfort stations, patio area, dressing areas, fitness room, etc.
2. POA office building means offices and areas available to or open to and customarily used by members (restrooms, lobby, stairs), restaurant, kitchen, and lounge and any other similar places where members assemble indoors.
3. POA-owned vehicle means any motor vehicles which are operated in the course of employment for the use of more than one person at a time during the time of employment.
4. Business invitee means any contractor, agent, or other person hired by the POA to provide a service or product to the POA.
5. Electronic smoking device shall means any electronic device that can be used to deliver nicotine or other substances to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, cigarillo, or pipe.

Designated Outdoor Smoking Areas

The POA manager should designate outdoor smoking areas at least 25 feet from any building entrance and designate those areas as such.

Posting of Signs

1. "No Smoking" signs or the international "no smoking" symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it) should be conspicuously posted in all areas/motor vehicles where smoking is prohibited.
2. The restaurant and lounge should have posted at the entrances a conspicuous sign clearly stating that smoking or the use of electronic cigarettes is prohibited.

Enforcement

1. The POA manager and all employees will initiate enforcement of this policy by informing persons violating this policy of the requirements of the policy and the consequences of such violation.
2. Any member may initiate enforcement of this policy by notifying the POA manager of an alleged violation.

Violations

Any person who violates any provision of this policy will be guilty of an infraction, and the following action will be imposed:

1. Individual will be asked to:
 - a. Stop smoking/discontinue the use of an electronic cigarette; and
 - b. Leave premises if they continue. Security will be called if individual will not leave voluntarily.
2. Excessive and or continued violation will result in suspension of member privileges.

Exceptions

The deck outside the lounge is the only common area exempted from this policy. It will be a designated smoking area.

Implementation

Approved: July 30, 2011 by the POA Board of Directors
Effective date: January 1, 2012
Revision: March 1, 2012 (exclusion of deck outside of lounge)
July 26, 2014 (inclusion of e-cigarettes)