

SMOKING IS NOT ALLOWED IN ALL COMMON AND EXCLUSIVE USE COMMON AREAS

Under the Rules and Regulations of the Pasadena Collection Homeowners Association:

1. No owner, family member, tenant, resident, guest, business invitee, or visitor shall smoke cigarettes, cigars, or any other tobacco product, marijuana or illegal substance in outside common areas, enclosed common areas, and exclusive use common areas (balconies and patios included) within the project.
2. "Smoking" shall include the inhaling, exhaling, burning, or carrying of any lighted cigarette, cigar or other tobacco product, marijuana, or illegal substance.
3. "Business invitee" shall include, but is not limited to, any contractor, agent, household worker, or other person hired by the owner, tenant or resident to provide a service or product to the owner, tenant, or resident.
4. Any owner who sells his/her unit shall specifically disclose to all potential buyers and Realtors that smoking is prohibited within all common areas in the project. Any owner who rents or otherwise allows someone other than the owner to reside within or occupy the unit shall disclose to all persons who reside within his/her unit that smoking is prohibited within all common areas prior to their residency or occupancy.
5. Each owner is responsible for the actions of all other persons residing within or visiting his/her unit and shall be subject to disciplinary action or court action for an injunction, or any remedies available for the violation of this section. This section may be enforced in a court of law by any resident or the association. If any resident or the association is required to hire legal counsel to enforce this section, the resident or the association shall be entitled to recover his/her or its attorney's fees and costs incurred, whether or not litigation has been commenced. The association may collect the attorney's fees and costs it incurs through the use of a special assessment levied against the owner of the unit and an assessment lien, if necessary.
6. The Board of Directors shall have the authority and power to enact rules and regulations which it deems necessary to enforce this restriction, including a schedule of fines which may be imposed after notice and a hearing, as described in the Rules and Regulations.

Note: Drifting smoke from within a unit that enters another unit is also prohibited and will be enforced under the nuisance provision of the CC&Rs. Violation of any provision of the CC&Rs, Architectural Guidelines or Rules & Regulations may result in fines.