

Gulf Horizons Smoke-Free Amendment

The membership of Gulf Horizons voted at a special members meeting on March 9, 2015 to amend their Declaration of Constitution.

This amendment makes the Gulf Horizons property Smoke-Free.

The vote was, 40 positive, 3 negative, and 6 abstentions.

This is the amendment:

21. OBLIGATION OF MEMBERS. In addition to other obligations and duties heretofore set out in this Declaration every unit owner shall:

f. Not permit or suffer anything to be done or kept in his unit which will increase the insurance rates on his unit or the common elements or which will obstruct or interfere with the rights of other members or annoy them by unreasonable noises or otherwise; nor shall a member commit or permit any nuisance, immoral or illegal act in his unit or on the common elements.

(i) Smoking and second hand smoke constitutes a nuisance

(ii) Effective July 1, 2015, unit owners shall not permit smoking or secondhand smoke within the individual units or upon any portion of the common elements or limited common elements. This prohibition shall apply to all present and future unit owners and their respective tenants, lessees, families, guests and invitees;

(iii) "Smoking" means and includes the inhaling, exhaling and burning of any lighted tobacco product, including cigarettes, cigars and pipe tobacco.

(iv) "Second hand smoke" means smoke emitted from smoking.

(v) Notwithstanding the foregoing, smoking shall be permitted on the extreme north east portion of the parking lot of the Association Property which is located no closer than 100 feet from the Gulf Horizons building and such other outdoor areas which the Board may determine in its discretion to be outdoor areas where smoking is permitted.