

## **Smoking Policy**

### **(750 KAPPOCK APARTMENTS CORP)**

**ADOPTED AS OF: June 22, 2018**

**Purpose: The Board of Directors of 750 Kappock Apartments Corp. (the "Corporation") hereby adopts the policy below with respect to smoking in and around the building and property owned by the Corporation with an address at 750 Kappock Street, Bronx, New York.**

**For the purposes of this policy:**

**1. The term "smoking" includes, but is not limited to, inhaling, exhaling, burning, carrying or creating any smoke from any lighted cigar, cigarette, pipe, or any form of lighted object or device, including E-cigarettes (vaping) or any other electronic cigarette or device or any other lighted tobacco, plant product or synthetic product intended for inhalation or any other items or materials that may be smoked, whether such substance is a legal substance or an illegal substance.**

**2. The term "Common Areas" means the entire property owned by the Corporation, except for the individual apartments, but including, without limitation, all areas of the lobby, recreation or multi-purpose rooms, hallways, laundry rooms, stairs and staircases, elevators, terraces or balconies appurtenant to apartments (except if any such terrace or balcony is incorporated into the apartment as an interior space), roof areas, fitness and exercise rooms, children's playrooms, playgrounds, sidewalks adjacent to the Corporation's building and property, any garage or parking areas (whether indoor or outdoor) owned by the Corporation, rear yard areas and grass, landscaped and garden areas on and around the Corporation's property.**

#### **The Smoking Policy:**

**A. Smoking is prohibited in all Common Areas within the interior of the Corporation's building and on the Corporation's property outside the Building, and as required by all applicable laws. No shareholder or occupant of the building shall smoke, or permit smoking by any occupant, agent, tenant, business invitee, guest, friend or family member in any Common**

**Areas whatsoever nor shall smoking be permitted in any manner outside of the window frame of any window. It is noted that any such smoking in Common Areas, is also a violation of applicable New York Law.**

**B. Smoking of a legal substance within an apartment is permitted, although discouraged as a policy matter. Any smoking in an apartment is subject to the prohibitions and restrictions contained in the Corporation's Proprietary Lease and House Rules which restrict shareholders from causing or permitting unreasonable odors from emanating from their apartments and or from causing or creating or permitting a nuisance to other Corporation residents of the building.**

**C. All shareholders are required by law to provide to prospective buyers or subtenants of their apartments with a copy of this Smoking Policy and a copy must be annexed to any contract of sale or sublease of an apartment.**

**D. The Board of Directors has and maintains the authority and power to enact rules and regulations which it deems necessary to enforce this Smoking Policy, in accordance with the applicable provisions of the Proprietary Lease and House Rules.**