

After Recording Return to:

**AMENDMENT TO BYLAWS
OF _____ CONDOMINIUM OWNERS ASSOCIATION
TO RESTRICT SMOKING**

The Bylaws of _____ Condominium Owners Association were recorded as an exhibit to the Condominium Declaration for _____ Condominiums on _____, 19__, in the records of _____ County, Oregon, as Document No. _____ (the "Bylaws"). The Oregon Condominium Act, at ORS 100.415(1)(q) and (r) provide that the Association's Bylaws shall set forth any restrictions on the enjoyment of the units and common elements, and any restrictions on use or occupancy of units.

From time to time, residents within the Condominium have complained to the Board of Directors that second-hand smoke has infiltrated their individual units, sometimes originating from people smoking tobacco in common areas, whether indoors or out, and sometimes apparently originating from people smoking tobacco within adjacent units. Efforts to prevent the migration of second-hand smoke have not succeeded, including sealing openings in walls, applying weather-strips to doors, and asking residents who smoke to use smokeless ashtrays or ionizing machines. Second-hand smoke continues to migrate into units within the Condominium. In accordance with the procedures set forth in the Association's governing documents and under applicable law, the owners have adopted the following amendment to the

Bylaws:

The following new Section __ is hereby added to Article ___ of the Bylaws:

Section __. Smoking Prohibited. Smoking is prohibited on or within all common element areas of the Condominium, including both general and limited common element areas, and within all units. Without limiting the generality of the foregoing, this prohibition applies to all general and limited common element areas of the Condominium, whether indoors or outdoors, including, without limitation, patios, balconies, garages, private streets, lobbies, hallways, walkways, landscaped areas, and within all Condominium units. Smoking is defined to include carrying, burning or otherwise handling or controlling any lighted or smoldering product containing tobacco, including, but not limited to, cigarettes, cigars or pipes. Each owner is responsible for the compliance with this rule by the owner and all residents within the owner's unit, and for all guests and invitees of such owner. Violations of this rule may result in a fine pursuant to the Association's fine schedule as adopted and amended from time to time by the Board of Directors.

IN WITNESS WHEREOF, the Chairman and Secretary of _____
Condominiums Owners Association hereby certify that this Amendment has been properly
adopted pursuant to the Bylaws effective this ____ day of _____, 20__.

OWNERS ASSOCIATION CONDOMINIUM

By: _____
Chairman

By: _____
Secretary

STATE OF OREGON)
) ss. _____, 2011
County of _____)

Personally appeared before me the above-named _____ and
who, being duly sworn, did say that ____ is the Chairman of _____,
Homeowners Association, and that said instrument was signed in behalf of said Association by
authority of its Board of Directors, and acknowledged said instrument to be its voluntary act and
deed.

Notary Public for Oregon

STATE OF OREGON)
) ss. _____, 2011
County of _____)

Personally appeared before me the above-named _____ and
who, being duly sworn, did say that ____ is the Secretary of _____,
Homeowners Association, and that said instrument was signed in behalf of said Association by
authority of its Board of Directors, and acknowledged said instrument to be its voluntary act and
deed.

Notary Public for Oregon