

Section 11

Noise, Nuisances, Alcohol, Damages and Smoking

Noise, Nuisances, Alcohol, Damages and Smoking Regulations

Ref: Declaration Sections 9.7, 9.14, 11.1 and 19

1. Nuisances

A nuisance is any activity or object that intrudes on the ability of residents to use or enjoy their properties such as odors, noise, offensive or threatening language/conduct. All nuisances are prohibited.

2. Alcohol

- a. Consumption of alcohol is prohibited in the Common Elements and Limited Common Elements, such as the lobby, hallways, Guest Suite, elevators, stairwells, parking garages P1 & P2 and the outside parking lots.
- b. Alcohol consumption is prohibited in Room 107. **Exception:** during reserved private functions the reservation holder assumes responsibility if he/she permits alcohol consumption. The BOD may approve consumption of alcohol during scheduled, approved PTCA events provided participants are informed in advance that alcohol will be allowed.
- c. Alcohol consumption is allowed on all Unit decks.

3. Damages

Repair or replacement of PTCA Common or Limited Common Elements damaged or defaced by a Unit Owner, Lessee/Special Occupant or their guest(s) will be charged to the responsible Unit Owner.

- a. Accidental damages or those caused by inattentiveness include but are not limited to carpet stains from mud, leaking garbage, bodily fluids, activities of pets; scratches, scuffs, and gouge marks to furniture, floors, doors or walls from grocery carts or other objects; and damage to light fixtures, windows, mirrors, or other decor.
- b. Intentional or attempted damage to PTCA property or interference with security equipment will be considered an act of vandalism.

4. Noise Control

- a. All residents shall be considerate of other residents and shall limit noise emanating from their Unit. All residents, guests and other invitees are required to minimize the transmission of noise from their Unit.
- b. At a minimum, residents are required to limit noise generated from general household activity, movement, conversations, altercations, children's activity, music, radios, computers, games, televisions, household appliances, and other means of sound transmission, so that it cannot be heard outside of the Unit, so that it is not offensive and does not create a nuisance.

5. Smoking

- a. In accordance with State law, smoking is permitted only inside a Unit, on Unit decks (except Unit 107) and outside the building at least 25 feet from any entrance.

Validated complaints of smoke odor emanating from a Unit will be regarded as a nuisance as defined in section 9.7 of the Declaration and this regulation.

- b. The BOD may require documentation from a resident who smokes that all reasonable efforts to prevent the escape of smoke from inside a Unit have been undertaken. Such efforts should at a minimum include sealing gaps around the Unit entry door and using one or more air purifiers.
- c. Residents must inform their guests and other invitees of the No Smoking policy in the Common Elements and in Unit 107.

6. Littering

Littering, including the failure to properly dispose of pet waste, dumping of cigarette butts/ashes, and discarding trash, paper, foods and beverages or other refuse on PTCA property is prohibited.

Enforcement

- ❖ Unit owners and residents are encouraged to make good faith efforts to resolve problems between themselves before filing a complaint with the association Manager (see Contacts List) using the procedures in Section 6 Complaint Filing and Enforcement Policy.
- ❖ If the BOD determines that an activity or object is undesirable or disturbs/ interferes with the peace, rest, comfort, use or enjoyment of other residents, that determination shall be conclusive.
- ❖ If City, State or Federal laws are violated, such as illegal drug activity or any other illegal conduct such as the intentional damage, destruction, or theft of property (e.g. vehicles, detached garages) the property owner and/or any resident who witnesses such activity is required to report the violation directly and immediately to the Tacoma Police Department as well as to inform the BOD or the association Manager. Non-Emergency situations should be reported to the Tacoma Police Help Line (253) 798-4721 as well as to the BOD or the association Manager.
- ❖ Any repair or replacement costs that can be traced to the actions of any Unit Owner, Lessee, Special Occupant, or their guest(s), will be assessed against the responsible Unit Owner's account. The BOD may assess a fine up to \$100 plus administrative fees.
- ❖ Vandalism or destruction of PTCA property will result in an immediate \$250 fine plus associated repair/replacement costs and administrative fees. If repair/replacement costs exceed \$2000, the fine is \$500.