



Policy Regarding Smoke Free Housing in all Public Housing Properties Owned and Operated by the Housing Authority of the City of Pekin

This policy pertains to the Broadway, Park Ridge Estates, and Golden Arms Apartments owned and operated by the Housing Authority of the City of Pekin. It is adopted in response to the Final Rule published in the Federal Register on December 5, 2016, which amends 24 CFR parts 965 and 966.

Smoking by definition according to this policy refers to any items that involve the ignition and burning of tobacco leaves such as but not limited to cigarettes, cigars and pipes. In addition, water pipes (Hookahs) and electronic cigarette devices (e-cigs) are prohibited under this policy.

Although marijuana is legal in the State of Illinois for medical purposes, its use is prohibited under Federal law. Therefore, the use of marijuana is prohibited on or in all properties owned and operated by the Housing Authority of the City of Pekin.

Upon due consideration of the Final Rule referenced above, the following policies/procedures are hereby adopted.

1. Smoking shall not be permitted in the interior common areas of any building including, but not necessarily limited to the general offices, community rooms, common restrooms, entry vestibules, elevators and stairwells. Common areas also include the playground and basketball courts.
2. Smoking is prohibited in the individual resident apartments.
3. Smoking is prohibited within 25 feet of any building entry point, windows and HVAC units.
4. This policy includes all residents and their guests.
5. All use of smoking materials on the property must be conducted 25 feet from all areas described above or in designated smoking areas as established by the Housing Authority of the City of Pekin.
6. Violation of the provision of this policy shall be handled as follows:

1st Infraction – Written Warning

2nd Infraction – Fine of **\$50.00**

3rd Infraction – Is a material violation of the lease that will lead to the issuance of a 30-day notice to vacate.



7. Management shall cooperate to the fullest extent possible with residents in the administration and enforcement of this policy.

Disclaimer by the City of Pekin Housing Authority/Owner: Resident acknowledges that Pekin Housing Authority/Owner's adoption of a smoke-free living environment, and the efforts to designate the premises as smoke-free does not in any way change the standard of care that the PHA/Owner would have to a Resident household to render buildings and premises designated as smoke-free any safer, more habitable, or improved in terms of air quality standards than any other rental premises. PHA/owner specifically disclaims any implied or express warranties that the building, common areas, or Resident's premises will have any higher or improved air quality standards than any other rental property. PHA/Owner cannot and does not warranty or promise that the rental premises or common areas will be free from secondhand smoke. Resident acknowledges that PHA/Owner's ability to police, monitor, or enforce the agreements of the Policy is dependent in significant part on voluntary compliance by the Resident and the Resident's guests. Residents with respiratory ailments, allergies, or any other physical or mental condition relating to smoke are put on notice that PHA/Owner does not assume any higher duty of care to enforce this Policy than any other PHA/Owner obligation under the Lease.

This policy will supersede and replace all previous smoke free housing policies of the Housing Authority of the City of Pekin.