



Standards on Smoking, Ingestion and Production of Cannabis, Tobacco, and Similar Products in the Redland Station Homes Association

Redland Station Homes Association (RSHA) is allowed through the Maryland State Law to create standards in the community for the use of cannabis as well as other common products, such as tobacco, through State Law and through Montgomery County Law for Common Ownership Communities. The areas permitted by law for the RSHA to control are all of the RSHA Common Areas, and, under certain restrictions, in individual town homes and personal outdoor areas.

As of July 1, 2023, the State of Maryland has new laws regarding recreational Cannabis use and production in the State. To read the State's laws as written by the Maryland Cannabis Administration, go to:

<https://mmcc.maryland.gov/Pages/cannabisfaq.aspx>

These laws discuss where to purchase recreational cannabis in Maryland, age restrictions, necessary ID, where cannabis can be used, restrictions on driving under the influence, public intoxication, personal cultivation and other issues.

For the Montgomery County Law for the use tobacco products for smoking, see: <https://www.montgomerycountymd.gov/HHS/LandR/Smoking.html>.

Note — these Standards also apply to Tobacco and similar products, as well as Medical Cannabis in any form and any type of ingestion.

Through the authority of the above laws the RSHA has:

- Banned the use of these products (products defined below) in public areas. maryland.gov defines public areas as “open to the public,” so the definition is not limited to non-HOA owned areas but extends to the RSHA Common Areas, which are open and not enclosed.
- Defined public areas for these Standards are all RSHA Common Areas (the Bus Shelter, the parking areas and all shared sidewalks along Briardale Road, Briardale Terrace, Briardale Court, and each of the four RSHA Sections, including wooded areas). Maryland State law allows the RSHA to ban use of these products in public areas and to designate Common Areas as public areas. Note: Federally owned property has its own restrictions on smoking.
- Reminded residents that the use of these products in private areas, such as personal yards, sidewalks, patios, decks, through open windows, and its effect on residents is covered in the RSHA Governing Documents, Article VIII, Section 3, part (a). A resident’s enjoyment of their property takes priority over another neighbor’s use of these products. The remedy is for the resident to request it cease and report it to the RSHA Board.

Note: Landlords are able to have more comprehensive restrictions through leases for their property, such as banning all types of production, smoking, vaping, or other ingestion indoors and out.

- Repeated State Law on personal cultivation of Cannabis plants on personal property following the State requirements for cultivation.

A person 21 years or older may lawfully cultivate up to two plants in their home, out of public view. Likewise, a household may cultivate a maximum of two plants. These plants must also be secured against use by those under 21, by using indoor hydroponics. Landlords can prohibit growing cannabis on their properties.

- Reminded residents that intoxication and littering are violations of public law and apply throughout the RSHA.
- Defined the products and methods used as below.

DEFINITIONS

Cannabis - per the State of Maryland, cannabis is a plant with many names (marijuana, weed, pot, cannabis, hash) has psychoactive characteristics and is consumed for medical and non-medical (recreational) purposes. The cannabis plant has hundreds of chemical compounds, including cannabinoids and terpenes (THC), all of which in any form are subject to regulations regarding cannabis.

Tobacco - a preparation of the nicotine-rich leaves of a plant, which are prepared for smoking, vaping or chewing.

Smoking - the action or habit of inhaling and exhaling the smoke of tobacco or similar substance by sucking on the end of a lit cigarette, cigar, pipe or similar device.

Vaping - the action or practice of inhaling and exhaling vapor containing cannabis, nicotine, or other flavored substances, such as clove, produced by a device designed and manufactured for this purpose.

Ingestion - any ingestion which produces waste which is deposited outside. For example: Chewing or Smokeless Tobacco, use of which produces spit and chewed tobacco, also known as chew.