

Strata BCS 903 – “Sunridge Estates”

BYLAWS

Preamble

These bylaws bind the strata corporation and the owners, tenants and occupants to the same extent as if the bylaws had been signed by the strata corporation and each owner, tenant and occupant and contained covenants on the part of the strata corporation with each owner, tenant and occupant and on the part of each owner, tenant and occupant with every other owner, tenant and occupant and with the strata corporation to observe and perform their provisions.

Unless otherwise stated, all terms have the meanings prescribed in the *Strata Property Act*, S.B.C. 1998, c. 43 (the “Act”). For the purposes of these bylaws, “residents” means collectively, owners, tenants and occupants and “a resident” means collectively, an owner, a tenant and an occupant. The Schedule of Standard Bylaws to the Act does not apply to the strata corporation.

Duties of Owners, Tenants, Occupants and Visitors

1. Compliance with bylaws and rules

- 1.1 All residents and visitors must comply strictly with the bylaws and rules of the strata corporation adopted from time to time.

2. Payment of strata fees and special levies

- 2.1 An owner must pay strata fees on or before the first day of the month to which the strata fees relate.
- 2.2 Where an owner fails to pay strata fees in accordance with bylaw 2.1, outstanding strata fees will be subject to an interest charge of 10% per annum, compounded annually. In addition to interest, failure to pay strata fees on the due date will result in a fine of \$25.00 for each contravention of bylaw 2.1.
- 2.3 An owner must provide the strata corporation or its agent with twelve (12) consecutive, monthly post-dated cheques for strata fees for the fiscal year of the strata corporation, dated as of the first day of each month or, if applicable, written authorization for monthly automatic debit from the owner’s bank account.
- 2.4 Failure by an owner to submit twelve (12) monthly, post-dated strata fee cheques or written authorization for automatic debit in accordance with bylaw 2.3 is a contravention of bylaw 2.3 and the strata corporation will levy a fine of \$25.00 for each contravention. Each dishonoured cheque or dishonoured automatic debit will be subject to a fine of \$50.00 and an administration charge of \$25.00.
- 2.5 A special levy is due and payable on the date or dates noted in the resolution authorizing the special levy.

2.6 Failure to pay a special levy on the due date will result in a fine of \$25.00 for each contravention of bylaw 2.5.

2.7 Where an owner fails to pay a special levy in accordance with bylaw 2.5, outstanding special levies will be subject to an interest charge of 10% per annum, compounded annually.

3. Repair and maintenance of property by owner

3.1 An owner must repair and maintain the owner's strata lot, except for repair and maintenance that is the responsibility of the strata corporation under these bylaws.

3.2 An owner who has the use of limited common property must repair and maintain it, except for repair and maintenance that is the responsibility of the strata corporation under these bylaws.

4. Use of property

4.1 A resident or visitor must not use a strata lot, the common property or common assets in a way that

(a) causes a nuisance or hazard to another person,

(b) causes unreasonable noise,

(c) unreasonably interferes with the rights of other persons to use and enjoy the common property, common assets or another strata lot,

(d) is illegal, or

(e) is contrary to a purpose for which the strata lot or common property is intended as shown expressly or by necessary implication on or by the strata plan.

4.2 A resident or visitor must not cause damage, other than reasonable wear and tear, to the common property, common assets or those parts of a strata lot which the strata corporation must repair and maintain under these bylaws or insure under section 149 of the Act.

4.3 An owner is responsible for any damage caused by occupants, tenants or visitors to the owner's strata lot.

- 4.4 An owner shall indemnify and save harmless the strata corporation from the expense of any maintenance, repair or replacement rendered necessary to the common property, limited common property, common assets or to any strata lot by the owner's act, omission, negligence or carelessness or by that of an owner's visitors, occupants, guests, employees, agents, tenants or a member of the owner's family, but only to the extent that such expense is not reimbursed from the proceeds received by operation of any insurance policy. In such circumstances, and for the purposes of bylaws 4.1, 4.2 and 4.3, any insurance deductible paid or payable by the strata corporation shall be considered an expense not covered by the proceeds received by the strata corporation as insurance coverage and will be charged to the owner.
- 4.5 A resident must not use, or permit to be used, the strata lot except as a private dwelling home and, unless granted prior written approval by the council, a resident must not allow more than two persons to occupy a strata lot originally designated by the owner developer as a one bedroom unit and not allow more than four persons to occupy a strata lot originally designated by the owner developer as a two bedroom unit. For the purposes of this bylaw 4.5, a "person" is defined to include children, but exclude visitors staying for less than 30 days with an owner, occupant or tenant of a strata lot.
- 4.6 An owner or occupant who alleges hardship as a result of the passage of bylaw 4.5 may appeal to the council for permission to be exempt from bylaw 4.5 on the basis of hardship and the council must not unreasonably refuse the appeal.

5. Pets and animals

- 5.1 A resident or visitor must not keep any pets on common property or on land that is a common asset.
- 5.2 A resident or visitor must ensure that all animals are leashed or otherwise secured when on the common property or on land that is a common asset.
- 5.3 A resident must not keep a pet on a strata lot other than one or more of the following:
- (a) a reasonable number of fish or other small aquarium animals; 50 gallon maximum and owners of larger tanks are to have written permission of the strata and are to be held responsible for any damages that may occur to building/structure;
 - (b) a reasonable number of small caged mammals;
 - (c) up to 2 caged birds;
 - (d) a maximum of 2 cats and/or dogs no greater than 25 kg each. Any additional cats and/or dogs require written consent of council.
- 5.4 A resident must not harbour exotic pets, including not exclusively, snakes, reptiles, spiders or large members of the cat family.
- 5.5 An resident must not harbour a vicious dog on a strata lot or common property, including limited common property. For the purposes of this bylaw 5.5 "vicious dog" means any of the following:

- (a) any dog that, while running at large, has killed or injured any person or another animal or has demonstrated a propensity, tendency or disposition to do so;
 - (b) any dog that, while running at large, aggressively harasses or pursues another person or animal;
 - (c) any dog owned or owned in part for the purpose of dog fighting or trained for dog fighting;
 - (d) a Pit Bull Terrier, an American Pit Bull Terrier, Pit Bull, Staffordshire Bull Terrier, American Staffordshire Terrier, Rottweiler, Akita, Japanese Tosas, Fila Brasileiro, Dogo Argentino, Presa Canarios, Mastiff, Chow Chow or any dog of mixed breeding that includes any of these breeds; or any dog that has the appearance and physical characteristics predominantly conforming to these standards for any of the above breeds, as established by the Canadian Kennel Club, American Kennel Club or the United Kennel Club, as determined by a veterinarian licensed to practice in the Province of British Columbia.
- 5.6 A resident must apply to the council for written permission to keep a pet (a "Permitted Pet") by registering the pet with the council within 30 days of the pet residing on a strata lot (or the passage of this bylaw) and by providing, in writing, the name of the Permitted Pet, breed, colour and markings, together with the name, strata lot number and telephone number of the pet owner.
- 5.7 A resident or visitor must not permit a loose or unleashed Permitted Pet (leashes cannot exceed six feet in length) at any time on the common property or on land that is a common asset. A Permitted Pet found loose on common property or land that is a common asset shall be delivered to the municipal pound at the cost of the strata lot owner, in addition a fine of \$50.00 for the first offence and \$100.00 for any further contraventions of bylaw 5.7.
- 5.8 A resident must not keep a Permitted Pet which is a nuisance on a strata lot, on common property or on land that is a common asset. If a resident has a pet which is not a Permitted Pet or if, in the opinion of council, the Permitted Pet is a nuisance or has caused or is causing an unreasonable interference with the use and enjoyment by residents or visitors of a strata lot, common property or common assets, the council may order such pet to be removed permanently from the strata lot, the common property or common asset or all of them.
- 5.9 If a resident contravenes bylaw 5.8, the owner of the strata lot will be subject to a fine of \$50.00 for the first offence and \$100.00 for the second offence.
- 5.10 Notwithstanding bylaw 5.9, a resident whose pet contravenes bylaw 5.8 will be subject to an immediate injunction application and the owner of the strata lot will be responsible for all expenses incurred by the strata corporation to obtain the injunction, including legal costs.

- 5.11 A pet owner must ensure that a Permitted Pet is kept quiet, controlled and clean. Any excrement on common property or on land that is a common asset must be immediately disposed of by the pet owner.
- 5.12 A pet owner must keep a Permitted Pet only in a strata lot
- 5.13 A strata lot owner must assume all liability for all actions by a Permitted Pet, regardless of whether the owner had knowledge, notice or forewarning of the likelihood of such action.
- 5.14 A resident or visitor must not feed birds, rodents or other wild animals from any strata lot, limited common property, common property or land that is a common asset. No bird feeders of any kind are permitted to be kept on balconies, strata lots, common property or land that is a common asset.
- 5.15 A resident contravening any of bylaws 5.1 to 5.8 (inclusive) or 5.11 to 5.14 (inclusive) will be subject to a \$50.00 fine.

6. Inform strata corporation

- 6.1 An owner must notify the strata corporation of:
- (a) within two weeks of becoming an owner; the owner's name and any occupants' names, strata lot number and mailing address outside the strata plan, if any.
- 6.2 On request by the strata corporation, a tenant must inform the strata corporation of the tenant's name and the strata lot which the tenant occupies.

7. Obtain approval before altering a strata lot

- 7.1 An owner must obtain the written approval of the strata corporation before making or authorizing an alteration to a strata lot that involves any of the following:
- (a) the structure of a building;
 - (b) the exterior of a building;
 - (c) patios, chimneys, stairs, balconies or other things attached to the exterior of a building;
 - (d) doors, windows or skylights on the exterior of a building, or that front on the common property;
 - (e) fences, railings or similar structures that enclose a patio, balcony or yard;
 - (f) common property located within the boundaries of a strata lot;
 - (g) those parts of the strata lot which the strata corporation must insure under section 149 of the Act; and

- (h) wiring, plumbing, piping, heating, air conditioning and other services.
- 7.2 The strata corporation must not unreasonably withhold its approval under bylaw 7.1, but may require as a condition of its approval that the owner agree, in writing, to take responsibility for any expenses relating to the alteration and to indemnify and hold harmless the strata corporation for any future costs in connection with the alteration.
- 7.3 Bylaw 5(3) of the Schedule of Bylaws to the Act does not apply to the strata corporation.
- 7.4 An owner intending to apply to the strata corporation for permission to alter a strata lot must submit, in writing, detailed plans and written description of the intended alteration.
- 8. Obtain approval before altering common property**
- 8.1 An owner must obtain the written approval of the strata corporation before making or authorizing an alteration to common property, including limited common property or common assets.
- 8.2 An owner, as part of its application to the strata corporation for permission to alter common property, limited common property or common assets, must:
 - (a) submit, in writing, detailed plans and description of the intended alteration;
 - (b) obtain all applicable permits, licences and approvals from the appropriate governmental authorities and provide copies to the strata council; and
 - (c) obtain the consent of the owners by written approval of the strata council under bylaw 8.1.
- 8.3 The strata corporation may require, as a condition of its approval, that the owner agree, in writing, to certain terms and conditions, including, not exhaustively, the following:
 - (a) that alterations be done in accordance with the design or plans approved by the strata council or its duly authorized representatives;
 - (b) that the standard of work and materials be not less than that of the existing structures;
 - (c) that all work and materials necessary for the alteration be at the sole expense of the owner;
 - (d) that the owner from time to time of the strata lot receiving the benefit of an alteration to common property, limited common property or common assets must, for so long as he or she remains an owner, be responsible for all present and future maintenance, repairs and replacements, increases in insurance, and any damage suffered or cost incurred by the strata corporation as a result, directly or indirectly, of the alterations to common property, limited common property or common assets;

- (e) that the owner and any subsequent owner on title who receives the benefit of such alteration, must, with respect only to claims or demands arising during the time that they shall have been owner, indemnify and hold harmless the strata corporation, its council members, employees and agents from any and all claims and demands whatsoever arising out of or in any manner attributable to the alteration. Any costs or expenses incurred by the strata corporation as the result of such claim or demand will be the responsibility of the owner from time to time of the strata lot who has benefited from the alteration and the said costs or expenses incurred must be charged to that owner and shall be added to and become part of the strata fees of that owner for the month next following the date upon which the cost or expenses are incurred, but not necessarily paid by the strata corporation, and shall become due and payable on the due date of payment of monthly strata fees.
- 8.4 An owner who has altered common property, limited common property or common assets prior to the passage of these bylaws shall be subject to their content and intent to the extent that any damages suffered or costs incurred by the strata corporation as a result, directly or indirectly, of the alteration, must be borne by the owner who has benefited from the alteration.
- 8.5 An owner who, subsequent to the passage of bylaws 8.1 to 8.3 inclusive, alters common property or limited common property without adhering strictly to these bylaws, must restore, at the owner's sole expense, the common property, limited common property or common assets, as the case may be, to its condition prior to the alteration. If the owner refuses or neglects to restore the alteration to its original condition, the strata corporation may conduct the restoration, at the expense of the owner who altered the common property or limited common property. The cost of such alteration shall be added to and become part of the strata fees of that owner for the month next following the date on which the cost was incurred and will become due and payable on the due date of payment of monthly strata fees.
- 9. Renovations/alterations**
- 9.1 An owner must give the council two working days' prior notice of the scheduled arrival of tradespersons or delivery of materials. Tradespersons must be licensed and bonded. Inadequate notice or work by unlicensed or unbonded tradespersons will result in the levy of fines.
- 9.2 A resident must not permit any construction debris, materials or packaging to be deposited in the strata corporation's disposal containers.
- 9.3 A resident must be responsible to ensure that all common property including walk ways and streets are protected from any spillage and dripping.
- 9.4 An owner must ensure that the hours of work are restricted to 8:00 a.m. to 5:00 p.m., Monday through Friday, and 10:00 a.m. to 4:00 p.m., Saturdays, Sundays and statutory holidays. To perform renovations/alterations on statutory holidays, an owner must apply for permission in writing to the council at least five business days before the holiday date.

- 9.5 An owner must be in attendance for all **SIGNIFICANT** renovations/alterations; the determination of **SIGNIFICANT** shall be in the discretion of the council and will require a refundable deposit of \$500.00.
- 9.6 An owner performing or contracting with others to perform renovations or alterations will be responsible, financially and otherwise, for ensuring that any and all required permits and licences are obtained.
- 9.7 An owner in contravention of any of bylaws 9.1 to 9.6 (inclusive) shall be subject to a fine of \$200.00 (maximum \$200.00) for each contravention, as well as be responsible for any clean up or repair costs.
- 10. Permit entry to strata lot**
- 10.1 A resident or visitor must allow a person authorized by the strata corporation to enter the strata lot or limited common property
- (a) in an emergency, without notice, to ensure safety or prevent significant loss or damage;
 - (b) at a reasonable time, on 48 hours' written notice,
 - (i) to inspect, repair, renew, replace or maintain common property, common assets and any portions of a strata lot that are the responsibility of the strata corporation to repair, replace, renew and maintain under these bylaws or the Act or to insure under section 149 of the Act; or
 - (ii) to ensure a resident's compliance with the Act, bylaws and rules.
- 10.2 If forced entry to a strata lot is required due to required emergency access and the inability to contact the owner of the strata lot, the owner shall be responsible for all costs of forced entry incurred by the strata corporation.
- 10.3 The notice referred to in bylaw 10.1(b) must include the date and approximate time of entry, and the reason for entry.

Powers and Duties of Strata Corporation

11. Repair and maintenance of property by strata corporation

- 11.1 The strata corporation must repair and maintain all of the following:
- (a) common assets of the strata corporation;
 - (b) common property that has not been designated as limited common property;
 - (c) limited common property, but the duty to repair and maintain it is restricted to
 - (i) repair and maintenance that in the ordinary course of events occurs less often than once a year, and

- (ii) the following, no matter how often the repair or maintenance ordinarily occurs:
 - A. the structure of a building;
 - B. the exterior of a building;
 - C. patios, chimneys, stairs, balconies and other things attached to the exterior of a building;
 - D. doors, windows and skylights on the exterior of a building or that front on common property;
 - E. fences, railings and similar structures that enclose patios, balconies and yards;
- (d) a strata lot, but the duty to repair and maintain it is restricted to
 - (i) the structure of a building,
 - (ii) the exterior of a building,
 - (iii) patios, chimneys, stairs, balconies and other things attached to the exterior of a building,
 - (iv) doors, windows and skylights on the exterior of a building or that front on common property, and
 - (v) fences, railings and similar structures that enclose patios, balconies and yards.

Council

12. Council size

- 12.1 Subject to bylaw 12.2 below, the council must have at least 3 and not more than 7 members.
- 12.2 If the strata plan has fewer than 4 strata lots or the strata corporation has fewer than 4 owners, all the owners are on the council.

13. Council eligibility

- 13.1 An owner or the spouse of an owner may stand for council, but not both.
- 13.2 No person may stand for council or continue to be on council with respect to a strata lot if the strata corporation is entitled to register a lien against that strata lot under section 116(1) of the Act.

13.3 No person may stand for council or continue to be on council with respect to a strata lot if there are amounts owing to the strata corporation charged against the strata lot in respect of administration fees, bank charges, fines, penalties, interest or the costs, including the legal costs, of remedying a contravention of the bylaws or rules.

13.4 No person may stand for council or continue to be on council with respect to a strata lot if there are amounts owing to the strata corporation charged against the strata lot in respect of administration fees, bank charges, fines, penalties, interest or the costs, including the legal costs, of remedying a contravention of the bylaws or rules for which the owner is responsible under section 131 of the Act.

14. Council members' terms

14.1 The term of office of a council member ends at the end of the annual general meeting at which the new council is elected.

14.2 A person whose term as council member is ending is eligible for reelection.

15. Removing council member

15.1 Unless all the owners are on the council, the strata corporation may, by a resolution passed by a majority vote at an annual or special general meeting, remove one or more council members. The strata corporation must pass a separate resolution for each council member to be removed.

15.2 After removing a council member, the strata corporation may hold an election at the same annual or special general meeting to replace the council member for the remainder of the term or the remaining members of the council may appoint a replacement council member for the remainder of the term.

15.3 If the strata corporation removes all of the council members, the strata corporation must hold an election at the same annual or special general meeting to replace the council members for the remainder of the term up to, at least, the minimum number of council members required by bylaw of the strata corporation for the remainder of the term.

15.4 The council may appoint the remaining council members necessary to achieve a quorum for the strata corporation, even if the absence of the members being replaced leaves the council without a quorum.

15.5 A replacement council member appointed pursuant to bylaws 15.2 and 15.4 may be appointed from any person eligible to sit on the council.

16. Replacing council member

16.1 If a council member resigns or is unwilling or unable to act, the remaining members of the council may appoint a replacement council member for the remainder of the term.

16.2 A replacement council member may be appointed from any person eligible to sit on the council.

16.3 The council may appoint a council member under bylaw 17.2 even if the absence of the member being replaced leaves the council without a quorum.

16.4 If all the members of the council resign or are unwilling or unable to act, persons holding at least 25% of the strata corporation's votes may hold a special general meeting to elect a new council by complying with the provisions of the Act, the regulations and the bylaws respecting the calling and holding of meetings.

17. Officers

17.1 At the first meeting of the council held after each annual general meeting of the strata corporation, the council must elect, from among its members, a president, a vice president, a secretary and a treasurer.

17.2 A person may hold more than one office at a time, other than the offices of president and vice president.

17.3 The vice president has the powers and duties of the president

(a) while the president is absent or is unwilling or unable to act,

(b) if the president is removed, or

(c) for the remainder of the president's term if the president ceases to hold office.

17.4 The strata council may vote to remove an officer.

17.5 If an officer other than the president is removed, resigns, is unwilling or unable to act, the council members may elect a replacement officer from among themselves for the remainder of the term.

18. Calling council meetings

18.1 Any council member may call a council meeting by giving the other council members at least one week's notice of the meeting, specifying the reason for calling the meeting.

18.2 The notice in bylaw 18.1 does not have to be in writing.

18.3 A council meeting may be held on less than one week's notice if

(a) all council members consent in advance of the meeting, or

(b) the meeting is required to deal with an emergency situation, and all council members either

(i) consent in advance of the meeting, or

(ii) are unavailable to provide consent after reasonable attempts to contact them.

18.4 Bylaw 14(4) of the Schedule of Bylaws to the Act does not apply to the strata corporation.

19. Requisition of council hearing

19.1 By application in writing, a resident may request a hearing at a council meeting stating the reasons for the request.

19.2 Except for a hearing pursuant to section 144 of the Act, if a hearing is requested under bylaw 19.1, the council must hold a meeting to hear the applicant within one (1) month of the date of receipt by the council of the application.

19.3 If the purpose of the hearing is to seek a decision of the council, the council must give the applicant a written decision within one week of the date of the hearing.

20. Quorum of council

20.1 A quorum of the council is

- (a) 1, if the council consists of one member,
- (b) 2, if the council consists of 2, 3 or 4 members,
- (c) 3, if the council consists of 5 or 6 members, and
- (d) 4, if the council consists of 7 members.

20.2 Council members must be present in person at the council meeting to be counted in establishing quorum.

21. Council meetings

21.1 The council may meet together for the conduct of business, adjourn and otherwise regulate its meetings as it thinks fit.

21.2 At the option of the council, council meetings may be held by electronic means, so long as all council members and other participants can communicate with each other.

21.3 If a council meeting is held by electronic means, council members are deemed to be present in person.

21.4 Owners and spouses of owners may attend council meetings as observers.

21.5 Despite bylaw 21.4, no observers may attend those portions of council meetings that deal with any of the following:

- (a) bylaw contravention hearings under section 135 of the Act;
- (b) rental restriction bylaw exemption hearings under section 144 of the Act;

- (c) any other matters if the presence of observers would, in the council's opinion, unreasonably interfere with an individual's privacy.

22. Voting at council meetings

- 22.1 At council meetings, decisions must be made by a majority of council members present in person at the meeting.
- 22.2 If there is a tie vote at a council meeting, the president may break the tie by casting a second, deciding vote.
- 22.3 The results of all votes at a council meeting must be recorded in the council meeting minutes.

23. Council to inform owners of minutes

- 23.1 The council must circulate to or post for owners the minutes of all council meetings within 2 weeks of the meeting, whether or not the minutes have been approved.

24. Delegation of council's powers and duties

- 24.1 Subject to bylaws 24.2, 24.3 and 24.4, the council may delegate some or all of its powers and duties to one or more council members or persons who are not members of the council, and may revoke the delegation.
- 24.2 The council may delegate its spending powers or duties, but only by a resolution that
 - (a) delegates the authority to make an expenditure of a specific amount for a specific purpose, or
 - (b) delegates the general authority to make expenditures in accordance with bylaw 24.3.
- 24.3 A delegation of a general authority to make expenditures must
 - (a) set a maximum amount that may be spent, and
 - (b) indicate the purposes for which, or the conditions under which, the money may be spent.
- 24.4 The council may not delegate its powers to determine, based on the facts of a particular case,
 - (a) whether a person has contravened a bylaw or rule,
 - (b) whether a person should be fined, and the amount of the fine,
 - (c) whether a person should be denied access to a recreational facility, or
 - (d) whether an owner should be granted an exemption from a rental restriction bylaw under section 144 of the Act.

25. Spending restrictions

25.1 A person may not spend the strata corporation's money unless the person has been delegated the power to do so in accordance with these bylaws.

26. Limitation on liability of council member

26.1 A council member who acts honestly and in good faith is not personally liable because of anything done or omitted in the exercise or intended exercise of any power or the performance or intended performance of any duty of the council.

26.2 Bylaw 26.1 does not affect a council member's liability, as an owner, for a judgment against the strata corporation

26.3 All acts done in good faith by the council are, even if it is afterwards discovered that there was some defect in the appointment or continuance in office of a member of council, as valid as if the council member had been duly appointed or had duly continued in office.

Enforcement of Bylaws and Rules

27. Fines

27.1 Except where specifically stated to be otherwise in these bylaws, the strata corporation may fine an owner or tenant:

(a) \$50.00 (up to \$200.00) for each contravention of a bylaw, and

(b) \$25.00 (up to \$50.00) for each contravention of a rule.

27.2 The council must, if it determines in its discretion that a resident is in repeated contravention of any bylaws or rules of the strata corporation, levy fines and the fines so levied shall be immediately added to the strata fees for the strata lot and shall be due and payable together with the strata fees for the strata lot in the next month following such contravention.

28. Continuing contravention

28.1 Except where specifically stated to be otherwise in these bylaws, if an activity or lack of activity that constitutes a contravention of a bylaw or rule continues, without interruption, for longer than 7 days, a fine may be imposed every 7 days.

Annual and Special General Meetings

29. Quorum of meeting

- 29.1 If within 1/2 hour from the time appointed for an annual or special general meeting, a quorum is not present, the meeting stands adjourned for a further 1/2 hour on the same day and at the same place. If within a further 1/2 hour from the time of the adjournment, a quorum is not present, the eligible voters, present in person or by proxy, constitute a quorum.

This bylaw 29.1 is an alternative to section 48(3) of the Act. This bylaw does not apply to a meeting demanded pursuant to section 43 of the Act and failure to obtain a quorum for a meeting demanded pursuant to section 43 terminates, and does not adjourn, that meeting.

30. Person to chair meeting

- 30.1 Annual and special general meetings must be chaired by the president of the council.
- 30.2 If the president of the council is unwilling or unable to act, the meeting must be chaired by the vice president of the council.
- 30.3 If neither the president nor the vice president of the council chairs the meeting, a chair must be elected by the eligible voters present in person or by proxy from among those persons, eligible to vote, who are present at the meeting.

31. Participation by other than eligible voters

- 31.1 Tenants and occupants may attend annual and special general meetings, whether or not they are eligible to vote.
- 31.2 Persons who are not eligible to vote, may participate in the discussion at a meeting, but only if permitted to do so by the chair of the meeting.
- 31.3 Tenants who are not eligible to vote, must leave the meeting if requested to do so by a resolution passed by a majority vote at the meeting.

32. Voting

- 32.1 Except on matters requiring a unanimous vote, the vote for a strata lot may not be exercised if the strata corporation is entitled to register a lien against that strata lot under section 116(1) of the Act.
- 32.2 Except on matters requiring a unanimous vote, the vote for a strata lot may not be exercised if there are amounts owing to the strata corporation charged against the strata lot in respect of administration fees, bank charges, fines, penalties, interest or the costs, including the legal costs, of remedying a contravention of the bylaws or rules.

- 32.3 Except on matters requiring a unanimous vote, the vote for a strata lot may not be exercised if there are amounts owing to the strata corporation charged against the strata lot in respect of administration fees, bank charges, fines, penalties, interest or the costs, including the legal costs, of remedying a contravention of the bylaws or rules, including legal costs, for which the owner is responsible under section 131 of the Act.
- 32.4 At an annual or special general meeting, voting cards must be issued to eligible voters.
- 32.5 At an annual or special general meeting a vote is decided on a show of voting cards, unless an eligible voter requests a precise count.
- 32.6 If a precise count is requested, the chair must decide whether it will be by show of voting cards or by roll call, secret ballot or some other method.
- 32.7 The outcome of each vote, including the number of votes for and against the resolution if a precise count is requested, must be announced by the chair and recorded in the minutes of the meeting.
- 32.8 If there is a tie vote at an annual or special general meeting, the president, or, if the president is absent or unable or unwilling to vote, the vice president may break the tie by casting a second, deciding vote.
- 32.9 Despite anything in bylaws 32.1 to 32.8 (inclusive), an election of council or removal of a council member must be held by secret ballot, if the secret ballot is requested by an eligible voter.
- 33. Electronic attendance at meetings**
- 33.1 A person who is eligible to vote may attend an annual or special general meeting by electronic means so long as the person and the other participants can communicate with each other.
- 33.2 If an annual or special general meeting is held by electronic means with a person, the person is deemed to be present in person for the purposes of the meeting.
- 34. Order of business**
- 34.1 The order of business at annual and special general meetings is as follows:
- (a) certify proxies and corporate representatives and issue voting cards;
 - (b) determine that there is a quorum;
 - (c) elect a person to chair the meeting, if necessary;
 - (d) present to the meeting proof of notice of meeting or waiver of notice;
 - (e) approve the agenda;
 - (f) approve minutes from the last annual or special general meeting;

- (g) deal with unfinished business;
- (h) receive reports of council activities and decisions since the previous annual general meeting, including reports of committees, if the meeting is an annual general meeting;
- (i) ratify any new rules made by the strata corporation under section 125 of the Act;
- (j) report on insurance coverage in accordance with section 154 of the Act, if the meeting is an annual general meeting;
- (k) approve the budget for the coming year in accordance with section 103 of the Act, if the meeting is an annual general meeting;
- (l) deal with new business, including any matters about which notice has been given under section 45 of the Act;
- (m) elect a council, if the meeting is an annual general meeting;
- (n) terminate the meeting.

Voluntary Dispute Resolution

35. Voluntary dispute resolution

- 35.1 A dispute among owners, tenants, the strata corporation or any combination of them may be referred to a dispute resolution committee by a party to the dispute if
- (a) all the parties to the dispute consent, and
 - (b) the dispute involves the Act, the regulations, the bylaws or the rules.
- 35.2 A dispute resolution committee consists of
- (a) one owner or tenant of the strata corporation nominated by each of the disputing parties and one owner or tenant chosen to chair the committee by the persons nominated by the disputing parties, or
 - (b) any number of persons consented to, or chosen by a method that is consented to, by all the disputing parties.
- 35.3 The dispute resolution committee must attempt to help the disputing parties to voluntarily end the dispute.

Small Claims Court Proceedings

36. Authorization to proceed

- 36.1 The strata corporation may proceed under the *Small Claims Act*, without further authorization by the owners, to recover from an owner or other person, by an action in debt in Small Claims Court, money owing to the strata corporation, including money owing as administration fees, bank charges, fines, penalties, interest or the costs, including legal costs, of remedying a contravention of the bylaws or rules and to recover money which the strata corporation is required to expend as a result of the owner's act, omission, negligence or carelessness or by that of an owner's visitors, occupants, guests, employees, agents, tenants or a member of the owner's family.

Marketing Activities by Owner Developer

37. Display lot

- 37.1 Subject to bylaw 38.1, an owner developer who has an unsold strata lot may carry on sales functions that relate to its sale, including the posting of signs.
- 37.2 An owner developer may use a strata lot, that the owner developer owns or rents, as a display lot for the sale of other strata lots in the strata plan.

Marketing Activities by Owners and Occupants

38. Sale of a strata lot

- 38.1 Real estate signs must not be displayed in a strata lot or on the common property except in the location designated by the strata corporation for real estate signs.

Insurance

39. Insuring against major perils

- 39.1 The strata corporation must insure against major perils, as set out in regulation 9.1(2), including, without limitation, earthquakes.

Parking

40. Parking

- 40.1 A resident must not permit any oversized, commercial or recreational vehicles including, but not exhaustively, boats, trailers and campers to enter or be parked or stored on common property, limited common property or land that is a common asset.
- 40.2 A resident must not store unlicensed or uninsured vehicles on the common property, limited common property or on land that is a common asset.
- 40.3 A resident storing a vehicle must provide proof of valid insurance to the strata corporation on the commencement date of the storage and on request thereafter.

- 40.4 An owner must not sell, lease or licence parking stalls to any person other than an owner or occupant.
- 40.5 A resident must park only in their individual garages or park on the city streets.
- 40.6 A visitor must display the appropriate parking pass in his/her vehicle; extended visitor parking must be applied to the strata council in writing.
- 40.7 A resident or visitor must not permit a vehicle to be parked or left unattended in a manner that interferes with parking stalls, access lanes or no parking zones.
- 40.8 Any resident's vehicle parked in violation of bylaw 40.6 and 40.7 will be subject to removal by a towing company authorized by council, and all costs associated with such removal will be charged to the owner of the strata lot.
- 40.9 A resident or visitor must not use any parking area as a work area for carpentry, renovations, repairs (including, but not exhaustively, sawing, drilling and the use of any adhesive or hardening compounds) or work on vehicles involving any automotive fluids or paints, motor tune ups or mechanical repairs.
- 40.10 A resident or visitor operating a vehicle in the parking areas must activate the vehicle's headlights and not exceed 8 km/hour.
- 40.11 A resident must wash a vehicle in the location designated for vehicle washing only. Once washing is completed, the resident must hose down and remove all dirt, refuse and excess water from the washing area. While washing, a resident must keep audio volume low.
- 40.12 A resident must not park or store any vehicle that drips oil or gasoline. A resident must remove any dripped oil, gasoline or other automotive residue.
- 40.13 A resident contravening any of bylaws 40.1 to 40.12 (inclusive) shall be subject to a fine of \$50.00 (maximum \$200.00) for each contravention, as well as be subject to removal by a towing company authorized by the council, all costs associated with such removal will be charged to the owner of the strata lot.

Moving

41. Moving in/out procedures

- 41.1 An owner must conform and ensure that any tenants conform to the Move In and Move Out rules established by council from time to time.
- 41.2 A resident contravening any of bylaws 41.1 shall be subject to a fine of \$200.00.

Appearance of strata lots

42. Cleanliness

- 42.1 A resident must not allow a strata lot to become unsanitary or untidy. Rubbish, dust, garbage, boxes, packing cases and other similar refuse must not be thrown, piled or stored in the strata lot or on common property. Any expenses incurred by the strata corporation to remove such refuse will be charged to the strata lot owner.
- 42.2 A resident must ensure that ordinary household refuse and garbage is securely wrapped and placed in the containers provided for that purpose, recyclable material is kept in designated areas and material other than recyclable or ordinary household refuse and garbage is removed appropriately.
- 42.3 A resident must ensure that the common areas immediately in front of units are kept clean and that garbage bags, trash cans, recycling boxes do not remain outside after garbage day.
- 42.4 An owner in contravention of an bylaws 42.1 to 42.3(inclusive) shall be subject to a fine of \$50.00(maximum of \$200.00) for each contravention, as well as be responsible for any clean up or repairs incurred by the strata.

Rentals

43. Residential rentals

- 43.1 No strata lots may be rented.
- 43.2 If an owner is exempt from a rental restriction bylaw pursuant to the Act, prior to possession of a strata lot by a tenant, an owner must deliver to the tenant the current bylaws and rules of the strata corporation and a Notice of Tenant's Responsibilities in Form K.
- 43.3 Within two weeks of renting a strata lot, the landlord must give the strata corporation a copy of the Form K - Notice of Tenant's Responsibilities signed by the tenant, in accordance with section 146 of the Act.
- 43.4 Where an owner leases a strata lot in contravention of bylaws 43.1, 43.2 or 43.3, the owner shall be subject to a fine of \$500.00 and the strata corporation shall take all necessary steps to terminate the lease or tenancy, including, but not limited to, seeking a declaration or Court injunction to enforce the bylaw. Any legal costs incurred by the strata corporation in enforcing the rental restriction bylaws shall be the responsibility of the contravening owner and shall be recoverable from the owner on a solicitor and own client basis by the strata corporation.

Visitors and Children

44. Children and supervision

- 44.1 Residents are responsible for the conduct of visitors including ensuring that noise is kept at a level, in the sole determination of a majority of the council, that will not disturb the rights of quiet enjoyment of others.
- 44.2 Residents are responsible for the conduct of children residing in their strata lot, including ensuring that noise is kept at a level, in the sole determination of a majority of the council, that will not disturb the quiet enjoyment of others.
- 44.3 Residents are responsible to assume liability for and properly supervise activities of children including, but not exhaustively, bicycling, skateboarding and hockey.

45. Miscellaneous

- 45.1 A resident or visitor must not use or store barbecues on common property.
- 45.2 A resident or visitor must not hinder or restrict sidewalks, entrances, exits, halls, passageways, stairways and other parts of the common property. Hindrance and restriction includes the keeping of personal items and garbage.
- 45.3 A resident or visitor must not wear or use inline skates and skateboards **ANYWHERE** within common or limited common property, including a strata lot between the hours of 8:30pm and 10:00am.
- 45.4 A resident must not permit any person to play or loiter in the garden areas, on common property (including the roadways in the complex) or on land that is a common asset, unless such common property or common asset is a playground.
- 45.5 A resident must not permit any person to play or loiter in the common property playground before 9:00am or after 9:00pm.
- 45.6 A resident or visitor must not use common property electrical outlets with the exception of parking area outlets used while vacuuming a vehicle.
- 45.7 Subject to bylaw 38.1, a resident or owner must not erect or display or permit to be erected or displayed any signs, fences, billboards, placards, advertising, notices or other fixtures of any kind on the common property or in a strata lot, unless authorized by the council. This shall include exterior painting and the addition of wood, ironwork, concrete or other materials.
- 45.8 A resident may post notices on the designated bulletin board, subject to being removed by the council if deemed inappropriate or posted for in excess of one week.
- 45.9 A resident must ensure that all entrance doors to strata lots are kept closed and kitchen extract fans are used when cooking.

- 45.10 A resident or visitor must not shake rugs, carpets, mops or dusters of any kind from any balcony, window, stairway or other part of a strata lot or common property.
- 45.11 A resident must ensure that drapes or blinds visible from the outside of the building are cream or white in colour.
- 45.12 A resident must ensure that no air conditioning units, laundry, flags, clothing, bedding or other articles are hung or displayed from windows, balconies or other parts of the building so that they are visible from the outside of the building.
- 45.13 A resident must not display or erect fixtures, poles, clotheslines, racks, storage sheds and similar structures permanently or temporarily on limited common property, common property or land that is a common asset. Despite the foregoing, the placing of items on the limited common property balconies or patio areas shall be limited to free standing, self contained planter boxes or containers, summer furniture and accessories.
- 45.14 No television or radio antenna, satellite dish, or similar structure or appurtenance will be erected or fastened to any strata lot, common property, or limited common property. Despite the foregoing, the placing of items on limited common property balconies or patio areas shall be limited to free standing, self contained planter boxes or containers, summer furniture and accessories.
- 45.15 A resident who installs Christmas lights must install them after December 1st of the year approaching Christmas and must remove them before January 15th of the year following Christmas.
- 45.16 A resident who installs lights for any religious holiday can install them up to 7 days prior to the celebration except as detailed in section 45.15.
- 45.17 An owner in contravention of any of bylaws 45.1 to 45.16 (inclusive) shall be subject to a fine of \$50.00 (maximum of \$200.00) for each contravention, as well as be responsible for any clean up or repair costs incurred by the strata.
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Strata Property Act

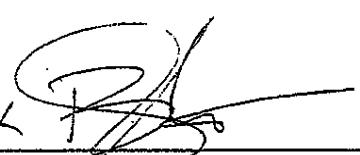
FORM I

AMENDMENT TO BYLAWS

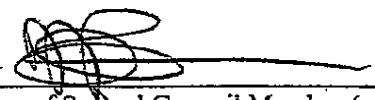
(Section 128)

The Owners, Strata Plan BCS903 certify that the following or attached amendments to the bylaws of the strata corporation were approved by a resolution passed in accordance with section 128 of the *Strata Property Act* at special general meeting held on *September 20, 2010*.

[Please see attached for wording of bylaw amendment]

X 

Signature of Council Member

X 

Signature of Second Council Member (not required if council consists of only one member)
(no longer needs a Strata Corp. Seal)

3/4 VOTE RESOLUTION #1 - BYLAW AMENDMENT

To approve a 3/4 vote resolution to be passed by the owners of the Strata Corporation BCS903 on September 20, 2010.

Whereas a strata corporation pursuant to section 128 of the *Strata Property Act, S.B.C. 1998, C.43*, may amend its bylaws by a resolution passed by a 3/4 vote;

And Whereas the Owners', Strata Plan BCS903 wish to amend their bylaws;

Be It Therefore Resolved by a 3/4 vote of the Owners', Strata Plan BCS903 (the "Strata Corporation"), at this general meeting held September 20, 2010 that all existing bylaws of the strata corporation are hereby repealed and replaced with the following:

See attached Package.

This resolution was approved and passed on September 20, 2010.

Atira Property Management

SCHEDULE OF BYLAWS
The Owners, Strata Plan BCS 903
Sunridge Estates

Be it resolved by a ¾ vote of The Owners, Strata Plan BCS 903 that:

- (a) the Schedule of Standard Bylaws be repealed for this strata corporation; and
- (b) all previously registered bylaws be repealed, and replaced with the following bylaws, with the exception that the rental restriction bylaw previously registered is amended and replaced as per Division 10 of the bylaws.

Division 1 – Duties of Owners, Tenants, Occupants and Visitors

Payment of strata fees

- 1 (1) An owner must pay strata fees on or before the first day of the month to which the strata fees relate. If an owner fails to pay strata fees at the required time the strata corporation may charge interest at the rate of 10% per annum compounded annually and a fine of \$25.00 per month while the strata fees remain in arrears.
- (2) If an owner fails to pay a special levy at the required time the strata corporation may charge interest at the rate of 10% per annum compounded annually and a fine of \$50.00 per month while the special levy remains in arrears.
- (3) An owner may provide the strata corporation's agent with twelve (12) consecutive, monthly post-dated cheques for strata fees for the fiscal year of the strata corporation, dated as of the first day of each month or, if applicable, written authorization for monthly automatic debit from the owner's bank account.

Repair and maintenance of property by owner

- 2 (1) An owner must repair and maintain the owner's strata lot, except for repair and maintenance that is the responsibility of the strata corporation under these bylaws.
- (2) An owner who has the use of limited common property must repair and maintain it, except for repair and maintenance that is the responsibility of the strata corporation under these bylaws.

Use of property

- 3 (1) An owner, tenant, occupant or visitor must not use a strata lot, the common property or common assets in a way that:
 - (a) causes a nuisance or hazard to another person,
 - (b) causes unreasonable noise,
 - (c) unreasonably interferes with the rights of other persons to use and enjoy the common property, common assets or another strata lot,

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- (d) is illegal, or
- (e) is contrary to a purpose for which the strata lot or common property is intended as shown expressly or by necessary implication on or by the strata plan.

(2) An owner, tenant, occupant or visitor must not cause damage, other than reasonable wear and tear, to the common property, common assets or those parts of a strata lot which the strata corporation must repair and maintain under these bylaws or insure under section 149 of the *Act*.

(3) An owner, tenant or occupant must not keep any pets on a strata lot other than one or more of the following:

- (a) a reasonable number of fish or other small aquarium animals;
- (b) up to 2 caged birds;
- (c) a reasonable number of small caged mammals;
- (d) 2 cats or 2 dogs or one of each.

(4) Notwithstanding anything else in these bylaws, no snake, reptile, spider or large member of the cat family shall be kept in a strata lot.

(5) Notwithstanding anything else in these bylaws no one shall keep on a strata lot a Pit Bull Terrier, an American Pit Bull Terrier, a Pit Bull, a Staffordshire Bull Terrier, American Staffordshire Terrier, Rottweiler, Akita, Japanese Tosa, Fila Brasileiro, Dogo Argentino, Presa Canarios, Mastiff, Chow Chow or any dog of mixed breeding that includes any of these breeds; or any dog that has the appearance and physical characteristics predominantly conforming to these standards for any of the above breed, as established by the Canadian Kennel Club, the American Kennel Club or the United Kennel Club, as determined by a veterinarian licensed to practice in the Province of British Columbia and chosen by council to assess the matter.

(6) No dog shall be kept on a strata lot or allowed in the complex that has killed or injured any person or animal, or that is used for dog fighting or trained for dog fighting.

(7) An aquarium must be 50 gallons or less unless the prior written consent of council is obtained and such consent may come with conditions.

(8) An owner, tenant, occupant or visitor must ensure that all pets are leashed or otherwise secured when on the common property or on land that is a common asset. The owner is responsible for the immediate clean-up of any pet excrement that occurs on common property.

(9) A pet shall not cause a nuisance to any resident.

(10) The applicable strata lot owner assumes all liability for all personal and property damage caused by a pet that resides or visits his or her strata lot, regardless of whether the owner had knowledge, notice or forewarning of the

likelihood of an action arising that caused such damage and the applicable owner must indemnify the strata corporation for all claims regarding such damage.

(11) An owner, tenant, occupant or visitor must not feed birds, rodents or other wild animals from any strata lot, limited common property, common property or land that is a common asset. No bird feeders, with the exception of hummingbird feeders, of any kind are permitted to be kept on balconies, strata lots, common property or land that is a common asset.

(12) If the council receives a complaint about a pet, a bylaw enforcement hearing will be held in accordance with the provisions of the Strata Property Act. At the end of the hearing, the council may take no action, fine the owner, require the person to pay the costs of remedying the contravention, or order the removal of the pet from the strata lot in which case the pet will be removed within the time frame ordered by council. The owner of the pet will be advised of the council's decision in writing.

(13) An owner must not allow more than four persons to occupy a strata lot originally designated by the owner developer as a two bedroom unit and a resident must not allow more than six persons to occupy a strata lot originally designated by the owner developer as a three bedroom unit. Council may, in its reasonable discretion, allow more occupants per strata lot by granting permission to the owner in writing. For the purposes of this bylaw, a "person" is defined to include a child, but does not include a visitor(s) staying for less than 30 days per year in the strata lot.

(14) An owner, tenant, occupant or visitor must not allow a strata lot to become unsanitary or untidy. Rubbish, dust, garbage, boxes, packing cases and other similar refuse must not be thrown, piled or stored in the strata lot or on common property. Any expenses incurred by the strata corporation to remove such refuse will be charged to the strata lot owner.

(15) A tenant, occupant or visitor must ensure that ordinary household refuse is securely wrapped and placed in the containers provided for that purpose, recyclable material must be recycled in the containers provided, and refuse other than ordinary household refuse must be removed at the cost of the owner of the applicable strata lot.

(16) An owner, tenant, or occupant must ensure that the common areas immediately in front of his or her strata lot are kept clean and that garbage bags, trash cans and recycling boxes are put out no earlier than 7:00 p.m. the evening before garbage day and can remain outside for 1 (one) day after garbage pick up.

(17) An owner, tenant or occupant or visitor must not use or store a barbecue on common property, except on limited common property.

(18) An owner, tenant, occupant or visitor must not hinder or restrict the use of sidewalks, entrances, exits, stairways or any other part of the common property in any manner including by leaving personal items or garbage on the common property.

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(19) Unless the prior written permission of council is obtained, an owner, tenant, or occupant must not erect or place a temporary or permanent structure on common property. No owner, tenant or resident will be allowed to erect a temporary or permanent structure on common property for the purpose of sport or recreation.

(20) An owner, tenant, occupant or visitor must not permit any person to play or loiter in the common property playground from 8:00pm to 8:00am.

(21) An owner, tenant, occupant or visitor must not use common property electrical outlets with the exception of parking area outlets used while vacuuming a vehicle.

(22) An owner, tenant, occupant or visitor must not erect or display or permit to be erected or displayed a sign, fence, billboard, placard, advertisement, notice or other fixture of any kind on the common property, without the prior written consent of the council.

(23) An owner, tenant, occupant or visitor must not erect or display or permit to be erected or displayed a sign, billboard, placard, advertisement, notice or other fixture of any kind in a strata lot so that it is visible from outside the strata lot, without the prior written consent of the council.

(24) An owner, tenant, occupant or visitor may post a notice(s) on the designated bulletin board, subject to it being removed by the council if deemed inappropriate or posted in excess of one week.

(25) An owner, tenant, occupant or visitor must ensure that drapes or blinds in a strata lot that are visible from outside of the strata lot when closed are cream or white in colour.

(26) An owner, tenant, or occupant must ensure that no laundry, flags, clothing, bedding or other articles are hung or displayed from windows, balconies or other parts of the building so that they are visible from outside the strata lot with the exception to national flags on national holidays mounted in accordance with bylaw 6. (3)

(27) Unless the prior written permission of council is obtained, the only items that may be left on limited common property patios and balconies are free-standing and self-contained planter boxes or containers, summer furniture and garden accessories.

Inform Strata Corporation

4 (1) Within 2 weeks of becoming an owner, an owner must inform the strata corporation of the owner's name, strata lot number and mailing address outside the strata plan, if any, as well as the make/model and licence number of all vehicles used by one or more residents of the applicable strata lot and which vehicle(s) will be parked on the common property.

(2) On request by the strata corporation, a tenant must inform the strata corporation of his or her name.

(3) An owner of a strata lot must provide to council or the strata agent within two weeks of keeping a pet in a strata lot the name of the pet as well as a description of the pet, the strata lot number where the pet resides and the telephone number of the pet owner. If the pet is in residence at the time this bylaw is passed, then the information in the previous sentence must be provided within one month of these bylaws being registered in the land title office.

Obtain approval before altering a strata lot

- 5 (1) An owner must obtain the written approval of the council before making an alteration to a strata lot that involves any of the following:
- (a) the structure of a building;
 - (b) the exterior of a building;
 - (c) chimneys, stairs, balconies or other things attached to the exterior of a building;
 - (d) doors, windows or skylights on the exterior of a building, or that front on the common property;
 - (e) fences, railings or similar structures that enclose a patio, balcony or yard;
 - (f) common property located within the boundaries of a strata lot;
 - (g) those parts of the strata lot which the strata corporation must insure under section 149 of the *Act*; and
 - (h) wiring, plumbing, piping, heating and other services.

(2) The council must not unreasonably withhold its approval under subsection (1), but may require as a condition of its approval that the owner agree, in writing, to take responsibility for any expenses relating to the alteration.

Obtain approval before altering common property

- 6 (1) An owner must obtain the written approval of the council before making an alteration to common property, including limited common property, or common assets.
- (2) The council may require as a condition of its approval that the owner agree, in writing, to take responsibility for any expenses relating to the alteration.
- (3) No awning, air conditioner, shed, awning, shade screen, sunscreen, antennae, satellite dish, greenhouse, hot tub or enclosure, shall be hung, attached or placed on the common property, including but not limited to limited common property, without the prior written permission of council.
- (4) Exterior holiday lights may only be displayed from December 1st to January 15th of the following year and they may only be attached to the building in a manner approved by council from time to time. Exterior lights for other religious celebrations also may only be attached to the building in a manner approved by council from time to time, and unless the prior written permission of council is obtained, they may only be displayed for maximum of a two week period per year.

Alterations to a strata lot or common property

- 7 (1) All alteration(s) to a strata lot, as set out in bylaw 5, and any alteration to common property, limited common property or common assets, as previously mentioned in bylaw 6, is subject to this bylaw and the sub-paragraphs therein and all of these alterations will be defined as an "Alteration" for the purposes of this bylaw and sub-paragraphs.
- (2) An Alteration that has not received the prior written approval of the council must be removed at the owner's expense if the council orders that the Alteration be removed. Council may require the owner to remove the Alteration or council may remove the alteration and charge the cost back to the owner.
- (3) An owner who receives approval for an Alteration will be liable for all costs connected to the Alteration, including but not limited to the cost of repairing and maintaining the Alteration and the cost of repairing and maintaining the common property including limited common property and a strata lot(s) if such repair and maintenance is required as a result of the installation, use or existence of the Alteration. The council may decide, in its discretion, that the strata corporation will repair and maintain the Alteration and do any repairs required to the Alteration, the common property, including limited common property and one or more strata lots and if the council so decides to do so the maintenance and/or repair, the owner of the strata lot will still be responsible for the costs. The council may require the owner to pre-pay the estimated costs of the repair and maintenance as reasonably estimated by council. There will be a reconciliation so that the owner is charged and pays the actual amount of the repair and maintenance. The only costs in any way connected to the Alteration that the owner will not be responsible for are those covered by the proceeds of the strata corporation's insurance. The owner will be responsible to reimburse the strata corporation for the cost of the deductible and any amount not covered by the strata corporation's insurance.
- (4) An owner who receives approval may be required by the council to sign an Assumption of Liability Agreement, which will be defined as "Agreement" for the purposes of this bylaw and sub-paragraphs, and the terms of the Agreement will be determined by council. Council may retain a lawyer to draft the Agreement and the owner will be responsible to reimburse the strata corporation for this cost.
- (5) The council reserves the right to require, or have an owner provide, specified professional supervision or inspection, or both, of an approved Alteration. The council may include specified supervision or inspection as a requirement of approval.
- (6) An owner who receives approval is responsible for obtaining all applicable building permit(s) prior to commencing the work. Obtaining all required permits and having all required inspections conducted is a condition of the council's approval for the Alteration.

- (7) The Alteration must be done in a professional and workmanlike manner. If the Alteration can be seen from outside the strata lot it must be installed as inconspicuously as possible, and the colour and finish of the Alteration must be appropriate, taking into consideration the surrounding structure. The standard of work and materials must not be less than that of the existing structures.
- (8) The council may require the owner to provide proof of insurance for the Alteration and the amount of the insurance required will be set by council from time to time in its reasonable discretion.
- (9) Unless a written extension is granted by council, the Alteration must be completed within 90 days of the approval being granted. If an extension is not granted by council the Alteration must be removed and the common property must be reinstated to its original condition, all at the cost of the owner.
- (10) If ownership of the strata lot changes prior to the Alteration being completed, the subsequent owner must obtain council's written consent to continue with the Alteration, or the Alteration must be removed and the common property must be reinstated to its original condition, all at the cost of the owner of the strata lot. Council will require confirmation that the new owner understands what Alteration is agreed to and that the new owner signs an Agreement.
- (11) The council may maintain, repair, or remove an Alteration if in the opinion of the council the Alteration is not properly repaired and maintained. All costs incurred in the maintenance, repair, and/or removal will be charged to the owner of the strata lot and are his responsibility.
- (12) If repairs to a strata lot, the common property or the limited common property are required at anytime, and those repairs reasonably require the removal of an Alteration, the owner will pay for the cost to remove the Alteration and for the re-installation and replacement of same. The re-installation and replacement will only be allowed if council agrees to it. The council can choose whether the strata corporation will arrange and contract for the work or whether the owner will do so.
- (13) On the sale of a strata lot, the owner will include as a term of any Contract of Purchase and Sale for the strata lot that the obligations of the owner under the Agreement transfer to all future owners of the strata lot and that these obligations form a part of any subsequent Contract of Purchase and Sale.
- (14) If any subsequent owner of the strata lot refuses to sign an Agreement in substantially the same terms as the Agreement signed by the owner who applied for the Alteration, the council may either remove the Alteration and repair the adjoining common property and charge the cost of the removal and repair to the owner or the council may order the owner to both remove the Alteration and/or repair any damage to any other property caused by its existence and/or removal.

(15) If the owner wants to remove the Alteration the owner must negotiate the terms of the removal with the council and it is understood and agreed that associated costs will be paid for by the owner.

Permit entry to strata lot

- 8 (1) An owner, tenant, occupant or visitor must allow a person authorized by the strata corporation to enter the strata lot
- (a) in an emergency, without notice, to ensure safety or prevent significant loss or damage, and
 - (b) at a reasonable time, on 48 hours' written notice, to inspect, repair or maintain common property, common assets and any portions of a strata lot that are the responsibility of the strata corporation to repair and maintain under these bylaws or insure under section 149 of the *Act* and/or to ensure compliance with the *Strata Property Act* and these bylaws.
- (2) The notice referred to in subsection (1) (b) must include the date and approximate time of entry, and the reason for entry.

Division 2 – Powers and Duties of Strata Corporation

Repair and maintenance of property by strata corporation

- 9 The strata corporation must repair and maintain all of the following:
- (a) common assets of the strata corporation;
 - (b) common property that has not been designated as limited common property;
 - (c) limited common property, but the duty to repair and maintain it is restricted to:
 - (i) repair and maintenance that in the ordinary course of events occurs less often than once a year; and
 - (ii) the following, no matter how often the repair or maintenance ordinarily occurs:
 - (A) the structure of a building;
 - (B) the exterior of a building;
 - (C) chimneys, stairs, balconies and other things attached to the exterior of a building;
 - (D) doors, windows and skylights on the exterior of a building or that front on the common property;
 - (E) fences, railings and similar structures that enclose patios, balconies and yards;
 - (d) a strata lot, but the duty to repair and maintain it is restricted to:
 - (i) the structure of a building;
 - (ii) the exterior of a building;
 - (iii) chimneys, stairs, balconies and other things attached to the exterior of a building;

- (iv) doors, windows and skylights on the exterior of a building or that front on the common property; and
- (v) fences, railings and similar structures that enclose patios, balconies and yards.

Division 3 – Council

Council size and membership

- 10 (1) The council must have at least 3 and not more than 7 members.
- (2) An owner will not be entitled to be elected to council or continue to stand on council if the strata corporation is entitled to register a lien against that strata lot under section 116 of the *Strata Property Act*.

Council members' terms

- 11 (1) The term of office of a council member ends at the end of the annual general meeting at which the new council is elected.
- (2) A person whose term as council member is ending is eligible for reelection.

Removing council member

- 12 (1) Unless all the owners are on the council, the strata corporation may, by a resolution passed by a majority vote at an annual or special general meeting, remove one or more council members.
- (2) After removing a council member, the strata corporation must hold an election at the same annual or special general meeting to replace the council member for the remainder of the term.

Replacing council member

- 13 (1) If a council member resigns or is unwilling or unable to act for a period of 2 or more months, the remaining members of the council may appoint a replacement council member for the remainder of the term.
- (2) A replacement council member may be appointed from any person eligible to sit on the council.
- (3) The council may appoint a council member under this section even if the absence of the member being replaced leaves the council without a quorum.
- (4) If all the members of the council resign or are unwilling or unable to act for a period of 2 or more months, persons holding at least 25% of the strata corporation's votes may hold a special general meeting to elect a new council by complying with the provisions of the *Act*, the regulations and the bylaws respecting the calling and holding of meetings.

Officers

- 14 (1) At the first meeting of the council held after each annual general meeting of the strata corporation, the council must elect, from among its members, a president, a vice president, a secretary and a treasurer.
- (2) A person may hold more than one office at a time, other than the offices of president and vice president.
- (3) The vice president has the powers and duties of the president:
- (a) while the president is absent or is unwilling or unable to act; or
 - (b) for the remainder of the president's term if the president ceases to hold office.
- (4) If an officer other than the president is unwilling or unable to act for a period of 2 or more months, the council members may appoint a replacement officer from among themselves for the remainder of the term.

Calling council meetings

- 15 (1) Any council member may call a council meeting by giving the other council members at least one week's notice of the meeting, specifying the reason for calling the meeting.
- (2) The notice does not have to be in writing.
- (3) A council meeting may be held on less than one week's notice if:
- (a) all council members consent in advance of the meeting; or
 - (b) the meeting is required to deal with an emergency situation, and all council members either:
 - (i) consent in advance of the meeting; or
 - (ii) are unavailable to provide consent after reasonable attempts to contact them.
- (4) The council must inform owners about a council meeting as soon as feasible after the meeting has been called.

Quorum of council

- 16 (1) A quorum of the council is:
- (a) 1, if the council consists of one member;
 - (b) 2, if the council consists of 2, 3 or 4 members;
 - (c) 3, if the council consists of 5 or 6 members; and
 - (d) 4, if the council consists of 7 members.
- (2) Council members must be present in person at the council meeting to be counted in establishing quorum.

Council meetings

- 17 (1) At the option of the council, council meetings may be held by electronic means, so long as all council members and other participants can communicate with each other.
- (2) If a council meeting is held by electronic means, council members are deemed to be present in person.
- (3) Owners may attend council meetings as observers.
- (4) Despite subsection (3), no observers may attend those portions of council meetings that deal with any of the following:
- (a) bylaw contravention hearings under section 135 of the *Act*;
 - (b) rental restriction bylaw exemption hearings under section 144 of the *Act*;
 - (c) any other matters if the presence of observers would, in the council's opinion, unreasonably interfere with an individual's privacy.

Voting at council meetings

- 18 (1) At council meetings, decisions must be made by a majority of council members present in person at the meeting.
- (2) If there is a tie vote at a council meeting, the president may break the tie by casting a second, deciding vote.
- (3) The results of all votes at a council meeting must be recorded in the council meeting minutes.

Council to inform owners of minutes

- 19 The council must inform owners of the minutes of all council meetings within 2 weeks of the meeting, whether or not the minutes have been approved.

Delegation of council's powers and duties

- 20 (1) Subject to subsections (2) to (4), the council may delegate some or all of its powers and duties to one or more council members or persons who are not members of the council, and may revoke the delegation.
- (2) The council may delegate its spending powers or duties, but only by a resolution that
- (a) delegates the authority to make an expenditure of a specific amount for a specific purpose, or
 - (b) delegates the general authority to make expenditures in accordance with subsection (3).
- (3) A delegation of a general authority to make expenditures must
- (a) set a maximum amount that may be spent, and
 - (b) indicate the purposes for which, or the conditions under which, the money may be spent.

- (4) The council may not delegate its powers to determine, based on the facts of a particular case,
- (a) whether a person has contravened a bylaw or rule,
 - (b) whether a person should be fined, and the amount of the fine, or
 - (c) whether a person should be denied access to a recreational facility.

Spending restrictions and cheques

- 21 (1) A person may not spend the strata corporation's money unless the person has been delegated the power to do so in accordance with these bylaws.
- (2) Despite subsection (1), a council member may spend the strata corporation's money to repair or replace common property or common assets if the repair or replacement is immediately required to ensure safety or prevent significant loss or damage.
- (3) All cheques drawn on an account of the strata corporation must have two council members as signatories, unless the cheque is signed by a strata agent.

Limitation on liability of council member

- 22 (1) A council member who acts honestly and in good faith is not personally liable because of anything done or omitted in the exercise or intended exercise of any power or the performance or intended performance of any duty of the council.
- (2) Subsection (1) does not affect a council member's liability, as an owner, for a judgment against the strata corporation.

Division 4 – Enforcement of Bylaws and Rules

Maximum fine

- 23 Unless otherwise provided for in the bylaws the strata corporation may fine an owner or tenant a maximum of:
- (a) \$200 for each contravention of a bylaw; and
 - (b) \$50 for each contravention of a rule.

Continuing contravention

- 24 If an activity or lack of activity that constitutes a contravention of a bylaw or rule continues, without interruption, for longer than 7 days, a fine may be imposed every 7 days.

Division 5 – Annual and Special General Meetings

Quorum

- 25 If at the time appointed for a general meeting, a quorum is not present, the meeting shall stand adjourned for a period of thirty minutes whereupon the adjourned meeting shall be reconvened at the same place and the persons present in person or by proxy and entitled to vote, shall constitute a quorum.

Person to chair meeting

- 26 (1) Annual and special general meetings must be chaired by the president of the council.
- (2) If the president of the council is unwilling or unable to act, the meeting must be chaired by the vice president of the council.
- (3) If neither the president nor the vice president of the council chairs the meeting, a chair must be elected by the eligible voters present in person or by proxy from among those persons who are present at the meeting.

Participation by other than eligible voters

- 27 (1) Tenants and occupants may attend annual and special general meetings, whether or not they are eligible to vote.
- (2) Persons who are not eligible to vote, including tenants and occupants, may participate in the discussion at the meeting, but only if permitted to do so by the chair of the meeting.
- (3) Persons who are not eligible to vote, including tenants and occupants, must leave the meeting if requested to do so by a resolution passed by a majority vote at the meeting.

Voting

- 28 (1) At an annual or special general meeting, voting cards must be issued to eligible voters.
- (2) At an annual or special general meeting a vote is decided on a show of voting cards, unless an eligible voter requests a precise count.
- (3) If a precise count is requested, the chair must decide whether it will be by show of voting cards or by roll call, secret ballot or some other method.
- (4) The outcome of each vote, including the number of votes for and against the resolution if a precise count is requested, must be announced by the chair and recorded in the minutes of the meeting.
- (5) If there is a tie vote at an annual or special general meeting, the president, or, if the president is absent or unable or unwilling to vote, the vice president, may break the tie by casting a second, deciding vote.
- (6) Despite anything in this section, an election of council or any other vote must be held by secret ballot, if the secret ballot is requested by an eligible voter.
- (7) An owner will not be entitled to vote at a general meeting except on matters requiring a unanimous vote if the strata corporation is entitled to register a lien against that strata lot under section 116 of the *Strata Property Act*.

Order of business

29 The order of business at annual and special general meetings is as follows:

- (a) certify proxies and corporate representatives and issue voting cards;
- (b) determine that there is a quorum;
- (c) elect a person to chair the meeting, if necessary;
- (d) present to the meeting proof of notice of meeting or waiver of notice;
- (e) approve the agenda;
- (f) approve minutes from the last annual or special general meeting;
- (g) deal with unfinished business;
- (h) receive reports of council activities and decisions since the previous annual general meeting, including reports of committees, if the meeting is an annual general meeting;
- (i) ratify any new rules made by the strata corporation under section 125 of the *Act*;
- (j) report on insurance coverage in accordance with section 154 of the *Act*, if the meeting is an annual general meeting;
- (k) approve the budget for the coming year in accordance with section 103 of the *Act*, if the meeting is an annual general meeting;
- (l) deal with new business, including any matters about which notice has been given under section 45 of the *Act*;
- (m) elect a council, if the meeting is an annual general meeting; and
- (n) terminate the meeting.

Division 6 – Voluntary Dispute Resolution**Voluntary dispute resolution**

- 30 (1) A dispute among owners, tenants, the strata corporation or any combination of them may be referred to a dispute resolution committee by a party to the dispute if
- (a) all the parties to the dispute consent, and
 - (b) the dispute involves the *Act*, the regulations, the bylaws or the rules.
- (2) A dispute resolution committee consists of
- (a) one owner or tenant of the strata corporation nominated by each of the disputing parties and one owner or tenant chosen to chair the committee by the persons nominated by the disputing parties, or
 - (b) any number of persons consented to, or chosen by a method that is consented to, by all the disputing parties.
- (3) The dispute resolution committee must attempt to help the disputing parties to voluntarily end the dispute.

Division 7 – Small Claims

- 31 Pursuant to section 171 of the *Strata Property Act*, the council, on behalf of the strata corporation, may commence a proceeding under the *Small Claims Act* against an owner or other person to collect money owing to the strata corporation without further authorization from the strata corporation. The council may commence the proceedings to collect monies owing to the strata corporation for any reason, including but not limited to monies owing by an owner or tenant for a fine or to recover the deductible portion of an insurance claim if the person is responsible for the loss or damage that gave rise to the claim. The council has full authority to negotiate a settlement or discontinue or dismiss the action.

Division 8 – Insurance

- 32 (1) An owner is deemed to be responsible for any loss or damage caused to the common property, limited common property, common assets or to any strata lot where the cause of such loss or damage originated within the owner's strata lot and the loss or damage is not covered by the strata corporation's insurance policy.
- (2) An owner is also deemed to be responsible for any loss or damage to the common property, limited common property, common assets or to any strata lot where the cause of such loss or damage is the result of an act, omission, negligence or carelessness of the owner, and/or owner's tenants, occupants or visitors and the loss or damage is not covered by any insurance policy.
- (3) If any loss or damage deemed to be the responsibility of an owner under subsection (1) and/or (2) of this bylaw results in a claim against any insurance policy held by the strata corporation, that owner is strictly liable to reimburse the strata corporation for the full amount of any insurance deductible, any portion of insurance coverage declined and/or any amount by which the loss or damage exceeds the strata corporation's insurance coverage. That owner shall indemnify and save harmless the strata corporation for these amounts.
- (4) If any loss or damage deemed to be the responsibility of an owner under subsection (1) and/or (2) of this bylaw does not exceed the insurance deductible for an insurance policy held by the strata corporation, that owner is strictly liable and shall indemnify and save harmless the strata corporation for any resulting expense for maintenance, repair or replacement rendered necessary, which it is the strata corporation's responsibility to perform.
- (5) For the purposes of this bylaw any amount which an owner is responsible to pay the Strata Corporation shall be assessed against that owner's strata lot and included in the statement of account for that strata lot.

Division 9 – Parking

- 33 (1) An owner, tenant, or occupant must not permit any oversized, commercial or recreational vehicles including, but not exhaustively, boats, trailers and

campers to be parked or stored on common property, limited common property or land that is a common asset.

(2) An owner, tenant or occupant must not have an uninsured vehicle on the common property, limited common property or on land that is a common asset.

(3) A resident storing a vehicle must provide proof of valid insurance to the strata corporation on the commencement date of the storage and on request by council at anytime thereafter.

(4) An owner must not sell, lease or licence parking stalls to any person other than an owner, tenant or occupant.

(5) An owner, tenant or occupant must park only in his or her individual garage or park on the city streets. An owner tenant or occupant must not park in a visitor stall.

(6) A visitor must display the appropriate parking pass in his/her vehicle. Prior to a visitor using visitor parking for more than four days in any seven day period, the owner of the applicable strata lot must obtain the council's prior written permission.

(7) No one shall park or allow a vehicle to be parked so that it interferes with a parking stall, access lane or no parking zone.

(8) Any owner, tenant, occupant or visitor parking in violation of these bylaws will be subject to removal by a towing company authorized by council, and all costs associated with such removal will be charged to the owner of the strata lot.

(9) An owner, tenant, occupant or visitor must not use any visitor parking area as a work area for carpentry, renovations, repairs (including, but not exhaustively, sawing, drilling and the use of any adhesive or hardening compounds) or work on vehicles involving any automotive fluids or paints, motor tune ups or mechanical repairs.

(10) Drivers operating a vehicle in a parking area in the complex must activate the vehicle's headlights and not exceed 8 km/hour.

(11) An owner, tenant or occupant must wash a vehicle in a location that does not inhibit the passage of other vehicles. Once washing is completed, the resident must hose down and remove all dirt, refuse and excess water from the washing area. While washing, a resident must keep audio volume low.

(12) An owner, tenant, occupant or visitor must not park or store a vehicle in the complex that drips oil or gasoline until it is repaired. Council may request that the owner of the applicable strata lot remove any dripped oil, gasoline or other automotive residue. If the owner fails to do this, the council may arrange the for clean up and charge the cost of doing so to the owner.

Division 10 – Rental prohibition bylaw

- 34 (1) The rental of strata lots is prohibited except for those rented pursuant to a successful appeal on the basis of hardship, rentals to family members as defined in the Regulation to the *Strata Property Act* and amendments thereto and rentals by those owners who purchased from the owner/developer in accordance with the Rental Disclosure Statement filed by the owner/developer in the Superintendent of Real Estate's Office.
- (2) An owner may apply in writing for an exemption on the grounds that this bylaw causes hardship to the owner. The application shall be dealt with as prescribed by the provisions of the *Strata Property Act* and amendments thereto.
- (3) Within two weeks after renting all or part of his or her strata lot an owner must give the strata corporation a copy of the Notice of Tenant's Responsibilities signed by the tenant.
- (4) The limitation on rentals is subject to section 143, as applicable of the *Strata Property Act*, and amendments thereto.
- (5) Where permission to rent pursuant to this bylaw has been automatically revoked, withdrawn, terminated, or will expire, an owner may re-apply to the council for permission to rent the strata lot and such application will be governed by the provisions of this bylaw and the *Strata Property Act* and amendments thereto.
- (6) Where an owner leases his strata lot in violation of the bylaw, the strata corporation shall levy against the owner a fine of five hundred (\$500.00) dollars every seven days during the period of the lease.

Division 11 – Moving

- 35 An owner must conform to the Move In and Move Out rules of the strata corporation, and must ensure that any tenant(s) conform to these rules.

Division 12 – Severability

- 36 (1) Should any portion of these bylaws be deemed unenforceable by any court of competent jurisdiction, then for the purposes of interpretation and enforcement of the bylaws, each paragraph, sub-paragraph or clause hereof shall be deemed a separate provision and severable, and the balance of the provisions contained herein shall remain in full force and effect.
- (2) For the purposes of all bylaws, wherever the singular or masculine is used, it shall be construed as meaning the plural or feminine or body corporate where the context requires. The terms "resident" or "residents" refer to those individuals residing in the building, whether as owners, tenants or other occupants.

SCHEDULE OF BYLAWS
The Owners, Strata Plan BCS 903
Sunridge Estates

Be it resolved by a $\frac{3}{4}$ vote of The Owners, Strata Plan BCS 903 that:

- (a) the Schedule of Standard Bylaws be repealed for this strata corporation;
and
- (b) all previously registered bylaws be repealed, and replaced with the following bylaws, with the exception that the rental restriction bylaw previously registered is amended and replaced as per Division 10 of the bylaws.

Division 1 – Duties of Owners, Tenants, Occupants and Visitors

Payment of strata fees

- 1 (1) An owner must pay strata fees on or before the first day of the month to which the strata fees relate. If an owner fails to pay strata fees at the required time the strata corporation may charge interest at the rate of 10% per annum compounded annually and a fine of \$25.00 per month while the strata fees remain in arrears.
- (2) If an owner fails to pay a special levy at the required time the strata corporation may charge interest at the rate of 10% per annum compounded annually and a fine of \$50.00 per month while the special levy remains in arrears.
- (3) An owner may provide the strata corporation's agent with twelve (12) consecutive, monthly post-dated cheques for strata fees for the fiscal year of the strata corporation, dated as of the first day of each month or, if applicable, written authorization for monthly automatic debit from the owner's bank account.

Repair and maintenance of property by owner

- 2 (1) An owner must repair and maintain the owner's strata lot, except for repair and maintenance that is the responsibility of the strata corporation under these bylaws.
- (2) An owner who has the use of limited common property must repair and maintain it, except for repair and maintenance that is the responsibility of the strata corporation under these bylaws.

Use of property

- 3 (1) An owner, tenant, occupant or visitor must not use a strata lot, the common property or common assets in a way that:
 - (a) causes a nuisance or hazard to another person,
 - (b) causes unreasonable noise,
 - (c) unreasonably interferes with the rights of other persons to use and enjoy the common property, common assets or another strata lot,

- (d) is illegal, or
 - (e) is contrary to a purpose for which the strata lot or common property is intended as shown expressly or by necessary implication on or by the strata plan.
- (2) An owner, tenant, occupant or visitor must not cause damage, other than reasonable wear and tear, to the common property, common assets or those parts of a strata lot which the strata corporation must repair and maintain under these bylaws or insure under section 149 of the *Act*.
- (3) An owner, tenant or occupant must not keep any pets on a strata lot other than one or more of the following:
- (a) a reasonable number of fish or other small aquarium animals;
 - (b) up to 2 caged birds;
 - (c) a reasonable number of small caged mammals;
 - (d) 2 cats or 2 dogs or one of each.
- (4) Notwithstanding anything else in these bylaws, no snake, reptile, spider or large member of the cat family shall be kept in a strata lot.
- (5) Notwithstanding anything else in these bylaws no one shall keep on a strata lot a Pit Bull Terrier, an American Pit Bull Terrier, a Pit Bull, a Staffordshire Bull Terrier, American Staffordshire Terrier, Rottweiler, Akita, Japanese Tosa, Fila Brasileiro, Dogo Argentino, Presa Canarios, Mastiff, Chow Chow or any dog of mixed breeding that includes any of these breeds; or any dog that has the appearance and physical characteristics predominantly conforming to these standards for any of the above breed, as established by the Canadian Kennel Club, the American Kennel Club or the United Kennel Club, as determined by a veterinarian licensed to practice in the Province of British Columbia and chosen by council to assess the matter.
- (6) No dog shall be kept on a strata lot or allowed in the complex that has killed or injured any person or animal, or that is used for dog fighting or trained for dog fighting.
- (7) An aquarium must be 50 gallons or less unless the prior written consent of council is obtained and such consent may come with conditions.
- (8) An owner, tenant, occupant or visitor must ensure that all pets are leashed or otherwise secured when on the common property or on land that is a common asset. The owner is responsible for the immediate clean-up of any pet excrement that occurs on common property.
- (9) A pet shall not cause a nuisance to any resident.
- (10) The applicable strata lot owner assumes all liability for all personal and property damage caused by a pet that resides or visits his or her strata lot, regardless of whether the owner had knowledge, notice or forewarning of the

likelihood of an action arising that caused such damage and the applicable owner must indemnify the strata corporation for all claims regarding such damage.

(11) An owner, tenant, occupant or visitor must not feed birds, rodents or other wild animals from any strata lot, limited common property, common property or land that is a common asset. No bird feeders, with the exception of hummingbird feeders, of any kind are permitted to be kept on balconies, strata lots, common property or land that is a common asset.

(12) If the council receives a complaint about a pet, a bylaw enforcement hearing will be held in accordance with the provisions of the *Strata Property Act*. At the end of the hearing, the council may take no action, fine the owner, require the person to pay the costs of remedying the contravention, or order the removal of the pet from the strata lot in which case the pet will be removed within the time frame ordered by council. The owner of the pet will be advised of the council's decision in writing.

(13) An owner must not allow more than four persons to occupy a strata lot originally designated by the owner developer as a two bedroom unit and a resident must not allow more than six persons to occupy a strata lot originally designated by the owner developer as a three bedroom unit. Council may, in its reasonable discretion, allow more occupants per strata lot by granting permission to the owner in writing. For the purposes of this bylaw, a "person" is defined to include a child, but does not include a visitor(s) staying for less than 30 days per year in the strata lot.

(14) An owner, tenant, occupant or visitor must not allow a strata lot to become unsanitary or untidy. Rubbish, dust, garbage, boxes, packing cases and other similar refuse must not be thrown, piled or stored in the strata lot or on common property. Any expenses incurred by the strata corporation to remove such refuse will be charged to the strata lot owner.

(15) A tenant, occupant or visitor must ensure that ordinary household refuse is securely wrapped and placed in the containers provided for that purpose, recyclable material must be recycled in the containers provided, and refuse other than ordinary household refuse must be removed at the cost of the owner of the applicable strata lot.

(16) An owner, tenant, or occupant must ensure that the common areas immediately in front of his or her strata lot are kept clean and that garbage bags, trash cans and recycling boxes are put out no earlier than 7:00 p.m. the evening before garbage day and do not remain outside after garbage day.

(17) An owner, tenant or occupant or visitor must not use or store a barbecue on common property, except on limited common property.

(18) An owner, tenant, occupant or visitor must not hinder or restrict the use of sidewalks, entrances, exits, stairways or any other part of the common property in any manner, including by leaving personal items or garbage on the common property.

(19) Unless the prior written permission of council is obtained, an owner, tenant, or occupant must not erect or place a temporary or permanent structure on common property. No owner, tenant or resident will be allowed to erect a temporary or permanent structure on common property for the purpose of sport or recreation.

(20) An owner, tenant, occupant or visitor must not permit any person to play or loiter in the common property playground from 8:00pm to 8:00am.

(21) An owner, tenant, occupant or visitor must not use common property electrical outlets with the exception of parking area outlets used while vacuuming a vehicle.

(22) An owner, tenant, occupant or visitor must not erect or display or permit to be erected or displayed a sign, fence, billboard, placard, advertisement, notice or other fixture of any kind on the common property, without the prior written consent of the council.

(23) An owner, tenant, occupant or visitor must not erect or display or permit to be erected or displayed a sign, billboard, placard, advertisement, notice or other fixture of any kind in a strata lot so that it is visible from outside the strata lot, without the prior written consent of the council.

(24) An owner, tenant, occupant or visitor may post a notice(s) on the designated bulletin board, subject to it being removed by the council if deemed inappropriate or posted in excess of one week.

(25) An owner, tenant, occupant or visitor must ensure that drapes or blinds in a strata lot that are visible from outside of the strata lot when closed are cream or white in colour.

(26) An owner, tenant, or occupant must ensure that no laundry, flags, clothing, bedding or other articles are hung or displayed from windows, balconies or other parts of the building so that they are visible from outside the strata lot.

(27) Unless the prior written permission of council is obtained, the only items that may be left on limited common property patios and balconies are free-standing and self-contained planter boxes or containers, summer furniture and garden accessories.

Inform Strata Corporation

4 (1) Within 2 weeks of becoming an owner, an owner must inform the strata corporation of the owner's name, strata lot number and mailing address outside the strata plan, if any, as well as the make/model and licence number of all vehicles used by one or more residents of the applicable strata lot and which vehicle(s) will be parked on the common property.

(2) On request by the strata corporation, a tenant must inform the strata corporation of his or her name.

(3) An owner of a strata lot must provide to council or the strata agent within two weeks of keeping a pet in a strata lot the name of the pet as well as a description of the pet, the strata lot number where the pet resides and the telephone number of the pet owner. If the pet is in residence at the time this bylaw is passed, then the information in the previous sentence must be provided within one month of these bylaws being registered in the land title office.

Obtain approval before altering a strata lot

5 (1) An owner must obtain the written approval of the council before making an alteration to a strata lot that involves any of the following:

- (a) the structure of a building;
- (b) the exterior of a building;
- (c) chimneys, stairs, balconies or other things attached to the exterior of a building;
- (d) doors, windows or skylights on the exterior of a building, or that front on the common property;
- (e) fences, railings or similar structures that enclose a patio, balcony or yard;
- (f) common property located within the boundaries of a strata lot;
- (g) those parts of the strata lot which the strata corporation must insure under section 149 of the *Act*; and
- (h) wiring, plumbing, piping, heating and other services.

(2) The council must not unreasonably withhold its approval under subsection (1), but may require as a condition of its approval that the owner agree, in writing, to take responsibility for any expenses relating to the alteration.

Obtain approval before altering common property

6 (1) An owner must obtain the written approval of the council before making an alteration to common property, including limited common property, or common assets.

(2) The council may require as a condition of its approval that the owner agree, in writing, to take responsibility for any expenses relating to the alteration.

(3) No awning, air conditioner, shed, awning, shade screen, sunscreen, antennae, satellite dish, greenhouse, hot tub or enclosure, shall be hung, attached or placed on the common property, including but not limited to limited common property, without the prior written permission of council.

(4) Exterior holiday lights may only be displayed from December 1st to January 15th of the following year and they may only be attached to the building in a manner approved by council from time to time. Exterior lights for other religious celebrations also may only be attached to the building in a manner approved by council from time to time, and unless the prior written permission of council is obtained, they may only be displayed for maximum of a two week period per year.

Alterations to a strata lot or common property

- 7 (1) All alteration(s) to a strata lot, as set out in bylaw 5, and any alteration to common property, limited common property or common assets, as previously mentioned in bylaw 6, is subject to this bylaw and the sub-paragraphs therein and all of these alterations will be defined as an "Alteration" for the purposes of this bylaw and sub-paragraphs.
- (2) An Alteration that has not received the prior written approval of the council must be removed at the owner's expense if the council orders that the Alteration be removed. Council may require the owner to remove the Alteration or council may remove the alteration and charge the cost back to the owner.
- (3) An owner who receives approval for an Alteration will be liable for all costs connected to the Alteration, including but not limited to the cost of repairing and maintaining the Alteration and the cost of repairing and maintaining the common property including limited common property and a strata lot(s) if such repair and maintenance is required as a result of the installation, use or existence of the Alteration. The council may decide, in its discretion, that the strata corporation will repair and maintain the Alteration and do any repairs required to the Alteration, the common property, including limited common property and one or more strata lots and if the council so decides to do so the maintenance and/or repair, the owner of the strata lot will still be responsible for the costs. The council may require the owner to pre-pay the estimated costs of the repair and maintenance as reasonably estimated by council. There will be a reconciliation so that the owner is charged and pays the actual amount of the repair and maintenance. The only costs in any way connected to the Alteration that the owner will not be responsible for are those covered by the proceeds of the strata corporation's insurance. The owner will be responsible to reimburse the strata corporation for the cost of the deductible and any amount not covered by the strata corporation's insurance.
- (4) An owner who receives approval may be required by the council to sign an Assumption of Liability Agreement, which will be defined as "Agreement" for the purposes of this bylaw and sub-paragraphs, and the terms of the Agreement will be determined by council. Council may retain a lawyer to draft the Agreement and the owner will be responsible to reimburse the strata corporation for this cost.
- (5) The council reserves the right to require, or have an owner provide, specified professional supervision or inspection, or both, of an approved Alteration. The council may include specified supervision or inspection as a requirement of approval.
- (6) An owner who receives approval is responsible for obtaining all applicable building permit(s) prior to commencing the work. Obtaining all required permits and having all required inspections conducted is a condition of the council's approval for the Alteration.

- (7) The Alteration must be done in a professional and workmanlike manner. If the Alteration can be seen from outside the strata lot it must be installed as inconspicuously as possible, and the colour and finish of the Alteration must be appropriate, taking into consideration the surrounding structure. The standard of work and materials must not be less than that of the existing structures.
- (8) The council may require the owner to provide proof of insurance for the Alteration and the amount of the insurance required will be set by council from time to time in its reasonable discretion.
- (9) Unless a written extension is granted by council, the Alteration must be completed within 90 days of the approval being granted. If an extension is not granted by council the Alteration must be removed and the common property must be reinstated to its original condition, all at the cost of the owner.
- (10) If ownership of the strata lot changes prior to the Alteration being completed, the subsequent owner must obtain council's written consent to continue with the Alteration, or the Alteration must be removed and the common property must be reinstated to its original condition, all at the cost of the owner of the strata lot. Council will require confirmation that the new owner understands what Alteration is agreed to and that the new owner signs an Agreement.
- (11) The council may maintain, repair, or remove an Alteration if in the opinion of the council the Alteration is not properly repaired and maintained. All costs incurred in the maintenance, repair, and/or removal will be charged to the owner of the strata lot and are his responsibility.
- (12) If repairs to a strata lot, the common property or the limited common property are required at anytime, and those repairs reasonably require the removal of an Alteration, the owner will pay for the cost to remove the Alteration and for the re-installation and replacement of same. The re-installation and replacement will only be allowed if council agrees to it. The council can choose whether the strata corporation will arrange and contract for the work or whether the owner will do so.
- (13) On the sale of a strata lot, the owner will include as a term of any Contract of Purchase and Sale for the strata lot that the obligations of the owner under the Agreement transfer to all future owners of the strata lot and that these obligations form a part of any subsequent Contract of Purchase and Sale.
- (14) If any subsequent owner of the strata lot refuses to sign an Agreement in substantially the same terms as the Agreement signed by the owner who applied for the Alteration, the council may either remove the Alteration and repair the adjoining common property and charge the cost of the removal and repair to the owner or the council may order the owner to both remove the Alteration and/or repair any damage to any other property caused by its existence and/or removal.

(15) If the owner wants to remove the Alteration the owner must negotiate the terms of the removal with the council and it is understood and agreed that associated costs will be paid for by the owner.

Permit entry to strata lot

- 8 (1) An owner, tenant, occupant or visitor must allow a person authorized by the strata corporation to enter the strata lot
- (a) in an emergency, without notice, to ensure safety or prevent significant loss or damage, and
 - (b) at a reasonable time, on 48 hours' written notice, to inspect, repair or maintain common property, common assets and any portions of a strata lot that are the responsibility of the strata corporation to repair and maintain under these bylaws or insure under section 149 of the *Act* and/or to ensure compliance with the *Strata Property Act* and these bylaws.
- (2) The notice referred to in subsection (1) (b) must include the date and approximate time of entry, and the reason for entry.

Division 2 – Powers and Duties of Strata Corporation

Repair and maintenance of property by strata corporation

- 9 The strata corporation must repair and maintain all of the following:
- (a) common assets of the strata corporation;
 - (b) common property that has not been designated as limited common property;
 - (c) limited common property, but the duty to repair and maintain it is restricted to:
 - (i) repair and maintenance that in the ordinary course of events occurs less often than once a year; and
 - (ii) the following, no matter how often the repair or maintenance ordinarily occurs:
 - (A) the structure of a building;
 - (B) the exterior of a building;
 - (C) chimneys, stairs, balconies and other things attached to the exterior of a building;
 - (D) doors, windows and skylights on the exterior of a building or that front on the common property;
 - (E) fences, railings and similar structures that enclose patios, balconies and yards;
 - (d) a strata lot, but the duty to repair and maintain it is restricted to:
 - (i) the structure of a building;
 - (ii) the exterior of a building;
 - (iii) chimneys, stairs, balconies and other things attached to the exterior of a building;

- (iv) doors, windows and skylights on the exterior of a building or that front on the common property; and
- (v) fences, railings and similar structures that enclose patios, balconies and yards.

Division 3 – Council

Council size and membership

- 10 (1) The council must have at least 3 and not more than 7 members.
- (2) An owner will not be entitled to be elected to council or continue to stand on council if the strata corporation is entitled to register a lien against that strata lot under section 116 of the *Strata Property Act*.

Council members' terms

- 11 (1) The term of office of a council member ends at the end of the annual general meeting at which the new council is elected.
- (2) A person whose term as council member is ending is eligible for reelection.

Removing council member

- 12 (1) Unless all the owners are on the council, the strata corporation may, by a resolution passed by a majority vote at an annual or special general meeting, remove one or more council members.
- (2) After removing a council member, the strata corporation must hold an election at the same annual or special general meeting to replace the council member for the remainder of the term.

Replacing council member

- 13 (1) If a council member resigns or is unwilling or unable to act for a period of 2 or more months, the remaining members of the council may appoint a replacement council member for the remainder of the term.
- (2) A replacement council member may be appointed from any person eligible to sit on the council.
- (3) The council may appoint a council member under this section even if the absence of the member being replaced leaves the council without a quorum.
- (4) If all the members of the council resign or are unwilling or unable to act for a period of 2 or more months, persons holding at least 25% of the strata corporation's votes may hold a special general meeting to elect a new council by complying with the provisions of the *Act*, the regulations and the bylaws respecting the calling and holding of meetings.

Officers

- 14** (1) At the first meeting of the council held after each annual general meeting of the strata corporation, the council must elect, from among its members, a president, a vice president, a secretary and a treasurer.
- (2) A person may hold more than one office at a time, other than the offices of president and vice president.
- (3) The vice president has the powers and duties of the president:
- (a) while the president is absent or is unwilling or unable to act; or
 - (b) for the remainder of the president's term if the president ceases to hold office.
- (4) If an officer other than the president is unwilling or unable to act for a period of 2 or more months, the council members may appoint a replacement officer from among themselves for the remainder of the term.

Calling council meetings

- 15** (1) Any council member may call a council meeting by giving the other council members at least one week's notice of the meeting, specifying the reason for calling the meeting.
- (2) The notice does not have to be in writing.
- (3) A council meeting may be held on less than one week's notice if:
- (a) all council members consent in advance of the meeting; or
 - (b) the meeting is required to deal with an emergency situation, and all council members either:
 - (i) consent in advance of the meeting; or
 - (ii) are unavailable to provide consent after reasonable attempts to contact them.
- (4) The council must inform owners about a council meeting as soon as feasible after the meeting has been called.

Quorum of council

- 16** (1) A quorum of the council is:
- (a) 1, if the council consists of one member;
 - (b) 2, if the council consists of 2, 3 or 4 members;
 - (c) 3, if the council consists of 5 or 6 members; and
 - (d) 4, if the council consists of 7 members.
- (2) Council members must be present in person at the council meeting to be counted in establishing quorum.

Council meetings

- 17 (1) At the option of the council, council meetings may be held by electronic means, so long as all council members and other participants can communicate with each other.
- (2) If a council meeting is held by electronic means, council members are deemed to be present in person.
- (3) Owners may attend council meetings as observers.
- (4) Despite subsection (3), no observers may attend those portions of council meetings that deal with any of the following:
- (a) bylaw contravention hearings under section 135 of the *Act*;
 - (b) rental restriction bylaw exemption hearings under section 144 of the *Act*;
 - (c) any other matters if the presence of observers would, in the council's opinion, unreasonably interfere with an individual's privacy.

Voting at council meetings

- 18 (1) At council meetings, decisions must be made by a majority of council members present in person at the meeting.
- (2) If there is a tie vote at a council meeting, the president may break the tie by casting a second, deciding vote.
- (3) The results of all votes at a council meeting must be recorded in the council meeting minutes.

Council to inform owners of minutes

- 19 The council must inform owners of the minutes of all council meetings within 2 weeks of the meeting, whether or not the minutes have been approved.

Delegation of council's powers and duties

- 20 (1) Subject to subsections (2) to (4), the council may delegate some or all of its powers and duties to one or more council members or persons who are not members of the council, and may revoke the delegation.
- (2) The council may delegate its spending powers or duties, but only by a resolution that
- (a) delegates the authority to make an expenditure of a specific amount for a specific purpose, or
 - (b) delegates the general authority to make expenditures in accordance with subsection (3).
- (3) A delegation of a general authority to make expenditures must
- (a) set a maximum amount that may be spent, and
 - (b) indicate the purposes for which, or the conditions under which, the money may be spent.

- (4) The council may not delegate its powers to determine, based on the facts of a particular case,
- (a) whether a person has contravened a bylaw or rule,
 - (b) whether a person should be fined, and the amount of the fine, or
 - (c) whether a person should be denied access to a recreational facility.

Spending restrictions and cheques

- 21 (1) A person may not spend the strata corporation's money unless the person has been delegated the power to do so in accordance with these bylaws.
- (2) Despite subsection (1), a council member may spend the strata corporation's money to repair or replace common property or common assets if the repair or replacement is immediately required to ensure safety or prevent significant loss or damage.
- (3) All cheques drawn on an account of the strata corporation must have two council members as signatories, unless the cheque is signed by a strata agent.

Limitation on liability of council member

- 22 (1) A council member who acts honestly and in good faith is not personally liable because of anything done or omitted in the exercise or intended exercise of any power or the performance or intended performance of any duty of the council.
- (2) Subsection (1) does not affect a council member's liability, as an owner, for a judgment against the strata corporation.

Division 4 – Enforcement of Bylaws and Rules

Maximum fine

- 23 Unless otherwise provided for in the bylaws the strata corporation may fine an owner or tenant a maximum of:
- (a) \$200 for each contravention of a bylaw; and
 - (b) \$50 for each contravention of a rule.

Continuing contravention

- 24 If an activity or lack of activity that constitutes a contravention of a bylaw or rule continues, without interruption, for longer than 7 days, a fine may be imposed every 7 days.

Division 5 – Annual and Special General Meetings

Quorum

- 25 If at the time appointed for a general meeting, a quorum is not present, the meeting shall stand adjourned for a period of thirty minutes whereupon the adjourned meeting shall be reconvened at the same place and the persons present in person or by proxy and entitled to vote, shall constitute a quorum.

Person to chair meeting

- 26 (1) Annual and special general meetings must be chaired by the president of the council.
- (2) If the president of the council is unwilling or unable to act, the meeting must be chaired by the vice president of the council.
- (3) If neither the president nor the vice president of the council chairs the meeting, a chair must be elected by the eligible voters present in person or by proxy from among those persons who are present at the meeting.

Participation by other than eligible voters

- 27 (1) Tenants and occupants may attend annual and special general meetings, whether or not they are eligible to vote.
- (2) Persons who are not eligible to vote, including tenants and occupants, may participate in the discussion at the meeting, but only if permitted to do so by the chair of the meeting.
- (3) Persons who are not eligible to vote, including tenants and occupants, must leave the meeting if requested to do so by a resolution passed by a majority vote at the meeting.

Voting

- 28 (1) At an annual or special general meeting, voting cards must be issued to eligible voters.
- (2) At an annual or special general meeting a vote is decided on a show of voting cards, unless an eligible voter requests a precise count.
- (3) If a precise count is requested, the chair must decide whether it will be by show of voting cards or by roll call, secret ballot or some other method.
- (4) The outcome of each vote, including the number of votes for and against the resolution if a precise count is requested, must be announced by the chair and recorded in the minutes of the meeting.
- (5) If there is a tie vote at an annual or special general meeting, the president, or, if the president is absent or unable or unwilling to vote, the vice president, may break the tie by casting a second, deciding vote.
- (6) Despite anything in this section, an election of council or any other vote must be held by secret ballot, if the secret ballot is requested by an eligible voter.
- (7) An owner will not be entitled to vote at a general meeting except on matters requiring a unanimous vote if the strata corporation is entitled to register a lien against that strata lot under section 116 of the *Strata Property Act*.

Order of business

29 The order of business at annual and special general meetings is as follows:

- (a) certify proxies and corporate representatives and issue voting cards;
- (b) determine that there is a quorum;
- (c) elect a person to chair the meeting, if necessary;
- (d) present to the meeting proof of notice of meeting or waiver of notice;
- (e) approve the agenda;
- (f) approve minutes from the last annual or special general meeting;
- (g) deal with unfinished business;
- (h) receive reports of council activities and decisions since the previous annual general meeting, including reports of committees, if the meeting is an annual general meeting;
- (i) ratify any new rules made by the strata corporation under section 125 of the *Act*;
- (j) report on insurance coverage in accordance with section 154 of the *Act*, if the meeting is an annual general meeting;
- (k) approve the budget for the coming year in accordance with section 103 of the *Act*, if the meeting is an annual general meeting;
- (l) deal with new business, including any matters about which notice has been given under section 45 of the *Act*;
- (m) elect a council, if the meeting is an annual general meeting; and
- (n) terminate the meeting.

Division 6 – Voluntary Dispute Resolution**Voluntary dispute resolution**

- 30** (1) A dispute among owners, tenants, the strata corporation or any combination of them may be referred to a dispute resolution committee by a party to the dispute if
- (a) all the parties to the dispute consent, and
 - (b) the dispute involves the *Act*, the regulations, the bylaws or the rules.
- (2) A dispute resolution committee consists of
- (a) one owner or tenant of the strata corporation nominated by each of the disputing parties and one owner or tenant chosen to chair the committee by the persons nominated by the disputing parties, or
 - (b) any number of persons consented to, or chosen by a method that is consented to, by all the disputing parties.
- (3) The dispute resolution committee must attempt to help the disputing parties to voluntarily end the dispute.

Division 7 – Small Claims

- 31 Pursuant to section 171 of the *Strata Property Act*, the council, on behalf of the strata corporation, may commence a proceeding under the *Small Claims Act* against an owner or other person to collect money owing to the strata corporation without further authorization from the strata corporation. The council may commence the proceedings to collect monies owing to the strata corporation for any reason, including but not limited to monies owing by an owner or tenant for a fine or to recover the deductible portion of an insurance claim if the person is responsible for the loss or damage that gave rise to the claim. The council has full authority to negotiate a settlement or discontinue or dismiss the action.

Division 8 – Insurance

- 32 (1) An owner is deemed to be responsible for any loss or damage caused to the common property, limited common property, common assets or to any strata lot where the cause of such loss or damage originated within the owner's strata lot and the loss or damage is not covered by the strata corporation's insurance policy.
- (2) An owner is also deemed to be responsible for any loss or damage to the common property, limited common property, common assets or to any strata lot where the cause of such loss or damage is the result of an act, omission, negligence or carelessness of the owner, and/or owner's tenants, occupants or visitors and the loss or damage is not covered by any insurance policy.
- (3) If any loss or damage deemed to be the responsibility of an owner under subsection (1) and/or (2) of this bylaw results in a claim against any insurance policy held by the strata corporation, that owner is strictly liable to reimburse the strata corporation for the full amount of any insurance deductible, any portion of insurance coverage declined and/or any amount by which the loss or damage exceeds the strata corporation's insurance coverage. That owner shall indemnify and save harmless the strata corporation for these amounts.
- (4) If any loss or damage deemed to be the responsibility of an owner under subsection (1) and/or (2) of this bylaw does not exceed the insurance deductible for an insurance policy held by the strata corporation, that owner is strictly liable and shall indemnify and save harmless the strata corporation for any resulting expense for maintenance, repair or replacement rendered necessary, which it is the strata corporation's responsibility to perform.
- (5) For the purposes of this bylaw any amount which an owner is responsible to pay the Strata Corporation shall be assessed against that owner's strata lot and included in the statement of account for that strata lot.

Division 9 – Parking

- 33 (1) An owner, tenant, or occupant must not permit any oversized, commercial or recreational vehicles including, but not exhaustively, boats, trailers and

campers to be parked or stored on common property, limited common property or land that is a common asset.

(2) An owner, tenant or occupant must not have an uninsured vehicle on the common property, limited common property or on land that is a common asset.

(3) A resident storing a vehicle must provide proof of valid insurance to the strata corporation on the commencement date of the storage and on request by council at anytime thereafter.

(4) An owner must not sell, lease or licence parking stalls to any person other than an owner, tenant or occupant.

(5) An owner, tenant or occupant must park only in his or her individual garage or park on the city streets. An owner tenant or occupant must not park in a visitor stall.

(6) A visitor must display the appropriate parking pass in his/her vehicle. Prior to a visitor using visitor parking for more than four days in any seven day period, the owner of the applicable strata lot must obtain the council's prior written permission.

(7) No one shall park or allow a vehicle to be parked so that it interferes with a parking stall, access lane or no parking zone.

(8) Any owner, tenant, occupant or visitor parking in violation of these bylaws will be subject to removal by a towing company authorized by council, and all costs associated with such removal will be charged to the owner of the strata lot.

(9) An owner, tenant, occupant or visitor must not use any visitor parking area as a work area for carpentry, renovations, repairs (including, but not exhaustively, sawing, drilling and the use of any adhesive or hardening compounds) or work on vehicles involving any automotive fluids or paints, motor tune ups or mechanical repairs.

(10) Drivers operating a vehicle in a parking area in the complex must activate the vehicle's headlights and not exceed 8 km/hour.

(11) An owner, tenant or occupant must wash a vehicle in a location that does not inhibit the passage of other vehicles. Once washing is completed, the resident must hose down and remove all dirt, refuse and excess water from the washing area. While washing, a resident must keep audio volume low.

(12) An owner, tenant, occupant or visitor must not park or store a vehicle in the complex that drips oil or gasoline until it is repaired. Council may request that the owner of the applicable strata lot remove any dripped oil, gasoline or other automotive residue. If the owner fails to do this, the council may arrange the for clean up and charge the cost of doing so to the owner.

Division 10 – Rental prohibition bylaw

- 34 (1) The rental of strata lots is prohibited except for those rented pursuant to a successful appeal on the basis of hardship, rentals to family members as defined in the Regulation to the *Strata Property Act* and amendments thereto and rentals by those owners who purchased from the owner/developer in accordance with the Rental Disclosure Statement filed by the owner/developer in the Superintendent of Real Estate's Office.
- (2) An owner may apply in writing for an exemption on the grounds that this bylaw causes hardship to the owner. The application shall be dealt with as prescribed by the provisions of the *Strata Property Act* and amendments thereto.
- (3) Within two weeks after renting all or part of his or her strata lot an owner must give the strata corporation a copy of the Notice of Tenant's Responsibilities signed by the tenant.
- (4) The limitation on rentals is subject to section 143, as applicable of the *Strata Property Act*, and amendments thereto.
- (5) Where permission to rent pursuant to this bylaw has been automatically revoked, withdrawn, terminated, or will expire, an owner may re-apply to the council for permission to rent the strata lot and such application will be governed by the provisions of this bylaw and the *Strata Property Act* and amendments thereto.
- (6) Where an owner leases his strata lot in violation of the bylaw, the strata corporation shall levy against the owner a fine of five hundred (\$500.00) dollars every seven days during the period of the lease.

Division 11 – Moving

- 35 An owner must conform to the Move In and Move Out rules of the strata corporation, and must ensure that any tenant(s) conform to these rules.

Division 12 – Severability

- 36 (1) Should any portion of these bylaws be deemed unenforceable by any court of competent jurisdiction, then for the purposes of interpretation and enforcement of the bylaws, each paragraph, sub-paragraph or clause hereof shall be deemed a separate provision and severable, and the balance of the provisions contained herein shall remain in full force and effect.
- (2) For the purposes of all bylaws, wherever the singular or masculine is used, it shall be construed as meaning the plural or feminine or body corporate where the context requires. The terms "resident" or "residents" refer to those individuals residing in the building, whether as owners, tenants or other occupants.

