

Strata Plan LMS 3279
Boulevard on the Green

Strata Corporation By-Laws

As amended May 21 2008

Schedule of Standard Bylaws

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Division 1 — Duties of owners, tenants, occupants and visitors

1. Payment of strata fees

- 1) An owner must pay strata fees on or before the first day of the month to which the strata fees relate.
- 2) If an owner is late in paying his or her strata fees, the owner must pay to the strata corporation interest on the late payment in the amount of 10% per annum, compounded annually, and calculated on a monthly basis commencing from the date the payment was due and continuing until the last day of the month in which it is paid. At the end of a 90 day period, a lien will be placed on the strata lot involved at the owner's expense for total monies owed.
- 3) Any Owner whose cheques are returned to the Strata Corporation as having insufficient funds (NSF) shall be charged a \$25.00 fee, which shall form part of the following month's strata fees.
- 4) Strata maintenance fee payments shall be applied first to outstanding fines, penalties, interest accrued, and then to outstanding strata maintenance fees.

2. Repair and maintenance

- 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. An owner is also responsible for the repair and maintenance of the garage door of the owner's unit, including opening/closing hardware, with the exception of repainting the exterior of the doors due to normal wear and tear. The door must be repaired within a reasonable amount of time, or the Strata Corporation can have the work done and the expense shall be the responsibility of the owner.
- 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.
- 3) Notwithstanding any provision of the Strata Property Act SBC 1999, the Strata Property Amendment Act SBC 1999, the Strata Property Regulations or the Bylaws of LMS 3279, Owners are individually responsible for the cost of maintaining, repairing and replacing the following: hot water tanks, overhead garage door openers, dishwashers, fans, stoves, refrigerators, gas fireplaces, toilets and tanks, gas furnaces, washers, dryers, garbarators, alarm systems, built-in vacuum systems, situated within their strata lots.

3. Use of Property

- 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 148 of the Act.
- 3)
- a) An owner, tenant, or occupant shall be entitled to keep two, but not more than two, domestic pets in a strata lot unless another pet is otherwise approved in writing by the strata council. An owner, tenant or occupant that keeps a pet must comply with these bylaws and any rules enacted by the strata council on behalf of the strata corporation pursuant to bylaw 3 with respect to the keeping of pets. Dogs must not exceed twenty-four (24) inches to the shoulder.
 - b) An owner, tenant or occupant that keeps a pet in a strata lot, either permanently or temporarily, shall register that pet with the strata council by providing to the strata council a written notice, signed by the owner, tenant or occupant setting out the name, breed and colour of the pet, the strata lot number of the strata lot in which the pet is kept, the name and telephone number of the owner of the pet and the license number of the pet (when the pet is required to be licensed).
 - c) An owner of a dog or cat shall attach a collar to the pet with a tag identifying the owner.
 - d) An owner of a pet shall not permit the pet to urinate or defecate on the common property, and if any pet does urinate or defecate on the common property, the owner shall immediately and completely remove all of the pet's waste from the common property and dispose of it in a waste container or by some other sanitary means.
 - e) An owner, tenant or occupant whose guest or invitee brings an animal or pet onto the common property shall ensure that the guest or invitee complies with all requirements of these bylaws as they relate to animals and shall perform all of the duties and obligations with respect to that animal or pet as set out in these bylaws.
 - f) No owner, tenant or occupant shall permit its pet to interfere with any other person, pet or object, or permit its pet to disturb any other owner, tenant or occupant with uncontrolled barking or howling.
 - g) The strata council may, from time to time on behalf of the strata corporation, enact such rules with respect to the keeping of pets as the strata council, acting reasonably, deems necessary or desirable, provided that, in the event of any conflict between these bylaws and any such rule, the provisions of these bylaws will prevail.
 - h) If any owner, tenant or occupant violates any provision of these bylaws or if the strata council on reasonable grounds considers a pet to be a nuisance or to be vicious, the strata council may, by written notice to such owner, tenant or occupant cause such owner, tenant or occupant to have the pet removed from the strata lot within thirty days of receiving such notice.

- 4) Household pets are restricted to animals such as dogs, cats, hamsters, fish, budgies, parrots, or other indoor birds. Other pets may be allowed subject to Strata Council approval.
- 5) An owner, tenant or occupant must not:
- a) use a strata lot for any purpose which involves undue traffic or noise in or about the strata lot or common property between the hours of 10:30 p.m. and 7:00 a.m. or that encourages loitering by persons in or about the strata lot or common property;
 - b) make, cause or produce undue noise, smell, vibration or glare in or about any strata lot or common property or do anything which will interfere unreasonably with any other owner, tenant or occupant;
 - c) use any musical instrument, amplifier, sound reproduction equipment or other device within or about any strata lot, the common property or any limited common property such that it causes a disturbance or interferes with the comfort of any other owner, tenant or occupant;
 - d) obstruct or use the sidewalks, walkways, passages and driveways of the common property for any purpose other than ingress or egress from the strata lots or parking areas within the common property of the strata plan;
 - e) leave on the common property or any limited common property, any shopping cart or any other item designated from time to time by the strata council;
 - f) use a barbecue, hibachi or other like cooking device on a balcony, deck or patio unless such barbecue, hibachi or cooking device is powered by propane, natural gas or electricity and such propane, natural gas or electricity powered barbecues, hibachis and other light cooking devices shall not be used except in accordance with rules made by the strata corporation from time to time;
 - g) shake any mops or dusters of any kind, nor throw any refuse, out of the windows or from the balcony of a strata lot;
 - h) do anything that will increase the risk of fire or the rate of insurance on the building or any part thereof;
 - i) permit a condition to exist within a strata lot which will result in the waste or excessive consumption of the building's domestic water supply or heated water;
 - j) allow a strata lot to become unsanitary or a source of odor;

- k) feed pigeons, gulls or other birds, squirrels, rodents or other animals from a strata lot or anywhere on or in close proximity to the common property or any limited common property, (hummingbird feeders excepted), but this shall not apply to a pet permitted to be kept in a strata lot pursuant to these bylaws and the rules made hereunder, which pet shall be fed only in a strata lot;
- l) An owner, tenant, or occupant shall not install awnings, air conditioning units, and no radio, television antenna or satellite dishes shall be hung or attached to the exterior of the building or strata lot without prior written approval of the Strata Council. Installation of window screens and or storm doors shall be permitted subject to Council approval providing they are finished to match the existing building decor.
- m) An owner, tenant, or occupant shall not erect or display any signs, fences, gates, billboards, placards, advertising or notices of any kind on the common property of the strata lot without prior approval of Strata Council. No rental signs permitted. Upon an individual owner's written request and Strata Council's approval, fencing may be added to the common property immediately to the rear of an individual owner's unit at the expense of the owner. Fencing MUST comply with the Strata Corporation's specifications. Any fencing not complying with the pre-set specifications must be removed at the owner's expense. Maintenance and repair of these fences are the responsibility of the individual owners.
- n) Window covering must include a horizontal blind of white or off-white color in a similar style to the existing blinds. Any additional window coverings must also have a white or off-white backing.
- o) No hot tubs are permitted. (The one currently installed and existing as of October 20, 1999 is grand-fathered. The Owners must supply an undertaking that assigns all liability, risk and responsibility to the Owner and which will follow with the sale of said unit.
- p) hang or display any laundry, washing, clothing, bedding or other articles from windows, balconies or other parts of the building so that they are visible from the outside of the building;
- q) use or install in or about a strata lot any shades, awnings, window or balcony guards or screens, ventilators, supplementary heating or air conditioning devices, except those installations approved in writing by the council;

- r) No changes or additions to front and back landscaping may be made, but where an Owner desires to plant additional large shrubs (more than sixteen inches), trees, or plants within the existing beds, the Owners must request written permission and council may not unreasonably withhold consent. Owners who wish to add flowers, small shrubs (less than sixteen inches) flowerpots, and hanging flower baskets may do so. Plants such as farm crops are strictly prohibited.
- s) The Strata Council must approve any additions or changes to any exterior part of the Strata Lot.
- t) Place any items on any deck, patio or the balcony except free-standing, self contained planter boxes, barbecues, summer furniture and accessories nor install any hanging plants or baskets or other hanging items within three feet of a balcony railing line.

4. Inform strata corporation

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

5. Obtain approval before altering a strata lot.

- 1) An owner must obtain the written approval of the strata corporation 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 (including the casings, the frames and the sills of such doors, windows and skylights) on the exterior of a building, or that front on the common property (ie. including, for example, adding security devices to the entrance door to a strata lot);
 - 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 or the Act.
- 2) The strata corporation 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.

- 3) This section does not apply to a strata lot in a bare land strata plan.
- 4) An owner, tenant or occupant must not do any act, nor alter a strata lot, in any manner, which in the opinion of the council will alter the exterior appearance of the building.

6. Obtain approval before altering common property

- 1) An owner must obtain the written approval of the strata corporation before making an alteration to common property, including limited common property, or common assets.
- 2) The strata corporation 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 provide, at the request of the strata corporation, evidence of appropriate insurance coverage relating to the alteration.

7. Permit entry to strata lot

- 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,
 - (i) 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 the Act; and
 - (ii) to ensure compliance with the 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

8. Repair and maintenance of property by strata corporation

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 of 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 (except garage doors, including opening/closing hardware), windows and skylights (including the casings, the frames and the sills of such doors, windows and skylights) on the exterior of a building or that front on the common property.
 - (E) fences, railing and similar structures that enclose patios, patios, balconies and yards:
- d) a strata lot in a strata plan that is not a bare land strata plan, 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 (including the casings, the frames and the sills of such 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

9. Council size

- 1) Subject to subsection (2), the council must have at least three and not more than seven members.
- 2) If the strata plan has fewer than four (4) strata lots or the strata corporation has fewer than four (4) owners, all the owners are on the council.

10. Council members' terms

- 1) The term of office 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 a council member is ending is eligible for re-election.

11. Removing council member

- 1) Unless all the owner 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.
- 3) 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 the Act.

12. Replacing council member

- 1) If a council member resigns or is unwilling or unable to act for a period of two 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 two (2) or more months, persons holding at least twenty-five (25) percent of the strata corporation's vote 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.

13. Officers

- 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 two or more months, the council members may appoint a replacement officer from among themselves for the remainder of the term.

14. Calling council meetings

- 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 the owners about a council meeting as soon as feasible after the meeting has been called.

15. Requisition of council hearing

- 1) By application in writing, stating the reason for the request, an owner or tenant may request a hearing at a council meeting.
- 2) If a hearing is requested under subsection (1), the council must hold a meeting to hear the applicant within one month of the request.
- 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 hearing.

16. Quorum of council

- 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.

17. Council meetings

- 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.

18. Voting at council meetings

- 1) At council meetings, decisions must be made by a majority of council members present in person at the meeting.
- 2) Unless there are only 2 strata lots in the strata plan, 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.

19. Council to inform owners of minutes

- 1) 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.

20. Delegation of council's powers and duties

- 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 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.

21. Spending restrictions

- 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.

22. Limitation on liability of council member

- 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 judgement against the strata corporation.

Division 4 – Enforcement of Bylaws and Rules

23. Maximum fine

- 1) 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.

- 2) The strata corporation may impose a fine on an owner or tenant for a continuing contravention of a bylaw or rule every 7 days.
- 3) Each owner and tenant is responsible for payment, without invoice, of any money (other than strata fees, but including special levies) owing to the strata corporation as provided for in the Act or these bylaws, and if the owner or tenant fails to pay any money so owing within 15 days after the date such money becomes due, the owner or tenant will, after having been given written notice of the default and been provided with a reasonable opportunity to answer the complaint (including a hearing if requested), be assessed and pay a fine of \$10.00, and if such default continues for a further 15 days, an additional fine of \$25.00 will be levied against and paid by the owner or tenant, as the case may be, and for each additional month such default continues, an additional fine of \$25.00 will be levied against and paid by the owner or tenant.
- 4) Additional assessments, fines authorized by these bylaws, banking charges, filing costs, legal expenses, interest charges and any other expenses incurred by either the strata corporation to enforce these bylaws, as they may be amended from time to time, or any rule which may be established from time to time by the council pursuant to the Act or these bylaws, shall become part of the assessment of the owner responsible and shall become due and payable on the first day of the month next following, except that any amount owing in respect of a fine or the cost of remedying the contravention of a bylaw will be calculated as a separate component of such assessment and the strata corporation may not register a lien against such separate component.

24. Continuing contravention

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

Division 5 – Annual and Special General Meetings

25. Person to chair meeting

- 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 or 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.

26. Participation by other than eligible voters

- 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.

27. Voting

- 1) At an annual general or special 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) If there are only 2 strata lots in the strata plan, subsection (5) does not apply.
- 7) 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.
- 8) An owner who is otherwise an eligible voter may not exercise his or her vote for a strata lot, except on matters requiring an unanimous vote, if the strata corporation is entitled to register a lien against that strata lot.

28. Order of business

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 the 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.

Division 6— Voluntary Dispute Resolution

29. Voluntary dispute resolution

- 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 by each 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 — Marketing Activities by Owner-Developer

30. Display Lot

- 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.
- 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.

Division 8 — Miscellaneous Matters

31. Small Claims Actions

Notwithstanding any provision of the Act, the strata corporation may proceed under the Small Claims Act British Columbia against an owner or other person to collect money owing to the strata corporation, including money owing as a fine, without requiring authorization by a resolution passed by a 3/4 vote.

32. Electronic Attendance at Meetings

Attendance by persons at an annual or special general meeting may be by telephone or other electronic method if such method permits all persons participating in the meeting to communicate with each other during the meeting.

33. Use of Patios and Balconies

An owner, tenant or occupant of a strata lot which does not have enclosed balconies shall not place planters or other such items or equipment within any part of the limited common property designated on the strata plan exclusively for the use of such owner unless, in the opinion of the council, such planters, items or equipment are in keeping with the balance of the development in terms of design, quality, proportion and colour. Any such planters, items or equipment will be maintained in good and tidy condition on an ongoing basis and the responsibility for such maintenance will be solely for the account of the owner, tenant or occupant entitled to the use of the limited common property on which they are placed.

34. Garbage Disposal

- 1) To maintain cleanliness and to avoid odors Owners must ensure that all garbage is wrapped and tied tightly in durable plastic bags or containers.
- 2) Garbage and recycling is not to be accumulated on patios or left on Common Property. Garbage and Recycling is not to be out prior to 8pm the evening before pick-up day and must be put away the same day of pick-up.

35. Storage and Parking

- 1) Any owner, tenant or occupant that leaves any item anywhere on or in the common property or on any limited common property does so at his own risk, subject to any claim that may properly be made under any insurance policy maintained by the strata corporation by anyone that is an insured under that policy.
- 2) An owner, tenant or occupant must use parking stalls only for the parking of licensed and insured motor vehicles, trailers, motorcycles or bicycles, and not for the parking of any other type of vehicle or the storage of any other item, unless otherwise approved in writing by the council.

- 3) An owner, tenant or occupant shall:
 - (a) Park in their designated areas only on the common property.
 - (b) No vehicle may be parked in such a way as to impede the progress or restrict the access of any other vehicle.
- 4) All visitor-parking stalls are designated as Visitor's Parking. No owner will be permitted to park in Visitor's Parking at any time. All vehicles are parked in Visitor's Parking at the car owner's risk. All vehicles in violation of this bylaw shall be subject to towing, at the owner's expense.
- 5) No extended or parking longer than seven (7) days will be permitted in the Visitor parking stalls without authorization from the Strata Council.
- 6) No commercial vehicles may be parked on the common property, with the exception of moving or delivery vans, which will be permitted temporary access to facilitate the access of an individual unit. Owners must ensure that such vans are parked in such a way as to not impede or restrict access of any other vehicle.
- 7) Motor tune-ups, mechanical or any type of repairs, causing messy or hazardous condition, or other excessive engine running are prohibited in all common areas.
- 8) Vehicles dripping excess oil, or any gasoline will be prohibited from parking in common areas until repaired. Owners of vehicles causing oil staining shall, at the Strata Corporation's notification, clean up all drippings or on failure to do so in seven (7) days shall be assessed the cost of clean up or repairs of any damage.
- 9) Vehicles may be washed only at the designated locations in front of the individual unit's parking area and persons washing vehicles must hose down all dirt and remove excess residue from vehicle washing.
- 10) Parking on the fire lanes is prohibited by order of the fire department. The City of Coquitlam Fire Department defines fire lane as any and all roadways, lanes or access within the common property unless they are appropriately marked, two lanes, public thruways. Vehicles parked on the fire lanes are subject to removal or relocation by the fire department without notice. Therefore, any vehicles parked on the roadways within the strata complex are done so at the owner's risk.
- 11) All parking areas are common property and may not be altered or defaced in any manner.
- 12) A vehicle traveling in excess of 10 km/h in the common areas is prohibited.
- 13) No storage of R.V.'s, boats or commercial vehicles is permitted in the common area.
- 14) Vehicles not observing bylaws 35(4) thru 35(13) inclusive will be towed at the owner's expense where applicable.

36. Selling of Strata Lots

- 1) An owner of a strata lot, when selling his strata lot, will not permit "For Sale" signs to be placed on or about the common property except on the signage board located adjacent to the entrance to the complex which is designated for such purpose, with only one sign permitted per strata lot of standard "condo" size. Signs related to units that have been sold are to be removed within two weeks of the sale date of the unit. Signs which are not removed by the owner or realtor may be removed by the strata council.
- 2) An owner of a strata lot, when selling a strata lot, will not hold or permit to be held, any public open house except in the manner prescribed by the council. Unless the council otherwise prescribes, all showings must be by appointment only.

37. Acquisition or Disposition of Personal Property

The strata corporation may purchase, lease or otherwise acquire personal property for the use or benefit of the owners and may sell or otherwise dispose of such personal property for any amount approved in the annual budget for the strata corporation, but otherwise only if approved by a resolution passed by a $\frac{1}{4}$ vote at an annual or special general meeting if the personal property has a market value of more than \$1,000.

38. Rental Prohibitions

- 1) at any given time zero (0) strata lots may be leased.
- 2) notwithstanding subsection (1), where cases of undue physical or financial hardship of a personal nature arise, the owner may make a written request to the council for permission to rent a strata lot for a limited period of time, and where the council has been provided with evidence that undue hardship will result if limited rental approval is not given, the council shall not unreasonably withhold permission for limited rental;
- 3) this bylaw does not apply to prevent the rental of a strata lot to a member of the "family" of an owner, meaning:
 - (a) the spouse of the owner;
 - (b) a parent or child of the owner; or
 - (c) a parent or child of the spouse of the owner,where "spouse of the owner" includes an individual who has lived and cohabitated with the owner, for a period of at least two years at the relevant time, in a marriage-like relationship, including a marriage-like relationship between persons of the same gender;
- 4) where an owner has leased a strata lot to a tenant pursuant to a tenancy agreement entered into before this bylaw was passed, this bylaw does not apply to such strata lot until the later of:
 - (a) one year after the tenant who is occupying the strata lot at the time the bylaw is passed ceases to occupy the strata lot as a tenant; and
 - (b) one year after the bylaw has been passed; and
- 5) the strata corporation is entitled to impose a fine of up to \$500 for a contravention of this bylaw, and may impose such fine for a continuing contravention every seven days.

39. Quorum for Adjourned Meeting

Notwithstanding section 48(3) of the Act, if within ½ hour from the time appointed for an annual or special general meeting a quorum is not present, the meeting shall be terminated if the meeting was convened upon the requisition of members; but in any other case, the meeting shall stand adjourned for a further ½ hour from the time appointed and, if within one hour from the time appointed a quorum is not present for the meeting, the eligible voters present in person or by proxy shall constitute a quorum.

40. Limiting Expenditures of Council

- 1) Subject to subsection (3) below, if a proposed expenditure has not been approved in the budget or at an annual or special general meeting, the strata corporation may only make such expenditure out of the operating fund if the expenditure, together with all other unapproved expenditures, whether of the same type or not, that were made pursuant to this subsection (1) in the same fiscal year, is less than:
 - (a) \$ 1,000; or
 - (b) 10% of the total contribution to the operating fund for the current year; whichever is less.
- 2) If the strata corporation makes an expenditure under subsection (1) above, the strata corporation must inform owners as soon as feasible about any expenditure of more than \$ 500 on any single item.
- 3) Notwithstanding subsection (1) above, the strata corporation can make an expenditure out of either the operating fund or the contingency reserve fund if there are reasonable grounds to believe that an immediate expenditure is necessary to ensure safety or to prevent significant loss or damage, whether physical, financial or otherwise.

41. Persons Permitted on Council

As permitted by section 28(2) of the Strata Property Act, a person other than an owner, an individual representing a corporate owner and a tenant may be a member of the strata council provided such person falls within one of the following classes of persons:

- (a) a spouse, including a common law spouse, of an owner; and
- (b) a professional advisor of an owner.

42. Miscellaneous

- 1) All Owners are responsible for watering their own yards and shrubs on a regular basis, as well as any Common area grass within reach of their hoses and sprinklers. Anyone having difficulty in doing this should notify the Strata Council.

- 2) An Owner shall not cause damage to the trees, plants, bushes, flowers, or lawns and shall NOT place chairs, tables or other objects such as tents, sandboxes, or other children's toys on the lawn or grounds so as to damage them or to prevent growth or to interfere with the cutting of the lawns or the maintenance of the grounds generally.
- 3) All Christmas lights and decorations may be put up no sooner than November 1 and must be taken down no later than January 31st.
- 4) Owners are responsible for keeping their walkways and drains clear of snow during the winter.
- 5) Tables and alcohol are not allowed on the Common Area driveways without Strata Council approval.

DIVISION 9- LOSS OR DAMAGE-INSURANCE AND DEDUCTIBLES

43. Where loss or damage occurs to common or limited common property that gives rise to a valid claim under the Strata Corporation's insurance policy:

- 1) If the loss or damage originates within the interior confines of an individual strata lot, the deductible on the Strata Corporation's insurance policy relative to the loss shall be paid by the individual strata lot owner in whose strata lot the cause of the damage or loss originated.
- 2) Notwithstanding subsection (1), if the loss or damage originates from the rupture or malfunction of a permanent public facility supply line or sewer system that extends from common property into an individual unit, the insurance deductible shall be the responsibility of the Strata Corporation.
- 3) Where the loss or damage originates from "common property" as defined in the Strata Property Act, the deductible is the responsibility of the Strata Corporation.
- 4) Where a claim is made against the Strata Corporation's insurance policy for loss or damage origination within a strata lot which loss or damage is caused by the strata lot owner, his/her tenant, occupant, guest or invitee, the owner of that strata lot shall be responsible for the insurance deductible payable to the insurer by the Strata Corporation on the claim. The amount of the insurance deductible shall be added to the strata lot owner's next regular monthly maintenance payment.
- 5) The Strata Corporation is not responsible for loss or damage to any personal property belonging to owners, tenants or occupants which is left on common property.