

**STRATA PLAN BCS 3187 – VIRIDIAN GREEN
BYLAWS
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BYLAWS

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

Payment of strata fees and expenses

- 1 (1) An Owner must pay strata fees (which shall be owing to the separate section to which the Strata Lots relate) to the Strata Corporation on or before the first day of the month to which the strata fees relate.
- (2) Except as otherwise provided in this Bylaw:
 - (a) expenses of the Strata Corporation that relate solely to the Strata Lots in a section are shared by the Owners of Strata Lots in the section in the proportion that the unit entitlement of such Strata Lot bears to the aggregate of the unit entitlement of all Strata Lots in that section;
 - (b) expenses of the Strata Corporation that do not relate solely to the Strata Lots in a section are borne by the Owners of all Strata Lots in the proportion that the unit entitlement of each such Strata Lot bears to the aggregate of the unit entitlement of all Strata Lots;
 - (c) all costs of natural gas or propane gas supplied to any Residential Strata Lots which have fireplaces powered by natural or propane gas shall be borne by the Owners of each Strata Lot which has this service available, in the proportion that the unit entitlement of each such Strata Lot bears to the aggregate of the unit entitlement of all Residential Strata Lots concerned. If such gas lines are separately metered, each Owner of such Strata Lot shall be responsible for the cost of gas supplied to his Strata Lot and his Strata Lot shall be excluded from the calculation of the shared cost of natural gas set out herein.
 - (d) expenses attributable to any one Strata Lot shall be allocated to such Strata Lot,
 - (e) The Council is prohibited from using funds from the Commercial Section for the Residential Section and vice versa.
 - (f) If one or both of the Commercial Section and Residential Section expenditures exceed their individual budgets, including the Contingency Reserve Fund, they may not borrow or spend from the other's budget.

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 relevant separate section of the Strata Corporation under these Bylaws.

- (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 relevant separate section of the Strata Corporation must repair and maintain under these Bylaws or insure under section 149 of the Act.
- (3) An Owner, tenant, occupant 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.
- (4) 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) a reasonable number of small caged mammals;
 - (c) up to 2 caged birds;
 - (d) two dogs or two cats.
- (5) An Owner, tenant, occupant or visitor must not feed pigeons, seagulls, crows, starlings and other birds from any Strata Lot or the common property.
- (6) Visitors shall be informed of the rules concerning pets and an Owner, tenant or occupant will be responsible for clean-up or damage repair should his guest bring pets into the common property.
- (7) The Owners of pets shall be fully responsible for their behaviour within the Strata Lots and the common property. If a pet is deemed to be a nuisance by the relevant separate section of the Strata Council, it shall be removed from the Strata Corporation within 30 days. Visitors shall be informed of the rules concerning pets and residents will be responsible for clean-up or damage repair should their guests bring pets into the common property.
- (8) Any Owner of a Strata Lot who leases his lot without submitting a Form K in accordance with the Strata Property Act shall be liable to a fine of \$50.00 for every month or part thereof that a tenant is in occupancy of the Strata Lot and the Form K is not submitted.

Inform Strata Corporation

- 4 (1) Within 2 weeks of becoming an Owner, an Owner must inform the relevant separate section of 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 relevant separate section of the Strata Corporation of his or her name.

Permit entry to Strata Lot

- 7 (1) An Owner, tenant, occupant or visitor must allow a person authorized by the relevant separate section of 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.
- (2) The notice referred to in subsection (1) (b) must include the date and approximate time of entry, and the reason for entry.
- (3) Where the Strata Corporation is required to enter a Strata Lot for the purpose of maintaining, repairing, or renewing pipes, wires, cables and ducts for the time being existing in the Strata Lot, which are capable of being used in connection with the enjoyment of any other Strata Lot or the common property, the Strata Corporation and its agents shall in carrying out any work or repairs do so in a proper and workmanlike manner. The Strata Corporation shall make good any damage to the Strata Lot occasioned by such works and restore the Strata Lot to its former condition, leaving the Strata Lot clean and free from debris.

Division 2 – Powers and Duties of Strata Corporation

Repair and maintenance of property by Strata Corporation

- 8 (1) Except to the extent that such matters are the responsibility of a separate section, 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,
 - (ii) the following, no matter how often the repair or maintenance ordinarily occurs:

costs thereof charged to the Owner of the Strata Lot, provided however, that the section shall not undertake any such maintenance or repair until 14 days after notice in writing of that intent has been given to the Owner.

Division 3 – Council

Council size

- 9**
- (1) Subject to subsection (2), the Council must have at least 3 and not more than 7 members. At least one member of the Council shall be elected from and among the Owners of Strata Lots in each section. If no member of the Residential Section or of the Commercial Section is willing to stand for Council, the position otherwise reserved for that member may be filled by a member of a different section.
 - (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.
 - (3) The powers and duties of a section shall, subject to any restriction imposed or any direction given at a general meeting of the section, be exercised and performed only by the executive of the section and the members of the section may pursuant to these Bylaws elect an executive, call and hold meetings and pass resolutions in the same manner as the Strata Corporation;
 - (4) The Owner-developer shall exercise the powers and duties of the executive of each section until an executive is elected or appointed by the Owners within the section. Each section must elect an executive for that section at each Annual General Meeting of such section, which shall be held immediately following the Annual General Meeting of the Strata Corporation;
 - (5) The Commercial Section shall appoint at least one member to serve as the Executive of the Commercial Section and the Executive, if consisting of more than one, shall have a Chairman and a Vice-Chairman and shall conduct its affairs in the same manner as the Strata Council is required to conduct its affairs pursuant to these Bylaws;
 - (6) The Executive of the Residential Section shall be elected by and from and amongst the Owners within that, shall consist of not more than seven or less than three members, shall have a Chairman and a Vice-Chairman and shall conduct its affairs in the same manner as the Strata Council is required to conduct its affairs pursuant to these Bylaws.

- (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

- 14**
- (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.

Requisition of Council hearing

- 15**
- (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.

Quorum of Council

- 16**
- (1) A quorum of the Council is
 - (1) 1, if the Council consists of 1 member,
 - (2) 2, if the Council consists of 2, 3 or 4 members,

- (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.

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

- 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.

Participation by other than eligible voters

- 26 (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

- 27 (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 a 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.

Order of business

- 28 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;

- (3) The dispute resolution committee must attempt to help the disputing parties to voluntarily end the dispute.

Division 7 – Marketing Activities by Owner Developer

Display lot

- 30 (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.
- (3) During the time the Owner-developer remains the registered Owner of any Strata Lot, the Owner-developer shall have the right to maintain and use such Strata Lots as display units as a sales office and carry out such sales functions as the Owner-developer deems necessary to enable the sale and marketing of all Strata Lots in the development including, without limitation, the following:
 - (a) erecting and placing directional, locational and advertising signage on the individual Strata Lots owned by the Owner-developer and the common property;
 - (b) encouraging and allowing prospective purchasers to view the Strata Lots owned by the Owner-developer and the common property.

Division 8 – Creation and Administration of Separate Sections

- 31 (1) The Owners of the Commercial Strata Lots shall form a separate section (the "Commercial Section") within the Strata Corporation consisting of all of the Commercial Strata Lots in the strata plan.
- (2) The Owners of Residential Strata Lots shall form a separate section (the "Residential Section") within the Strata Corporation consisting of all of the Residential Strata Lots in the strata plan.
- (3) Each section must elect an executive for that section. The section executive has the same powers and duties with respect to the section that the Strata Council has with respect to the Strata Corporation.
- (4) The Strata Corporation has the powers and duties in matters of common interest to all the Owners. With respect to matters that relate solely to a section, each section shall:

by the Strata Corporation for approval at Annual General Meetings. The Strata Fees payable by the Owners will include the fees owing to the Strata Corporation and the fees owing to the Owner's separate section.

- (3) Upon receipt each month of Strata Fees from the Owners, the Strata Corporation will deposit into separate accounts that portion of such fees which is applicable to the Strata Corporation operating funds, the Strata Corporation contingency reserve fund, the operating fund of the applicable section and the contingency reserve fund of the applicable section.
- (4) Only authorized signatories for each of the sections will be entitled to withdraw funds from the operating fund and the contingency reserve fund for their respective sections.
- (5) Special levies approved by a separate section will be payable by the Owners in such section to the Strata Corporation which will pay such special levy into the operating fund or the contingency reserve of such sections, as requested by such section.
- (6) At the request of a separate section, the Strata Corporation will register a lien against an Owner's Strata Lot if section fees have not been paid to the Strata Corporation as part of such Owner's Strata Fees or if a special levy approved by a separate section has not been paid by such Owner.

Repair and maintenance of property by separate sections

- 33** (1) Each of the Commercial Section and Residential Section must repair and maintain all of the common and Limited Common Property appurtenant to such section.

Strata fees

- 34** (1) Strata fees are due and payable on or before the first day of each month. Strata fees not received by the 10th day of the month in which they are due are subject to a 10% per annum interest penalty compounded annually until paid.
- (2) When arrears of strata fees exceed two monthly payments a lien will be placed by the Strata Corporation on the Strata Lot involved at the Owner's expense for the total monies due, including all legal and other expenses.

Disturbance of others

- 35** (1) Mops or dusters of any kind shall not be shaken, and nothing shall be thrown out of any window, door, passage, or other parts of the Strata Lot or the common property.
- (2) No barbecues other than those fueled by natural gas or electricity may be used. No Owner shall operate his barbecue in a manner which, in the opinion of the Strata Council, interferes with another Owner's enjoyment

- (6) No enclosures of Limited Common Property including, without limitation, any balcony or patio or other structural alterations either to the interior or the exterior of the building or any Strata Lot shall be made, nor the wiring, plumbing, piping, or other services altered or supplemented on the Strata Lot or within any walls or on the common property without previous written approval by the Strata Council.

Common areas

- 39 (1) The Strata Council shall administer all common areas and any rules and regulations formulated by the Strata Council from time to time shall be binding upon all Owners, residents and visitors.

Parking

- 40 (1) A resident shall use only the parking stalls included as part of the Strata Lot, save and except for private arrangements with other Owners for the use of their parking stalls. Parking stalls shall not be leased or rented to a person not resident within the Strata Corporation.
- (2) No major repairs or adjustments shall be made to motor vehicles on the common property.
- (3) Owners will be responsible for the clean up of oil spills on common property.
- (4) No vehicles exceeding 4,000 kg. O.V.W. shall be parked or brought onto the common property without the consent of the Strata Council, except when used in delivery to or removal from the premises. The storage of any RV, boat, trailer, or unlicensed vehicle shall be completely enclosed within a parking stall appurtenant to a Strata Lot.
- (5) Any vehicle which does not comply with this Bylaw may be removed at the Owner's expense.
- (6) Notwithstanding anything contained in the Standard Bylaws, as same may be amended from time to time by Bylaws of the Strata Corporation filed in the Land Title Office, each Owner or tenant of any Strata Lot in the Commercial Section will be entitled to use, free of charge, all parking stalls designated as Limited Common Property for the exclusive use of the Commercial Strata Lots. This Bylaw 40 (6) will not be amended or rescinded except by a unanimous vote of the Owners of the Strata Lots.

Damage to property

- 41 (1) An Owner or resident shall not cause damage to trees, plants, bushes, flowers or lawns and shall not place chairs, tables or other objects on lawns or grounds so as to damage them or prevent growth.

laws and other statutory and administrative requirements related thereto, will be restricted by the Strata Corporation in:

- (a) the Owner's or tenant's use of its respective Strata Lot or its use of any Limited Common Property appurtenant to the use of such Strata Lot, or its business operations in such Strata Lot or Limited Common Property;
 - (b) reasonable access to its respective Strata Lot or applicable Limited Common Property over common property by the Owner or the tenant and their suppliers and customers; or
 - (c) the hours of operation of the Owner's or tenant's business in its respective Strata Lot or in its use of the applicable Limited Common Property.
- (2) Bylaw 45 (l) will not be amended or rescinded except by a unanimous vote of the Owners of the Commercial Strata Lots.

New Bylaws of the Commercial Section

- 46 (1) Notwithstanding anything contained in the Standard Bylaws, any new Bylaws of the Commercial Section which would result in the lowering of the standard of maintenance of the Limited Common Property of the Commercial Section or the common property to the Strata Lots within the Commercial Section from that required under the Standard Bylaws will require a unanimous vote of the Commercial Section.
- (2) Bylaw 46 (l) will not be amended or rescinded except by a unanimous vote of the Commercial Section of the Strata Corporation.