

## **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.

25.2 Bylaw 21(2) of the Schedule of Bylaws to the Act does not apply to the strata corporation.

## **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 27.1 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) up to \$200.00 for each contravention of a bylaw, and
- (b) 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 not participate in the discussion at a 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, including legal costs, for which the owner is responsible under section 131 of the Act.

32.3 At an annual or special general meeting, voting cards must be issued to eligible voters.

32.4 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.

32.5 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.

32.6 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.

32.7 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.

32.8 Despite anything in bylaws 32.1 to 32.7 (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 Owners and Occupants**

#### **37. Sale or rental of a strata lot**

37.1 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**

#### **38. Insuring against major perils and proof of strata lot insurance**

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

- 38.2 An owner shall ensure and provide satisfactory proof of insurance that an owner's strata lot is insured for liability purposes.

### **Storage**

#### **39. Storage lockers and bicycle storage**

- 39.1 A resident must store bicycles and tricycles only in basement parking areas, the bicycle rack and storage lockers.
- 39.2 A resident must not store any hazardous or flammable substances in storage lockers.

### **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, limited common property or land that is a common asset.
- 40.2 A resident must not store unlicensed or uninsured vehicles on the common, limited common property or on land that is a common asset.
- 40.3 A resident storing a vehicle must provide proof of insurance to the strata corporation on the commencement date of the storage.
- 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 the parking stall assigned to the resident. The parking stalls are designated to the suites as follows:

<u>Suite #</u>	<u>Stall #</u>
101	1A
102	20
103	8
104	15
201	3
202	13
203	21
204	12
205	7
206	11
301	17
302	5
303	4
304	18
305	1

306	19
401	14
402	6
403	9
404	2
501	16
502	10

- 40.6 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.
- 40.7 Any resident's vehicle parked in violation of bylaw 40.6 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.
- 40.8 A resident shall not allow a commercial vehicle to be parked in any stall without the prior written permission of the strata council.
- 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 shall not allow a stall designated to that owner to become untidy or in any way used for storage purposes.
- 40.11 A resident or visitor operating a vehicle in the parking areas must activate the vehicle's headlights and not exceed 10 km/hour.
- 40.12 A resident or visitor must not smoke while in the parking area.
- 40.13 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.

### **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 must provide notice to the strata corporation of all moving arrangements at least 72 hours before the moving date. All moves must take place between 8:00 a.m. and 8:00 p.m., Monday through Friday and 10:00 a.m. to 6:00 p.m. on Saturdays, Sundays and statutory holidays.

- 41.3 A resident using the elevator during a move must ensure that the **ELEVATOR SERVICE KEY** is used to control the elevator and the doors not jammed open in any manner.
- 41.4 A resident must ensure that the lobby doors are not left open, ajar or unattended and that furniture is not left piled in the lobby area.
- 41.5 A resident or visitor shall not move any large items, (including but not exhaustively, furniture, appliances, bicycles) through the front doors of either building. All moves of such items must be through the back lane/parkade and/or elevator.
- 41.6 A resident must ensure that all common areas are left damage free, clean and all hallways and lobby areas vacuumed immediately upon completion of the move.
- 41.7 A resident must pay \$100.00 plus a further refundable damage deposit of \$400.00, whether moving in or out, 72 hours prior to any move and any expenses incurred by the strata corporation attributable to the resident and all fines levied will be deducted from the deposit.
- 41.8 A resident contravening bylaws 41.1 to 41.7 (inclusive) shall be subject to a fine of up to \$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.

#### **Rentals**

##### **43. Residential rentals**

- 43.1 Subject to bylaw 43.2 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 bylaw 43.1, 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 smoke 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** in the building, including a strata lot.
- 45.4 A resident must not permit any person to play or loiter in the garden areas, on common property or on land that is a common asset, unless such common property or common asset is a playground.
- 45.5 A resident or visitor must not use common property electrical outlets with the exception of parking area outlets used while vacuuming a vehicle.
- 45.6 Subject to bylaw 37.1, 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.

- 45.7 A resident must ensure that all entrance doors to strata lots are kept closed and kitchen extract fans are used when cooking.
- 45.8 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.
- 45.9 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.
- 45.10 A resident must not display or erect fixtures, awnings, shades, screens, smoke stacks, radio antenna or television antenna, poles, clotheslines, racks, storage sheds and similar structures permanently or temporarily on limited common property, common property or land that is a common asset, unless permission of the strata council is first obtained. 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.
- 45.11 A resident shall not use balconies for storage purposes.
- 45.12 A resident must remove all seasonal items once the seasons is over and more particularly but not exhaustively, 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.

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### **3/4 Vote Resolution #3 – Alteration Approval Bylaw Amendment**

**Be it resolved** by a 3/4 vote of The Owners, Strata Plan VR 1382 (the "Strata Corporation") that Bylaw 7 of the Strata Corporation's bylaws filed January 10, 2002 under Land Title Office No. BT009123 be and is hereby by adding Bylaw 7.5 as follows:

7.5 Notwithstanding Bylaw 7.2, and unless a written request is received by the Strata Council on or before April 1, 2005, the strata corporation shall not permit any alterations to a strata lot that involve the installation of outside vents for dryers or other appliances.

**Be it further resolved** by a 3/4 vote of the Strata Corporation that Bylaw 8. of the Strata Corporation's bylaws filed January 10, 2002 under Land Title Office No. BT009123 be and is hereby by adding Bylaw 8.6 as follows:

8.6 Notwithstanding Bylaws 8.1 and 8.3, and unless a written request is received by the Strata Council on or before April 1, 2005, the strata corporation shall not permit any alterations to common property that involve the installation of outside vents for dryers or other appliances in a strata lot.