

Bylaws NW 1874 – White Rock Square II

STRATA PROPERTY ACT (SPA)

Schedule of Bylaws for NW 1874

WHITE ROCK SQUARE II [2016]

Table of Contents

Division 1 -- Duties of Owners, Occupants and Visitors	page
Payment of Strata Fees	3
Repair and Maintenance of Property by Owner	3
Use of Property.....	3
[No Pet Bylaw]	4
Rental	6
Inform Strata Corporation.....	7
Obtain Approval before Altering a Strata Lot.....	7
Obtain Approval before Altering Common Property.....	8
Permit Entry to Strata Lot	8
 Division 2 — Powers and Duties of Strata Corporation	
Repair and Maintenance of Property by Strata Corporation	9
 Division 3 – Council	
Council Size; Council Membership; Council Members' Term	10
Removing Council Member;	10
Replacing Council Member Officers; Calling a Council Meetings;	11
Quorum of Council; Council Meetings;	12
Voting at Council Meetings; Council inform Owners of Minute	13
Delegation of Council's Powers and Duties.....	13
Spending restrictions; Limited Liability	14
 Division 4 — Enforcement of Bylaws and Rules	
Fines; Continuing Contravention	14
 Division 5 — Annual and Special General Meetings	
Person to Chair Meeting	15
Participation by other than Eligible Voters.....	15
Voting	15
Order of Business.....	16
 Division 6 – Insurance	
Insurance Deductible	17
Owners Insurance	17
 Division 7 – Miscellaneous	
Small Claims Action	18
Use of Patios and Balconies	18
Garbage, Recycling & Organic Waste Disposal.....	18

Bylaws NW 1874 – White Rock Square II

Bicycles, Storage and Parking	18
Move In / Move Out	20
Selling of Strata Lot	20
Acquisition or Disposal of Personal Property	20
Occupancy of Strata Lot	20
Fobs and Keys for Common Areas	21
Short Term Accommodation	21
No Smoking Bylaw	22

Please Note:

Additions and/or amendments to the Bylaws may be made by the Strata Corporation by a Special Resolution at a General Meeting. The Strata Council can make or amend Rules pertaining to the

Bylaws NW 1874 – White Rock Square II

enjoyment, safety and cleanliness of the common areas and facilities.

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. Fees must be paid by Pre-Authorized Debit or can be paid by 12 post dated cheques. Payments will be applied to the oldest outstanding strata fees.
- (2) Late payments will be subject to a \$25 penalty. A payment returned as 'NSF' is considered late payment.
- (3) Late payments received after the 15th of the month will be subject to interest at a rate of 10% per annum compounded annually.
- (4) Strata levies must be paid when due as regulated in the Resolution passed at a General Meeting. Late payments are subject to fines not to exceed \$200 and to interest at a rate of 10% per annum compounded annually.
- (5) Council, at their discretion, has the right to reduce or remove any penalties in relation to late strata fees or levies payments if there are mitigating circumstances.

Repair and Maintenance of Property by Owner

- 2 (1) An Owner must repair and maintain the owner's strata lot, including the sealed glass in the windows, 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, tenants, 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,

Bylaws NW 1874 – White Rock Square II

- (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, occupant or visitor must not keep or bring to the strata lot or the common property, or land that is common assets any animal, livestock or pets of any kind. Residents are responsible to inform their visitors of this Bylaw.
- (4) An Owner, tenant, occupant or visitor must:
- (a) not use the 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) not 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 Owners or occupant;
 - (c) not 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 Owners, or occupant;
 - (d) not obstruct or use the sidewalks, walkways, hallways, passages and driveways of the common property for any purpose other than ingress or egress from the strata lots or parking areas;
 - (e) not leave on the common property or any limited common property, any shopping cart or any other item designated in the Rules from time to time by the Strata Council;
 - (f) not use a barbecue, hibachi or other similar cooking device on a balcony, deck or patio;
 - (g) not shake any mops or dusters of any kind, nor throw any refuse, or other items out of the windows or from the balcony of a strata lot;

Bylaws NW 1874 – White Rock Square II

- (h) not do anything that will unreasonable increase the risk of fire or the rate of insurance on the building or any part thereof or do, or fail to do, anything which would render invalid any insurance maintained by the Strata Corporation;
- (i) not 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) not allow a strata lot to become unsanitary or a source of odour;
- (k) not feed pigeons, gulls or other birds, squirrels, rodents or other animals from a strata lot or anywhere on the common property or any limited common property;
- (l) not install window covering where it face the outside that is not white or beige;
- (m) not hang or display any laundry, washing, clothing, bedding or other articles (except permitted window coverings) from windows, balconies or other parts of the building so that they are visible from the outside of the building;
- (n) not use or install in or about a strata lot (such that are visible from the outside) or on the common or limited common property, 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;
- (o) not erect on or fasten to the common property or any limited common property any television or radio antenna or similar structure or appurtenance thereto;
- (p) subject to electoral legislation, not place any signs, billboards, notices or other advertising matter of any kind on the common property or limited common property or within a strata lot such that it is visible from, the exterior;
- (q) not place any indoor-outdoor carpeting on any deck, patio or balcony;
- (r) not install any hanging plants or baskets or other hanging items within three feet of a balcony railing line;
- (s) not give any keys, combinations, security cards or other means of access to the building, the parking garage or common areas to any person other than an employee, contractor, caregiver, family member, occupant or guest of the strata lot permitted by these Bylaws;
- (s) not use or permit the use of the strata lot other than as a single family dwelling;
- (t) not permit the strata lot to be occupied as a permanent residence by more than two persons for a one-bedroom unit; four persons for a two-

Bylaws NW 1874 – White Rock Square II

bedroom unit;

(u) not wash automobiles except in the area designated by Strata Council;

(v) not have recreational vehicles on the common property except for a vacation preparation or return period, not to exceed twenty-four hours;

(w) not allow an automobile to be parked in the Visitors Parking lot without ensuring that the Owner's suite number is clearly shown on a piece of paper on the driver's dashboard. If this is not adhered to, the vehicle may be towed away at the car owner's expense. Tradespeople's vehicles are exempt from this requirement if the company's name is visible;

(x) not skate-board, roller-blade, ride a bicycle or scooter (excluding scooters used for mobility assistance) on common property;

(y) not store any propane tanks anywhere on or within their strata lot or on the common property;

(z) not exit the building through emergency exit doors, except during an emergency;

(aa) accompany any visitors below the age of 19 years when they are using the common rooms;

(bb) not perform any construction work that involves excessive noise on Saturdays and Sundays and Statutory Holidays.

Rentals

4 (1) Subject to the Act the rental of strata lots (either wholly or partly is prohibited.

(2) Should an owner rent a strata lot to a family member (as defined by the Act), obtain permission under s144 of the Act to rent on the basis of hardship or rent under any other statutory exemption to this bylaw that owner must submit a signed Notice of Tenant's Responsibility to the Strata Corporation within the time limited allowed under the Act;

(3) An owner who fails to submit a signed Notice of Tenant's Responsibility within the time allowed under the Act shall be subject to a fine in the amount of \$100.00 for every month or part thereof that the strata lot is rented and the Strata Corporation is not in receipt of a signed Notice of Tenant's Responsibility.

(4) An owner who rents a strata lot contrary to this bylaw shall be subject to a fine of \$500.00.

(5) For the purpose of this bylaw, the rental or leasing of a strata lot shall be

Bylaws NW 1874 – White Rock Square II

defined to include occupancy of a strata lot, regardless of whether or not money or other consideration is paid for the right to occupy the strata lot by:

- (a) a person who is not an owner, without the owner also residing in the strata lot for a greater period than sixty (60) days; or
- (b) different persons who are not owners, without the owner also residing in the strata lot, for periods of less than sixty (60) days in a calendar year.

Inform Strata Corporation

- 5 (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.
- (2) An owner is responsible for notifying the Strata Corporation in writing any changes in their address for the purpose of communication and receipt of notices.
- (3) On request by the Strata Corporation, an owner must inform the Strata Corporation of his or her name.

Obtain Approval Before Altering a Strata Lot

- 6 (1) An owner must obtain the written approval of the Strata Corporation before making an alteration, addition, change or improvement to a strata lot that involves any of the following:
- (a) the structure of a building,
 - (b) subject to (3) below, 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;
 - (h) flooring;
 - (j) to electrical, heating, plumbing and/or ventilation systems

Bylaws NW 1874 – White Rock Square II

(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. An Owner must, at the request of Council, provide evidence of appropriate insurance coverage related to the alteration.

(3) An owner, tenant or occupant must not do any act, including altering, changing or improving a strata lot, in any manner, which in the opinion of the Strata Council will alter the exterior appearances of the building.

(4) All major renovations that involve material transported in elevators or hallways or other common areas are subject to a \$300 fee per renovation. Contractors or delivery personnel must ensure that the allowable weight in the elevators is not exceeded.

(5) An alteration, addition, change or improvement involving flooring must meet the following conditions:

(a) with respect to the installation of hardwood or laminate flooring: an owner must ensure that an underlay of at least IIC 72 or better and a STC rating of 72 or better is installed;

(b) with respect to the installation of Ceramic or Stone Floor Tiles a council approved sound reducing underlay must be used as per alteration agreement;

Obtain Approval Before Altering Common Property

7 (1) An Owner must obtain the written approval of the Strata Corporation before making an alteration, addition, change or improvement 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(s) agree, in writing, to take responsibility for any expenses relating to the alteration, as per alteration agreement.

Permit Entry to Strata Lot

8 (1) An Owner, 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. In the case of long term absences

Bylaws NW 1874 – White Rock Square II

arrangements must be made to allow access for emergency situation and

(b) at a reasonable time, on 48 hours' written notice, to:

(i) 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 s149 of the Act.

(ii) investigate allegations of a violation of a bylaw or rule upon receipt of a complaint that a bylaw or rule has been breached; or

(iii) remedy the contravention of a bylaw and rule under s133 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.

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; with the exception of the sealed glass units which remain the responsibility of the owner.

Bylaws NW 1874 – White Rock Square II

- (E) fences, railings and similar structures that enclose 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 on the exterior of a building or that front on the common property with the exception of the sealed glass units which remain the responsibility of the owner; and
 - (v) fences, railings and similar structures that enclose patios, balconies and yards.

Division 3 – Council

Council Size

- 10** The council must have at least 3 and not more than 7 members.

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 re-election.
- (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.

Removing Council Member

- 12** (1) 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.

Bylaws NW 1874 – White Rock Square II

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 20% 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, a Treasurer and Privacy Officer.
- (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 on one week's notice of the meeting, specifying the reason for calling the meeting.
- (2) The notice does not have to be in writing.

Bylaws NW 1874 – White Rock Square II

- (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 3 if the Council consists of 3 to 6 and 4 if the Council consist of 7 Members, and
- (2) Council Members must be present in person at the Council Meeting to be counted in establishing a 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.
- (5) Where required by urgent circumstance, decisions may be made by email provided that:
 - (a) A majority of council members indicate approval; and

Bylaws NW 1874 – White Rock Square II

(b) the decision is ratified and recorded in the minutes of the next council meeting.

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) 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.

Bylaws NW 1874 – White Rock Square II

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.
- (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) The Strata Council shall not, except in emergencies, authorize expenditure which were not set out in the annual budget and approved by the owners at a General Meeting in excess of \$5,000 cumulatively.

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** (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.
 - (c) \$500 for contravention of the rental prohibition bylaw.

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.

Bylaws NW 1874 – White Rock Square II

Division 5 – Annual and Special General Meetings

Person to Chair Meeting

- 25** (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, including a strata manager.

Participation by Other Than Eligible Voters

- 26** Only Owners, their spouses, tenants who have been assigned the rights of an owner, a person holding a proxy or an agent and guests invited by the strata council may attend Annual and Special General Meetings.

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 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 who is otherwise an eligible voter, may not exercise his or her vote for a strata lot, except on matters requiring a unanimous vote or

Bylaws NW 1874 – White Rock Square II

an 80% vote, if the Strata Corporation is entitled to register a lien against that strata lot.

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;
- (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.

Bylaws NW 1874 – White Rock Square II

Division 6 – Insurance

Strata Corporation

- 29** (1) The Owner of a strata lot shall be obligated to pay to the Strata Corporation upon demand the amount of any insurance deductible paid by the Strata Corporation in relation to any claim made under or against the Strata Corporation's insurance policy, the cause of which claim the Owner, or occupant of that Owner's strata lot or their guest or invitee are responsible for or the source of the damage giving rise to the claim originated in that Owner's strata lot.
- (2) If an Owner makes an insurance claim under the Strata Corporation's insurance policy in relation to any portion of that Owner's strata lot which the Strata Corporation is required to insure for which the Owner or an occupant of that Owner's strata lot or their guest or invitee are responsible for the damage which gave rise to the claim, the Owner shall pay directly any deductible related to such claim.
- (3) The Strata Corporation, subject to the terms of the Strata Property Act and these Bylaws, shall recover from an Owner the costs to repair any physical damage to the common property, limited common property or those portions of a strata lot which the Strata Corporation is required to repair and which is not covered by the Strata Corporation's insurance policy for which the Owner, or an occupant of the strata lot or their guest or invitee are responsible or the source of which originated in that strata lot. The Strata Corporation may choose to seek recovery (including suing) from only the Owner of a strata lot in relation to damage caused by occupant of that strata lot or their guest or invitee. Nothing in this section shall act to restrict the rights of the Strata Corporation pursuant to s.133 of the Strata Property Act.
- (4) The Owner of a strata lot shall be obligated to pay to another Owner the costs (including any insurance deductible) to repair any damage to that other Owner's strata lot for which the Owner, or an occupant of the strata lot or their guest or invitee are responsible or the source of which originated in the Owner's strata lot.

Owners

- 30** Owners may obtain and maintain insurance:
- (1) for loss or damage to their strata lot against fire and other perils in excess

Bylaws NW 1874 – White Rock Square II

of insurance by the Strata Corporation;

(2) or damage to their strata lot in excess of insurance on the improvements by the Strata Corporation.

Division 7 – Miscellaneous

Small Claims Actions

- 31** (1) 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.

Use of Patios and Balconies

- 32** An Owner, tenant or occupant, shall not place any items on an unenclosed balcony other than free standing self contained planter boxes along with patio furniture and accessories. Any such items must be maintained in good and tidy condition on an ongoing basis.

Garbage, Recycling and Organic Waste Disposal

- 33** An Owner, tenant or occupant shall remove ordinary household refuse and garbage (including organic waste) from his/her strata lot and deposit it in the containers provided by the Strata Corporation for that purpose. All garbage, including vacuum residues, shall be double-bagged and tied before depositing it in the appropriate container (bin). Any materials other than ordinary household refuse and garbage shall be removed by the owner, tenant or occupant at their own expense. No recycling or organic waste shall be disposed off using the chute in Tower-II.

Bicycles, Storage and Parking

- 34** (1) Unless for limited mobility reasons, motorized scooters or bicycles are not permitted in elevators, hallways or any other common areas inside the building (other than on the parking level). All bicycles and motorized scooters must enter or exit the building by way of the vehicle entry to the parking garage.
- (2) Bicycles are not to be kept on the balconies or patios. Instead they shall be stored within the storage locker designated for the use of the Owner, tenant or occupants' strata lot or in such other area as may be prescribed by the Strata Council from time to time in the Rules.

Bylaws NW 1874 – White Rock Square II

(3) Any Owner, tenant or occupant who leaves any item anywhere on or in the common property or on any limited common property does so at his/her 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.

(4) An Owner, tenant or occupant must only use their assigned parking stalls for the parking of passenger vehicles, motorcycles, motorized scooters or bicycles unless otherwise approved in writing by the Strata Council. Any vehicle parked in a parking stall must either be licensed, or if unlicensed, have current 3rd party liability insurance of no less than \$1,000,000.00.

(5) An Owner, tenant or occupant shall not:

- (a) use any parking space except the parking space which has been specifically assigned to his/her strata lot, a parking space leased by them or, when specifically agreed with another Owner, the parking space assigned to the strata lot of that other Owner;
- (b) carry out any oil changes, major repairs or adjustments to motor vehicles or other mechanical equipment on common property or on any limited common property, except in the case of emergency;
- (c) unless otherwise permitted by subsection (7), allow non residents to park in the underground garage for any period of time;
- (d) park any vehicle in a manner which will reduce the width of the garage roadway or ramp or any roadway on the common property;
- (e) use any part of the common property (other than established storage rooms or lockers) for storage, without the written consent of the Council.
- (f) park their vehicle at anytime in the "Visitor" parking spaces, except while loading and unloading and then only for thirty (30) minutes.

(5) An Owner or occupant must promptly and at their own expense, clean up any oil or other substance which spills or leaks onto the common property. If the spill is not cleaned up within the time frame specified in the warning letter, the Council will make arrangements to clean it up and the Owner(s) will be charged for all cost involved.

(6) A vehicle parked in violation of these bylaws may be towed. A written notice is not required to tow a vehicle from the "Visitor" parking spaces.

(7) Family members and friends providing rides for resident Owners who no longer have their own transportation, will be allowed to use the Owner's parking stall in the garage subject to Council's approval. An application must be submitted and if approved, a special parking pass, at the cost of \$50 to the Owner, will be issued that must be displayed at all times while

Bylaws NW 1874 – White Rock Square II

the vehicle is parked in the garage. This parking pass can not be used to store family members' vehicles.

Move In / Move Out

- 35** (1) A move-in fee of one hundred and fifty dollars (\$150.00) will be charged to the strata lot's account for each change in occupancy.
- (2) The Strata Corporation, through the Rules, may regulate the times and manner in which any person moves into or out of strata lots.
- (3) An Owner must notify the Strata Corporation seven (7) days in advance of the date and time that someone will be moving into or out of the strata lot.
- (4) An Owner, tenant or occupant delivering or removing furniture or appliances must inform the Caretaker and obtain the elevator key for the removal and deliveries of the items.

Selling of Strata Lots

- 36** (1) An Owner of a strata lot, if selling his/her strata lot, will not permit "For Sale" signs to be displayed on common or limited common property or in the window of a strata lot.
- (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 for one open house for agents will be allowed per listing. Unless the Council otherwise prescribes, all showings must be by appointment only and lobby security must be provided by the owner or his/her agent.

Acquisition or Disposition of Personal Property

- 37** The Strata Corporation may purchase, lease or otherwise acquire personal property for the use or benefit of the Strata Corporation 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 3/4 % vote at an Annual or Special General Meeting.

Occupancy of Strata Lot

- 38** (1) Subject to subsections (2) (3) and (4) no person under the age of 55 years shall reside in a strata lot.
- (2) A spouse of an Owner who is under the age of 55 years may reside in

Bylaws NW 1874 – White Rock Square II

strata lot where the owner is over 55 years of age.

(3) A person under the age of 19 year may reside in a strata lot for less than 30 days in a calendar year only when the owner is present.

(4) A person between the ages of 19 and 55 may reside in a strata lot for less than 120 days in a calendar year.

Keys and Fobs for Common Areas

39 (1) All Owners are provided with 2 entrance fobs and 2 keys for common areas, such as common social rooms, locker rooms and workshop. Replacement fobs and keys must be obtained from the Strata Corporation at a cost upon request. Upon the sale of a strata lot all keys and common area fobs must be surrendered to the new Owners.

(2) The strata corporation may install and operate an access control system in relation to the entry doors and certain other areas of the common property (i.e. recreation facilities and storage areas) and shall establish a policy in compliance with the Personal Information Protection Act for the operation of the system and the use and storage of information collected by it. Owners, tenants and occupants of the strata corporation are hereby deemed to have consented to the use, collection and disclosure of information recorded by the system so long as the same is done in accordance with the terms of the policy established pursuant to this bylaw.

(3) The strata council may install and operate a video surveillance system on the common property and shall establish a policy in compliance with the Personal Information Protection Act for the operation of the system and the use and storage of information collected by it. Owners, tenants and occupants of the strata corporation are hereby deemed to have consented to the use, collection and disclosure of information recorded by the system so long as the same is done in accordance with the terms of the policy established pursuant to this bylaw.

Short Term Accommodation

40 (1) An Owner, tenant or occupant is not permitted to use or allow their strata lot (or any part of it) to be used for the purposes of vacation or travel accommodation for the general public or as part of a vacation rental program, short term accommodation arrangement, room rental or other similar program.

Bylaws NW 1874 – White Rock Square II

(2) Except as otherwise permitted by these bylaws, an Owner, tenant or occupant must not in exchange for money or other consideration, allow, permit, agree or otherwise grant license to a person who ordinarily resides outside the strata corporation to occupy their strata lot while that owner, tenant or occupant is absent from the strata lot;

Smoking Prohibited

- 41** (1) An Owner, tenant, occupant or visitor is prohibited to smoke:
- (a) in a strata lot;
 - b) on the interior common property, including but not limited to in , elevators, parking garages, electrical and mechanical rooms, stairs, storage locker areas, etc;
 - (c) on patios and balconies; and
 - (d) within 7 metres (21 feet) of a door, window or air intake.
- (2) For the purposes of this Bylaw, the term “Smoking” includes, but is not limited to, tobacco smoking, smoking using electronic cigarettes, marijuana smoking, and crack cocaine smoking.
- (3) All persons, including but not limited to Owners, tenants, occupants and visitors must comply with this Bylaw. Owners and tenants must ensure that this Bylaw is not violated by their visitors or anyone person they allow into the building.
- (4) An Owner, tenant or occupant residing in a strata lot at the time of the passage of this bylaw and who regularly smokes tobacco shall be exempt from subsection (1)(a) provided that they notify the strata corporation in writing within 30 days of the passage of this bylaw that they are claiming an exemption.
- (5) Any exemption under subsection (4) shall apply only to the individual claiming the exemption and shall expire upon their ceasing to reside in the strata lot.