

**THE CARRINGTON
N.W. 2449**

Bylaws

INDEX

Definitions and Interpretations	1
<u>DIVISION 1 - DUTIES OF OWNERS, OCCUPANTS, TENANTS AND VISITORS</u>	
Bylaw 1 Late Payment of Strata Fees/Assessment Fees	2
2 Repair and Maintenance of Property by Owner	2
3 Use of Property	3
4 Inform Strata Corporation	4
5 Obtain approval before altering a strata lot	4
6 Obtain approval before altering common property	5
7 Inspection of Strata Lots for Bylaw Compliance	5
<u>DIVISION 2- POWERS AND DUTIES OF STRATA CORPORATION</u>	
8 Repair and Maintenance of Property by Strata Corporation	6
<u>DIVISION 3- COUNCIL</u>	
9 Council Size	6
10 Council Members' Terms	7
11 Removing Council Member	7
12 Replacing Council Member	7
13 Officers	8
14 Calling Council Meetings	8
15 Requisition of Council Hearing	8
16 Quorum of Council	8
17 Council Meetings	9
18 Voting at Council Meetings	9
19 Council to Inform Owners of Minutes	9
20 Delegation of Council's Powers and Duties	9
21 Spending Restrictions	10
22 Limitation on Liability of Council Member	10
<u>DIVISION 4- ANNUAL AND SPECIAL GENERAL MEETINGS</u>	
23 Person to Chair Meeting	10
24 Participation by other Than Eligible Voters	10
25 Voting	11
26 Order of Business	11
<u>DIVISION 5- GENERAL</u>	
27 Rental Restrictions	12
28 Move-in	12
29 Parking and Storage of Vehicles	12
30 Security	13
31 Promotion	14
32 Small Claims Actions	14
33 Occupancy of Strata Lots	15

DIVISION 6 - ENFORCEMENT OF BYLAWS AND RULES

34 Maximum Fines 15

35 Continuing Contravention 15

DIVISION 7 VOLUNTARY DISPUTE RESOLUTION

36 Voluntary Dispute Resolution 15

DIVISION 8 - INSURANCE

37. Perils 15

SCHEDULE OF BYLAWS

DEFINITIONS AND INTERPRETATIONS

- "Act"** means the Strata Property Act.
- "Bylaw"** means a bylaw of a strata corporation.
- "Contingency reserve fund"** means a fund for common expenses that usually occur less often than once a year or that do not usually occur, as set out in section 92(b) of the Act.
- "Eligible voter"** means a person who is qualified to vote at an Annual General Meeting or a Special General Meeting and whose strata fees, assessments and special assessments are not in arrears.
- "Family"** means
- (a) a spouse of the owner,,
 - (b) a parent or child of the owner, or
 - (c) a parent or child of the spouse of the owner.
- "Landlord"** means an owner who rents or leases a strata lot to a tenant.
- "Limited common property"** means common property designated for the exclusive use of the owners of one or more strata lots.
- "Majority vote"** means a vote in favour of a resolution by more than ½ of the votes cast by eligible voters who are present in person or by proxy at the time the vote is taken.
- "Occupant"** means a person, other than an owner or tenant, who occupies a strata lot.
- "Operating fund"** means a fund for common expenses that usually occur either once a year or more often than once a year, as set out in section 92(a) of the Act.
- "Owner"** means a person shown in the register of a land title office as the own of a freehold estate in strata lot.
- "Purchaser"** means a person who enters into an agreement to purchase a strata lot but to whom the strata lot has not yet been conveyed.
- "Regulations"** means regulations made by the Lieutenant Governor in Council under section 292 of the Act.
- "Rule"** means a rule of a strata corporation made under section 125 or 197 of the Act.

"Tenant" means a person who rents or leases a strata lot.

"3/4 vote" means a vote in favour of a resolution by at least 3/4 of the votes cast by eligible voters who are present in person or by proxy at the time the vote is taken.

"Patios and balconies" are terms that may be used interchangeably.

DIVISION 1 - DUTIES OF OWNERS, OCCUPANTS, TENANTS AND VISITORS

Late payment of strata fees/Assessment fees

- (1) Post dated cheques should be given to the treasurer at least six months in advance, payable to "Owners Strata NW 2449"
- (2) An owner must pay strata fees on or before the first day of the month to which the Strata fees relate.
- (3) If an owner is late in paying his or her strata fees, the owner must pay to the Strata Corporation a service charge of \$25.00 on the late payment. If the late payment continues to be in arrears after 14 days, an additional service charge of \$25.00 shall be assessed.
- (4) If an owner is late in paying any Special Assessment, 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.

Repair and Maintenance of Property by Owner

2.
 - (1) An owner must repair and maintain the owner's lot, except for repair and maintenance that is the responsibility of the strata corporation as defined in 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 corporation under these bylaws.
 - (3) An owner of a strata lot must repair and maintain all doors and windows except the casings, frames and sills of the doors, windows on the exterior of a building or that front on the common property.
 - (4) An owner of a strata lot must repair and maintain all patios/balconies which are designated as limited common property for the exclusive use of the strata lot owner

Use of Property

3. (1) An owner, tenant, occupant or visitor must not use 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 purposes for which the strata lot or common property is intended as shown expressly or by necessary implication on or by the strata plan.
 - (f) waterbeds prohibited.
- (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 ensure that all animals are leashed or otherwise secured and must be carried when on the common property or on land that is a common asset.
- (4) An owner, tenant or occupant must not keep any animals on a strata lot, or on common property.
- (5) An owner, tenant, occupant or visitor must not:
- (a) use common property for any purpose which involves undue traffic, or noise in or about the 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 common property.
 - (b) make, cause or produce undue noise, smell, vibration in or about any strata lot or common property or do anything which will interfere unreasonably with any other Owners, tenant or occupant;
 - (c) 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;
 - (d) leave on the common property or any limited common property, any commercial shopping cart or any other item designated from time to time by the Strata Council;
 - (e) use of a barbecue, hibachi or other like cooking device may not be used on a balcony, deck or patio. However, they may be used on the outside common property patio to the west of the building. A fire extinguisher must be present at all times.

- (f) shake any mops or dusters of any kind, nor throw any refuse out of the windows or doors or stairwells or from the balcony of a strata lot (snow excepted);
- (g) do anything that will unreasonably increase the risk of fire or the rate of insurance on the building or any part thereof;
- (h) 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;
- (i) allow a strata lot to become unsanitary or a source of odour;
- (j) 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;
- (k) install any window coverings, visible from the exterior of his strata lot, which are different in size or colour from those of the original building specifications;
- (l) hang or display any laundry, washing, clothing, bedding or other articles from windows, balconies, fences or other parts of the building so that they are visible from the outside of the building;
- (m) use or install in or about a strata lot any shades, awnings, window or balcony guards or screens, ventilators, supplementary heating or air condition devices or security devices, except those installations approved in writing by the Council;
- (n) erect on or fasten to the common property or any limited common property any television or radio antenna or similar structure or appurtenance thereto;
- (o) place any signs, billboards, notices or other advertising matter of any kind on, or visible from, the exterior of a strata lot;
- (p) 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 those permitted and in accordance with the provisions of these Bylaws and Rules.

Inform Strata Corporation

- 4. (1) Within 2 weeks of becoming an owner, an owner must inform the Strata Corporation of the owner's name, strata lot number and mailing address outside the strata plan, if any.
- (2) On request by the Strata Corporation, a tenant must inform the Strata Corporation of his or her name.
- (3) On request by the Strata Corporation, an owner, tenant, or occupant must inform the Strata Corporation of the name, address and telephone number of a person to contact in cases of an emergency.

Obtain approval before altering a strata lot

- 5. (1) An owner, tenant or occupant 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 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: or
- (g) those parts of the strata lot which the strata corporation must insure under section 149 of 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.

Obtain approval before altering common property

- 6 (1) An owner, tenant or occupant must obtain the written approval of the council before making an alteration to common property, including limited common property, or common assets. An "alteration" shall be deemed to include the erection or installation of any object referred to in Bylaw 3(4) as well as painting.
- (2) An application submitted to council for consideration must include the following:
 - (i) Drawings and specifications (including a list of material to be used) prepared by a registered architect;
 - (ii) The signatures of 3/4 of the owners signifying their approval of the proposed alteration(s);
- (3) Any approval given by council is subject to:
 - (i) The owner of the strata lot agreeing in writing to be responsible for any future repair and maintenance costs relating directly or indirectly to the alteration.
 - (ii) A performances bond being issued in favour of the Strata Corporation in an amount specified by council;
 - (iii) Proof of third party liability insurance in an amount specified by council being furnished to the council; and
 - (iv) All necessary permits being obtained and copies thereof being submitted to council

Inspection of Strata Lots for Bylaw Compliance.

- 7. (1) An owner, tenant, occupant or visitor must allow a person authorized by the Strata Corporation to enter the strata lot:
 - (a) in an emergency, without notice, to ensure safety or prevent significant loss

- or damage, and;
- (b) at a reasonable time, on 48 hours' written notice, to inspect, repair or maintain common property, common assets and any portions of a strata lot that are the responsibility of the Strata Corporation to repair and maintain under these bylaws or insure under section 149 of the Act: and;
- (c) 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

Repair and Maintenance of Property by Strata Corporation

- 8. (1) The strata corporation must repair and maintain all of the following:
 - (a) common assets of the strata corporation;
 - (b) common property that has not been designated as limited common property;
 - (c) limited common property, but the duty to repair and maintain it is restricted to:
 - (i) repair and maintenance that in the ordinary course of events occurs less often than once a year, and;
 - (ii) the following, no matter how often the repair or maintenance ordinarily occurs:
 - (1) structure of a building;
 - (2) exterior of a building;
 - (3) the casings, the frames and the sills of the doors, windows and skylights on the exterior of a building or that front on the common property;
 - (4) 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) stairs, balconies and other things attached to the exterior of a building;
 - (iv) the casings, the frames and the sills of the doors, windows and skylights on the exterior of a building or that front on the common property, and;
 - (v) fences, railings and similar structures that enclose patios, balconies and yards.

DIVISION 3 - COUNCIL

Council Size

- 9. (1) The council shall consist of 3, 5, or 7 members.

Council Members' Terms

10. (1) A person whose term as Council member is ending is eligible for re-election

Removing Council Member

11. (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 members 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 lot maintenance fees are in arrears and/or the Strata Corporation is entitled to register a lien against that strata lot under the Act.

Replacing Council Member

12. (1) The office of a member of the strata council shall be vacated if he or she:
- (a) resigns his or her office by submitting a signed letter of resignation to the strata council;
 - (b) is absent from 2 consecutive council meetings without notifying the council;
 - (c) is unable to perform his/her duties due to prolonged illness;
 - (d) is more than 60 days in arrears in payment of any contribution required to be made by him/her as an owner pursuant to these bylaws;
 - (e) is the subject of a certificate of incapacity issued under the Patients Property Act or and Act passed in substitution thereof;
 - (f) is convicted of any criminal offence.
- (2) A replacement council member may be appointed from any person eligible to sit on the council.
- (3) The Council may appoint a council member under this section even if the absence of the member being replaced leaves the council without a quorum.
- (4) If all the members of the council resign or are unwilling or unable to act for a period of 2 or more months, persons holding at least 25% of the Strata Corporation's votes may hold a special general meeting to elect a new Council by complying with the provision of the Act, the regulations and the Bylaws respecting the calling and holding of meetings.
- (5) When a person ceases to be a member of council or a committee of council, said person shall immediately turn over to the council chair any and all keys, manuals, records and documents which are the sole property of the Strata Corporation.

Officers

13. (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, and a Vice President, and may also elect a Secretary and Treasurer.
- (2) A person may hold more than one office at a time, other than the offices of President and Vice President.
- (3) The Vice-President has the powers and duties of the President;
 - (a) while the President is absent or is unwilling or unable to act, or;
 - (b) for the remainder of the President's term if the President ceases to hold office.
- (4) If an officer other than the President is unwilling or unable to act for a period of 2 or more months, the council members may appoint a replacement officer from among themselves for the remainder of the term.

Calling Council Meetings

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.
- (4) The council must inform owners about a council meeting as soon as feasible after the meeting has been held.

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 Strata Council of N.W. 2449 shall be consistent with number on council. (3 members-2, 5 members-3, 7 members-4)
- (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) No observers may attend those portions of council meetings that deal with any of the following:
 - (a) bylaw contravention hearings under section 135 of the Act;
 - (b) rental restriction bylaw exemption hearings under section 144 of the Act
 - (c) any other matters if the presence of observers would, in the council's opinion, unreasonably interfere with an individual's privacy.

Voting at Council Meetings

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

Council to Inform Owners of Minutes

19. (1) The council must inform owners of the minutes of all council meetings within 2 weeks of the meeting.

Delegation of Council's Powers and Duties

20. (1) Subject to subsections (2) and (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.
- (5) The Council may employ for and on behalf of the Strata Corporation agents and employees as it thinks proper for the control, management and administration of the common property, common facilities or other assets of the corporation, and the exercise and performance of the powers and duties of the corporation

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.

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 - ANNUAL AND SPECIAL GENERAL MEETINGS

Person to Chair Meeting

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

Participation by Other Than Eligible Voters

24. (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

25. (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.

Order of Business

26. (1) The order of business at annual and special general meetings is as follows:
 - (a) register 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
 - (e) approve the agenda
 - (f) approve minutes as circulated of the last annual general meeting or special general meeting held within the current year
 - (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 at the annual general meeting following
 - (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) elect a council, if the meeting is an annual general meeting.

- (m) deal with new business, including any matters about which notice has been given under section 45 of the Act
- (n) terminate the meeting

Rental Restrictions

27. (1) The rental of strata lots is prohibited except to the extent allowed by the Strata Property Act
- (2) Should an owner rent a strata lot to a family member (as defined by the Act) or obtain permission, under the Act, to rent on the basis of hardship, that owner must submit a signed Notice of Tenant's Responsibility to the Strata Corporation within the time limit allowed under the Act.
- (3) An Owner who fails to submit a signed Notice of Tenant's Responsibility within the time limit 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 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) Fines levied under this Bylaw shall be due and payable by the owner of the strata lot on the same day of the following month on which strata fees are payable.
- (6) 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 indeed result if limited rental is not given, the Council shall not unreasonably withhold permission for limited rental

Move-in

28. (1) The Council shall be notified at least 72 hours prior to a person moving in or moving out of a strata lot
- (2) Removal of all boxes and waste which is a result of the move is the responsibility of the owners, tenants or occupants moving in. Costs incurred by the Strata Corporation in removing such items will be charged to the strata lot.

Parking and Storage of Vehicles

29. (1) An owner, tenant or occupant must use parking stalls for the parking of licensed and insured motor vehicles, trailers, motorcycles or bicycles, and not for the parking of

in any other type of vehicle or the storage of any other item, unless otherwise approved writing by the Council.

- (2) Any owner, tenant, occupant or visitor that leaves any item anywhere on or in the common property 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.
- (3) An owner shall not allow any motor vehicle, recreational vehicle, boat or trailer to be stored in the common parking area without prior consent in writing from the Strata Council. The owner shall provide Council with proof of Liability and Physical Damage Insurance coverage for the total period of storage in the amount of not less than one million/ (\$1,000,000.00) dollars.
- (4) An owner shall not park or allow to be parked any motor vehicle in the garage anywhere except in the space(s) specifically designated to his/her strata lot, except when a private arrangement is made in writing between two owners. A copy of such arrangement shall be forwarded to the strata council.
- (5) An owner, tenant, occupant or visitor shall not carry out any oil changes, major repairs or adjustments to motor vehicles or other mechanical equipment on common property or any limited common property, except in the case of an emergency.
- (6) An owner, tenant or occupant must promptly and at his/her own expense clean up any oil or other substance, which spills or leaks onto the common property.
- (7) An owner, tenant, occupant or visitor shall not park or allow to be parked any vehicle in any area designated or marked as a "Fire Lane" or "Tow-a-away Zone"
- (8) "Loading Zone" designated area is for the express purpose of loading and unloading vehicles and for picking up and dropping off passengers. Vehicles are not permitted to park in this area except if a trades-person is working within a strata lot. Such vehicles must have a notice on the dash indicating the unit number of the strata lot.
- (9) Bicycles are not permitted in elevators, hallways and any other common areas. No bicycles are to be kept on balconies or patios; instead, they shall be stored within the strata lot's storage area or in the underground parking area.

Security

30. (1) Only residents are permitted to hold keys for exterior doors.
- (2) Council must be given the name, address and phone number of any person who holds a key for a common door of the building (relative, friend, cleaning person, etc).

- (3) Owners will be held responsible should any keys be lost by themselves, their tenants or visitors for the cost of re-keying all common area door locks. This amount to be the deductible amount on the strata insurance policy.
- (4) No owner, tenant, occupant or visitor shall leave open, or unlocked any outside entrance or fire escape for the purpose of moving into or out of a strata lot or otherwise unless they are in constant supervision of the entrance.
- (5) No owner, tenant, occupant or visitor shall let another person, including tradesmen or delivery men, into the building when entering or leaving, unless that person is known to them.
- (6) If you are called on the Enter-phone, you must verify who is at the entrance before admitting them into the building or underground parking facility.
- (7) No owner, tenant, occupant or visitor is permitted in any part of the restricted common areas of the Strata Corporation, such as the roof, electrical rooms, mechanical rooms and locked rooms, other than their own, except with express permission of the strata council.
- (8) Solicitation is not permitted anywhere in or about the property for any cause except as required by the Election Act (Canada) and similar provincial legislation.
- (9) Garage door openers are not to be left in owners' vehicles. Owners who lose a garage opener will be responsible for the cost associated with changing the security code.
- (10) Owners, tenants, occupants and visitors must stop to wait for the gate to the underground parking to close prior to continuing when entering or leaving the underground parking area.

Promotion

31. (1) An owner shall not, (with the exception of any sign approved in writing by the strata council, and located on common property), erect or display or permit to be erected or displayed any signs, placards, advertising, notices or other fixtures of any kind upon the common property, exterior of the strata lot or the inside of a strata lot, capable of being viewed from outside the strata lot.

Small Claims Actions

32. (1) In accordance with section 171(4) of the Act, the authorization referred to under section 171(2) is not required for a proceeding under the Small Claims Act. Such proceedings may be commenced with the approval of the council only.

Occupancy of Strata Lots

33. (1) No person under the age of 55 years shall occupy a strata lot
- (2) No person, other than an owner, occupant or tenant, or a family member (as defined by the Act) of an owner, occupant or tenant, may occupy a strata lot for more than fourteen (14) days without the prior written approval of the strata corporation.

DIVISION 6 - ENFORCEMENT OF BYLAWS AND RULES

Maximum Fine

34. (1) The strata corporation may fine an owner or tenant a maximum of:
- (a) \$500.00 for contravention of a rental bylaw
 - (b) \$200.00 for each contravention of a bylaw, and;
 - (c) \$50.00 for each contravention of a rule.
- (2) The strata council shall notify the owner of any breach of the bylaws or rules in writing.

Continuing Contravention

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

DIVISION 7 - VOLUNTARY DISPUTE RESOLUTION

36. (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 parties and one owner or tenant chosen to chair the committee by the disputing 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 8 - INSURANCE

Perils

37. (1) For the purposes of section 149(b) "major perils" shall include the peril of "earthquake" in addition to those perils listed under Regulation 9.1(2)

LAND TITLE OFFICE
NEW WESTMINSTER

FORM 9

NOTIFICATION OF CHANGE OF BY-LAWS

(Section 17 (3) (4) (6))

The Owners, Strata Plan No. NW 2449 (a strata corporation) hereby certifies that by special resolution duly passed on the 23 day of April, 1991, the by-laws of the First or Second Schedule (as the case may be) to the Act, as they applied to the said strata corporation, were added to, amended or repealed as follows:

Be it resolved that the bylaw of December 7, 1987 be replaced by the follows:

BYLAW # 1, THE CARRINGTON, NW 2449

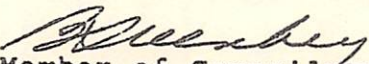
(A) Subject to the Condominium Act of British Columbia, The Strata Lots within Strata Plan NW 2449 may not be subject to lease or rental by owners. An owner leasing in breach of this by-law must immediately give his tennant notice to vacate in accordance with the legislation and/or common law of the Province of British Columbia governing residential tenancies, and shall be fined the sum of \$500.00 per month for each month he is in breach of the by-law.

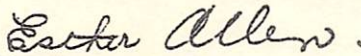
(B) An owner who leases his strata lot shall provide to the Strata Corporation a Form D Tenant's Undertaking in accordance with Section 46 and 47 of the Condominium Act. Failure to provide a Form D within 10 days of the commencement of a tenancy shall be cause for a \$50.00 fine against the strata lot owner.

(C) For purpose of enforcement of this by-law, a tenant shall be defined to include:

- (1) Any person not a member of the immediate family of the owner;
- (2) Any person beneficially owning less than 50% of the shares, which carry the right to vote, of a corporate owner;
- (3) Any person owning less than 40% undivided registered or beneficial interest in the strata lot.

The Common Seal of The Owners, Strata Plan No. NW 2449 was hereunto affixed this 25 day of April 1991 in the presence of:


Member of Council


Member of Council

95 JAN 20 12 34

BJ018801

LAND
NEW WESTMINSTER
FORM 9

NOTIFICATION OF CHANGE OF BYLAW

(Section 118 (4))

The owners, Strata Plan #N.W. 2449 (a strata corporation) hereby certifies that by special resolution passed on the 17th day of January 1995 the bylaws of the corporation, including applicable part 5 of the Condominium Act, were added to, amended or repealed as follows:

BYLAW #5 The Carrington N.W. 2449
Subject to the Condominium Act of
British Columbia.

The Council shall be elected by the Owners from among the Owners or their married spouses provided only one person from each household holds office and shall consist of not less than 3 or more than 7 members.

The common seal of the Owners, Strata Plan NW 2449 was here unto affixed this day of January 1995 in the presence of two council members.

Patricia A. Scott

Gladys I. Macmillan

**Strata Property Act
FORM I
AMENDMENT TO BYLAWS**

(Section 128)

The Owners, Strata Plan N.W. 2449 [the registration number of the strata plan] certify that the following or attached amendments to the bylaws of the strata corporation were approved by a resolution passed in accordance with section 128 of the *Strata Property Act* at an annual or special general meeting held on December 10, 2001 [month day, year]*:

[wording of bylaw amendment]

J.H. Scott, President

Signature of Council Member

Jim Holloch (Secretary)

Signature of Second Council Member (not required if council consists of only one member)

19 or 55
class. by
condo act

*Section 128 (3) of the Act provides that an Amendment to Bylaws must be filed in the land title office within 60 days of the amendment being approved.

copy
-9 FEB 2005 11 11

BX000958

Strata Property Act
Form I
AMENDMENT TO BYLAWS
(Section 128)

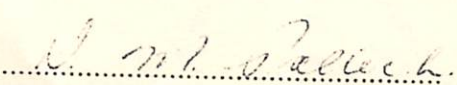
The Owners, Strata Plan..N W 2449 certify that the following amendment to the bylaws of the strata corporation was approved by a resolution passed in accordance with section 128 of the Strata Property Act at an annual general meeting held on December 7, 2004.

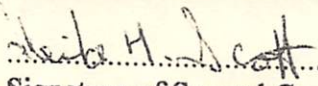
AN OWNER, TENNANT OR OCCUPANT MUST ABIDE BY THE FOLLOWING
FLOORING BY LAW

Part 1 Ceramic Tiles may be used only on bathroom, kitchen and hallways

Part 2 Laminate or hardwood floor must be covered by area rugs to reduce noise.

Date: ...02/08/05.....


.....
Signature of Council Member


.....
Signature of Second Council Member (not required if council consists of only one member)

Strata Property Act
Form I
AMENDMENT TO BYLAWS
(Section 128)

The Owners, Strata Plan NW2449 [the registration number of the strata plan] certify that the following or attached amendments to the bylaws of the strata corporation were approved by a resolution passed in accordance with section 128 of the *Strata Property Act* at an annual or special general meeting held on 13-2-17 [month day, year]:

[wording of bylaw amendment]

See attached sheet

Signature of Council Member

Signature of Second Council Member (not required if council consists of only one member)

“Noise from equipment such as televisions, radios, stereos, musical instruments, washers, dryers, dish washers and any type of machinery as well as loud voices is not acceptable during the hours 11:00pm to 7:00am. Please avoid noise within suites, in common areas and on the grounds that would disturb fellow owners in the stated hours.”

* Section 128 (3) of the Act provides that an Amendment to Bylaws must be filed in the land title office within 60 days of the amendment being approved.