

SCHEDULE OF BYLAWS

# STRATA CORPORATION

NW 1069 - KINGFISHER

Dates Amended: April 16, 2019 (CA7449933)

Dates Amended: April 7, 2016 (CA5105396)

Date Amended: May 13, 2010

Date Amended: May 28, 2008

Dates Amended: May 18, 2005

**THE KINGFISHER  
STRATA PLAN NW 1069  
SCHEDULE OF BYLAWS**

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**THE KINGFISHER  
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**Division 1 – Duties of Owners, Occupants and Visitors**

**Payment of strata fees**

- 1      (1)      An owner or occupant must pay strata fees on or before the first day of the month to which the strata fees relate.
- (2)      Interest shall be charged on overdue strata fees (including special levies) and shall be calculated at ten percent (10%) per annum, compounded annually.
- (3)      An owner or occupant, whose strata fees are not received by the tenth (10<sup>th</sup>) day of the month in which they are due, is subject to a fine, which is in addition to any interest charged under bylaw 1(2).

**Repair and maintenance of property by owner**

- 2      (1)      An owner or occupant must repair and maintain the owner's strata lot, except for repair and maintenance that is the responsibility of the strata corporation under these bylaws.
- (2)      An owner or occupant 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)      Patios, decks and balconies of each strata lot must not be used for the purpose of storage. Only patio furniture and potted plants shall be placed on the patios.
- (2)      All draperies visible from the outside of the building shall be white or off-white in colour so as not to detract from the appearance of the building.
- (3)      An owner, occupant or visitor must not use a strata lot, the common property or common assets in a way that:
- (a)      causes a nuisance or hazard to another person;
- (b)      unreasonably interferes with the rights of other persons to use and enjoy the common property, common assets or another strata lot;
- (c)      is illegal; or

- (d) 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.
- (4) An owner or occupant must not:
  - (a) create noise between the hours of 10:00 pm and 7:00 am;
  - (b) use abusive or threatening language or conduct on or about the common property;
  - (c) allow offensive odours to emanate from their strata lot;
  - (d) make, cause or produce undue noise, vibration or glare in or about any strata lot or common property, or do anything that will unreasonably interfere with the quiet enjoyment of the strata lot;
  - (e) use any musical instrument, amplifier, sound reproduction equipment or other device within or about a strata lot, the common property or limited common property such that it causes a disturbance or interferes with the comfort of any other owner or occupant; or
  - (f) 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 limited common property.
- (5) An owner, 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.

## **Pets**

- 4 (1) An owner, occupant or visitor shall not keep any animals on or about their strata lot, the common property or the limited common property.

## **Inform strata corporation**

- 5 (1) Within 2 weeks of becoming an owner, he/she must inform the strata corporation of his/her name, strata lot number and mailing address outside the strata plan, if any.
- (2) On request by the strata corporation, an owner must inform the strata corporation of his/her name.

- (3) An owner or occupant must provide the names and telephone numbers of a person or persons to contact in case of an emergency.

### **Obtain approval before altering a strata lot**

- 6 (1) An owner 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 patios, balconies or yards;
  - (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.
- (2) The strata corporation must not unreasonably withhold its approval under subsection (1), but as a condition of its approval, it may require an owner to:
  - (a) present design drawings and specifications pertaining to the proposed alteration and or major renovation;
  - (b) ensure that all work meets the City of White Rock Building Codes and is done to a standard and is of a quality consistent with that of the rest of the building;
  - (c) obtain all necessary permits and governmental approvals and provide copies thereof to the strata corporation;
  - (d) provide proof of third party liability insurance in an amount specified by the strata corporation.
  - (e) complete alteration/major renovation work within 60 days of commencement

- (3) Anyone wishing to install hard surface flooring is required to make application, in writing, to council for approval, stating and detailing the following:
  - (a) type of flooring
  - (b) type of sound proofing
  - (c) a list of materials to be used on the flooring suppliers letterhead,
  - (d) proof of intention to have floors leveled prior to installation. Floors must be leveled to prevent movement (squeaking).
- (4) The strata corporation, at an owner's expense, may return to its previous condition any alteration which has been made and has not been approved.
- (5) This section does not apply to a strata lot in a bare land strata plan.

### **Obtain approval before altering common property**

- 7 (1) An owner must obtain the written approval of the strata corporation before making an alteration to common property, including limited common property or common assets.
- (2) The strata corporation may require as a condition of its approval that the owner must:
  - (a) present design drawings and specifications pertaining to the proposed alteration;
  - (b) ensure that all work is done to a standard and is of a quality consistent with that of the rest of the building;
  - (c) obtain all necessary permits and governmental approvals and provide copies thereof to the strata corporation;
  - (d) enter into a written agreement that he/she shall be responsible for any future repair and maintenance costs relating directly or indirectly to the alteration. The owner shall, prior to transferring title to the strata lot, cause any future owner to agree in writing to be bound by the terms of such agreement;
  - (e) provide proof of third party liability insurance in an amount specified by the strata corporation.
- (3) The strata corporation, at an owner's expense, may return to its previous condition any alteration which has been made and has not been approved.

**Permit entry to strata lot**

- 8** (1) An owner or occupant 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 portion of a strata lot that is the responsibility of the strata corporation to repair and maintain under these bylaws or insure under section 149 of the Act.
- (2) The notice referred to in subsection (1)(b) must include the date and approximate time of entry and the reason for entry.
- (3) If access must be obtained in an emergency and an owner or occupant is unavailable to grant access to the strata lot, access shall be gained by whatever means necessary. At least two (2) persons, one of whom shall be a council member, shall access the strata lot. A record of the date and time of entry, the persons who entered the strata lot and the purpose of the entry shall be kept by the strata corporation.

**Division 2 – Powers and Duties of Strata Corporations****Repair and maintenance of property by strata corporation**

- 9** (1) An owner must repair and maintain his/her strata lot, except for repair and maintenance that is the responsibility of the strata corporation under these bylaws;
- (2) 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; and

Note: As of Jan 1, 2002, the strata corporation assumed responsibility for exterior windows and doors, and will pay for all routine exterior maintenance from that date as well as the cost of repairs needed for weather damage, such as failed window seals. In order to reduce costs, the strata corporation reserves the right to delay seal replacement until 15 or more windows need attention.

- (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; and
    - (v) fences, railings and similar structures that enclose patios, balconies and yards.

### **Division 3 – Council**

#### **Council size**

- 10** (1) Council must have 3, 5 or 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) An owner of a strata lot whose strata fees are in arrears for more than 60 days is ineligible for election to council and if a member of council is in arrears for more than 60 days he/she must resign.

**Removing council member**

- 12**
- (1) Unless all the owners are on council, the strata corporation may, by a resolution passed by a majority vote at an annual or special general meeting, remove one or more council member.
  - (2) After removing a council member, the strata corporation must hold an election at the same annual or special general meeting to replace the council member for the remainder of the term.
  - (3) No owner or occupant 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.

**Replacing council member**

- 13**
- (1) If a council member resigns or is unwilling or unable to act for a period of two (2) or more months, the remaining members of 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 council.
  - (3) 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 council resign or are unwilling or unable to act for a period of two (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 member by complying with the provisions of the Act, the regulations and the bylaws respecting calling and holding of meetings.

## Officers

- 14**
- (1) At the first meeting of council held after each annual general meeting of the strata corporation, council must elect, from among its members, a president, a vice-president, a secretary and a treasurer.
  - (2) A person may hold more than one office at a time, other than the offices of president and vice-president.
  - (3) The vice-president has the powers and duties of the president:
    - (a) while the president is absent or is unwilling or unable to act; or
    - (b) for the remainder of the president's term if the president ceases to hold office.
  - (4) If an officer other than the president is unwilling or unable to act for a period of two (2) or more months, 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 at least one week's notice of the meeting, specifying the reason for calling the meeting.
  - (2) The notice does not have to be in writing.
  - (3) A council meeting may be held on less than one week's notice if:
    - (a) all council members consent in advance of the meeting; or
    - (b) the meeting is required to deal with an emergency situation, and all council members either:
      - (i) consent in advance of the meeting; or
      - (ii) are unavailable to provide consent after reasonable attempts to contact them.

## Requisition of council hearing

- 16**
- (1) By application in writing, stating the reason for the request, an owner or occupant may request a hearing at a council meeting.

- (2) If a hearing is requested under subsection (1), 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 council, council must give the applicant a written decision within one week of the hearing.

### **Quorum of council**

- 17** (1) A quorum of the council is:
- (a) 1, if the council consists of one member;
  - (b) 2, if the council consists of 2, 3 or 4 members;
  - (c) 3, if the council consists of 5 or 6 members; and
  - (d) 4, if the council consists of 7 members.
- (2) Council members must be present in person at the council meeting to be counted in establishing a quorum.

### **Council meetings**

- 18** (1) At the option of council, council meetings may be held by electronic means, as 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) An owner or occupant may attend council meetings as an observer.
- (4) Despite subsection (3), no observer may attend those portions of council meetings that deal with the following:
- (a) bylaw contravention hearings under section 135 of the Act;
  - (b) rental restriction bylaw exemption hearings under section 144 of the Act; or
  - (c) any other matter if the presence of an observer would, in council's opinion, unreasonably interfere with an individual's privacy.

### **Voting at council meetings**

- 19** (1) At council meetings, decisions must be made by a majority of council members present in person at the meeting.

- (2) Unless there are only two (2) strata lots in the strata plan, if there is a tie vote at a council meeting, the president may break the tie by casting a second, and 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**

- 20** (1) Council must inform owners or occupants of the minutes of all council meetings within two weeks of a meeting, whether or not the minutes have been approved.

### **Delegation of council's powers and duties**

- 21** (1) Subject to subsections (2) to (4), council may delegate some or all of its powers and duties to one or more council members or owners who are not members of council, and may revoke the delegation.
- (2) 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) Council may not delegate its powers to determine, based on the facts of a particular case, whether an owner or occupant:
- (a) has contravened a bylaw or rule;
  - (b) should be fined, and the amount of the fine; or
  - (c) should be denied access to a recreational facility.

## **Spending restrictions**

- 22** (1) An owner or occupant may not spend the strata corporation's money unless he/she 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) For the purposes of section 82(3) of the Act, the strata corporation may acquire or dispose of personal property up to and including \$2,000.00 in value without approval by way of a resolution passed by a  $\frac{3}{4}$  vote.
- (4) For the purposes of section 98(2) of the Act, the maximum expenditure, together with all other unapproved expenditures, shall not exceed \$5,000.00.

## **Limitation on liability of council member**

- 23** (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 council.
- (2) Subsection (1) does not affect a council member's liability as an owner or occupant for a judgment against the strata corporation.

## **Division 4 – Enforcement of Bylaws and Rules**

### **Maximum fine**

- 24** (1) The strata corporation may fine an owner or occupant a maximum of:
- (a) \$50.00 for each contravention of a house rule;
  - (b) \$200.00 for each contravention of a bylaw, other than a rental violation;
  - (c) \$500.00 for each violation of the rental prohibition.
- (2) Fines levied by the strata corporation shall be due and payable with the next installment of strata fees.

### **Fine assessment and payment procedure**

- 25** (1) The complaint must be in writing and be a clear contravention of a bylaw or house rule.
- (2) The contravening owner or occupant of the strata lot must be notified in writing to cease and desist; otherwise, a fine will be imposed.
- (3) If the default is not corrected within fourteen (14) days, the applicable fine will be levied, with a covering letter to the owner or occupant.
- (4) If the default is disputed, the owner or occupant may request a hearing before council within fourteen (14) days of notification.
- (5) The dispute resolution committee is not applicable in this instance.
- (6) If the fine is not paid within the allowed time limit, an additional penalty in excess of the above fine schedule will be assessed as follows:
- (a) \$10.00 for each rule contravention;
- (b) \$25.00 for each bylaw contravention; or
- (c) \$50.00 for each violation of the rental prohibition.

### **Continuing contravention**

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

### **Additional assessments**

- 27** (1) Additional assessments, fines authorized by these bylaws, banking charges, filing costs, legal expenses, interest charges and any other expenses incurred by either the strata corporation to enforce these bylaws, or any rule which may be established by council pursuant to the Act or these bylaws, shall become part of the fee/assessment of the owner or occupant responsible.
- (2) Such fee/assessment shall become due and payable on the first day of the month next following, except that any amount owing pertaining to a fine or the cost of remedying the contravention of a bylaw, will be calculated as a separate component of such fee/assessment. The strata corporation may not register a lien against such separate component.

## **Division 5 – Annual and Special General Meetings**

### **Person to chair meeting**

- 28**
- (1) Annual and special general meetings must be chaired by the president of council.
  - (2) If the president of council is unwilling or unable to act, the meeting must be chaired by the vice-president of council.
  - (3) If neither the president nor the vice-president of council chairs the meeting, a chair must be elected by the eligible voters present in person or by proxy from among those owners or occupants who are present at the meeting.

### **Participation by other than eligible voters**

- 29**
- (1) An occupant may attend annual and special general meetings whether or not he/she is eligible to vote.
  - (2) A person who is not eligible to vote, including an occupant, may participate in the discussion at the meeting, but only if permitted to do so by the chair of the meeting.
  - (3) A person who is not eligible to vote, including an occupant, must leave the meeting if requested to do so by a resolution passed by a majority vote at the meeting.
  - (4) A vote for a strata lot may not be exercised, except on matters requiring a unanimous vote, if the strata corporation is entitled to register a lien against that strata lot under section 116 of the Act.

### **Voting**

- 30**
- (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 and deciding vote.
- (6) If there are only two (2) strata lots in the strata plan, subsection (5) does not apply.
- (7) Despite anything in this section, an election of council or any other vote must be held by secret ballot, if secret ballot is requested by an eligible voter.
- (8) An owner or occupant who is otherwise an eligible voter may not exercise his/her vote for a strata lot, except on matters requiring a unanimous vote if the strata corporation is entitled to register a lien against that strata lot.

### **Order of business**

- 31** (1) The order of business at an annual or special general meeting is as follows:
- (a) certify proxies and corporate representatives and issue voting cards;
  - (b) determine that there is a quorum;
  - (c) elect an owner 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; and
- (n) terminate the meeting.

### **Division 6 – Voluntary Dispute Resolution**

#### **Voluntary dispute resolution**

- 32** (1) A dispute among owners or occupants, 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 of the strata corporation nominated by each of the disputing parties and one owner 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.
- (3) The dispute resolution committee must attempt to help the disputing parties to voluntarily end the dispute.

### **Division 7 – Additions to the Standard Bylaws**

#### **Insurance**

- 33** (1) For the purpose of section 149(4)(b) of the Act, “major perils” shall include the peril of “earthquake” in addition to those perils listed under regulation 9.1(2).

#### **Court actions**

- 34** (1) In accordance with section 171(4) of the Act, the authorization referred to under section 71(2) is not required for a proceeding under the Small Claims Act. Such proceedings may be commenced with the approval of council only.

## Rental restrictions

- 35** (1) Rental of strata lots is prohibited.
- (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 a hardship, that owner must submit a signed Form K "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 Form K "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 the strata corporation is not in receipt of a signed Form K "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.

## Adult occupancy

- 36** (1) No owner or occupant of a strata lot shall permit any person under the age of forty-five (45) years to ordinarily reside in such strata lot.

## Bicycles and storage

- 37** (1) Bicycles are not permitted in elevators, hallways or any other common areas. No bicycles are to be kept on balconies or patios; instead, they shall be stored within the owner's designated storage locker or such other area as may be prescribed by council. All bicycles must enter or exit the building by way of the vehicle entry to the parking garage only.
- (2) An owner, occupant or visitor who leaves any item anywhere on or in the common property or on any limited common property does so at his own risk, subject to any claim that may properly be made under any insurance policy maintained by the strata corporation by anyone that is an insured under that policy.

## Security

- 38** (1) Two (2) front door security keys are to be issued to each strata lot and signed for upon receipt. Additional keys may be purchased at \$100.00 each. An owner or occupant of a strata lot is totally responsible for key control, and council must be notified if:
- (a) a key is issued to someone other than a registered owner and his/her identity must be provided;
- (b) a key is lost, misplaced or stolen; or

- (c) a garage door opener is lost, misplaced or stolen.
- (2) No peddlers or canvassers are to be permitted entry to the building.
- (3) Any delivery to an owner or occupant must be announced on the enter phone and picked up at the main entrance by the owner or occupant.
- (4) Do not admit strangers when leaving or entering the building. They must use the enter phone.
- (5) An owner or occupant must not leave his/her ground floor patio door open or unlocked while he/she is absent from the strata lot or during the night.

### **Indemnification**

- 39**
- (1) An owner or occupant shall indemnify and save harmless the strata corporation from the expense of any maintenance, repairs or replacement rendered necessary to the common property or to any strata lot by his/her act of neglect or carelessness or by that of any member of his/her family or their guests, servants or agents, but only to the extent that such expense is not met by the proceeds of insurance carried by the strata corporation.
  - (2) The insurance policy deductible portion of any insurance claim against the strata corporation insurance policy shall be recoverable by the strata corporation from the owner or occupant of the strata lot, where the insurance claim originated within the strata lot.
  - (3) The insurance policy deductible portion or any insurance claim against the strata corporation insurance policy shall be recoverable by the strata corporation from a strata lot owner where the insurance claim is the result of an act of neglect or carelessness on the part of the owner or occupant of the strata lot, or any member of his/her family or their guests, servants or agents.

### **Recreational facilities and common area usage fees**

- 40**
- (1) The strata corporation shall be entitled to charge the following fees:
    - (a) \$25.00 for use of the Recreation room. (Such fee is refundable provided the room is left clean, tidy and undamaged)
    - (b) \$10.00 per month for placing a freezer in the freezer room.
    - (c) Allocation of and charges for use of the storage lockers located in the freezer room is at the discretion of Strata Council.

### **Extended absences and house sitting**

- 41** (1) An owner or occupant who will be away for a period of not less than 30 days and not more than 180 days (six months), may allow a non-resident to occupy his/her strata lot provided that:
- (a) The non-resident is 45 years of age or older;
  - (b) Council is notified in advance, a Form K “Notice of Tenant’s Responsibility” is signed, and an established “Statutory Declaration for House Sitting” (both of which will be included in the Strata Corporation Bylaws as Schedule 1 and Schedule 2 respectively) is signed, notarized, and submitted to the Strata Corporation in advance.

### **Illegal activity**

- 42** (1) Where the strata corporation determines that illegal activity is taking place in a strata lot or on common property, an owner or occupant, regardless of whether he/she had knowledge, notice or forewarning of such illegal activity, must pay all costs incurred by the strata corporation in connection with the investigation and removal of such illegal activity, including, without limitation, any increases in insurance, disposal costs and the costs to repair damage to any strata lot or common property, including limited common property.

### **Smoking**

- 43** (1) Smoking is prohibited:
- (a) in a strata lot;
  - (b) on the interior common property, including but not limited to hallways, elevators, parking garages, electrical and mechanical rooms,
  - (c) on patios and balconies;
  - (d) within seven metres of a door, window or air intake; and
  - (e) on any land that is a common asset

All Owners, tenants, occupants and visitors must comply with this bylaw.

**44.**

- 44.1 An owner, tenant or occupant must not use or allow to use any kind of a Barbeque or Hibachi on any common or on common or limited common property
- 44.2 The use of Electric Barbeque (s) is only permitted on the Recreation Room Patio area with prior written approval from Council.

**THE KINGFISHER  
STRATA PLAN NW 1069  
HOUSE RULES**

In accordance with *The Strata Property Act*, the council of Strata Corporation NW 1069 has established the following house rules.

Owners, occupants, prospective buyers and realtors must know and abide by them.

**General guidelines**

- (1) An owner or occupant is responsible for his/her building keys and restricted distribution thereof. Locks to strata lots must match the building emergency master key or keys to the strata lots must be provided to council.
- (2) All exit, fire and other common area doors must be closed and locked securely, where applicable.
- (3) Secure closing of the garage door upon exiting or entering, and at all other times, must be ensured by close observation.
- (4) Lights in common area rooms and locker rooms must be turned off when leaving.
- (5) The consumption of alcoholic beverages or substance abuse is not permitted in any common area, except that the consumption of alcohol is normally permitted in the Recreation Room at the discretion of Strata Council.
- (6) Soliciting and/or canvassing shall not be allowed within the building or on the exterior common property, except as specifically approved in writing by council.
- (7) Owners or occupants moving in or out of The Kingfisher shall notify the strata corporation at least seventy-two (72) hours prior to the move to arrange for the elevator key and other precautions to be taken to ensure there is no damage to common property during the move. Elevator pads must also be fitted during any move.
  - (a) Carpet runners must be put down in the foyers and hallways being used by the movers to prevent damage to carpets.
  - (b) Any damage beyond normal wear and tear will be repaired by the strata corporation, and the cost assessed to the owner's strata lot, becoming due and payable with the next month's strata fees.
- (8) Hallway ventilation fans are required to operate daily for the suppression of cooking odours and general fresh air circulation according to the following timetable:
  - (a) Central Hallway Zone Fan - Operates 7.00 am. to Midnight, daily.
  - (b) North and South Zone Fans - Operate 11.00 am. to 1.00 PM. and 4.00 PM. to 6.00 PM. daily.
  - (c) These timings may be modified at the discretion of the Strata Council.

## **Use of property**

- (1) No object such as signs, advertising, notices, or laundry shall be erected or displayed on the limited common property or a strata lot such that it may be visible from the exterior of the strata lot.
- (2) No awning, shade screen, satellite dish, radio or television antenna or other such apparatus shall be hung from, or attached to, the exterior of any strata lot (including the limited common and common property), without prior written approval of council.
- (3) An owner or occupant must not:
  - (a) throw or shake any items from any window, patio or balcony;
  - (b) use a barbeque or hibachi on the common or limited common property with the exception that an Electric Barbeque is permitted on the Recreation Room Patio area;
  - (c) access the roof of the building without the prior approval of the council; or
  - (d) have a waterbed in his/her strata lot, except if the strata lot is on the ground floor.

## **Moving and resale**

- (1) A move-in or move-out deposit of \$100.00 will be assessed to a strata lot each time an owner or occupant moves in or out. \$75.00 of the said deposit will be returned if no visible damage is done during the move.
- (2) Seventy-two (72) hours notice of a move-in or move-out must be given in order to arrange for the elevator key and to allow for the elevator pads to be put in place.
- (3) Removal of all boxes and waste as a result of the move is the responsibility of the owner or occupant moving in. Any costs incurred by the strata corporation to remove such items will be charged to the strata lot, and shall become due and payable at the same time as the following month's strata fees.
- (4) Entrance doors must not be left open and unattended.
- (5) For sale signs and other advertising regarding strata lots for sale shall only be posted on the directory board created for that purpose. For sale signs must be removed within seven (7) days of a binding contract to purchase.

## **Garbage**



- (1) Any articles or material other than normal household garbage and recyclables must be removed by and at the expense of the owner or occupant of the strata lot from which the articles or materials originated.
  - a. Any Kingfisher garbage disposal process or equipment is reserved for the sole use of Kingfisher residents disposing of garbage generated in the unit of residence. The 'import' of garbage from outside this building for disposal here is forbidden.
- (2) All normal household garbage must be properly bagged and cardboard boxes must be flattened before being placed in the designated container.
- (3) Recyclable materials must be placed in the appropriate bin.

## **Parking**

- (1) An owner or occupant must only use the parking space which is specifically assigned to the strata lot in which he/she resides, and no other person shall use such parking space without the owner's or occupant's permission.
- (2) An owner or occupant must not park his/her vehicle on the common property.
- (3) A parking space assigned to a strata lot must not be rented or leased to non-residents. Visitors may park in the assigned parking space belonging to the strata lot which they are visiting.
- (4) An owner or occupant must ensure that the garage door has returned to a fully closed position before leaving the entrance area.
- (5) No repairs to motor vehicles may be made in the parking garage, except in an emergency.
- (6) Vehicles may be washed in the parking garage.
- (7) Items other than a motor vehicle must not be stored in parking spaces, except that Bicycles may be secured and stored only in the 'Parking Space' allocated by Strata Council for Bicycles
- (8) The allotted parking space must be kept clean and tidy by the owner or occupant to whom it is assigned.
- (9) Motor vehicles dripping oil, gasoline or any other liquid, at the discretion of council, may be prohibited to enter the common property, including the parking garage, until repaired. Upon notice of council, owners of motor vehicles causing floor stains shall clean up all drippings and stains. Failing to do so within seven (7) days, the strata corporation may do so, and cost of such cleaning will be assessed against the owner or occupant of the strata lot to whom the parking space is assigned. Clean cardboard may be used to absorb drips.
- (10) An unlicensed vehicle must be covered by insurance for third party liability, and a copy of the said insurance must be delivered to council. If evidence of insurance

on the unlicensed vehicle is not provided to council upon written request, and the owner or occupant has not done so within a reasonable time, council may arrange to have the unlicensed vehicle removed from the parking garage. The cost of removal shall be charged to the owner or occupant of the strata lot to whom the parking space is assigned, and shall become due and payable at the same time as the following month's strata fees.

- (11) Commercial vehicles, recreational vehicles, trailers and boats shall not be parked on common or limited common property.
- (12) Any malfunction of the garage door is to be reported to the chairperson or a council member immediately.

### **Fire regulations**

- (1) All fire doors and doors to locker, workshop, freezer, boiler and meter rooms must be kept closed at all times.
- (2) No articles of any kind are to be left in hallways or stairs.
- (3) Locker rooms must be kept clean, with sufficient space above contents to conform to fire regulations.

### **Workshop**

- (1) The key to the workshop can be obtained by an owner or occupant from council. The workshop must be cleaned after project completion and left as found.
- (2) The user must sign for the key upon borrowing it and must sign upon returning it. Arrangements may be made with council to obtain a key to the workshop long-term.

### **Building foyers**

- (1) The foyers are to contain only articles approved by council.
- (2) The foyers are not to be used as a work or storage area for trades-persons.

### **Owners Suggestion and Reporting Procedure**

- (1) In emergency:

In the event of Fire, Flood, Risk to Life or of Severe Damage immediately alert anyone, Council member or other persons, by any means.

- (2) All other occasions:

Written (signed and dated) suggestions for remedial or improvement action may be addressed to Council and placed in the Strata Mail Box in the main lobby.

This is to ensure that Owners suggestions are properly recorded and dealt with effectively.