



VANCOUVER CONDOMINIUM SERVICES LTD.

400 - 1281 W. GEORGIA STREET, VANCOUVER, B.C. V6E 3J7

BY-LAWS

STRATA PLAN LMS-4050

THE 501

ADDRESS:

1351 – 1391 Richards St., Vancouver, B.C. V5A 2P7

501 Pacific, Vancouver, B.C. V6Z 2X6

Attached hereto is a copy of the bylaws for the strata corporation taken from the records that VCS maintains for the strata corporation. These are provided to you on a "without prejudice" basis. For legal purposes please obtain a true copy as currently registered at the Land Title Office. Please also consider if, and to what extent, the Schedule of Standard Bylaws in the *Strata Property Act* applies. Bylaws are an extensive legal document and we recommend you obtain and rely on professional legal counsel and advice on the content.

* * *

March 21, 2007



BYLAWS

STRATA PLAN LMS-4050

THE 501

BYLAWS	3
Division 1 — Duties of Owners, Tenants, Occupants and Visitors	3
1. Payment of strata fees	3
2. Repair and maintenance of property by owner.....	4
3. Use of property	4
4. Inform strata corporation.....	6
5. Obtain approval before altering a strata lot	7
6. Obtain approval before altering common property.....	7
Division 2 — Powers and Duties of Strata Corporation.....	9
8. Repair and maintenance of property by strata corporation.....	9
Division 3 — Council	10
9. Council size	10
10. Council members' terms.....	10
11. Removing council member	11
12. Replacing council member.....	11
13. Officers.....	11
14. Calling council meetings.....	12
15. Requisition of council hearing.....	13
16. Quorum of council.....	13
17. Council meetings	13
18. Voting at council meetings	14
19. Council to inform owners of minutes.....	14
20. Delegation of council's powers and duties.....	14
21. Spending restrictions.....	15
22. Limitation on liability of council member	16

Division 4 — Enforcement of Bylaws and Rules	16
23. Maximum fine	16
24. Continuing contravention	16
Division 5 — Annual and Special General Meetings.....	17
25. Person to chair meeting.....	17
26. Participation by other than eligible voters	17
27. Voting	17
28. Order of business.....	18
Division 6 — Voluntary Dispute Resolution	19
29. Voluntary dispute resolution	19
Division 7 — Rentals.....	20
Division 8 — Pets.....	20
Division 9 — Hazards	20
Division 10 — Damage to Property	21
Division 11 — Parkade.....	22
Division 12 — Balconies & Patios	22
Division 13 Insurance.....	23
Division 14 — Recreation Facilities.....	23
Division 15 — Common Keys.....	23
Division 16 — Small Claims Actions	24

BYLAWS

STRATA PLAN LMS-4050

THE 501

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

1. Payment of strata fees

An owner must pay strata fees on or before the first day of the month to which the strata fees relate.

- (1) Where an owner fails to pay strata fees in accordance with bylaw 1.1., outstanding strata fees may be subject to an interest charge of 10% per annum, compounded annually. In addition to interest, failure to pay strata fees on the due date will result in a fine of \$50.00 for each contravention of 1.1.
- (2) The strata plan consists of more than one type of strata lot, and the common expenses must be apportioned in the following manner:
 - (a) common expenses attributable to one or more type of strata lot must be allocated to that type of strata lot and must be borne by the owners of that type of strata lot in the proportion that the unit entitlement of that strata lot bears to the aggregate unit entitlement of all strata lots concerned.
 - (b) common expenses not attributable to a particular type or types of strata lot must be allocated to all strata lots and must be borne by the owners in proportion to the unit entitlement of their strata lots.
- (3) There are separate interests of the two different types of strata lots in the strata plan. Strata lots 1 – 11, (the commercial lots) and strata lots 12 – 295, (the residential lots), shall each have separate budgets calculated.

- (4) Payment of strata fees must be provided with either 12 post-dated cheques or an automatic withdrawal agreement being supplied to the Management Company:
 - (a) one of the above-noted payment options must be provided to the Management Company ten days prior to the start of the upcoming fiscal year.

2. Repair and maintenance of property by owner

- (1) An owner 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 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.
- (3) An owner must promptly carry out any work ordered by a competent public or local authority in respect to the strata lot and pay all taxes, charges, outgoings, and assessments that may be payable in respect of the strata lot.

3. Use of property

- (1) An owner, tenant, 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) causes unreasonable noise, in the opinion of the *Strata Corporation*. ***Owners creating excessive noise will be given a verbal warning by a representative of the Strata Council. Failure to heed this warning will result in an immediate fine of \$200.00. No written warnings will be given;***
 - (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 contravenes City Bylaws;

- (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. A residential owner may not operate a business enterprise that would create public foot traffic, or signage, or unreasonable noise, or
 - (f) may be injurious to the building's reputation.
- (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 when on the common property or on land that is a common asset.
 - (a) Animals are not permitted at any time in or near the volleyball court.
- (4) An owner, tenant or occupant must not keep any pets on a strata lot other than one or more of the following:
 - (a) a reasonable number of fish or other small aquarium animals;
 - (b) a reasonable number of small caged mammals;
 - (c) up to 2 caged birds;
 - (d) one dog and/or two cats.
- (5) The Strata Council may order a pet to be removed from the premises if the pet violates the Bylaws.
- (6) Mops, dusters or cloths of any kind shall not be shaken, and nothing shall be thrown or poured from any window or balcony, or onto or from any other part of the strata lot or common property.
- (7) An owner shall not:
 - (a) park within any driveway or designated fire lane;

- (b) smoke or permit visitors, guests or tenants to smoke in any interior common areas of the building including any recreational facility;
 - (c) keep any propane cylinders on any common areas;
 - (d) feed pigeons, seagulls, crows, starlings or other birds from any strata lot or common property;
 - (e) display Christmas lights except during the period December 1 through January 31, or
 - (f) be permitted to trespass on the part of the property to which another owner is entitled to exclusive use;
 - (g) smoke or permit guests or visitors to smoke within any common areas.
- (8) An owner shall only permit beige or neutral coloured window coverings to be placed in exterior facing windows.
- (9) Owners shall be responsible for cleaning any needles or debris left in hallways or lobby from live Christmas trees:
- (a) Trees are to be disposed of off-site.
- (10) Satellite dishes placed on balconies shall not be visible above the balcony railing and must not be attached to the building exterior in any way.

4. Inform strata corporation

- (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.

5. Obtain approval before altering a strata lot

- (1) An owner 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;
 - (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.

6. Obtain approval before altering common property

- (1) An owner must obtain written approval of the strata corporation before making an alteration to common property, including limited common property or common asset.
- (2) The strata corporation may require as a condition of its approval that the owner agree, in writing, to take responsibility for any expenses relating to the alteration.
- (3) No fence, trellis, cover or enclosure may be erected on common or limited common property without prior written approval of the Strata Council. Such approval shall not be unreasonably withheld.

- (4) No signs, gates, billboards, placards or advertising, or notices of any kind shall be erected or displayed on common property without the prior written approval of the Strata Council.
- (5) ***All commercial signage must be approved by the strata corporation prior to installation.***

7. Permit entry to strata lot

- (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, or that may be used in connection with the enjoyment of any other strata lot;
 - (c) To promptly carry out all work that may be ordered by any competent public or local authority.
- (2) The notice referred to in subsection (1) (b) must include the date and approximate time of entry, and the reason for entry.
- (3) Notice shall be given to the owner or mortgagee by sending by post at the address supplied to the strata corporation by the owner or mortgagee for giving notices, or should no such address be supplied, then to the last address known to the Strata Corporation for the owner or mortgagee; or where the owner is a resident, notice shall be delivered to the door.

Division 2 — Powers and Duties of Strata Corporation

8. Repair and maintenance of property by strata corporation

- (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:
 - (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;
 - (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.
- (e) The strata corporation may make a claim against an owner who negligently causes necessary repairs to a window or door that is part of the building envelope.
- (i) Damages caused by a negligent act to these windows and doors are the responsibility of the owner of the strata lot.
- (f) The strata council is responsible for placing insurance and obtaining an annual appraisal.
- (i) The strata corporation shall insure against earthquake damage.

Division 3 — Council

9. Council size

- (1) Council must have at least 3 and not more than 7 members.

10 Council members' terms

- (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.

11. Removing council member

- (1) Unless all the owners are on the 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 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.

12. Replacing council member

- (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 25% 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.
- (5) An owner may not sit on council if the strata corporation is entitled to register a lien against the strata lot.

13. Officers

- (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 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 2 or more months, the council members may appoint a replacement officer from among themselves for the remainder of the term.
- (5) No person may stand for council or continue to be on council if that person is in payment arrears or if the strata corporation is entitled to place a lien against the owner's strata lot.

14. Calling council meetings

- (1) Any council member may call a council meeting by giving the other council members at least one week's notice of the meeting, specifying the reason for calling the meeting.
- (2) The notice does not have to be in writing.
- (3) A council meeting may be held on less than one week's notice if
 - (a) all council members consent in advance of the meeting, or
 - (b) the meeting is required to deal with an emergency situation, and all council members either
 - (i) consent in advance of the meeting, or
 - (ii) are unavailable to provide consent after reasonable attempts to contact them.

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

15. Requisition of council hearing

- (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.
- (4) Owners requesting hearing may contact only the Property Manager, and by way of a written request.

16. Quorum of council

- (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 quorum.

17. Council meetings

- (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.

18. Voting at council meetings

- (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.

19. Council to inform owners of minutes

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.

20. Delegation of council's powers and duties

- (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.

21. Spending restrictions

- (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 or delegated representative 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 may authorize, except in emergency situations, to expend up to a maximum of \$2,500.00 for any one item or service that was not set out in the annual budget approved by the owners at a general meeting.

22. Limitation on liability of council member

- (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

23. Maximum fine

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.

A written warning will be given apart from exceptions contained within these bylaws.

24. Continuing contravention

- (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.
- (2) The strata council may, on behalf of the strata corporation, sue or bring for sale proceedings against an owner for outstanding fines.
- (3) An infraction or violation of these bylaws or any rules established under them on the part of an owner, his employees, agents, invitees, or tenants may be corrected, remedied or cured by the strata corporation and costs shall be charged back to that owner.

Division 5 — Annual and Special General Meetings

25. Person to chair meeting

- (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.

26. Participation by other than eligible voters

- (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.

27. Voting

- (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 of a strata lot that is in arrears is not eligible to vote at a general meeting.

28. Order of business

- (1) The order of business at annual and special general meetings is as follows:
 - (a) determine that there is a quorum;
 - (b) certify proxies and corporate representatives and issue voting cards;
 - (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 minutes from the last annual or special general meeting;
 - (f) President's Report.
 - (g) ratify any new rules made by the strata corporation under section 125 of the Act;
 - (h) report on insurance coverage in accordance with section 154 of the Act, if the meeting is an annual general meeting;
 - (i) 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;
 - (k) elect a council, if the meeting is an annual general meeting;
 - (l) Open the floor to general discussion and questions if the meeting is an Annual General Meeting.
 - (m) terminate the meeting.
- (2) ***Notwithstanding section 48(3) of the Strata Property Act, if at the time appointed for an annual or special general meeting, a quorum is not present, the meeting shall be terminated if the meeting was convened upon requisition of members; but in any other case, the meeting shall stand adjourned for ½ hour from the time appointed at which time if a quorum is not present for the meeting, the eligible voters present in person or by proxy shall constitute a quorum.***

Division 6 — Voluntary Dispute Resolution

29. Voluntary dispute resolution

- (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 disputing parties and one owner or tenant chosen to chair the committee by the persons nominated by the disputing parties, or
 - (b) any number of persons consented to, or chosen by a method that is consented to, by all the disputing parties.

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

Division 7 — Rentals

30.

- (1) A Form K. must be submitted to the strata corporation within two weeks of tenant occupancy. A fine of \$200.00 shall be levied against the strata lot every seven days, until the signed Form K is received.
- (2) The bylaws and rules of the strata corporation shall be binding upon a tenant(s).

Division 8 – Pets

31.

- (1) The owners of pets shall be responsible for the behaviour of their pets within the strata lot or common property. If a pet is deemed to be a nuisance by the strata council, it shall be removed from the complex within 30 days of notification to the pet owner.
 - (a) Visitors shall be informed of the bylaws and rules concerning pets and the owner shall be responsible for clean up and/or repairs resulting from the visitor's pet.
- (2) Pet owners shall be responsible for flea maintenance within their own unit.
- (3) All pets must be taken off common property to relieve themselves.
- (4) All pets must be leashed while on common property.

Division 9 – Hazards

32.

- (1) No restrictions or hindrances shall be caused to sidewalks, driveways, entrances, exits or other parts of the common property.

- (2) Cycling, skating, and skateboarding on common property is prohibited, excepting direct exiting or entering the parkade.
- (3) Everything is to be done to reduce fire hazards and nothing hazardous is to be brought or stored in a strata lot or on common property including flammable fuels which will, in any way, increase the risk of fire or the rate of insurance held by the strata corporation, or which may invalidate the insurance policy.
 - (a) Only certified electric or propane barbecues are permitted to be used and must be used only on balconies, patios or designated common areas.
 - (b) No hazardous, toxic or flammable material shall be kept in storage lockers or parking stalls at any time.
- (4) The leaving open of any outside door or gate without attendance is prohibited, as it is a security risk.
- (5) No material substances, especially burning material such as cigarettes or matches, shall be thrown or be permitted to fall out of any window, door, balcony or other part of a strata lot or common property.

Division 10 – Damage to Property

33.

- (1) In the event of an emergency emanating from a strata lot whose occupant cannot be contacted, access for protection of common property and safety may be gained by force at the owner's expense.
- (2) In the event that an owner or any member of their family, or their guests, servants, agents or tenant cause damage to common property, limited common property or common facilities, the owner or tenant shall be held responsible for such loss and promptly reimburse the strata corporation for full costs of repair or replacement of the damage done.
 - (a) Exceptions to the foregoing are where loss originates from the rupture or malfunction of a permanent public supply line or sewer system, or where damage originates from common property. These are not the responsibility of the strata lot owner as previously defined, and all damages shall be the responsibility of the strata corporation.

- (b) Damages to personal property of an owner or occupant of the unit, together with any upgrading, substituting, improvements or betterment to the unit that have been made or acquired by the owner from those originally installed, shall be the responsibility of the owner.

Division 11 – Parkade

34.

- (1) Any oil spills within a parking stall shall be cleaned by the owner. If not cleaned in a reasonable time, the strata corporation may hire a cleaning service and the costs charged back to the owner assigned the stall.
 - (a) No vehicle work shall be performed in parking stalls or on common property.
 - (b) No items other than a currently insured vehicle and/or motorcycle, bicycles, or two non-flammable recreational equipment items attached to the wall shall be stored in a parking stall.
- (2) Vehicles parked in violation of any bylaws or rules shall be towed at the vehicle owner's expense.
- (3) There shall be no renting of parking stalls to non-residents.
- (4) All items must be stored within the parking stall limits.

Division 12 – Balconies & Patios

35.

- (1) There shall be no storage of bicycles, packing boxes, freezers or other items on balconies or patios.
- (2) Only usual patio furniture and garden items are permitted on balconies and patios.
 - (a) No dead plants or unsightly mess shall be left on balconies or patios that are visible from common property.

- (3) Cleaning of balconies shall be restricted to ensure water and other debris is not permitted to flow over the edges of a balcony.
- (4) Laundry shall not be hung or dried so as to be visible from the building exterior or another strata lot.

Division 13 Insurance

- (1) An owner, tenant, occupier or visitor must not do, or omit to do, whether deliberately or negligently, any act which would result in costs being incurred by the strata corporation.
- (2) In the event that loss or damage occurs that gives rise to a valid claim under the strata corporation's insurance policies, where such loss or damage arises as a result of a negligent or deliberate act of an owner, tenant, occupier, or visitor, then such owner or tenant, or the owner or tenant who is responsible for the occupier or visitor shall, as permitted by section 133 of the Act, be responsible for paying to the strata corporation the reasonable costs of the strata corporation remedying the contravention of Bylaw 37 (1), being an amount equal to the insurance deductible payable by the strata corporation.
- (3) All strata lot owners are required to obtain homeowners' insurance of all contents and betterments made to their strata lot.

Division 14 – Recreation Facilities

37.

- (1) Owners, tenants and their guests must adhere to all posted rules of use for recreation facilities, that may be adopted from time to time by the strata council.

Division 15 – Common Keys

38.

- (1) The number of proximity cards permitted to be in possession of each strata lot is limited to a maximum of 4.
 - (a) Only owners or their assigned agents may purchase proximity cards or common keys. Tenants are not permitted to purchase additional lost or stolen proximity cards.

Division 16 – Small Claims Actions

- (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 $\frac{3}{4}$ vote.