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

The Owners, Strata Plan LMS 2379 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 General Meeting held on June 23, 2009:

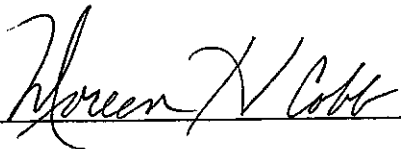
PLEASE SEE ATTACHED



Signature of Council Member

MICHAEL CARSTON.

Printed Name



Signature of Second Council Member

Moreen Cobb

Printed Name

* 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.



EXPLANATION # 2- BYLAW AMENDMENT

By approving the bylaw amendment, it will be filed in land titles office and become part of the Strata Corporation bylaws for LMS 2379. Therefore:

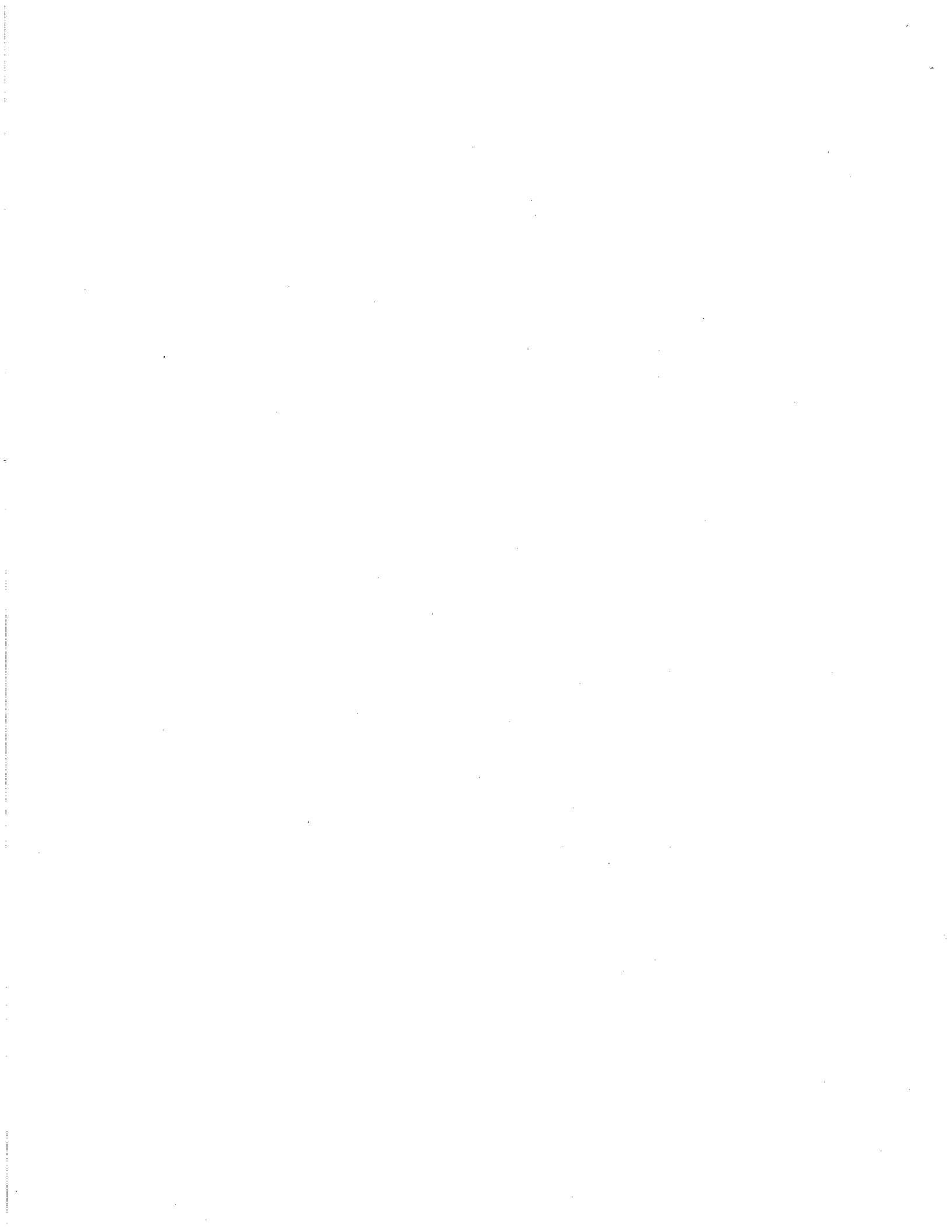
RESOLUTION # 2 - BYLAW AMENDMENT

BE IT RESOLVED as a $\frac{3}{4}$ Vote Resolution of THE OWNERS, STRATA PLAN LMS 2379 (the "Strata Corporation") at this Annual General Meeting held on Tuesday, June 23rd, 2009 that the owners hereby amend bylaw Division 8 – Miscellaneous Matters with the following:

Division 8 – Miscellaneous Matters

A non-refundable move-in fee of fifty dollars (\$50.00) is to be charged to an owner of any strata lot when there is a change in the occupancy of any strata lot. Where the change in occupancy is due to a change in the ownership of the strata lot, the charge will be assessed to the new owner(s) of the strata lot.

(End of resolution)



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

The Owners, Strata Plan L.M.S. 2379 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 a Annual General Meeting held on June 22, 2004.

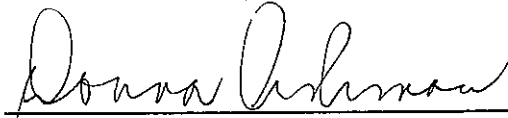
PLEASE SEE ATTACHED




Signature of Council Member



Printed Name



Signature of Second Council Member



Printed Name

* 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.

¾ VOTE RESOLUTION – MOVE IN FEE BYLAW

BE IT RESOLVED as a ¾ Vote of The Owners, Strata Plan LMS 2379 (“the Strata Corporation”) at this Annual General Meeting held on Tuesday, June 22, 2004 to add the following bylaw to the bylaws of the strata corporation:

Division 8 – Miscellaneous Matters

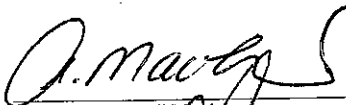
A non-refundable move-in fee of fifty dollars (\$50.00) is to be charged to an owner of any strata lot when there is a change in the occupancy of any strata lot. Where the change in occupancy is due to a change in the ownership of the strata lot, the charge will be assessed to the new owner(s) of the strata lot.



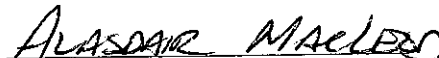
Strata Property Act
FORM I
AMENDMENT TO BYLAWS
(Section 128)

The Owners, Strata Plan L.M.S. 2379 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 November 20th, 2001:

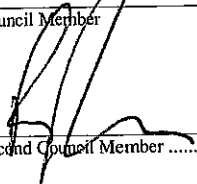
PLEASE SEE ATTACHED



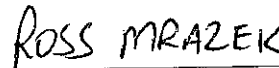
Signature of Council Member



Printed Name



Signature of Second Council Member



Printed Name

* 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.



Schedule of Standard Bylaws

THE IVY'S

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

Payment of strata fees

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

(2) If an owner is late in paying his or her strata fees by the first day of the month, 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 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; excluding any sealed glass units on the exterior of the buildings or front onto the common property. The owner is also responsible to repair and maintain, excluding decorating, the interior of doors of their unit that exit onto the common property or limited common property.

Use of property

3 (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,

(c) unreasonably interferes with the rights of other persons to use and enjoy the common property, common assets or another strata lot,

(d) is illegal, or

(e) is contrary to a purpose for which the strata lot or common property is intended as shown expressly or by necessary implication on or by the strata plan.

(2) An owner, tenant, occupant or visitor must not cause damage, other than reasonable wear and tear, to the common property, common assets or those parts of a strata lot which the strata corporation must repair and maintain under these bylaws or insure under section 149 of the Act.

(3) An owner, tenant or occupant shall be entitled to keep not more than two small domestic pets in a strata lot. These pets are limited to cats, dogs, birds, fish and rabbits. An owner, tenant or occupant that keeps a pet must comply with these bylaws and any rules enacted by the strata council on behalf of the strata corporation pursuant to bylaw 3 with respect to the keeping of pets. .

(4) An owner of a dog or cat shall attach a collar to the pet with a tag identifying the owner. No pet shall be allowed to roam at will, causing it to be a nuisance to neighbours. Pets should be on a leash while on common property.

(a) An owner of a pet shall not permit the pet to defecate on the common property, and if any pet does defecate on the common property, the owner shall immediately and completely remove all of the pet's waste from the common property and dispose of it in a waste container or by some other sanitary means. If the pet owner does not have prudent control over their pet when on common property and a recurrence of defecation happens, the pet owner will be given seven day's notice by the strata council to permanently remove the pet from the property.

(b) An owner, tenant or occupant whose guest or invitee brings an animal or pet onto the common property shall ensure that the guest or invitee complies with all requirements of these bylaws as they relate to animals and shall perform all of the duties and obligations with respect to that animal or pet as set out in these bylaws. Pets accompanying guests or invitees are not permitted to stay within a strata lot, limited common property or common property longer than twenty-four hours. Boarding of pets is not permitted.

© No owner, tenant or occupant shall permit its pet to interfere with any other person, pet or object, or permit its pet to disturb any other owner, tenant or occupant with uncontrolled barking or howling.

(d) The strata council may, from time to time on behalf of the strata corporation, enact such rules with respect to the keeping of pets as the strata council, acting reasonably, deems necessary or desirable, provided that, in the event of any conflict between these bylaws and any such rule, the provisions of these bylaws will prevail.

(e) If any owner, tenant or occupant violates any provision of these bylaws or if the strata council on reasonable grounds considers a pet to be a nuisance the strata council may, by written notice to such owner, tenant or occupant cause such owner, tenant or occupant to have the pet removed from the strata lot within thirty days of receiving such

(5) An owner, tenant or occupant must not:

(a) use a strata lot for any purpose which involves undue traffic or noise in or about the strata lot or common property between the hours of 10:30 p.m. and 7:00 a.m. or that encourages loitering by persons in or about the strata lot or common property;

(b) make, cause or produce undue noise, or glare in or about any strata lot or common property or do anything which will interfere unreasonably with any other owner, tenant or occupant;

- (c) use any musical instrument, amplifier, sound reproduction equipment or other device within or about any strata lot, the common property or any limited common property such that it causes a disturbance or interferes with the comfort of any other owner, tenant or occupant;
- (d) obstruct or use the sidewalks, walkways halls, 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. Toys, bicycles or other objects or material of any nature must not be left on walkways or any other portion of the common property;
- (e) leave on the common property or any limited common property, any shopping cart or any other items designated from time to time by the strata council;
- (f) use a barbecue, hibachi or other like cooking device on a balcony, deck or patio unless such barbecue, hibachi or cooking device is powered by propane, natural gas or electricity. Any damage caused by neglect shall be repaired at the owner's expense. Owners should be cautioned to not set barbecues too close to the building. No barbecuing is permitted after the hour of 11:00pm;
- (g) shake any mops or dusters of any kind, nor throw any refuse, out of the windows or doors or from the balcony of a strata lot;
- (h) do anything that will increase the risk of fire or the rate of insurance on the building or any part thereof;
- (i) permit a condition to exist within a strata lot which will result in the waste or excessive consumption of the building's domestic water supply or heated water;
- (j) allow a strata lot to become unsanitary;
- (k) 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, but this shall not apply to a pet permitted to be kept in a strata lot pursuant to these bylaws and the rules made hereunder, which pet shall be fed only in a strata lot;
- (l) install any window coverings, visible from the exterior of his strata lot, which is not neutral pastel in color or match the existing style supplied by the developer. Installation of window screens and/or storm doors shall be permitted, providing they are finished to match the existing building decor;

- (m) hang or display any laundry, washing, clothing, bedding or other articles from windows, balconies or other parts of the building so that they are visible from the outside of the building;
- (n) use or install in or about a strata lot any shades, awnings, window or balcony guards or screens, ventilators, supplementary heating or air conditioning devices, except those installations approved in writing by the strata council;
- (o) erect, place upon or fasten to the strata lot, the common property or any limited common property any television or radio antenna, satellite dish, or similar structure or appurtenance thereto, without prior written consent of the strata council;
- (p) smoke on the common property;
- (q) place any signs, billboards, notices or other advertising matter of any kind on, or visible from, the exterior of a strata lot or placed on common property;
- (r) do any structural alterations either interior or to the exterior of the strata lot. No alterations to wiring, plumbing, piping or other services shall be made within a strata lot or common property without council's prior written approval. Proper municipal codes and permits will be required to be filed with the strata council following the installation. Also see Exterior Alteration Bylaw #5.4;
- (s) leave any mail, including junk mail in or about the mailbox area. Items must be disposed by the owner, resident or occupant;
- (t) install wind chimes, bird feeders or bird houses on patios or balconies;
- (u) permit the use of bicycles, skateboards, rollerblades, rollerskates, etc on any common property;
- (v) leave the garbage container lids open for sanitary reasons;
- (w) dispose of cardboard unless it is properly broken down and flattened;
- (x) remove or add landscaping materials to the common property without the strata council prior written approval;
- (y) place chairs, tables, barbecues, fuel cylinders, planters or any other items on the roof membrane;

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.

Obtain approval before altering a strata lot

5 (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 or windows 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.

(3) This section does not apply to a strata lot in a bare land strata plan.

(4) An owner, tenant or occupant must not do any act, nor alter a strata lot, in any manner, which in the opinion of the council will alter the exterior appearance of the building. Painting of the wood, ironwork, concrete, or other part of the exterior of the building or strata lot is not permitted.

An owner shall not undertake any alteration in any common property or limited common property without performing the following;

- a) Obtaining development and building permits from the appropriate government regulatory authorities;
- b) Provide copies of all permits obtained to the strata council;
- c) Obtain the consent of the majority of the strata council;
- d) Assure that all contractors engaged provide certificates of substantial Contractors Liability insurance (at least \$1,000,000) and verification of active WCB coverage

An owner undertaking any alterations to common property or limited common property shall agree to enter into a written undertaking with the strata corporation, which shall include the following terms;

- a) All alterations done will be in accordance with the design approved by the strata council or its duly authorized representative(s);
- b) The standard of quality of work and materials of the alteration shall in no event be less than that of the existing structures;
- c) All work done and materials provided for the alteration will be at the sole expense of the strata lot owner requesting approval of the alteration;
- d) The owner and each subsequent owner of the strata lot receiving the benefit of the alteration(s) shall be responsible for all present and future maintenance, repair and replacement, increase in insurance any damage suffered or cost incurred by the strata corporation in excess of any proceeds received and paid to the strata corporation from an insurance claim as a result of the alteration, directly or indirectly;
- e) An owner who alters common property or limited common property and any owner subsequent on title who receives the benefit of such alteration, shall indemnify and save harmless the strata corporation, its council members, employees and agents from any and all claims whatsoever arising out of or in any manner attributable to the alteration. Any cost or expense incurred by the strata corporation as a result of claims or demands shall be the owner who has benefited from the alteration(s) and the said costs and expenses incurred shall be charged to that owner and shall be added to and become part of the assessment of that owner for the month next following the date upon which costs or expenses are incurred, but not necessarily paid by the strata corporation, and shall become due and payable on the date of payment of the monthly assessment.
- f) An owner who has altered common property or limited common property prior to the passage of these bylaws shall be subject to their content and intent.
- g) Any owner wishing to alter the exterior of their strata lot must present to the owners at the next scheduled general meeting a 3/4 vote resolution stating that the owner and his/her successors on title to the strata lot shall be responsible for the upkeep and maintenance or the alteration to the extent that it would not normally have been covered by the strata corporation.

Altering Fences

- 5 (5) The following are the guidelines for altering fences around patios
- (i) apply to council with detailed drawings
 - (ii) Height must be as per the original dividers
 - (iii) The design must be identical to the original lattice in wood, spacing, color, cedar or treated wood only, post caps, access doors and panels with the size to be approved, with quick release fasteners for garden maintenance
 - (iv) If a gate is proposed the height must be 2' 6"
 - (v) When installing the fence must be secured to top of patio planter wall only

- (vi) The brackets must not be visible from the courtyard and all hardware, nails, brackets, etc must be zinc coated or equal

Obtain approval before altering common property

6 (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 agree, in writing, to take responsibility for any expenses relating to the alteration.

Permit entry to strata lot

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,

- (i) 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 the Act; and

- (ii) 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 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) skylights on the exterior of a building;

(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 and windows 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) Subject to subsection (2), the council must have at least 3 and not more than 7 members.

(2) If the strata plan has fewer than 4 strata lots or the strata corporation has fewer than 4 owners, all the owners are on the council.

Council members' terms

10 (1) The term of office of a council member ends at the end of the annual general meeting at which a replacement is elected.

(2) A person whose term as council member is ending is eligible for reelection.

(3) In the election of council members held at the first annual general meeting, all council members must be elected for a term of one year.

(4) In the election of council members held at the second annual general meeting,

(a) if the council has an even number of members, 1/2 the members must be elected for a term of 2 years and the remainder elected for a term of one year, or

(b) if the council has an odd number of members, a simple majority must be elected for a term of 2 years, and the remainder elected for a term of one year.

(5) In the election of council members held at each annual general meeting after the second annual general meeting, the members elected to fill the vacant positions must be elected for a term of 2 years.

Removing council member

11 (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.

Replacing council member

12 (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.

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, 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.

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, 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.

No person other than a member of the council shall be entitled to attend a meeting of the council unless authorized by a resolution of the council. In the course of a meeting of the council, any person or persons (other than members of the council) may be excluded from such meeting by a resolution of the council.
prevent significant loss or damage, whether physical, financial or otherwise.

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 2 weeks 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 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.

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 person other than a member of the council shall be entitled to attend a meeting of the council unless authorized by a resolution of the council. In the course of a meeting of the council, any person or persons (other than members of the council) may be excluded from such meeting by a resolution of the council.

(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.

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) Unless there are only 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, deciding vote.

(3) The results of all votes at a council meeting must be recorded in the council meeting minutes, along with the names of the council members moving and seconding any resolutions, and the names of any dissenting or abstaining council members.

Council to inform owners of minutes

19 The council must inform owners of the minutes of all council meetings within 2 weeks of the meeting, whether or not the minutes have been approved.

Delegation of council's powers and duties

20 (1) Subject to subsections (2) to (4), the council may delegate some or all of its powers and duties to one or more council members or persons who are not members of the council, and may revoke the delegation.

(2) The council may delegate its spending powers or duties, but only by a resolution that

(a) delegates the authority to make an expenditure of a specific amount for a specific purpose, or

(b) delegates the general authority to make expenditures in accordance with subsection (3).

(3) A delegation of a general authority to make expenditures must

(a) set a maximum amount that may be spent, and

(b) indicate the purposes for which, or the conditions under which, the money may be spent.

(4) The council may not delegate its powers to determine, based on the facts of a particular case,

(a) whether a person has contravened a bylaw or rule,

(b) whether a person should be fined, and the amount of the fine, or

(c) whether a person should be denied access to a recreational facility.

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 -- Enforcement of Bylaws and Rules

Maximum fine

23 (1) The strata corporation may fine an owner or tenant a maximum of

(a) \$200 for each contravention of a bylaw, and

(b) \$50 for each contravention of a rule.

(2) The strata corporation may impose a fine on an owner or tenant for a continuing contravention of a bylaw or rule every 7 days.

(3) Each owner and tenant is responsible for payment, without invoice, of any money owing to the strata corporation as provided for in the Act or these bylaws, and if the owner or tenant fails to pay any money so owing within 15 days after the date such money becomes due, the owner or tenant will, after having been given written notice of the default and been provided with a reasonable opportunity to answer the complaint (including a hearing if requested), be assessed and pay a fine of \$25.00, and if such default continues for a further 15 days, an additional fine of \$25.00 will be levied against and paid by the owner or tenant, as the case may be, and for each additional month such default continues, an additional fine of \$25.00 will be levied against and paid by the owner or tenant.

(4) 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, as they may be amended from time to time, or any rule which may be established from time to time by the council pursuant to the Act or these bylaws, shall become part of the assessment of the owner responsible and shall become due and payable on the first day of the month next following, except that any amount owing in respect of a fine or the cost of remedying the contravention of a bylaw will be calculated as a separate component of such assessment and the strata corporation may not register a lien against such separate component.

Continuing contravention

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

Division 5 -- Annual and Special General Meetings

Person to chair meeting

25 (1) Annual and special general meetings must be chaired by the president of the council.

(2) If the president of the council is unwilling or unable to act, the meeting must be chaired by the vice president of the council.

(3) If neither the president nor the vice president of the council chairs the meeting, a chair must be elected by the eligible voters present in person or by proxy from among those persons who are present at the meeting.

Participation by other than eligible voters

26 (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 not participate in the discussion at 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

27 (1) At an annual or special general meeting, voting cards must be issued to eligible voters.

(2) At an annual or special general meeting a vote is decided on a show of voting cards, unless an eligible voter requests a precise count.

(3) If a precise count is requested, the chair must decide whether it will be by show of voting cards or by roll call, secret ballot or some other method.

(4) The outcome of each vote, including the number of votes for and against the resolution if a precise count is requested, must be announced by the chair and recorded in the minutes of the meeting.

(5) If there is a tie vote at an annual or special general meeting, the president, or, if the president is absent or unable or unwilling to vote, the vice president, may break the tie by casting a second, deciding vote.

(6) If there are only 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 the secret ballot is requested by an eligible voter.

(8) An owner who is otherwise an eligible voter may not exercise his or her vote for a strata lot, except on matters requiring an unanimous vote, if the owner is in arrears for any contributions or charges on their maintenance account.

Order of business

28 The order of business at annual and special general meetings is as follows:

(a) certify proxies and corporate representatives and issue voting cards;

(b) determine that there is a quorum;

(c) elect a person to chair the meeting, if necessary;

(d) present to the meeting proof of notice of meeting or waiver of notice;

(e) approve the agenda;

- (f) approve minutes from the last annual or special general meeting;
- (g) deal with unfinished business;
- (h) receive reports of council activities and decisions since the previous annual general meeting, including reports of committees, if the meeting is an annual general meeting;
- (i) ratify any new rules made by the strata corporation under section 125 of the Act;
- (j) report on insurance coverage in accordance with section 154 of the Act, if the meeting is an annual general meeting;
- (k) approve the budget for the coming year in accordance with section 103 of the Act, if the meeting is an annual general meeting;
- (l) deal with new business, including any matters about which notice has been given under section 45 of the Act;
- (m) elect a council, if the meeting is an annual general meeting;
- (n) terminate the meeting.

Division 6 -- Voluntary Dispute Resolution

Voluntary dispute resolution

29 (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 -- Marketing Activities by Owner Developer

Display lot

30 (1) An owner developer who has an unsold strata lot may carry on sales functions that relate to its sale, including the posting of signs.

(2) An owner developer may use a strata lot, that the owner developer owns or rents, as a display lot for the sale of other strata lots in the strata plan.

Division 8 - Miscellaneous Matters

Small Claims Actions

31 Notwithstanding any provision of the Act, the strata corporation may proceed under the Small Claims Act (British Columbia) against an owner or other person to collect money owing to the strata corporation, including money owing as a fine, without requiring authorization by a resolution passed by a 3/4 vote.

Use of Patios and Balconies

32 An owner, tenant or occupant of a strata lot which does not have enclosed balconies shall not place planters or other such items or equipment within any part of the limited common property designated on the strata plan exclusively for the use of such owner unless, in the opinion of the council, such planters, items or equipment are in keeping with the balance of the development in terms of design, quality, proportion and colour. Any such planters, items or equipment will be maintained in good and tidy condition on an ongoing basis and the responsibility for such maintenance will be solely for the account of the owner, tenant or occupant entitled to the use of the limited common property on which they are placed.

Garbage Disposal

33 An owner, tenant or occupant shall remove ordinary household refuse and garbage from his strata lot and deposit it in the containers provided by the strata corporation for that purpose; all garbage shall be placed in plastic bags and tied before so depositing. The owner, tenant or occupant shall remove any materials other than ordinary household refuse and garbage from the strata plan property at his expense. This includes but not limited to mattresses, tires, batteries, etc.

Garbage is not to be accumulated in garbage cans on balconies or patios or left on common property.

All boxes should be crushed before placing in the bins. All recycling material is to be washed and/or rinsed out.

Bicycles, Storage and Parking

34(1) There is one (1) locker per owner, tenant or occupant.

(2) Any owner, tenant or occupant that 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.

(3) An owner, tenant or occupant must use parking stalls only for the parking of licensed and insured motor vehicles, trailers, motorcycles or bicycles, and not for the parking of any other type of vehicle or the storage of any other item, unless otherwise approved in writing by the council.

(4) An owner, tenant or occupant shall not:

- (a) use any parking space in the building or on the common property or on any limited common property, except the parking space which has been specifically assigned to his strata lot, a parking space leased by the owner or, when specifically agreed with another owner, the parking space assigned to the strata lot of that other owner. Visitor parking is for visitors only. Strata lot owners, tenants or occupants parking their vehicle in visitor parking risk being towed at the vehicle owner's expense.
- (b) carry out any oil changes, major repairs or adjustments to motor vehicles or other mechanical equipment on common property or on any limited common property;
- (c) rent or lease the parking space assigned by the strata corporation to his strata lot to or otherwise permit that parking space to be regularly used by anyone that is not a resident of the building;
- (d) park any vehicle in a manner which will reduce the width of the garage roadway or entrance or in a manner that will interfere with other parking spaces; and
- (e) use any part of the common property (other than established storage rooms or lockers) for storage, without the written consent of the council.
- (f) alter or deface any parking areas;
- (g) park in visitor parking. This area is solely for visitors
- (h) park or store any vehicle or equipment that constitutes a fire hazard in the opinion of the strata council;
- (i) park on common property or limited common property unless current registration or storage insurance including \$1 million liability insurance is displayed on the vehicle.
- (j) travel in excess of 5km/h in the common road area;

- (k) store an R.V., boat or commercial vehicle in the parking areas
 - (l) shall not park their vehicle in the designated fire lanes or driveways of the complex;
- (5) Vehicles dripping excessive liquid will be prohibited from parking within the complex until repaired. An owner, tenant or occupant must promptly and at its own expense clean up any oil or other substance that spills or leaks onto the common property, following written notification.
- (6) Vehicles may be washed only at the designated locations and person washing vehicles must hose down all dirt and remove excess water and residue resulting from vehicle washing. Water must not be running while soaping vehicles.
- (7) Bicycles shall be stored in the designated bike room. Bicycles shall not be placed on patios, balconies or other limited or common property

Selling of Strata Lots

36(1) An owner of a strata lot, when selling his strata lot, will not permit "For Sale" signs to be placed on or about the common property or from windows of the unit. When open house viewings are scheduled, two temporary open house signs may be placed on common property. The temporary signs may only be placed 60 minutes prior to an open house and 60 minutes following the close of an open house. At no time may any sign block a vehicle or pedestrian on the common property or City property.

(2) The owner or the owner's representative shall meet each prospective purchaser or viewer of the unit outside the front entrance and escort them to the unit. Each prospective purchaser and/or viewer must be escorted out of the complex following a viewing.

Acquisition or Disposition of Personal Property

37 The strata corporation may purchase, lease or otherwise acquire personal property for the use or benefit of the owners and may sell or otherwise dispose of such personal property for any amount approved in the annual budget for the strata corporation, but otherwise only if approved by a resolution passed by a $\frac{3}{4}$ vote at an annual or special general meeting if the personal property has a market value of more than \$1,000.

Christmas Season

38 (1) All Christmas lights and decorations may be put up no sooner than December 1st and taken down by January 31st. Christmas exterior lights may not be of a permanent nature.

(2) All Christmas trees must be bagged on removal. They are permitted to be stored on a balcony or patio for up to seven days prior to and following the holiday. Owners, tenants and occupants are responsible for the cleaning up of the needles if fallen on common property. Disposal of Christmas trees are not permitted in the garbage container but disposed of privately.

Signs

39 (1) No signs of any nature shall be posted on any individual's window or on any common property

Moving In/Moving Out

40 The security gate may not at any time during a move, be left open and unsupervised. All moves must be between the hours of 8:00am and 9:00pm only. The owner is responsible to repair any damage done to common property.

Quorum for Adjourned Meeting

41 Notwithstanding section 48(3) of the Act, if within ½ hour from 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 the requisition of members; but in any other case, the meeting shall stand adjourned for a further ½ hour from the time appointed and, if within one-half hour from the time appointed a quorum is not present for the meeting, the eligible voters present in person or by proxy shall constitute a quorum.

RESOLUTION B

BE IT RESOLVED, by a 3/4 vote Resolution of the Owners, Strata Plan LMS2379 to amend the present Rental Bylaw #10 to read as follows;

Rental Restrictions

40 Subject to the provisions of this bylaw strata lots shall be owner-occupied only, with the following considerations and exceptions:

(a) at any given time up to two (2) strata lots may be leased and the procedure to be followed by the strata corporation in administering this limit will be as follows:

- (i) any owner wishing to rent a strata lot must make an application in writing to the council;
 - (ii) approvals will be granted by the council on a first come basis in the order of the date such applications are received by the council;
 - (iii) the council will not screen tenants, establish screening criteria, require the approval of tenants, require the insertion of terms in tenancy agreements or otherwise restrict the rental of a strata lot except as set out in this bylaw;
 - (iv) the council will consider each application upon receipt and will respond to each application in writing within three weeks of receipt;
 - (v) the council will keep a list of owners who wish to rent their strata lot and the priority of their application, and will advise each owner as soon as their application can be accepted;
 - (vi) upon acceptance of an application to rent, an owner must enter into a lease of a strata lot within sixty days (60) from acceptance by the council of such owner's application or the acceptance will be automatically revoked and the council will be entitled to advise the owner next following on the list that its application to rent a strata lot has been approved. A Form K, Tenant's Responsibility form must be filed with the strata council within two weeks of the tenancy. Failure to do so will result in a \$100 fine per week; and
- (b) notwithstanding paragraph (a), 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 result if limited rental approval is not given, the council shall not unreasonably withhold permission for limited rental;
- (c) this bylaw does not apply to prevent the rental of a strata lot to a member of the "family" of an owner, meaning:
- (i) the spouse of the owner;
 - (ii) a parent or child of the owner; or
 - (iii) a parent or child of the spouse of the owner,

where "spouse of the owner" includes an individual who has lived and cohabitated with the owner, for a period of at least two years at the relevant time, in a marriage-like relationship, including a marriage-like relationship between persons of the same gender;

- (d) where an owner has leased a strata lot to a tenant pursuant to a tenancy agreement entered into prior to this bylaw being amended, the strata lot may be leased until such time as stipulated in the Strata Property Act Section 143 and Regulation 17.15.

(e) the strata corporation is entitled to impose a fine of up to \$500 for a contravention of this bylaw, and may impose such fine for a continuing contravention every seven days.