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BB476365

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

The Owners, Strata Plan NW 789 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 *February 20, 2007*

BE IT RESOLVED by $\frac{3}{4}$ Vote Resolution, that the Strata Corporation NW 789, Edgewood Place, amend existing Bylaw 1 by adding the following:

Payment of Strata Fees

Bylaw 1

- 1 (4) Council may add a late payment fee of \$50.00 for every late payment.
- (5) Strata lots in arrears of strata fees or special levies may not vote except on unanimous resolutions.

BE IT RESOLVED by $\frac{3}{4}$ Vote Resolution, that the Strata Corporation NW 789, Edgewood Place, add the following to existing Bylaw 3:

Use of Property

Bylaw 3

- 3 (5) It is the responsibility of owners who have received permission to alter their strata lots to maintain and insure those alterations including those owners who have been granted the right to enclose their balconies. The altered areas become the responsibility of the owners and their successors.

BE IT RESOLVED by $\frac{3}{4}$ Vote Resolution, that the Strata Corporation NW 789, Edgewood Place, add the following to existing Bylaw 5:

Obtain Approval before altering a Strata Lot

Bylaw 5

5. (3) The owners must ensure that only licensed and insured trades perform any electrical or plumbing work in their unit.

BE IT RESOLVED by $\frac{3}{4}$ Vote Resolution, that the Strata Corporation NW 789, Edgewood Place, add the following to Bylaw 23.

Maximum Fine

Bylaw 23

23. (4) Fines for rental bylaw violations are limited to the maximum allowed under the Strata Property Act currently \$500.00.

BE IT RESOLVED by $\frac{3}{4}$ Vote Resolution, that the Strata Corporation NW 789, Edgewood Place, add the following to Bylaw 30:

Small Claims Actions

Bylaw 30

30. Small claims actions may not be used to recover either strata fees or special levies.

BE IT RESOLVED by $\frac{3}{4}$ Vote Resolution, that the Strata Corporation NW 789, Edgewood Place, amend bylaw 38 by adopting the wording under section 98 of the Strata Property Act and replacing 38 (1) with the following:

Limited Expenditures of Council

Bylaw 38 (1), (a), (2)

38 (1) (a) less than \$ 2000.00 for any one item or less than 5% of the total operating budget in the fiscal year which ever is less.

38 (2) If the strata corporation makes an expenditure under 38 (1) the corporation must inform the owners of the reason for the expenditure and the amount of the expenditure.

BE IT RESOLVED by $\frac{3}{4}$ Vote Resolution, that the Strata Corporation NW 789, Edgewood Place, amend bylaw 1 by adding subsection (4) to read as follows:

Payment of Strata Fees

Bylaw 1

1 (4) The costs to the Strata Corporation of recovery of strata fees and other assessments and charges, including all legal costs, including client solicitor costs, shall be recoverable from the owner.

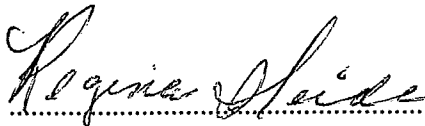
BE IT RESOLVED by $\frac{3}{4}$ Vote Resolution, that the Strata Corporation NW 789, Edgewood Place, amend bylaw 10 by replacing the existing bylaw with the following:

Council member's terms

Bylaw 10

- 10 (1) Effective the 2008 Annual General Meeting all Strata Council Members shall retire from office and the Strata Corporation shall elect three Strata Council Members for a two-year term and four Strata Council Members for a once-year term.
- (2) Council members are limited to two consecutive two year terms after which they are to take a one year break. To accommodate transitional issues those elected at 2008 Annual General Meeting shall be considered elected for the first time.
- (3) Should the owners wish to waive subsection (2) they may do so at a general meeting by majority vote.


.....
Signature of Council Member


.....
Signature of Second Council Member

* 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.

**EDGEWOOD PLACE
THE OWNERS STRATA PLAN NW 789**

9280 SALISH COURT

OFFICE CONSOLIDATION OF BYLAWS

**BASE DOCUMENT REGISTERED 30 NOVEMBER 2001
REGISTRATION – BR 325550**

**AMENDED 5 DECEMBER 2002 REGISTRATION – BT446472
BYLAW 47 & BYLAW 33 (1)**

**AMENDED 27 NOVEMBER 2003 REGISTRATION – BV496078
BYLAW 1(3), BYLAW 3(3) & BYLAW 34 (3)**

**AMENDED 21 FEBRUARY 2006 REGISTRATION –
BYLAW 33(2), BYLAW 33(3), BYLAW 43 (g) &
BYLAW 43 (u)**

OFFICE CONSOLIDATION OF BYLAWS
NW 789 – EDGEWOOD PLACE
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, 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.
- (3) Strata fees will be first applied to outstanding fines or any other monies owing the Strata Corporation, then the balance towards the Strata Fees.
[Amended 27 November 2003]

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.

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 injurious to the reputation of the building
 - (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 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, smell, vibration 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, 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;
- (e) leave on the common property or any limited common property, any shopping cart or any other item designated from time to time by the strata council;
- (f) 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;
- (g) Do anything that will increase the risk of fire or the rate of insurance on the building or any part thereof;
- (h) Permit a condition to exist within a strata lot which will result in the waste or excessive consumption of the building's domestic water supply or heated water;
- (i) Allow a strata lot to become unsanitary or a source of odour;
- (j) Feed pigeons, gulls or other birds, squirrels, rodents or other animals from a strata lot or anywhere on or in close proximity to the common property or any limited common property;
- (k) Install any window coverings, visible from the exterior of his strata lot, which are not white to ivory in colour;
- (l) 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;
- (m) 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 council;
- (n) Erect on or fasten to the strata lot, the common property or any limited common property any television or radio antenna or similar structure or appurtenance thereto;

- (o) Place any signs, billboards, notices or other advertising matter of any kind on, or visible from, the exterior of a strata lot;
 - (p) Give any keys, combinations, security cards or other means of access to the building, the parking garage or common areas to any person other than an employee, contractor, occupant or guest of the strata lot permitted by these bylaws.
 - (q) Be permitted to trespass on the part of the property to which another Owner is entitled to exclusive occupation.
 - (r) Cycle on common property, including sidewalks and pathways, but excluding roadways, is prohibited. Skateboarding, inline skating or rollerblading shall not be permitted on any common property.
 - (s) use non-glare film or foil on any window glass. Tinting of window glass in any fashion is not permitted.
 - (t) An owner, tenant or occupant must not have anything other than artificial Christmas Trees.
[Amended November 27 2003]
- (4) A resident must not use, or permit to be used, the strata lot except as a private dwelling home and, unless granted prior written approval by the council, a resident must not allow more than two persons to occupy a strata lot originally designated by the owner developer as a one bedroom unit and not allow more than four persons to occupy a strata lot originally designated by the owner developer as a two bedroom unit. For the purpose of this bylaw, a "person" is defined to include children, but exclude visitors staying for less than 30 days with an owner, occupant or tenant of a strata lot.

An owner or occupant who alleges hardship as a result of the passage of bylaw 3(4) may appeal to the council for permission to be exempt from bylaw 3(4) on the basis of hardship and the council must not unreasonably refuse the appeal.

Inform strata corporation

- 4
- (1) Within 2 weeks of becoming an owner, an owner must inform the strata corporation of the owner's name, strata lot number and mailing address outside the strata plan, if any.
 - (2) On request by the strata corporation, a tenant must inform the strata corporation of his or her name.
 - (3) On request by the strata corporation a tenant must inform the strata corporation of names of all occupants for emergency preparedness.

Obtain approval before altering a strata lot

- 5 (1) An owner must obtain the written approval of the strata corporation before making any 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 [amendment SPAA s. 51(a)] on the exterior of a building, or that front on the common property;
 - (e) balcony railings;
 - (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.

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.
- (3) The exterior appearance of the building shall not be altered by painting wood, ironwork, concrete, or other parts exterior of the building or the Strata Lot. The inside concrete patio may be painted a color to conform with the color of the concrete.

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, 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.

- (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) doors, windows and skylights [amendment SPAA s.51(c)] on the exterior of a building or that front on the common property;
 - (E) balcony railings;
- (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 [amendment SPAA s.51(c)] on the exterior of a building or that front on the common property, and
 - (v) balcony railings.

Division 3 - Council

Council size

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

Council members' terms

- 10 (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 [amendment SPAA s51(c)].
- (2) A person whose term as council member is ending is eligible for re-election [note deletion of s. 10(3), (4) and (5) SPAA s. 51(d)].

- (3) Effective the 1985 Annual General Meeting, all Strata Council Members shall retire from office and the Strata Corporation shall elect four Strata Council Members for a two-year term and three Strata Council Members for a one-year term. Effective the 1986 Annual General Meeting the three one-year term Strata Council Members shall retire and the Strata Corporation shall elect three Strata Council Members for a two-year term and the practice of electing Strata Council Members for a two-year term shall continue. A retiring Member of the Strata Council shall be eligible for re-election. To achieve the initial two-year term, those four Strata Council Members with the most votes shall be elected for a two-year term.

Removing council member

- 11 (1) The strata corporation may, by a resolution passed by a majority vote at an annual or special general meeting, remove one or more council members.
- (2) After removing a council member, the strata corporation must hold an election at the same annual or special general meeting to replace the council 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.
- (4) The strata council may employ for and on behalf of the Strata Corporation agents and employees as it thinks proper for the control, management and administration of the common property, common assets of the Strata Corporation, and the exercise and performance of the powers and duties of the Strata Corporation.

Requisition of council hearing

- 15 (1) By application in writing, stating the reason for the request, an owner or tenant may request a hearing at a council meeting.
- (2) If a hearing is requested under subsection (1), the council must hold a meeting to hear the applicant within one month [amendment SPAA s. 51(f)] 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) 2, if the council consists of 2, 3 or 4 members,
 - (b) 3, if the council consists of 5 or 6 members, and
 - (c) 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 authorised 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
 - (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 [amendment SPAA s. 51(g)].

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 council
- (2) Subsection (1) does not affect a council member's liability, as an owner, for a judgement 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) Each owner and tenant is responsible for payment, without invoice, of any money (other than strata fees, but including special levies) owing to the strata corporation as provided for in the Act of 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 \$10.00, 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.
- (3) Additional assessments, fines authorised 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 participate in the discussion at the meeting, but only if permitted to do so by the chair of the meeting.
- (3) Persons who are not eligible to vote, including tenants and occupants, must leave the meeting if requested to do so by a resolution passed by a majority vote at the meeting.

Voting

- 27 (1) At an annual or special general meeting, voting cards must be issued to eligible voters.
- (2) At an annual or special general meeting a vote is decided on a show of voting cards, unless an eligible voter requests a precise count.
- (3) If a precise count is requested, the chair must decide whether it will be by show of voting cards or by roll call, secret ballot or some other method.
- (4) The outcome of each vote, including the number of votes for and against the resolution if a precise count is requested, must be announced by the chair and recorded in the minutes of the meeting.

- (5) If there is a tie vote at an annual or special general meeting, the president, or, if the president is absent or unable or unwilling to vote, the vice president, may break the tie by casting a second, deciding vote.
- (6) Despite anything in this section, an election of council or any other vote must be held by secret ballot, if the secret ballot is requested by an eligible voter.
- (7) An owner who is otherwise an eligible voter may not exercise his or her vote for a strata lot, except on matters requiring an unanimous vote, if the strata corporation is entitled to register a lien against that strata lot.

Order of business

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

- (a) certify proxies and corporate representatives and issue voting cards;
- (b) determine that there is a quorum;
- (c) elect a person to chair the meeting, if necessary;
- (d) present to the meeting proof of notice of meeting or waiver of notice;
- (e) approve the agenda;
- (f) approve minutes from the last annual or special general meeting;
- (g) deal with unfinished business;
- (h) receive reports of council activities and decisions since the previous annual general meeting, including reports of committees, if the meeting is an annual general meeting;
- (i) ratify any new rules made by the strata corporation under section 125 of the Act;
- (j) report on insurance coverage in accordance with section 154 of the Act, if the meeting is an annual general meeting;
- (k) approve the budget for the coming year in accordance with section 103 of the Act, if the meeting is an annual general meeting;
- (l) deal with new business, including any matters about which notice has been given under section 45 of the Act;
- (m) elect a council, if the meeting is an annual general meeting;
- (n) terminate the meeting.

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 – Miscellaneous Matters

Small Claims Actions

- 30** Notwithstanding any provisions of the Act, the strata corporation may proceed under the Small Claims Act (British Columbia) against an owner or other persons to collect money owing to the strata corporation, including money owing as a fine, without requiring authorisation by a resolution by a $\frac{3}{4}$ vote.

Use of Patios and Balconies

- 31** An owner, tenant or occupant of a strata lot 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

- 32** 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 bagged and tied before so depositing and the owner, tenant or occupant shall remove any materials other than ordinary household refuse and garbage from the strata plan property at his expense.

Move In/Move Out

- 33** (1) All moves must be between 8:00 a.m. to 5:00 p.m. Monday to Saturday inclusive unless otherwise approved by Council. All to be co-ordinated with the manager of the building at least 7 days in advance of such moves, or such lesser period as the council may, in its sole discretion, permit, provided that if an owner or tenant carries out any move into or out of a strata lot otherwise than in accordance with such prior arrangements made with the manager of the building, the owner or tenant will be subject to a fine of \$100.00, such fine to be paid on or before the due date of the next monthly strata fees. [Amended 5 December 2002]

(2) One free move-in shall be permitted to each Strata Lot per calendar year and each subsequent move-in shall result in a charge of \$50.00 being assessed against the Strata Lot at such time as a new tenancy is commenced, whether by a tenant or owner. [Amended 5 December 2006]

(3) All moves are to be made through the west side doors only. [Amended 5 December 2006]

Selling of Strata Lots

- 34
- (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 except on the signage board located adjacent to the entrance to the building which is designed for such purpose.
 - (2) An owner of a strata lot, when selling a strata lot, will not hold or permit to be held, any public open house except in the matter prescribed by the council. One open house for agents will be allowed per listing. Unless the council otherwise prescribes, all showings must be by appointment only.
 - (3) There will be a \$50.00 charge for the Resident Caretaker's time, payable by the prospective purchaser when dealing with a Building Inspection for the sale of a unit. [Amended 27 November 2003]

Acquisition or Disposition of Personal Property

- 35
- 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.

Rentals

36 Residential rentals

- (a) No strata lots may be rented.
- (b) If an owner is exempt from a rental restriction bylaw pursuant to the Act, prior to possession of a strata lot by a tenant, an owner must deliver to the tenant the current bylaws and rules of the strata corporation and a Notice of Tenant's Responsibilities in Form K.
- (c) Within two weeks of renting a strata lot, the landlord must give the strata corporation a copy of the Form K - Notice of Tenant's Responsibilities signed by the tenant, in accordance with section 146 of the Act.
- (d) Where an owner leases a strata lot in contravention of bylaw 36(a), the owner shall be subject to a fine of \$500.00 and the strata corporation shall take all necessary steps to terminate the lease or tenancy, including, but not limited to, seeking a declaration or Court injunction to enforce the bylaw. Any legal costs incurred by the strata corporation in enforcing the rental restriction bylaws shall be the responsibility

of the contravening owner and shall be recoverable from the owner on a solicitor and own client basis by the strata corporation.

Quorum for Adjourned Meeting

- 37 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 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.

Limiting Expenditures of Council

- 38 (1) If a proposed expenditure has not been approved in the budget or at an annual or special general meeting, the strata corporation may only make such expenditure out of the operating fund if the expenditure, together with all other unapproved expenditures, whether of the same type or not, that were made pursuant to this section (1) in the same fiscal year, is less than:
- (a) \$1,000.00.
- (2) If the strata corporation makes an expenditure under subsection (1) above, the strata corporation must inform owners as soon as feasible about any expenditure of more than \$1,000.00 on any single item.

Flooring

- 39 (1) An owner of a strata lot who has or installs hard floors surfaces such as hardwood floors or tile in a strata lot must take all reasonable steps to satisfy noise complaints from neighbours, including without limitation, ensuring that no less than 60% of such hard floor surfaces, excepting only kitchens, bathrooms and entry areas, are covered with area rugs or carpet and avoiding walking on such flooring with hard shoes.
- (2) All flooring must be of such a type, or installed in such a manner, as to suppress the transmission of noise through the flooring. Which is a disturbance to other residents affecting their quality of life.

Pets / Animals

- 40 (1). An Owner, tenants and occupants, shall not keep animals, livestock, fowl, or pets of any kind, except fish and two (2) small caged birds, in the Strata Lot or on common property.
- (2) Pets not under control of the Owners shall not be permitted at any time within the boundaries of the Strata Corporation.

- (3) Pets not under the control of the Owner found in the building, or on the common property will delivered to the Municipal Pound at the pet-owner's cost, and a fine of \$50.00 will be assessed against the Owner of the pet.
- (4) No pets shall be allowed in any of the pool lounge, party or laundry areas.
- (5) 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.
- (6) Any resident who keeps a pet which proves to be a nuisance, whether on the Strata Lot or on common property, will be ordered by the Strata Council to remove the animal permanently from the premises. Any Owner who fails to comply within ten days of receiving written notice from the Strata Council will be fined \$100.00 per month, or portion thereof, during which the offending pet continues to occupy the premises.
- (7) All pets when on common property must be on a leash or lead not to exceed six feet in length.
- (8) No exotic pets or large members of the cat family are permitted.
- (9) There shall be no feeding of birds from balconies.
- (10) An owner shall not keep any animals on his Strata Lot or the common property after notice in that behalf from the Strata Council

Hazards:

- 41
- (a) Waterbeds are not permitted above the first floor, except where the Owner files acceptable evidence of adequate insurance coverage, and any damage occurring therefrom will be charged to the Owner of the waterbed.
 - (b) Barbecues, hibachis, or other forms of outdoor cooking shall be permitted providing they do not comprise what, in the opinion of the Strata Council, is a fire hazard or nuisance.
 - (c) Smoking is not permitted in interior common areas including the underground parkade.

Recreation Facility

- 42
- (1) All Owners, tenants, or visitors shall comply with the By-Laws and Regulations of the lounge, party room, swimming pool and saunas.
 - (2). The party room, main lobby level, shall be made available to residents and such use will be regulated from time to time by the Strata Council.

- (3) The consumption of alcoholic beverages shall not be permitted in the party room except at private functions.
- (4). Any bookings for private functions shall have precedence over Subsection (2).
- (5) The times of opening and closing of the Recreation facilities may be changed from time to time by the Strata Council.

Parking

- 43** a. Only vehicles with current liability insurance in force shall be allowed in the parking areas. Parking of vehicles other than those owned or leased by a resident or their guests is prohibited.

Unlicensed vehicles must clearly display, open and unfolded on the vehicle dash, visible through the windshield, a copy of proof of liability insurance. A copy of the proof of liability insurance is to also be forwarded to the Management Company.

- b. Residents and residents' guests shall park their vehicle(s) only in places assigned or rented to them by the Strata Corporation.

All above ground parking stalls shall be designated as visitor, emergency vehicles or car wash stalls only.

- c. Owners shall obtain from the Strata Council or its appointed Agent, for his or tenants of his Strata Lot, one garage door transmitter per stall, at a cost to be set from time to time by the Strata Council. In cases where an Owner/tenant shall lose his transmitter, for whatever reason, the Owner of the Strata Lot involved will be subject to a fine of \$100.00.

- d. Where additional stalls are rented, rentals will be collected only as an assessment against the Strata Lot Owner. Rental payments will not be accepted from tenants. Charges for extra stalls may be set from time to time by the Strata Council.

- e. No one shall park, or leave unattended, or cause to be parked or left unattended, any vehicle in such a position that it interferes or infringes upon other parking spaces, nor shall a vehicle be left in such a way that it blocks or infringes on access lanes or no parking zones.

Parking in the loading zone areas shall be limited to a maximum of 20 minutes without any sign of action.

- f. Vehicles may be washed only at the designated location and persons washing vehicles must hose down and remove all dirt, refuse and excess water resulting from the vehicle washing.

Vehicles are not to be left unattended at the car wash area. Radios and stereo music volume is to be kept on low.

- (g) Vehicles dripping any excessive fluids, or any fuel, will be prohibited from parking in the parkade or on the common property until repaired. No material of any kind shall be placed under vehicles. Owners of vehicles dripping fluids shall, at the Strata Corporations notification, clean up all drippings, or on failure to do so in ten (10) days notice, shall be assessed the cost of the clean up or a minimum of \$25.00. Failure to cleanup, repair and/or remove may result in the vehicle being towed with such cost be assessed to the owners Strata Lot. [Amended 5 December 2006]
- h. Assigned parking areas shall not be used for storage other than a motor-vehicle.
- i. All garage areas are common property and shall not be altered or defaced in any manner.
- j. Driving a vehicle in excess of 5 km/hr in the parking area is prohibited.
- k. The use of vehicle horns in the parking area is prohibited except in such cases as where the horn is required to prevent a collision.
- l. All vehicles are to come to a full stop before entering the ramp from both levels when leaving the garage and then proceed cautiously until the full ramp is in view.
- m. Vehicles entering the garage area are to keep right until they can see that the level they are entering is clear.
- n. The Strata Corporation shall, through the caretaker or management staff only, have removed an unauthorised or improperly identified vehicle from the visitor parking areas or other common areas not assigned to residents. If an unauthorised vehicle is parked in an assigned resident stall the Strata Corporation may through the caretaker or management staff only have the vehicle removed.
- o. A resident shall not park his car in the driveways or any designated fire lanes of the Strata Corporation.
- p. The Strata Council shall enforce parking regulations regarding parking in the Strata Corporation's driveways or fire lanes on the common property area, loading zone and all above parking stalls.
- q. All residents' vehicles must display an NW789 sticker which should be clearly displayed by sticking same horizontally flush in the corner of either the windshield or the rear window. On sale or other disposition of the vehicle, or when a resident moves from Edgewood Place, the sticker must be removed.
- r. Resident vehicles shall not be parked in the guest stalls.
- s. All guest vehicles parked in guest stalls must display a guest parking card, clearly displaying the suite number and the guest visiting and dates of visit..

- t. No storage of guest vehicle(s) is permitted. Residents' guests must not park their vehicle(s) in any parking stalls if not visiting a resident.
- (u) Tune-ups, mechanical repairs, excessive engine running, and any body work or painting is prohibited in the parkade and on the common property. [Amended 5 December 2006]

Bicycles

- 44 No bicycles or tricycles will be allowed into the building or elevators or on the common property with the exception of the basement area by access through the garage to where suitable storage is provided.

Damage to Common Property

- 45
- a. Where the Strata Corporation is required to enter a Strata Lot for the purpose of maintaining, repairing or renewing the common property, the Strata Corporation and its agents shall in carrying out any work or repairs do so in a proper and workmanlike manner and shall make good any damage to the Strata Lot occasioned by such works and restore the Strata Lot to its former condition, leaving the Strata Lot clean and free from debris.
 - b. An Owner shall indemnify and save harmless the Strata Corporation from the expense of any maintenance, repair or replacement rendered necessary to the common property or to any Strata Lot by his act, neglect or carelessness or by that of any member of his family or his or their guests, servants, agents, or tenants, but only to the extent that such expense is not met by the proceeds of insurance carried by the Strata Corporation.
 - c. A resident shall not cause damage to trees, plants, bushes, flowers or lawns and shall not place chairs, tables or other objects on the lawns and grounds so as to damage them or to prevent growth or to interfere with the cutting of the lawns or the maintenance of the grounds generally.

Security of Building

- 46
- a. No one shall leave open or unlocked any outside entrance or fire escape unless they are in constant supervision of that entrance.
 - b. No one shall let another person, particularly persons claiming to be tradesmen or delivery men, into the building unless that person is known to them.
 - c. No one shall be permitted in the common areas of the Strata Corporation which are restricted such as the ROOF, BOILER ROOM, ELECTRICAL ROOM, MECHANICAL ROOM AND LOCKER ROOMS OTHER THAN THEIR OWN, except as allowed by Strata Council Members, the resident caretaker and/or the Property Manager.

- d. Residents shall report any suspicious activity within the building to the caretaker or the Property Manager.

Insurance

47. An owner shall indemnify and save harmless the strata corporation from the expense of any maintenance, repair or replacement rendered necessary to the common property, limited common property, common assets or to any strata lot by the owner's act, omission, negligence or carelessness, or by that of an owner's visitors, occupants, guests, employees, agents, tenants or a member of the owner's family, but only to the extent that such expense is not reimbursed from the proceeds received by operation of any insurance policy. In such circumstances, any insurance deductible paid or payable by the strata corporation shall be considered an expense not covered by the proceeds received by the strata corporation as insurance coverage and will be charged to the owner. [Amended 5 December 2002]

