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BT396136

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NEW WESTMINSTER, BC V3L 5B3

Please receive herewith, the following document(s) for filing:

Amendment to Bylaw 35(4)



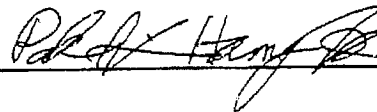
(Signature)

NW 2049

(Firm Name)

505-7040 Granville Richmond

(Address and Telephone No.)



(604) 279-5432

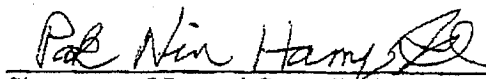
Strata Property Act
FORM I
AMENDMENT TO BYLAWS
(Section 128)

The Owners, Strata Plan NW 2049 [the registration number of the strata plan] certify that the following or attached amendments to the bylaws of the strata corporation were approved by a resolution passed in accordance with section 128 of the Property Strata Act at an annual or special general meeting held on NOVEMBER 5, 2002 [month day, year]*.

[wording of bylaw amendment]



Signature of Council Member



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



Strata Plan NW2049, Tower on the Park and Panorama Place Bylaw Amendment passed as a ¾ vote resolution at the Annual General Meeting held on November 5, 2002.

Amend Bylaw 35(4) as follows:

Bylaw 35(4)

In consideration of the extraordinary wear and tear to the building, and paint and carpet damage to the common property, common facilities and other assets of the strata corporation, when an owner or tenant moves in with their furnishings, a charge as set out in Schedules "A" and "B" shall be levied against the owner of the subject strata lot as a non-refundable move-in charge and shall be added to and become part of the following month's assessment of that owner and shall be collectable as such in accordance with the Strata Property Act.

Schedule "A" – Strata Lots 1-80 (Tower on the Park – 7100 Gilbert) move in fee: \$125

Schedule "B" – Strata Lots 81-160 (Panorama Place – 7040 Granville) move in fee: \$75

Registered at Land Title Office

New Westminster, BC

Dated this 8th day of November, 2002.



SCHEDULE OF STANDARD BYLAWS

NW 2049

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

PAYMENT OF STRATA FEES AND SPECIAL ASSESSMENTS

- 1 (1) AN OWNER MUST PAY STRATA FEES ON OR BEFORE THE FIRST DAY OF THE MONTH TO WHICH THE STRATA FEES RELATE.
- (2) AN OWNER MUST PAY TO THE STRATA CORPORATION ANY SPECIAL, ASSESSMENTS THAT MAY BE LEVIED BY THE STRATA CORPORATION PROVIDED THAT SUCH SPECIAL ASSESSMENT HAS BEEN APPROVED BY A SPECIAL RESOLUTION OF THE OWNERS.
AN OWNER MUST PAY ALL AMOUNTS DUE AS AN ASSESSMENT INCLUDING ANY FINES, COSTS OR EXPENSES LEVIED OR RECOVERABLE BY THE STRATA CORPORATION UNDER THESE BYLAWS.

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
 - (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 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) 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 AND SUCH PROPANE, NATURAL GAS OR ELECTRICITY POWERED BARBECUE, HIBACHI AND OTHER LIGHT COOKING DEVICES SHALL NOT BE USED EXCEPT IN ACCORDANCE WITH RULES MADE BY THE STRATA CORPORATION FROM TIME TO TIME;
 - (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 OR A SOURCE OF ODOUR;
 - (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;
 - (L) INSTALL ANY WINDOW COVERINGS, VISIBLE FROM THE EXTERIOR OF HIS STRATA LOT, WHICH ARE DIFFERENT IN COLOUR (I.E. WHITE OR OFF-WHITE) FROM THOSE OF THE ORIGINAL BUILDING SPECIFICATION;
 - (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 COUNCIL;
 - (O) 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;
 - (P) PLACE ANY SIGNS, BILLBOARDS, NOTICES OR OTHER ADVERTISING MATTER OF ANY KIND ON, OR VISIBLE FROM, THE EXTERIOR OF A STRATA LOT;
 - (Q) PLACE ANY ITEMS ON ANY DECK, PATIO OR THE BALCONY EXCEPT FREE-STANDING, SELF-CONTAINED PLANTER BOXES, BARBECUES, SUMMER FURNITURE AND ACCESSORIES NOR INSTALL ANY HANGING PLANTS OR BASKETS OR OTHER HANGING ITEMS WITHIN THREE FEET OF A BALCONY RAILING LINE; AND
 - (R) 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 A EMPLOYEE, CONTRACTOR, OCCUPANT OR GUEST OF THE STRATA LOT PERMITTED BY THESE BYLAWS.
 - (S) PLACE OR ALLOW TO BE PLACED ON COMMON PROPERTY OR LIMITED COMMON PROPERTY ANY PORTABLE LOCK BOX, SUCH AS A REALTOR'S LOCK BOX, CONTAINING KEYS OR ACCESS CARDS TO THE BUILDING OR STRATA LOT.
- (4) UNLESS OTHERWISE AUTHORIZED BY THE STRATA COUNCIL, A STRATA LOT SHALL BE RESTRICTED TO PERMANENT OCCUPANCY BY NO MORE THAN 3 OCCUPANTS IN A 1 BEDROOM + DEN (FLOOR PLAN TYPE B AND D) AND 4 OCCUPANTS IN A 2 BEDROOM (FLOOR PLAN TYPE A AND C) STRATA LOT.

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, MAILING ADDRESS OUTSIDE THE STRATA PLAN, IF ANY, AND TELEPHONE NUMBERS AND EMERGENCY CONTACT.
 - (2) ON REQUEST BY THE STRATA CORPORATION, A TENANT MUST INFORM THE STRATA CORPORATION OF HIS OR HER NAME, TELEPHONE NUMBER AND EMERGENCY CONTACT.

OBTAIN APPROVAL BEFORE ALTERING A STRATA LOT

- 5
- (1) AN OWNER MUST OBTAIN THE WRITTEN APPROVAL OF THE 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) CHIMNEY, STAIRS, BALCONIES OR OTHER THINGS ATTACHED TO THE EXTERIOR OF A BUILDING;
 - (D) DOORS, WINDOWS OR SKYLIGHTS (INCLUDING THE CASING, THE FRAMES AND THE SILLS OF SUCH DOORS, WINDOWS AND SKYLIGHTS) ON THE EXTERIOR OF A BUILDING, OR THAT FRONT ON THE COMMON PROPERTY (I.E. INCLUDING, FOR EXAMPLE, ADDING SECURITY DEVICES TO THE ENTRANCE DOOR TO A STRATA LOT);
 - (E) FENCES, RAILING 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) 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.

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 AND TO PROVIDE, AT THE REQUEST OF THE STRATA CORPORATION, EVIDENCE OF APPROPRIATE INSURANCE COVERAGE 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 INSURE 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 DESIGNED 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 AND WINDOWS ON THE EXTERIOR OF A BUILDING OR THAT FRONT ON THE COMMON PROPERTY, EXCEPT DOOR AND WINDOW HARDWARE, WINDOW DOUBLE GLAZING SEALS, SLIDING DOORS AND ANY DAMAGE OR BREAKAGE BY OWNER'S, TENANTS' AND GUESTS' MISUSE OR WILLFUL DAMAGE;

 - (E) FENCES, RAILING 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, EXCEPT DOOR AND WINDOW HARDWARE, WINDOW DOUBLE GLAZING SEALS, SLIDING DOORS AND ANY DAMAGE OR BREAKAGE BY OWNERS', TENANTS' AND GUESTS' MISUSE OR WILLFUL DAMAGE;

 - (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 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 THE NEW COUNCIL IS ELECTED [AMENDMENT SPAA S.51 (C)]
- (2) A PERSON WHOSE TERM AS COUNCIL MEMBER IS ENDING IS ELIGIBLE FOR REELECTION [NOTE DELETION OF S. 10(3), (4) AND (5) SPAA S.51(D)].

REMOVING COUNCIL MEMBERS

- 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.
- (3) NO PERSON MAY STAND FOR THE COUNCIL OR CONTINUE TO BE ON COUNCIL WITH RESPECT TO A STRATA LOT IF THE STRATA CORPORATION IS ENTITLED TO REGISTER A LIEN AGAINST THAT STRATA LOT UNDER THE ACT.

REPLACING COUNCIL MEMBER

- 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 VOTE 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 ON WEEK'S NOTICE IF
- (A) ALL COUNCIL MEMBERS CONSENT IN ADVANCE OF THE MEETING, OR
- (B) THE MEETING IS REQUIRED TO DEAL WITH AN EMERGENCY SITUATION, AND ALL COUNCIL MEMBERS EITHER
- (I) CONSENT IN ADVANCE OF THE MEETING, OR
- (II) ARE UNAVAILABLE TO PROVIDE CONSENT AFTER REASONABLE ATTEMPTS TO CONTACT THEM.

- (4) THE COUNCIL MUST INFORM OWNERS ABOUT A COUNCIL MEETING AS SOON AS FEASIBLE [AMENDMENT SPAA S. 51(E)] AFTER THE MEETING HAS BEEN CALLED.

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) 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 PARTICIPANT CAN COMMUNICATE WITH EACH OTHER.
- (2) IF A COUNCIL MEETING IS HELD BY ELECTRONIC MEANS, COUNCIL MEMBERS ARE DEEMED TO BE PRESENT IN PERSON.
- (3) OWNERS MAY ATTEND COUNCIL MEETINGS AS OBSERVERS.
- (4) DESPITE SUBSECTION (3), NO OBSERVERS MAY ATTEND THOSE PORTIONS OF COUNCIL MEETINGS THAT DEAL WITH ANY OF THE FOLLOWING:
- (A) BYLAW CONTRAVENTION HEARINGS UNDER SECTION 135 OF THE ACT;
 - (B) RENTAL RESTRICTION BYLAW EXEMPTION HEARINGS UNDER SECTION 144 OF THE ACT;

- (C) ANY OTHER MATTERS IF THE PRESENCE OF OBSERVERS WOULD, IN THE COUNCIL'S OPINION, UNREASONABLY INTERFERE WITH AN INDIVIDUAL'S PRIVACY.

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 [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 PURPOSE 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 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) \$200.00 FOR EACH CONTRAVENTION OF A BYLAW; AND
- (B) \$50.00 FOR 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 OR THESE BYLAWS, AND IF THE OWNER OR TENANT FAILS TO PAY ANY MONEY SO OWNING 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 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 OR 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.

QUORUM FOR ANNUAL OR SPECIAL GENERAL MEETING

- 26 (1) A QUORUM FOR AN ANNUAL OR SPECIAL GENERAL MEETING IS ELIGIBLE VOTERS HOLDING 25% OF THE STRATA CORPORATION'S VOTES, IN PERSON OR BY PROXY.
- (2) 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.

PARTICIPATION BY OTHER THAN ELIGIBLE VOTERS

- 27
- (1) TENANTS AND OCCUPANTS MAY ATTEND ANNUAL AND SPECIAL GENERAL MEETING, 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

- 28
- (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 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 STRATA CORPORATION IS ENTITLED TO REGISTER A LIEN AGAINST THAT STRATA LOT.
 - (9) A PROXY MUST BE IN WRITING AND SIGNED BY THE PERSON APPOINTING THE PROXY. A PROXY CAN BE HELD BY ANY PERSON EXCEPT THE STRATA CORPORATION'S STRATA MANAGER OR AN EMPLOYEE OF THE STRATA CORPORATION.

ORDER OF BUSINESS

- 29 THE ORDER OF BUSINESS AT ANNUAL AND SPECIAL GENERAL MEETINGS IS AS FOLLOWS:
- (A) CERTIFY PROXIES AND CORPORATE REPRESENTATIVES AND ISSUE VOTING CARD;
 - (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 STIATA 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

- 30 (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 CLAIM 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.

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.

BICYCLES, STORAGE AND PARKING

- 33 (1) BICYCLES ARE NOT PERMITTED IN ELEVATORS, HALLWAYS OR ANY OTHER COMMON AREAS. NO BICYCLES ARE TO BE KEPT ON BALCONIES OR PATIOS; INSTEAD, THEY SHALL BE STORED WITHIN THE OWNER'S DESIGNATED STORAGE LOCKER OR SUCH OTHER AREA AS MAY BE PRESCRIBED BY THE COUNCIL. ALL BICYCLES MUST ENTER OR EXIT THE BUILDING BY WAY OF THE VEHICLE ENTRY TO THE PARKING GARAGE ONLY.
- (2) ONLY VEHICLES WITH CURRENT LIABILITY INSURANCE IN FORCE SHALL BE ALLOWED IN THE PARKING AREAS, EXCEPT WITH WRITTEN PERMISSION OF THE STRATA COUNCIL. PARKING OF VEHICLES OTHER THAN THOSE OWNED OR LEASED BY AN OWNER OR TENANT OR THEIR GUESTS IS PROHIBITED.
- (3) OWNERS AND TENANTS SHALL PARK THEIR VEHICLE (S) IN SPACES REGISTERED, ASSIGNED OR RENTED TO THEM BY THE STRATA CORPORATION.
- (4) ONLY OWNERS AND TENANTS SHALL BE REGISTERED, ASSIGNED OR RENTED A PARKING SPACE.
- (5) NO ONE SHALL PARK, OR LEAVE UNATTENDED, OR CAUSE TO BE PARKED OR LEFT UNATTENDED ANY VEHICLE IN SUCH A POSITION THAT IT INFRINGES ON ACCESS LANES OR NO PARKING ZONES.
- (6) MOTOR TUNE-UPS, MECHANICAL REPAIRS CAUSING MESSY OR HAZARDOUS CONDITIONS, OR OTHER EXCESSIVE ENGINE RUNNING ARE PROHIBITED.
- (7) VEHICLES DRIPPING EXCESSIVE OIL, OR ANY GASOLINE SHALL BE PROHIBITED FROM THE PARKING AREAS UNTIL REPAIRED. OWNERS OF VEHICLES CAUSING OIL STAINING SHALL AT THE STRATA CORPORATION'S NOTIFICATION, CLEAN UP ALL DRIPPINGS, OR ON FAILURE TO DO SO ON SEVEN (7) DAYS' NOTICE GIVEN TO THE OWNERS OF THE STRATA LOT, THE STRATA CORPORATION MAY DO SO AND THE OWNER SHALL BE ASSESSED THE COST OF THE CLEAN UP.
- (8) THE PARKING AREAS SHALL NOT BE USED FOR STORAGE OF ANYTHING OTHER THAN A MOTOR VEHICLE, EXCEPT WITH WRITTEN PERMISSION OF THE STRATA COUNCIL.
- (9) NO RECREATIONAL VEHICLE SHALL BE PARKED OR LEFT ON THE COMMON PROPERTY, WITHOUT THE PRIOR WRITTEN PERMISSION OF THE STRATA COUNCIL.
- (10) NO VEHICLE OR BOAT OR EQUIPMENT ATTACHED HERETO THAT CONSTITUTES A FIRE HAZARD, IN THE STRATA COUNCIL'S OPINION, SHALL BE PERMITTED IN THE PARKING AREAS.
- (11) NO VEHICLE SHALL TRAVEL IN EXCESS OF 10 KPH IN THE PARKING AREAS.

- (12) THE USE OF VEHICLE HORNS IN THE PARKING AREAS IS PROHIBITED EXCEPT IN SUCH CASES AS WHERE THE HORN IS REQUIRED TO PREVENT A COLLISION.
- (13) IF AN UNAUTHORIZED VEHICLE IS PARKED IN A REGISTERED, ASSIGNED OR RENTED STALL, THE PERSON AUTHORIZED TO PARK IN THAT STALL MAY HAVE THE VEHICLE REMOVED AT THE EXPENSE OF THE OWNER OF THE UNAUTHORIZED VEHICLE. IN ADDITION, THE STRATA CORPORATION MAY REMOVE ANY UNAUTHORIZED OR IMPROPERLY IDENTIFIED VEHICLE FROM THE COMMON PROPERTY AT THE OWNER'S EXPENSE.
- (14) AN OWNER OR TENANT SHALL NOT PARK HIS OR HER VEHICLE IN THE DRIVEWAY OR ANY DESIGNATED FIRE LANES OF THE STRATA CORPORATION.
- (15) DESIGNATED VISITORS PARKING STALLS SHALL BE USED ONLY BY VISITORS TO THE STRATA BUILDING AND SHALL NOT BE USED BY OWNERS OR TENANTS.
- (16) VISITOR PARKING SHALL BE LIMITED TO A MAXIMUM DURATION OF ONE DAY, UNLESS ARRANGED DIFFERENTLY WITH THE CARETAKER. ANY VISITOR WHO VISITS FOR A LONGER PERIOD THAN TWENTY FOUR (24) HOURS MUST ADVISE THE CARETAKER. ALL VEHICLES USING VISITORS PARKING MUST DISPLAY THE APPROPRIATE PARKING CODE FOR THE OWNER WHO INVITED THE VISITOR.
- (17) ANY VEHICLE THAT IS PARKED IN VIOLATION OF THIS BYLAW MAY BE TOWED AT THE OWNER'S EXPENSE.

RECREATION FACILITIES

- 34 (1) ALL OWNERS AND TENANTS AND THEIR VISITORS SHALL COMPLY WITH THE RULES AND REGULATIONS GOVERNING THE USE AND ENJOYMENT OF THE RECREATION FACILITIES.
- (2) ALL RECREATION FACILITIES SHALL BE USED BY THE OWNERS AND TENANTS AND THEIR ACCOMPANYING VISITORS ONLY.
- (3) OWNERS ARE RESPONSIBLE FOR ENSURING THAT TENANTS AND VISITORS COMPLY WITH THE RULES AND REGULATIONS GOVERNING THE USE AND ENJOYMENT OF THE RECREATION FACILITIES.
- (4) THE STRATA CORPORATION RESERVES THE RIGHT TO PROHIBIT THE USE OF THE RECREATION FACILITIES TO ANY OWNER, TENANT OR VISITOR FOUND IN BREACH OF THESE BYLAWS OR THE RULES AND REGULATIONS.

MOVING

- 35 (1) WHEN AN OWNER OR TENANT MOVES IN OR OUT, HE OR SHE SHALL MAKE AN APPOINTMENT WITH THE CARETAKER HAVING REGARD TO THE CONVENIENCE OF ALL CONCERNED.
- (2) ELEVATOR PADS SHALL BE INSTALLED BY THE CARETAKER BEFORE ANY MOVES SHALL OCCUR.

- (3) ALL MOVES SHALL BE MADE BETWEEN 9:00 AM AND 4:00 PM, MONDAY TO SATURDAY, EXCEPT STATUTORY HOLIDAY, UNLESS OTHERWISE ARRANGED WITH THE BUILDING CARETAKER.
- (4) IN CONSIDERATION OF THE EXTRAORDINARY WEAR AND TEAR TO THE BUILDING, AND PAINT AND CARPET DAMAGE TO COMMON PROPERTY, COMMON FACILITIES AND OTHER ASSETS OF THE STRATA CORPORATION, WHEN AN OWNER OR TENANT MOVES IN WITH THEIR FURNISHINGS, A CHARGE OF \$75 SHALL BE LEVIED AGAINST THE OWNER OF THE SUBJECT STRATA LOT AS A NON-REFUNDABLE MOVING IN CHARGE AND SHALL BE ADDED TO AND BECOME A PART OF THE FOLLOWING MONTH'S ASSESSMENT OF THAT OWNER AND SHALL BE COLLECTABLE AS SUCH IN ACCORDANCE WITH THE STRATA PROPERTY ACT.

DAMAGE TO PROPERTY

- 36
- (1) NO OWNER SHALL BE ENTITLED TO CLAIM ANY COMPENSATION FROM THE STRATA CORPORATION FOR ANY LOSS OR DAMAGE TO THE PROPERTY OR PERSON OF THE OWNER ARISING FROM ANY DEFECT OR WANT OF REPAIR OF THE COMMON PROPERTY, COMMON FACILITIES AND OTHER ASSETS OF THE STRATA CORPORATION OR ANY PART THEREOF, UNLESS SUCH LOSS OR DAMAGE RESULTED FROM THE NEGLIGENT ACT OR OMISSION ON THE PART OF THE STRATA CORPORATION, ITS EMPLOYEES OR AGENTS.
 - (2) WHERE THE STRATA CORPORATION IS REQUIRED TO ENTER A STRATA LOT FOR THE PURPOSE OF MAINTAINING, REPAIRING, OR RENEWING PIPES, WIRES, CABLES AND DUCTS FOR THE TIME BEING EXISTING IN THE STRATA LOT AND CAPABLE OF BEING USED IN CONNECTION WITH THE ENJOYMENT OF ANY OTHER STRATA LOT OR THE COMMON PROPERTY, COMMON FACILITIES AND OTHER ASSETS OF THE STRATA CORPORATION, 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.
 - (3) 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, COMMON FACILITIES AND OTHER ASSETS OF THE STRATA CORPORATION, OR TO ANY STRATA LOT BY HIS OR HER ACT, NEGLIGENCE OR CARELESSNESS OR BY THAT OF ANY MEMBER OF HIS OR HER FAMILY, 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.
 - (4) AN OWNER SHALL NOT CAUSE DAMAGE TO TREES, PLANTS, BUSHES, FLOWERS, OR THE 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.

PET RESTRICTIONS

- 37 (1) THERE SHALL BE NO FURTHER INCREASE IN THE NUMBER OF PETS BEYOND THAT NUMBER WHICH PRESENTLY RESIDE IN THE BUILDING. THE STRATA COUNCIL SHALL ESTABLISH A REGISTER OF PETS EXISTING IN THE BUILDING, IDENTIFYING EACH PET, ITS OWNER AND THE STRATA LOT IN WHICH THE PET RESIDES. THE PET MUST BE REGISTERED IN THE STRATA COUNCIL'S REGISTER BY MARCH 1 ST, 1995. AFTER THAT DATE, NO PET SHALL BE ADDED TO THE REGISTER. ONLY THOSE PETS LISTED IN THE STRATA COUNCIL'S REGISTER SHALL BE PERMITTED TO RESIDE WITHIN THE BUILDING.
- (2) AN OWNER OR TENANT SHALL NOT KEEP ANY ANIMALS OR PETS OF ANY KIND IN HIS OR HER STRATA LOT AFTER NOTICE FROM THE STRATA COUNCIL WHO, IN THEIR OPINION, DETERMINED THAT SAID ANIMAL OR PET IS CREATING A NUISANCE.
- (3) NO OWNER OR TENANT SHALL ALLOW ANIMALS OR PETS TO DEFECATE OR URINATE WITHIN THE STRATA PLAN BOUNDARIES.

RENTAL RESTRICTIONS

- 38 AN OWNER SHALL NOT RENT HIS OR HER STRATA LOT EXCEPT IN ACCORDANCE WITH THE RESTRICTIONS SET OUT IN SCHEDULE "A" HERETO WITH RESPECT TO STRATA LOTS 1 TO 80 AND SCHEDULE "B" HERETO WITH RESPECT TO STRATA LOTS 81 TO 160.

SCHEDULE "A" - STRATA 1-80 (TOWER ON THE PARK)

- (A) AN OWNER RENTING HIS/HER UNIT MUST, PRIOR TO THE TENANT TAKING POSSESSION OF THE STRATA LOT, FILE A WRITTEN UNDERTAKING IN FORM "K" IN CONCURRENCE WITH THE STRATA PROPERTY ACT.
- (B) AN OWNER WHO RENTS HIS/HER STRATA LOT AND FAILS TO PROVIDE THE UNDERTAKING IN ACCORDANCE WITH THIS PARAGRAPH OF THE SCHEDULE SHALL BE LIABLE TO PAY THE STRATA CORPORATION A FINE TO BE DETERMINED BY THE STRATA COUNCIL.

SCHEDULE "B" - STRATA 81-160 (PANORAMA PLACE)

- (A) NO MORE THAN TWELVE (12) STRATA LOTS WITHIN THE STRATA PLAN SHALL BE RENTED BY THEIR OWNERS AT ANY GIVEN TIME. THIS LIMITATION SHALL BE ADMINISTERED AND ENFORCED BY THE STRATA COUNCIL. ALL OWNERS WHO PRESENTLY RENT A PARTICULAR STRATA LOT OR LOTS (PRESENTLY MORE THAN 12) SHALL HAVE THIS RIGHT AS LONG AS HE/SHE OWNS THAT PARTICULAR STRATA LOT OR LOTS. THE STRATA COUNCIL SHALL HAVE THE RIGHT TO GRANT ADDITIONAL OWNERS EACH THE RIGHT TO RENT A STRATA LOT IN CASES OF HARDSHIP.
- (B) IN CASE THAT THERE IS A WAITING LIST OF OWNERS WHO WISH TO RENT THEIR STRATA LOT, 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.

- (C) ANY OWNER WISHING TO APPLY TO RENT HIS/HER STRATA LOT SHALL APPLY IN WRITING TO THE STRATA COUNCIL FOR PERMISSION TO DO SO.
- (D) UPON RECEIPT OF SUCH REQUEST, THE STRATA COUNCIL SHALL REVIEW THE REQUEST, AND IN DOING SO SHALL CONSIDER THE NUMBER OF STRATA LOTS WHICH MAY BE RENTED PURSUANT TO THE SECTION, AND ALL APPLICATIONS FOR RENTAL (IF ANY) CURRENTLY OUTSTANDING.
- (E) THE STRATA COUNCIL, IN GRANTING OR REFUSING PERMISSION, SHALL IN ALL CASES, ACT IN THE BEST INTEREST OF THE STRATA CORPORATION AS A WHOLE AND OF THE OWNERS THEREOF, AND SHALL CONSIDER ALL OBJECTIONS OR OTHER RELEVANT MATERIAL PRESENTED TO IT.
- (F) UPON RECEIPT OF WRITTEN APPROVAL FROM THE STRATA COUNCIL, THE OWNER MUST, PRIOR TO THE TENANT TAKING POSSESSION OF THE STRATA LOT, FILE A WRITTEN UNDERTAKING IN FORM "K" IN CONCURRENCE WITH THE STRATA PROPERTY ACT.
- (G) UPON THE TERMINATION OF ANY TENANCY, WHETHER EXISTING OR APPROVED PURSUANT TO THIS BYLAW, THE OWNER SHALL THEREAFTER MAKE APPLICATION TO THE STRATA COUNCIL FOR PERMISSION TO RENT THE STRATA LOT TO THE SUBSEQUENT TENANT IN ACCORDANCE WITH THE PROVISIONS OF THIS BYLAW.
- (H) SHOULD ANY OWNER RENT HIS/HER STRATA LOT IN CONTRAVENTION OF THE LIMITATIONS CONTAINED IN THIS BYLAW, THE STRATA COUNCIL MAY TAKE ANY ONE OR MORE OF THE FOLLOWING ACTIONS:
 - (I) TAKE ALL NECESSARY STEPS TO TERMINATE THE TENANCY AGREEMENT ON BEHALF OF THE STRATA LOT;
 - (II) LEVY A FINE NOT TO EXCEED \$500.00 PER MONTH FOR EACH MONTH OR PART MONTH OF CONTRAVENTION; AND
 - (III) SEEK A DECLARATION OF ANY COURT OF COMPETENT JURISDICTION WITH REGARD TO THE ENFORCEMENT OF THESE BYLAWS OR AN INJUNCTION TO PREVENT THE CONTINUED RENTAL OF SUCH STRATA LOT AND UPON RECEIVING SUCH DECLARATION OF INJUNCTION, THE COST OF OBTAINING THE SAME SHALL BE THE RESPONSIBILITY OF THE OWNER CONTRAVENING THE PROVISIONS OF THIS BYLAW AND SHALL BE RECOVERABLE ON A SOLICITOR AND OWN CLIENT BASIS BY THE STRATA CORPORATION.

TYPES OF STRATA LOTS

- 39 ALL OF THE STRATA LOTS HAVING THE CIVIC ADDRESS 7100 OF GILBERT ROAD (IE. BEING STRATA LOTS 1-80 INCLUSIVE) SHALL BE CONSIDERED ONE TYPE OF STRATA LOT AND ALL STRATA LOTS HAVING THE CIVIC ADDRESS OF 7040 GRANVILLE AVENUE (IE BEING STRATA LOTS 81-160 INCLUSIVE) SHALL BE CONSIDERED A DIFFERENT TYPE OF STRATA LOT FOR THE PURPOSE OF ALLOCATING EXPENSES WHICH RELATE TO AND BENEFIT ONLY ONE OF THESE TYPES OF STRATA LOTS. IF A CONTRIBUTION TO THE OPERATING FUND RELATES TO AND BENEFITS ONLY ONE OF THESE TYPES OF STRATA LOTS, SUCH CONTRIBUTION IS TO BE SHARED ONLY BY THE OWNERS OF STRATA LOTS OF THAT TYPE AND EACH STRATA LOT'S SHARE OF THAT CONTRIBUTION IS TO BE CALCULATED IN ACCORDANCE WITH THE FORMULA WHICH HAS AS ITS NUMERATOR THE UNIT ENTITLEMENT OF THE STRATA LOT WITHIN THAT TYPE AND AS ITS DENOMINATOR THE TOTAL UNIT ENTITLEMENT OF ALL STRATA LOTS WITHIN THAT TYPE.

HARDWOOD FLOORS

- 40 AN OWNER OF A STRATA LOT WHO HAS OR INSTALLS HARD FLOOR SURFACE SUCH AS HARDWOOD FLOORS OR TILE IN A STRATA LOT MUST TAKE ALL REASONABLE STEPS TO SATISFY NOISE COMPLAINTS FROM NEIGHBORS, 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.

