



VANCOUVER CONDOMINIUM SERVICES LTD.

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

BYLAWS

STRATA PLAN VR-2538

"HERITAGE AT CYPRESS"

ADDRESS: 1860/1870 & 1876/1890 West 6th Avenue
Vancouver, B.C. V6J 1R6

1845 West 7th Avenue, Vancouver, B.C. V6J 1S9

2202 – 2220 Cypress Street, Vancouver, B.C. V6J 3M5

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

* * *

November 21, 2007



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HERITAGE AT CYPRESS

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BYLAWS

STRATA PLAN VR-2538

HERITAGE AT CYPRESS

Preamble

These bylaws bind the strata corporation and the owners, tenants and occupants to the same extent as if the bylaws had been signed by the strata corporation and each owner, tenant and occupant and contained covenants on the part of the strata corporation with each owner, tenant and occupant and on the part of each owner, tenant and occupant with every other owner, tenant and occupant and with the strata corporation to observe and perform their provisions.

Unless otherwise stated, all terms have the meanings prescribed in the *Strata Property Act*, S.B.C. 1998, c. 43 (the "Act"). For the purposes of these bylaws, "residents" means collectively, owners, tenants and occupants and "a resident" means collectively, an owner, a tenant and an occupant. The Schedule of Standard Bylaws to the Act does not apply to the strata corporation.

Duties of Owners, Tenants, Occupants and Visitors

1. Compliance with bylaws and rules

- 1.1 All residents and visitors must comply strictly with the bylaws and rules of the strata corporation adopted from time to time. (Oct. 23/2003)

2. Payment of strata fees and special levies

- 2.1 An owner must pay strata fees on or before the first day of the month to which the strata fees relate. (Oct. 23/2003)
- 2.2 Where an owner fails to pay strata fees in accordance with bylaw 2.1, outstanding strata fees will be subject to an interest charge of 10% per annum, compounded annually. In addition to interest, failure to pay strata fees on the due date will result in a fine of \$25 for each contravention of bylaw 2.1. (Oct. 23/2003)
- 2.3 An owner must provide the strata corporation or its agent with twelve (12) consecutive, monthly post-dated cheques for strata fees for the fiscal year of the strata corporation, dated as of the first day of each month or, if applicable, written authorization for monthly automatic debit from the owner's bank account. (Oct. 23/2003)

- 2.4 Failure by an owner to submit twelve (12) monthly, post-dated strata fee cheques or written authorization for automatic debit in accordance with bylaw 2.3 is a contravention of bylaw 2.3 and the strata corporation will levy a fine of \$25 for each contravention. Each dishonoured cheque or dishonoured automatic debit will be subject to a fine of \$25 and an administration charge of \$25. (Oct. 23/2003)
- 2.5 A special levy is due and payable on the date or dates noted in the resolution authorizing the special levy. (Oct. 23/2003)
- 2.6 Failure to pay a special levy on the due date will result in a fine of \$50 for each contravention of bylaw 2.5. (Oct. 23/2003)
- 2.7 Where an owner fails to pay a special levy in accordance with bylaw 2.5, outstanding special levies will be subject to an interest charge of 10% per annum, compounded annually. (Oct. 23/2003)

3. Repair and maintenance of property by owner

- 3.1 An owner must repair and maintain the owner's strata lot, including doors, window glass and seals, and skylight glass and seals which belong to an owner's strata lot, except for repair and maintenance that is the responsibility of the strata corporation under these bylaws. (Oct. 23/2003)
- 3.2 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. Where repair or maintenance is the responsibility of the strata corporation, the owner must advise the strata corporation in writing of the need for repair or maintenance upon becoming aware of such need. (Oct. 23/2003)
- 3.3 Any physical/mechanical damage to the waterproofing membrane or staining of the membrane which is attributable to a strata lot owner (or his/her tenants, guests or invitees) will be repaired at that strata lot owner's expense. Physical/mechanical damage would include, but not be limited to, a tear from dragging items across the membrane or from sharp items settling on the membrane, breaching from non-conforming wood decking, or other causes determined by the strata council not to be normal wear and tear. (Oct. 23/2003)

4. Use of property

- 4.1 A resident 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, (Oct. 23/2003)
 - (b) causes unreasonable noise, (Oct. 23/2003)
 - (c) unreasonably interferes with the rights of other persons to use and enjoy the common property, common assets or another strata lot, (Oct. 23/2003)
 - (d) is illegal, or (Oct. 23/2003)

- (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. (Oct. 23/2003)
- 4.2 A resident 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. (Oct. 23/2003)
- 4.3 Owners is responsible for the actions of their occupants, tenants or visitors to the owner's strata lot, or to common property of the strata corporation. (Oct. 23/2003)
- 4.4 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, and for the purposes of bylaws 4.1, 4.2 and 4.3, 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. (Oct. 23/2003)
- 4.5 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 adults and two children up to age eighteen, 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 purposes of this bylaw 4.5, 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. (Oct. 23/2003)

5. Pets and Animals

- 5.1 A resident or visitor must not keep any pets on a strata lot or common property, or on land that is a common asset, except in accordance with these bylaws. (Oct. 23/2003)
- 5.2 A resident or visitor must ensure that all pets, except cats, are leashed or otherwise secured when on the common property or on land that is a common asset. (Oct. 23/2003)
- 5.3 A resident must not keep a pet on a strata lot, other than one or more of the following, unless prior approval is obtained by strata council:
 - (a) a reasonable number of fish or other small aquarium animals; (Oct. 23/2003)
 - (b) a reasonable number of small caged mammals; (Oct. 23/2003)
 - (c) a reasonable number of small caged birds; (Oct. 23/2003)
 - (d) two dogs or two cats or one of each. (Oct. 23/2003)

- 5.4 A resident must not harbour exotic pets, including, not exhaustively, snakes, reptiles, spiders, or large members of the cat family unless prior written approval is obtained from the strata council. (Oct. 23/2003)
- 5.5 A pet found loose on common property or land that is a common asset may be delivered to the municipal pound at the cost of the strata lot owner. (Oct. 23/2003)
- 5.6 A resident must not keep a pet which is a nuisance on a strata lot. If a resident has a pet which is not permitted or if, in the opinion of council, the pet is a nuisance or has caused or is causing an unreasonable interference with the use and enjoyment by residents or visitors of a strata lot, common property or common assets, the council may order such pet to be removed permanently from the strata lot, the common property or common asset or all of them, or other appropriate remedy. (Oct. 23/2003)
- 5.7 If a resident contravenes bylaw 5.6, the owner of the strata lot will be subject to a fine of \$50. (Oct. 23/2003)
- 5.8 Notwithstanding bylaw 5.7, a resident whose pet contravenes bylaw 5.6 may be subject to an immediate injunction application and the owner of the strata lot will be responsible for all expenses incurred by the strata corporation to obtain the injunction, including legal costs. (Oct. 23/2003)
- 5.9 A pet owner must ensure that a pet is kept quiet, controlled and clean. Any excrement on common property or on land that is a common asset must be immediately disposed of by the pet owner. (Oct. 23/2003)
- 5.10 A pet owner must keep a pet only in a strata lot, except for ingress and egress. (Oct. 23/2003)
- 5.11 A strata lot owner must assume all liability for all actions by a pet, regardless of whether the owner had knowledge, notice or forewarning of the likelihood of such action. (Oct. 23/2003)
- 5.12 A resident or visitor must not feed birds, rodents or other wild animals from any strata lot, limited common property, common property or land that is a common asset. No bird feeders of any kind are permitted on balconies, strata lots, common property or land that is a common asset. (Oct. 23/2003)
- 5.13 An owner who contravenes any of bylaws 5.1 to 5.6 (inclusive) or 5.9 to 5.12 (inclusive) may be subject to a \$50 fine. (Oct. 23/2003)

6. Inform strata corporation

- 6.1 An owner must notify the strata corporation of:
- (a) within two weeks of becoming an owner; the owner's name and any occupants' names, strata lot number and mailing address outside the strata plan, if any; and (Oct. 23/2003)
 - (b) any mortgage or other dealing in connection with the strata lot within two weeks of such mortgaging or other dealing. (Oct. 23/2003)

6.2 On request by the strata corporation, a tenant must inform the strata corporation of the tenant's name and the strata lot which the tenant occupies. (Oct. 23/2003)

7. Obtain approval before altering a strata lot

7.1 An owner must obtain the written approval of the strata corporation before making or authorizing an alteration to a strata lot that involves any of the following:

- (a) the structure of a building; (Oct. 23/2003)
- (b) the exterior of a building; (Oct. 23/2003)
- (c) patios, chimneys, stairs, balconies or other things attached to the exterior of a building; (Oct. 23/2003)
- (d) doors, windows or skylights on the exterior of a building, or that front on the common property; (Oct. 23/2003)
- (e) fences, railings or similar structures that enclose a patio, balcony or yard; (Oct. 23/2003)
- (f) common property located within the boundaries of a strata lot; (Oct. 23/2003)
- (g) those parts of the strata lot which the strata corporation must insure under section 149 of the Act; and (Oct. 23/2003)
- (h) wiring, plumbing, piping, heating, air conditioning and other services; (Oct. 23/2003)
- (i) any change from carpeting to other flooring materials, that may affect sound transmission; (Oct. 23/2003)
- (j) any changes which require a building permit under the city bylaws. (Oct. 23/2003)

7.2 The strata corporation must not unreasonably withhold its approval under bylaw 7.1, but will 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 indemnify and hold harmless the strata corporation for any future costs in connection with the alteration. (Oct. 23/2003)

7.3 An owner intending to apply to the strata corporation for permission to alter a strata lot must submit, in writing, detailed plans and written description of the intended alteration. If a building permit is required by the City of Vancouver, the owner shall supply a copy of all building permit documentation including copies of all Letters of Assurance required by the City of Vancouver Building Bylaw. (Oct. 23/2003)

- (a) The proposal shall be submitted to the management agent, who will distribute copies to the strata council. The owner shall, if so requested, attend a council meeting to explain the proposal and/or answer questions from the council. (Oct. 23/2003)

- (b) After discussion and review, the strata council shall deliver a decision on the application within 30 days to the management agent, who shall provide a written statement to the owner-applicant. (Oct. 23/2003)
- (c) No construction or preparation for construction shall be undertaken by the owner-applicant until such time as written approval is received from the management agent. (Oct. 23/2003)
- (d) Upon receipt of approval, the owner-applicant shall commence construction within six months, and once construction has commenced, it shall be completed within 12 months. (Oct. 23/2003)
- (e) The owner-applicant shall be responsible for ensuring that all municipal building codes are followed and permits obtained. Any liabilities arising from failure to obtain proper municipal approvals and conform to all municipal codes shall be the sole responsibility of the owner-applicant. (Oct. 23/2003)
- (f) The owner-applicant, and his/her successors in title to the strata lot shall be responsible for the upkeep and maintenance of the alteration to the extent that it would not normally have been covered by the strata corporation. (Oct. 23/2003)
- (g) The strata corporation shall have full and sufficient authority to complete any aspects of the construction, or remove it, in the event that the owner-applicant does not complete the construction as proposed and approved. The cost shall be added to the owner-applicant's account with the strata corporation. (Oct. 23/2003)
- (h) Any alteration commenced as of the date of registration of this by-law shall be subject automatically to all the provisions herein and any rules, regulation and directives that the strata council may impose on specific applications. (Oct. 23/2003)

7.4 Upon completion of alterations for which a Building Permit was required, an owner shall provide the Strata Corporation with copies of the City of Vancouver Occupancy Certificate and Letters of Assurance required to obtain the Occupancy Certificate. (Oct. 23/2003)

7.5 Only an owner may apply for permission to alter a strata lot. (Oct. 23/2003)

7.6 An owner failing to comply with 7.1 to 7.5 (inclusive) may be subject to a fine of up to \$200. (Oct. 23/2003)

8. Obtain approval before altering common property

8.1 An owner must obtain the written approval of the strata corporation before making or authorizing an alteration to common property, including limited common property or common assets. (Oct. 23/2003)

8.2 An owner intending to apply to the strata corporation for permission to alter common property, limited common property or common assets, must submit, in writing, detailed plans and written description of the intended alteration. If a building permit is required by the City of Vancouver, the owner shall supply a copy of all building permit documentation including the Letters of Assurance required by the City of Vancouver Building Bylaw. (Oct. 23/2003)

- (a) The proposal shall be submitted to the management agent, who will distribute copies to the strata council. The owner shall, if so requested, attend a council meeting to explain the proposal and/or answer questions from the council. (Oct. 23/2003)
 - (b) Upon discussion and review, the strata council shall deliver a decision on the application within 30 days to the management agent, who shall provide a written statement to the owner-applicant. (Oct. 23/2003)
 - (c) No construction or preparation for construction shall be undertaken by the owner-applicant until such time as written approval is received from the management agent. (Oct. 23/2003)
 - (d) After receipt of approval, the owner-applicant shall commence construction within 30 days, and once construction has commenced, it shall be completed within the time period as determined by the strata council. (Oct. 23/2003)
 - (e) The owner-applicant shall be responsible for ensuring that all municipal building codes are followed and permits obtained. Any liabilities arising from failure to obtain proper municipal approvals shall be the sole responsibility of the owner-applicant. (Oct. 23/2003)
 - (f) The owner-applicant, and his/her successors in title to the strata lot shall be responsible for the upkeep and maintenance of the alteration to the extent that it would not normally have been covered by the strata corporation. (Oct. 23/2003)
 - (g) The strata corporation shall have full and sufficient authority to complete any aspects of the construction, or remove it, in the event that the owner-applicant does not complete the construction as proposed and approved. Any costs incurred by the Strata Corporation in respect of any completion or removal must be paid by the owner-applicant. (Oct. 23/2003)
 - (h) Any alteration commenced as of the date of registration of this by-law shall be subject automatically to all the provisions herein and any rules, regulation and directives that the strata council may impose on specific applications. (Oct. 23/2003)
- 8.3 The strata corporation may require, as a condition of its approval, that the owner agree, in writing, to certain terms and conditions, including, not exhaustively, the following:
- (a) that alterations be done in accordance with the design or plans approved by the strata council or its duly authorized representatives; (Oct. 23/2003)
 - (b) that the standard of work and materials be not less than that of the existing structures; (Oct. 23/2003)
 - (c) that all work and materials necessary for the alteration be at the sole expense of the owner; (Oct. 23/2003)

- (d) that the owner from time to time of the strata lot receiving the benefit of an alteration to common property, limited common property or common assets must, for so long as he or she remains an owner, be responsible for all present and future maintenance, repairs and replacements, increases in insurance, and any damage suffered or cost incurred by the strata corporation as a result, directly or indirectly, of the alterations to common property, limited common property or common assets; (Oct. 23/2003)
- (e) that the owner and any subsequent owner on title who receives the benefit of such alteration, must, with respect only to claims or demands arising during the time that they shall have been owner, indemnify and hold harmless the strata corporation, its council members, employees and agents from any and all claims and demands whatsoever arising out of or in any manner attributable to the alteration. Any costs or expenses incurred by the strata corporation as the result of such claim or demand will be the responsibility of the owner from time to time of the strata lot who has benefited from the alteration and the said costs or expenses incurred must be charged to that owner and shall be added to and become part of the strata fees of that owner for the month next following the date upon which the cost or expenses are incurred, but not necessarily paid by the strata corporation, and shall become due and payable on the due date of payment of monthly strata fees. (Oct. 23/2003)

- 8.4 An owner who has altered common property, limited common property or common assets prior to the passage of these bylaws shall be subject to their content and intent to the extent that any damages suffered or costs incurred by the strata corporation as a result, directly or indirectly, of the alteration, must be borne by the owner who has benefited from the alteration. (Oct. 23/2003)
- 8.5 Only an owner may apply for permission to alter common property. (Oct. 23/2003)
- 8.6 An owner who, subsequent to the passage of bylaws 8.1 to 8.5 (inclusive), alters common property or limited common property without adhering strictly to these bylaws, must restore, at the owner's sole expense, the common property, limited common property or common assets, as the case may be, to its condition prior to the alteration. If the owner refuses or neglects to restore the alteration to its original condition, the strata corporation may conduct the restoration, at the expense of the owner who altered the common property or limited common property. The cost of such alteration shall be added to and become part of the strata fees of that owner for the month next following the date on which the cost was incurred and will become due and payable on the due date of payment of monthly strata fees. (Oct. 23/2003)
- 8.7 Upon completion of alterations for which a Building Permit was required, an owner shall provide the Strata Corporation with copies of the City of Vancouver Occupancy Certificate and Letters of Assurance required to obtain the Occupancy Certificate. (Oct. 23/2003)
- 8.8 An owner failing to comply with 8.1 to 8.7 (inclusive) may be subject to a fine of up to \$200. (Oct. 23/2003)

9. Construction Procedures

- 9.1 After written approval for alterations/renovations has been obtained as required by Section 7 and/or Section 8 an owner must give the property management company two working days' prior notice of the scheduled arrival of tradespersons or delivery of materials. (Oct. 23/2003)
- 9.2 A resident must not permit any construction debris, materials or packaging to be deposited in the strata corporation's disposal containers. (Oct. 23/2003)
- 9.3 An owner commencing construction must ensure that the delivery of any construction material will not unduly disturb or damage the building facilities. Where the elevator is used, the owner must ensure the elevator is protected with proper pads and floor coverings. (Oct. 23/2003)
- 9.4 A resident must be responsible for ensuring that:
- (a) drop cloths are installed and removed daily between the elevators and the strata lot as well as between other doors to protect common areas from any spillage or dripping; and (Oct. 23/2003)
 - (b) stairs, lobbies and paths through the parking areas are regularly cleaned (and vacuumed at the request of the council) and the residential corridor thoroughly vacuumed daily; (Oct. 23/2003)
- 9.5 As per the City of Vancouver's Noise Control By-law (6555), an owner must ensure that the hours of work are restricted to 7:30 a.m. to 8:00 p.m. on any Monday through Friday that is not a holiday, and 10:00 a.m. to 8:00 p.m. on any Saturday that is not a holiday. No construction is permitted on a Sunday or a holiday. (Oct. 23/2003)
- An owner must designate a responsible person to be present for all renovation/alterations. The strata council may require that the owner appoint a person acceptable to the council. (Oct. 23/2003)
- 9.6 An owner performing or contracting with others to perform renovations or alterations will be responsible, financially and otherwise, for ensuring that any and all required permits and licences are obtained prior to construction, and that all work is performed according to appropriate standards. (Oct. 23/2003)
- 9.7 An owner in contravention of any of bylaws 9.1 to 9.6 (inclusive) shall be subject to a fine of \$50 for each contravention, and be responsible as well for any clean-up or repair costs. (Oct. 23/2003)

10. Permit entry to strata lot

- 10.1 A resident or visitor must allow a person authorized by the strata corporation to enter the strata lot or limited common property
- (a) in an emergency, without notice, to ensure safety or prevent significant loss or damage; (Oct. 23/2003)

(b) at a reasonable time, on personal receipt of 48 hours' written notice, (Oct. 23/2003)

(i) to inspect, repair, renew, replace or maintain common property, common assets and any portions of a strata lot that are the responsibility of the strata corporation to repair, replace, renew and maintain under these bylaws or the Act or to insure under section 149 of the Act. (Oct. 23/2003)

10.2 If forced entry to a strata lot is necessary due to required emergency access and the inability to contact the owner of the strata lot, the owner shall be responsible for all costs of forced entry incurred by the strata corporation. (Oct. 23/2003)

10.3 The notice referred to in bylaw 10.1(b) must include the date and approximate time of entry, and the reason for entry. (Oct. 23/2003)

Powers and Duties of Strata Corporation

11. Repair and maintenance of property by strata corporation

11.1 The strata corporation must repair and maintain all of the following:

(a) common assets of the strata corporation; (Oct. 23/2003)

(b) common property that has not been designated as limited common property; (Oct. 23/2003)

(c) limited common property, but the duty to repair and maintain it is restricted to (Oct. 23/2003)

(i) repair and maintenance that in the ordinary course of events occurs less often than once a year, and (Oct. 23/2003)

(ii) the following, no matter how often the repair or maintenance ordinarily occurs: (Oct. 23/2003)

A. the structure of a building; (Oct. 23/2003)

B. the exterior of a building; (Oct. 23/2003)

C. patios, chimneys, stairs, balconies and other things attached to the exterior of a building; (Oct. 23/2003)

D. door frames, windows and skylights, except doors, glass and seals; (Oct. 23/2003)

E. fences, railings and similar structures that enclose patios, balconies and yards; (Oct. 23/2003)

(d) a strata lot, but the duty to repair and maintain it is restricted to (Oct. 23/2003)

(i) the structure of a building, (Oct. 23/2003)

- (ii) the exterior of a building, (Oct. 23/2003)
- (iii) patios, chimneys, stairs, balconies and other things attached to the exterior of a building, (Oct. 23/2003)
- (iv) doors, windows and skylights on the exterior of a building or that front on common property, and (Oct. 23/2003)
- (v) fences, railings and similar structures that enclose patios, balconies and yards. (Oct. 23/2003)

Council

12. Council size

- 12.1 The council must have at least 3 and not more than 7 members. (Oct. 23/2003)

13. Council eligibility

- 13.1 The owner or the spouse of an owner may stand for council, but not both. (Oct. 23/2003)
- 13.2 No person may stand for council or continue to be on council with respect to a strata lot if the strata corporation is entitled to register a lien against that strata lot under section 116(1) of the Act. (Oct. 23/2003)
- 13.3 No person may stand for council or continue to be on council with respect to a strata lot if there are significant amounts owing to the strata corporation charged against the strata lot in respect of administration fees, bank charges, fines, penalties, interest or the costs, including the legal costs, of remedying a contravention of the bylaws or rules. (Oct. 23/2003)
- 13.4 No person may stand for council or continue to be on council with respect to a strata lot if there are significant amounts owing to the strata corporation charged against the strata lot in respect of administration fees, bank charges, fines, penalties, interest or the costs, including the legal costs, of remedying a contravention of the bylaws or rules for which the owner is responsible under section 131 of the Act. (Oct. 23/2003)
- 13.5 An owner who is a council member and who lists his or her strata lot for sale must disclose this information to council and shall be deemed to have resigned from council at the date of listing. (Oct. 23/2003)

14. Council members' terms

- 14.1 The term of office of a council member ends at the end of the annual general meeting at which the new council is elected. (Oct. 23/2003)
- 14.2 A person whose term as council member is ending is eligible for reelection. (Oct. 23/2003)

15. Removing council member

- 15.1 Unless all the owners are on the council, the strata corporation may, by a resolution passed by a two-thirds (2/3) vote at an annual or special general meeting, remove one or more council members. The strata corporation must pass a separate resolution for each council member to be removed. In this bylaw 15.1, a 2/3 (two-thirds) vote means a vote in favour of a resolution by at least 2/3 of the votes cast by eligible voters who are present in person or by proxy at the time the vote is taken and who have not abstained from voting. (Oct. 23/2003)
- 15.2 After removing a council member, the strata corporation may hold an election at the same annual or special general meeting to replace the council member for the remainder of the term or the remaining members of the council may appoint a replacement council member for the remainder of the term. (Oct. 23/2003)
- 15.3 If the strata corporation removes all of the council members, the strata corporation must hold an election at the same annual or special general meeting to replace the council members for the remainder of the term up to, at least, the minimum number of council members required by bylaw of the strata corporation for the remainder of the term. (Oct. 23/2003)
- 15.4 The council may appoint the remaining council members necessary to achieve a quorum for the strata corporation, even if the absence of the members being replaced leaves the council without a quorum. (Oct. 23/2003)
- 15.5 A replacement council member appointed pursuant to bylaws 15.2 and 15.4 may be appointed from any person eligible to sit on the council. (Oct. 23/2003)

16. Replacing council member

- 16.1 If a council member resigns or is unwilling or unable to act, the remaining members of the council may appoint a replacement council member for the remainder of the term. (Oct. 23/2003)
- 16.2 A replacement council member may be appointed by selecting any person eligible to sit on the council. (Oct. 23/2003)
- 16.3 The council may appoint a council member under bylaw 16.2 even if the absence of the member being replaced leaves the council without a quorum. (Oct. 23/2003)
- 16.4 If all the members of the council resign or are unwilling or unable to act, 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. (Oct. 23/2003)
- 16.5 Any council member who is absent from four (4) or more scheduled council meetings during the strata corporation's fiscal year will be deemed to have automatically resigned from his or her position on the strata council. (Oct. 23/2003)

17. Officers

- 17.1 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. (Oct. 23/2003)
- 17.2 A person may hold more than one office at a time, other than the offices of president and vice president. (Oct. 23/2003)
- 17.3 The vice president has the powers and duties of the president
- (a) while the president is absent or is unwilling or unable to act, (Oct. 23/2003)
 - (b) if the president is removed, or (Oct. 23/2003)
 - (c) for the remainder of the president's term if the president ceases to hold office. (Oct. 23/2003)
- 17.4 The strata council may vote to remove an officer. (Oct. 23/2003)
- 17.5 If an officer other than the president is removed, resigns, is unwilling or unable to act, the council members may elect a replacement officer from among themselves for the remainder of the term. (Oct. 23/2003)

18. Calling council meetings

- 18.1 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. (Oct. 23/2003)
- 18.2 The notice in bylaw 18.1 does not have to be in writing. (Oct. 23/2003)
- 18.3 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 (Oct. 23/2003)
 - (b) the meeting is required to deal with an emergency situation, and all council members either (Oct. 23/2003)
 - (i) consent in advance of the meeting, or (Oct. 23/2003)
 - (ii) are unavailable to provide consent after reasonable attempts to contact them. (Oct. 23/2003)
- 18.4 Council must inform all owners of any council meeting called. (Oct. 23/2003)

19. Requisition of council hearing

- 19.1 By application in writing, a resident may request a hearing at a council meeting stating the reasons for the request. (Oct. 23/2003)

19.2 Except for a hearing pursuant to section 144 of the Act, if a hearing is requested under bylaw 19.1, the council must hold a meeting to hear the applicant within one (1) month of the date of receipt by the council of the application. (Oct. 23/2003)

19.3 If the purpose of the hearing is to seek a decision of the council, the council must try to give the applicant a written decision within one week of the date of the hearing. (Oct. 23/2003)

20. Quorum of council

20.1 A quorum of the council is

- (a) 1, if the council consists of one member, (Oct. 23/2003)
- (b) 2, if the council consists of 2, 3 or 4 members, (Oct. 23/2003)
- (c) 3, if the council consists of 5 or 6 members, and (Oct. 23/2003)
- (d) 4, if the council consists of 7 members. (Oct. 23/2003)

20.2 Council members must be present in person at the council meeting to be counted in establishing quorum. (Oct. 23/2003)

21. Council meetings

21.1 The council may meet for the conduct of business, adjourn and otherwise regulate its meetings as it thinks fit. (Oct. 23/2003)

21.2 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. (Oct. 23/2003)

21.3 If a council meeting is held by electronic means, council members are deemed to be present in person. (Oct. 23/2003)

21.4 Owners or representatives designated by owners may attend council meetings as observers. (Oct. 23/2003)

21.5 Despite bylaw 21.4, 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; (Oct. 23/2003)
- (b) rental restriction bylaw exemption hearings under section 144 of the Act; (Oct. 23/2003)
- (c) any other matters if the presence of observers would, in the council's opinion, unreasonably interfere with an individual's privacy, or the ability of council to perform its duties. (Oct. 23/2003)

22. Voting at council meetings

- 22.1 At council meetings, decisions must be made by a majority of council members present in person at the meeting. (Oct. 23/2003)
- 22.2 If there is a tie vote at a council meeting, the president may break the tie by casting a second, deciding vote. (Oct. 23/2003)
- 22.3 The results of all votes at a council meeting must be recorded in the council meeting minutes. (Oct. 23/2003)

23. Council to inform owners of minutes

- 23.1 The council must circulate to or post for owners the minutes of all council meetings within 2 weeks of the meeting, whether or not the minutes have been approved. (Oct. 23/2003)

24. Delegation of council's powers and duties

- 24.1 Subject to bylaws 24.2, 24.3 and 24.4, 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. (Oct. 23/2003)
- 24.2 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 (Oct. 23/2003)
 - (b) delegates the general authority to make expenditures in accordance with bylaw 24.3. (Oct. 23/2003)
- 24.3 A delegation of a general authority to make expenditures must
 - (a) set a maximum amount that may be spent, and (Oct. 23/2003)
 - (b) indicate the purposes for which, or the conditions under which, the money may be spent. (Oct. 23/2003)
- 24.4 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, (Oct. 23/2003)
 - (b) whether a person should be fined, and the amount of the fine, (Oct. 23/2003)
 - (c) whether a person should be denied access to a recreational facility, or (Oct. 23/2003)
 - (d) whether an owner should be granted an exemption from a rental restriction bylaw under section 144 of the Act. (Oct. 23/2003)

25. Spending restrictions

- 25.1 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. (Oct. 23/2003)

26. User Fees

- 26.1 Council may impose user fees, as deemed necessary, for the use of common property or common assets of the corporation by owners or others. (Oct. 23/2003)

27. Limitation on liability of council member

- 27.1 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. (Oct. 23/2003)
- 27.2 Bylaw 27.1 does not affect a council member's liability, as an owner, for a judgment against the strata corporation. (Oct. 23/2003)
- 27.3 All acts done in good faith by the council are, even if it is afterwards discovered that there was some defect in the appointment or continuance in office of a member of council, as valid as if the council member had been duly appointed or had duly continued in office. (Oct. 23/2003)
- 27.4 An owner or resident volunteering services to the strata corporation, at the request of the strata council, 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. (Oct. 23/2003)

Enforcement of Bylaws and Rules

28. Fines

- 28.1 Except where otherwise specifically stated in these bylaws, the strata corporation may fine an owner or tenant:
- (a) Up to \$100 for each contravention of a bylaw. (Oct. 23/2003)
 - (b) \$25 for each contravention of a rule. (Oct. 23/2003)
- 28.2 The council must, if it determines in its discretion that a resident is in repeated contravention of any bylaws or rules of the strata corporation, levy fines and the fines so levied shall be immediately added to the strata fees for the strata lot and shall be due and payable together with the strata fees for the strata lot in the next month following such contravention. (Oct. 23/2003)

29. Continuing contravention

- 29.1 Except where otherwise specifically stated in these bylaws, 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. (Oct. 23/2003)

Annual and Special General Meetings

30. Quorum of meeting

- 30.1 If within 1/2 hour from the time appointed for an annual or special general meeting, a quorum is not present, the meeting stands adjourned for a further 1/2 hour on the same day and at the same place. If within a further 1/2 hour from the time of the adjournment, a quorum is not present, the eligible voters, present in person or by proxy, constitute a quorum. (Oct. 23/2003)
- 30.2 This bylaw 30.1 is an alternative to section 48(3) of the Act. This bylaw does not apply to a meeting demanded pursuant to section 43 of the Act and failure to obtain a quorum for a meeting demanded pursuant to section 43 terminates, and does not adjourn, that meeting. (Oct. 23/2003)

31. Person to chair meeting

- 31.1 Annual and special general meetings must be chaired by the president of the council. (Oct. 23/2003)
- 31.2 If the president of the council is unwilling or unable to act, the meeting must be chaired by the vice president of the council. (Oct. 23/2003)
- 31.3 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, eligible to vote, who are present at the meeting. (Oct. 23/2003)

32. Participation by other than eligible voters

- 32.1 Tenants and occupants may attend annual and special general meetings, whether or not they are eligible to vote. (Oct. 23/2003)
- 32.2 Persons who are not eligible to vote, may not participate in the discussion at a meeting unless approved by chair. (Oct. 23/2003)
- 32.3 Tenants who are not eligible to vote, must leave the meeting if requested to do so by a resolution passed by a majority vote at the meeting. (Oct. 23/2003)

33. Voting

- 33.1 Except on matters requiring a unanimous vote, the vote for a strata lot may not be exercised if the strata corporation is entitled to register a lien against that strata lot under section 116(1) of the Act. (Oct. 23/2003)
- 33.2 Except on matters requiring a unanimous vote, the vote for a strata lot may not be exercised if there are amounts owing to the strata corporation charged against the strata lot in respect of administration fees, bank charges, fines, penalties, interest or the costs, including the legal costs, of remedying a contravention of the bylaws or rules. (Oct. 23/2003)

- 33.3 Except on matters requiring a unanimous vote, the vote for a strata lot may not be exercised if there are amounts owing to the strata corporation charged against the strata lot in respect of administration fees, bank charges, fines, penalties, interest or the costs, including the legal costs, of remedying a contravention of the bylaws or rules, including legal costs, for which the owner is responsible under section 131 of the Act. (Oct. 23/2003)
- 33.4 At an annual or special general meeting, voting cards must be issued to eligible voters. (Oct. 23/2003)
- 33.5 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. (Oct. 23/2003)
- 33.6 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. (Oct. 23/2003)
- 33.7 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. (Oct. 23/2003)
- 33.8 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. (Oct. 23/2003)
- 33.9 Despite anything in bylaws 33.1 to 33.8 (inclusive), an election of council or removal of a council member must be held by secret ballot, if the secret ballot is requested by an eligible voter. (Oct. 23/2003)

34. Electronic attendance at meetings

- 34.1 A person who is eligible to vote may attend an annual or special general meeting by electronic means so long as the person and the other participants can communicate with each other. (Oct. 23/2003)
- 34.2 If an annual or special general meeting is held by electronic means with a person, the person is deemed to be present in person for the purposes of the meeting. (Oct. 23/2003)

35. Order of business

- 35.1 The order of business at annual and special general meetings is as follows:
- (a) certify proxies and corporate representatives and issue voting cards; (Oct. 23/2003)
 - (b) determine that there is a quorum; (Oct. 23/2003)
 - (c) elect a person to chair the meeting, if necessary; (Oct. 23/2003)
 - (d) present to the meeting proof of notice of meeting or waiver of notice; (Oct. 23/2003)
 - (e) approve the agenda; (Oct. 23/2003)

- (f) approve minutes from the last annual or special general meeting; (Oct. 23/2003)
- (g) deal with unfinished business; (Oct. 23/2003)
- (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; (Oct. 23/2003)
- (i) ratify any new rules made by the strata corporation under section 125 of the Act; (Oct. 23/2003)
- (j) report on insurance coverage in accordance with section 154 of the Act, if the meeting is an annual general meeting; (Oct. 23/2003)
- (k) approve the budget for the coming year in accordance with section 103 of the Act, if the meeting is an annual general meeting; (Oct. 23/2003)
- (l) deal with new business, including any matters about which notice has been given under section 45 of the Act; (Oct. 23/2003)
- (m) elect a council, if the meeting is an annual general meeting; (Oct. 23/2003)
- (n) terminate the meeting. (Oct. 23/2003)

Voluntary Dispute Resolution

36. Voluntary dispute resolution

36.1 A dispute among owners, tenants, the strata corporation or any combination of them must be referred to a dispute resolution committee by the council if

- (a) all the parties to the dispute consent, and (Oct. 23/2003)
- (b) the dispute involves the Act, the regulations, the bylaws, the rules, or any other matter of concern to the strata corporation. (Oct. 23/2003)

36.2 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 (Oct. 23/2003)
- (b) any number of persons consented to, or chosen by a method that is consented to, by all the disputing parties. (Oct. 23/2003)

36.3 The dispute resolution committee must attempt to help the disputing parties to voluntarily end the dispute. (Oct. 23/2003)

Small Claims Court Proceedings

37. Authorization to proceed

- 37.1 The strata corporation may proceed under the Small Claims Act, without further authorization by the owners, to recover from an owner or other person, by an action in debt in Small Claims Court, money owing to the strata corporation, including money owing as administration fees, bank charges, fines, penalties, interest or the costs, including legal costs, of remedying a contravention of the bylaws or rules and to recover money which the strata corporation is required to expend as a result of the owner's or other person'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. (Oct. 23/2003)

Marketing Activities by Owners and Occupants

38. Sale of a strata lot

- 38.1 Real estate signs must not be displayed in a strata lot or on the common property except in the location designated by the strata corporation for real estate signs. (Oct. 23/2003)
- 38.2 Once the unit has been sold, the real estate sign must be removed within (1) one week after the sale of the strata lot. (Oct. 23/2003)

Insurance

39. Insuring against major perils

- 39.1 The strata corporation must insure against major perils, as set out in regulation 9.1(2), including, without limitation, earthquakes. (Oct. 23/2003)

Storage

40. Storage lockers and bicycle storage

- 40.1 A resident must store bicycles and tricycles only in locker room bicycle racks or in storage lockers. (Oct. 23/2003)
- 40.2 A resident must not store any hazardous or flammable substances in storage lockers. (Oct. 23/2003)

Parking

41. Parking

- 41.1 A resident must not permit any oversized, commercial or recreational vehicles including, but not exhaustively, boats, trailers and campers to enter or be parked or stored on common property, limited common property or land that is a common asset. (Oct. 23/2003)

- 41.2 A resident must not store unlicensed or uninsured vehicles on the common property, limited common property or on land that is a common asset. (Oct. 23/2003)
- 41.3 A resident storing a vehicle must provide evidence of valid storage insurance to the management agent on the commencement date of the storage and on request thereafter. (Oct. 23/2003)
- 41.4 An owner must not sell, lease or licence parking stalls to any person other than an owner or occupant. (Oct. 23/2003)
- 41.5 A resident must park only in the parking stall assigned to the resident. (Oct. 23/2003)
- 41.6 A resident or visitor must not permit a vehicle to be parked or left unattended in a manner that interferes with parking stalls, access lanes or no parking zones. (Oct. 23/2003)
- 41.7 Any resident's vehicle parked in violation of these bylaws will be subject to removal by a towing company authorized by council, and all costs associated with such removal will be charged to the owner of the strata lot. (Oct. 23/2003)
- 41.8 A resident or visitor must not use any parking area as a work area for carpentry, renovations, repairs (including, but not exhaustively, sawing, drilling and the use of any adhesive or hardening compounds) or work on vehicles involving any automotive fluids or paints, motor tune ups or mechanical repairs. (Oct. 23/2003)
- 41.9 A resident or visitor operating a vehicle in the parking areas must activate the vehicle's headlights and not exceed 10 km/hour. (Oct. 23/2003)
- 41.10 A resident or visitor must not smoke while in the parking area including inside a vehicle. (Oct. 23/2003)
- 41.11 A resident must wash a vehicle in the location designated for vehicle washing only. Once washing is completed, the resident must hose down and remove all dirt, refuse and excess water from the washing area. While washing, a resident must keep audio volume low. (Oct. 23/2003)
- 41.12 A resident must not park or store any vehicle that drips oil or gasoline. A resident must remove any dripped oil, gasoline or other automotive residue. (Oct. 23/2003)

Moving

42. Moving in/out procedures

- 42.1 An owner must conform and ensure that any tenants conform to the Move In and Move Out rules established by council from time to time. (Oct. 23/2003)
- 42.2 Each owner shall be permitted one free move in and one free move out. All additional moves in or out shall be charged \$100 per move. (Oct. 23/2003)
- 42.3 A resident must provide notice to the strata corporation of all moving arrangements at least seven (7) days before the moving date. All moves must take place between 7:30 a.m. and 8:00 p.m., Monday through Friday, and 10:00 a.m. to 8:00 p.m. on Saturdays, Sundays and statutory holidays. (Oct. 23/2003)

- 42.4 A resident using the elevator during a move must ensure that the ELEVATOR SERVICE KEY is used to control the elevator and the doors not jammed open in any manner. The elevator service key is available from the resident caretaker during normal working hours. (Oct. 23/2003)
- 42.5 A resident must ensure that the lobby doors are not left open, ajar or unattended and that furniture is not left piled in the lobby area. (Oct. 23/2003)
- 42.6 A resident must ensure that all common areas are left damage free, clean and all hallways and lobby areas vacuumed immediately upon completion of the move. (Oct. 23/2003)
- 42.7 A resident contravening bylaws 42.3 to 42.6 inclusive may be subject to a fine of up to \$200. (Oct. 23/2003)
- 42.8 A resident using the elevator during a move must ensure that the elevator remains available for persons unable to use the stairs. (Oct. 23/2003)

Appearance of Strata Lots

43. Cleanliness

- 43.1 A resident must not allow a strata lot or common areas to become unsanitary or untidy. Rubbish, dust, garbage, boxes, packing cases and other similar refuse must not be thrown, piled or stored in the strata lot or on common property. Any expenses incurred by the strata corporation to remove such refuse will be charged to the strata lot owner. (Oct. 23/2003)
- 43.2 A resident must ensure that ordinary household refuse and garbage is securely wrapped and placed in the containers provided for that purpose, recyclable material is kept in designated areas and material other than recyclable or ordinary household refuse and garbage is removed appropriately. (Oct. 23/2003)
- 43.3 Personal effects, including and not limited to, shoes, boots, toys, bicycles, and garbage of any sort are not permitted in the common areas. Small finished mats may be kept directly outside suite doors. Common property includes, but is not limited to, parking garages, hallways and stairwells, landscaped areas, grass areas and courtyards. (Oct. 23/2003)

Rentals

44. Residential rentals

- 44.1 The number of units within Strata Plan VR-2538 that may be leased at any one time by owners is limited to seven (7). (Feb. 2/1991)

(This bylaw 44.1 is included here for convenience only. This bylaw limiting the number of strata lots that may be rented to seven (7) was filed in the Land Titles Office on February 2, 1991 under registration number 8830. It remains in force from February 2, 1991 and has not been altered, replaced, or repealed since that date.)

- 44.2 An owner who wishes to lease a strata lot must apply in writing to the council for permission to rent before entering into a tenancy agreement. (Oct. 23/2003)

- 44.3 If the number of strata lots leased at the time an owner applies for permission to lease has reached the limit stated in bylaw 44.1 excluding exempt strata lots pursuant to sections 143 and 144 of the Act and section 17.15 of the Regulations, the council must refuse permission and notify the owner of the same, in writing, as soon as possible, stating that the limit has been reached or exceeded, as the case may be, and place the owner of the strata lot on a waiting list to be administered by the council, based upon the date of the request for permission to rent. (Oct. 23/2003)
- 44.4 If the limit stated in bylaw 43.1 has not been reached at the time the owner applies for permission to lease the strata lot, excluding exempt strata lots pursuant to sections 143 and 144 of the Act and section 17.15 of the Regulations, the council shall grant permission and notify the owner of the same in writing as soon as possible. (Oct. 23/2003)
- 44.5 An owner receiving permission to lease a strata lot must exercise the permission to lease within 90 days from the date that the council granted same, otherwise the permission expires. During the 90 days immediately following the grant of permission, the strata lot shall be deemed leased for the purposes of the limit stated in bylaw 44.1. (Oct. 23/2003)
- 44.6 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. (Oct. 23/2003)
- 44.7 Within 2 weeks of renting a strata lot, the landlord must give the strata corporation a copy of Form K – Notice of Tenant's Responsibilities, signed by the tenant, in accordance with section 146 of the Act. (Oct. 23/2003)
- 44.8 Where an owner leases a strata lot in contravention of bylaws 44.1, 44.2, or 44.3, the owner shall be subject to a fine of \$500 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. (Oct. 23/2003)

Miscellaneous

45. Meeting Room

- a) The meeting room shall not be used unless it has been booked in advance with the resident manager or management company using a prescribed form. (Oct. 23/2003)
- b) An owner shall book the meeting room on behalf of a tenant and the owner shall be liable for the tenant's activities and use of the room. (Oct. 23/2003)
- c) The owner booking the room shall familiarize himself/herself with the operation rules which may be set down from time to time by the strata council and/or management. Where a tenant is utilizing the facility, the owner shall ensure that the tenant has been briefed on these regulations. (Oct. 23/2003)

- d) The strata corporation reserves the right, in the sole judgement of the strata council, to refuse a request to utilize the facility. (Oct. 23/2003)
- e) In the event that more than one request is received for the same date, the allocation shall be on a "first-come, first-served" basis (as per the date the prescribed form is received). (Oct. 23/2003)
- f) There shall be a \$20 user fee for owners, occupants or tenants & \$50 for other users. Use of the room for corporate, commercial, or other organizational activities may be subject to an adjustment of the fee, at the discretion of council. (Oct. 23/2003)
- g) There shall be a security, damage and cleaning deposit of \$200 and this must accompany the application from all users. (Oct. 23/2003)

46. Other

- 46.1 A resident or visitor must not hinder or restrict sidewalks, entrances, exits, halls, passageways, stairways and other parts of the common property. Hindrance and restriction includes the keeping of personal items and garbage. (Oct. 23/2003)
- 46.2 A resident or visitor must not wear or use inline skates and skateboards ANYWHERE on the property, including a strata lot, except for ingress and egress. (Oct. 23/2003)
- 46.3 A resident or visitor must not make unreasonable use of common property electrical power which is provided solely for care and maintenance of the complex. (Oct. 23/2003)
- 46.4 Subject to bylaw 38.1, a resident or owner must not erect or display or permit to be erected or displayed any signs, fences, billboards, placards, advertising, notices or other fixtures of any kind on the common property or in a strata lot, unless authorized by the council. This shall include exterior painting and the addition of wood, ironwork, concrete or other materials. (Oct. 23/2003)
- 46.5 A resident may post notices on the designated bulletin board, subject to being removed by the council if deemed inappropriate or posted for more than one week. (Oct. 23/2003)
- 46.6 A resident must ensure that all indoor entrance doors to strata lots are kept closed and kitchen exhaust fans are used when cooking. (Oct. 23/2003)
- 46.7 A resident or visitor must not shake rugs, carpets, mops or dusters of any kind from any balcony, window, stairway or other part of a strata lot or common property. (Oct. 23/2003)
- 46.8 A resident must ensure that no air conditioning units, laundry, flags, clothing, bedding signage or other articles are hung or displayed from windows, balconies or other parts of the building so that they are visible from the outside of the building. (Oct. 23/2003)
- 46.9 A resident must not display or erect fixtures, poles, clotheslines, racks, storage sheds and similar structures permanently or temporarily on limited common property, common property or land that is a common asset. Despite the foregoing, the placing of items on the limited common property balconies or patio areas shall be limited to free standing, self contained planter boxes or containers, summer furniture and accessories. (Oct. 23/2003)

A resident who installs Christmas lights must install them after December 1st of the year approaching Christmas and must remove them before January 15th of the year following Christmas. (Oct. 23/2003)

Disposal of Christmas trees in the Heritage at Cypress garbage bins is not permitted. (Oct. 23/2003)

- 46.10 Any strata lot owner (or his/her tenants, guests or invitees) who intentionally interferes with the work of tradespeople on the strata property, authorized by the strata corporation, may be subject to a fine of up to \$200 and will be responsible for any charges incurred by such interference, such charges to be added to that strata lot owner's next regular monthly assessment. (Oct. 23/2003)
- 46.11 An owner must communicate with the strata council only via the management company, not directly with council members. (Oct. 23/2003)
- 46.12 All window coverings must be of a type or variety that allow proper circulation between the glass and the interior of the unit. Window coverings such as, but not limited to, "Roman Blinds" are strictly prohibited. Any owner found to have installed window coverings that do not allow adequate circulation may face fines in accordance with bylaw 28.1(a).
- 46.13 Owners and residents are to discard only ordinary household refuse in the strata corporation's garbage bins. Items such as furniture, construction debris and/or debris resulting from work within the workshop must not be disposed of in or around the strata corporation's garbage bins. Any owner found to be depositing unauthorized items in the strata corporation's garbage bins may face fines in accordance with bylaw 28.1(a).

47. Exercise Room, Sauna, and Change Rooms

- 47.1 Hours of operation: 9 a.m. to 9 p.m. daily. (Oct. 23/2003)
- 47.2 All guests must be accompanied by an owner or tenant. (Oct. 23/2003)
- 47.3 All children 12 years and under must be accompanied by a parent or guardian. (Oct. 23/2003)
- 47.4 No animals are permitted in these areas. (Oct. 23/2003)
- 47.5 Owners (or tenants) are responsible and liable for the actions of their guests and family members. (Oct. 23/2003)
- 47.6 In consideration of upstairs residents, voice levels and sound resulting from the use of exercise equipment must be kept to a minimum. (Oct. 23/2003)
- 47.7 No smoking or intoxicants are permitted in the exercise room, sauna, or change rooms. (Oct. 23/2003)
- 47.8 No food or drink, other than water, may be brought into these areas. (Oct. 23/2003)
- 47.9 No amplified music is permitted in these areas. (Oct. 23/2003)

47.10 Damage of any kind to fixtures or equipment in these areas should be reported to the resident manager immediately. (Oct. 23/2003)

48. Workshop

48.1 Those using the workshop do so at their own risk. The strata corporation shall not be held liable for any accident causing property damage or bodily harm. (Oct. 23/2003)

48.2 Children are permitted in the shop only while they are supervised by a responsible adult. (Oct. 23/2003)

48.3 Those using the workshop must show consideration for people living above it. The use of hammers, saws, power tools, etc. is to be avoided after 6:00 p.m. (Oct. 23/2003)

48.4 Work in progress in the shop must be identified clearly with the name and apartment number of the owner so that others are able to contact him/her, if necessary, before moving it. Unidentified materials may be removed from the shop. (Oct. 23/2003)

48.5 Those using the shop must leave it clean after finishing their work. The work benches are to be cleared so that others may use them, the floor swept, and garbage taken out when necessary. (Oct. 23/2003)

49. Hardwood Floor Surfaces/Renovations

49.1 An Owner must receive the written permission of the council to install a hard floor surface.

49.2 A hard floor surface includes, but is not limited to, hardwood, laminate, ceramic tile, non-ceramic tile, granite, and slate floor surface.

49.3 An owner of a strata lot who has or installs a hard floor surface in a strata lot must take all reasonable steps to satisfy noise concerns of neighbours. This includes ensuring that ALL high traffic areas are covered by area rugs, and that occupants avoid walking on hard surfaces with hard soled footwear. This excludes kitchens and bathrooms.

49.4 The owner and contractor must adhere to all bylaws contained within Section 9 (construction procedures) of this bylaw document and are responsible for removing all debris, including, but not limited to, old carpet, boards and drywall from the building premises. No debris of any kind is to be placed in the recycle or garbage containers.

49.5 The owner and contractor must adhere to all bylaws contained within Section 9 (construction procedures) of this bylaw document and are responsible for cleaning the hallway, stairwell, and elevator of any dust and debris at the end of each working day.

49.6 While transporting material in or out of the building, the owner and contractor are responsible for maintaining security of the building.

49.7 The elevator must be booked in advance to transport any material to or from a strata lot. The cost to repair damage to the elevator arising from the transport of material to a strata lot will be charged back to the strata lot owner.

49.8 The following underlay (sound deadening material) must be installed under a hard floor (hardwood, laminate, ceramic tile or slate) surface. These underlay installation requirements are the minimum installation pre-requisites that must be met:

- (a) If cork is used it must be at least six (6) millimeters thick, and possess a STC (sound transmission class) rating of greater than 50 (> 50).
- (b) If "silent step" is used, the STC must be greater than 61 (> 61) and the IIC must be greater than 50 (> 50).
- (c) The closed self foam must be one-quarter ($1/4$) inch thick minimum.

49.9 Proof of purchase and the STC and IIC ratings for the above underlay materials must be provided to the council upon request.