

FRASER LANDMARK

STRATA PLAN EPS 6977

Bylaws



9689 140 Street, Surrey, BC V3T 0P3
13978 Fraser Highway, Surrey, BC V3T 0P2

Attached are the Bylaws of Strata Plan EPS 6977 .
For legal purposes, please obtain a true copy as
registered at the Land Title Office.

Incorporated with the Schedule of Standard Bylaws
as per the Strata Property Act

Bylaws Consolidated & Amended

AGM held 2021 02 25

#CA8917093

Note: Please keep in a safe place. There is a charge for additional copies.

Strata Plan EPS 6977 – Fraser Landmark - Bylaws

INDEX

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

1.	Compliance with Bylaws and Rules.....	1
2.	Payment of Strata Fees.....	1
3.	Repair and Maintenance of Property by Owner.....	1
4.	Use of Property.....	1-2
5.	Insurance Deductible and Damage.....	2-3
6.	Use of Common Property.....	3-4
7.	Strata Lot Use as Single Family Home.....	4-5
8.	No Smoking of Any Kind.....	5
9.	Pets and Animals.....	5-6
10.	Inform strata Corporation.....	6
11.	Obtain Approval Before Altering Common Property.....	6-7
12.	Renovations / Alterations to a Strata Lot.....	7
13.	Permit Entry to Strata Lot.....	7-8

DIVISION 2 – POWERS AND DUTIES OF STRATA CORPORATION

14.	Repair and Maintenance of Property by Strata Corporation.....	8
-----	---	---

DIVISION 3 – COUNCIL

15.	Council Size.....	9
16.	Council Eligibility.....	9
17.	Council Members' Terms.....	9
18.	Replacing Council Member.....	9
19.	Removing Council Member.....	9-10
20.	Officers.....	10
21.	Calling Council Meetings.....	10
22.	Requisition of Council Hearing.....	10-11
23.	Quorum of Council.....	11
24.	Council Meetings.....	11
25.	Voting at Council Meetings.....	11
26.	Council to Inform Owners of Minutes.....	11
27.	Delegation of Council's Powers and Duties.....	11-12
28.	Spending Restrictions.....	12
29.	Limitation on Liability of Council Member.....	12

DIVISION 4 – ENFORCEMENT OF BYLAWS AND RULES

30. Fines12-13
31. Continuing Contravention 13
32. Legal Proceedings and Costs..... 13

DIVISION 5 – ANNUAL AND SPECIAL GENERAL MEETINGS

33. Quorum of Meeting 13
34. Person to Chair Meeting..... 13
35. Participation by Other Than Eligible Voters 14
36. Voting..... 14
37. Electronic Attendance at Meetings 14
38. Order of Business 14-15

DIVISION 6 – ADDITIONAL BYLAWS

39. Small Claims Court Proceedings – Authorization to Proceed 15
40. Garbage 15
41. Parking..... 16
42. Bicycles..... 16
43. Video Surveillance 17
44. Move Ins / Move Outs 17
45. Residential Rentals 17
46. No Short-Term Accommodation 17
47. Security 18

DIVISION 7 – MARKETING ACTIVITIES BY OWNER DEVELOPER

48. Display Lot 18

RULES – Rooftop Use..... 19

Strata Plan EPS 6977 – Fraser Landmark - Bylaws

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

1. Compliance With Bylaws and Rules

- (1) All residents and visitors must comply strictly with the bylaws and rules of the strata corporation adopted from time to time.

2. Payment of Strata Fees

- (1) An owner may pay strata fees on or before the first day of the month to which the strata fees relate.
- (2) An owner must pay strata fees on or before the first day of the month to which the strata fees relate.
- (3) An owner must pay a special levy on the date(s) on which it is due.
- (4) Interest may be charged on overdue strata fees and special levies and where charged, shall be calculated at ten percent (10%) per annum, compounded annually, which is in addition to any fine that might be imposed.
- (5) An owner shall pay to the strata corporation its actual legal fees and disbursements incurred by the strata corporation (including the costs of issuing a demand letter) in collecting unpaid strata fees, special levies, and any other amounts owing to the strata corporation (whether under the Act or these bylaws).

3. Repair and Maintenance of Property by Owner

- (1) An owner must repair and maintain the owner's strata lot, except for repair and maintenance that is the responsibility of the strata corporation under these bylaws.
- (2) An owner who has the use of limited common property must repair and maintain it, except for repair and maintenance that is the responsibility of the strata corporation under these bylaws.

4. Use of Property

- (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,
 - (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) 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.
- (3) An owner is responsible for any damage caused by occupants, tenants or visitors to the owner's strata lot.

5. Insurance Deductible and Damage

- (1) The owner of a strata lot shall be obligated to pay to the strata corporation upon demand:
 - (a) the amount of any insurance deductible paid by the strata corporation in relation to any claim made under or against the strata corporation's insurance policy (the "Deductible"); or
 - (b) the costs to repair any physical damage (the "Repair Costs") to the common property, limited common property or those portions of a strata lot which the strata corporation is required to repair (or otherwise chooses to repair) and for which a claim is not made under or against the strata corporation's insurance policy; where either of the following apply:
 - (i) the owner, their tenant, an occupant of the owner's strata lot or a visitor or invitee to the strata lot is responsible for the cause of the claim or damage; or
 - (ii) the source of the damage giving rise to the claim originated in that owner's strata lot (other than from common property within the strata lot).
- (2) If an owner makes an insurance claim under the strata corporation's insurance policy in relation to any portion of that owner's strata lot which is covered by the policy and:
 - (a) the owner, their tenant, an occupant of the owner's strata lot or a visitor or invitee to the strata lot is responsible for the cause of the claim; or
 - (b) the source of the damage giving rise to the claim originated in that owner's strata lot (other than from common property within the strata lot), and the damage is confined to the owner's strata lot, the owner shall pay directly any deductible related to such claim and the strata corporation shall not be obligated to pay it on the owner's behalf.
- (3) Where the strata corporation takes steps or does work, on an emergency basis, to limit the damage to a strata lot or the common property, and in doing so incurs costs which are not paid as part of an insurance claim (the "Emergency Costs"), the owner of the strata lot to which those steps or work relate shall pay to the strata corporation the Emergency Costs.
- (4) The council, acting reasonably, and after having provided an owner or tenant facing liability under this bylaw with an opportunity to make submissions to the strata council, shall determine whether that owner or tenant is responsible for damage or whether the source of the damage originated within the strata lot.
- (5) An owner or tenant who is determined to be responsible for a Deductible, Repair Costs or Emergency Costs shall pay the same to the strata corporation within 14 days after being given notice in writing of the decision and that the amount is due and owing.

- (6) Each owner, tenant or occupant of a strata lot shall cooperate with the strata corporation, its insurer and any trades or contractors hired by them to mitigate or repair damage. Where they fail to do so, the owner of the strata lot shall pay to the strata corporation any additional costs or charges incurred by it as a result of such failure (the “Additional Costs”)
- (7) An owner who is determined to be liable for a Deductible, Repair Costs, Emergency Costs or the Additional Costs shall pay the same to the strata corporation within 30 days after being given notice in writing the amount is due and owing.

6. Use of Common Property

- (1) An owner, tenant, occupant or visitor must not:
 - (a) Throw or shake items from any window or balcony;
 - (b) Display seasonal decorative lights and decorations on the common or limited common property except between December 1 and January 15.
 - (c) Attach decorations, brackets or any similar item to the exterior of a building using screws, nails or any similar fastener;
 - (d) Display hanging baskets outside between October 1 and March 31, or hanging baskets in which the plants have died;
 - (e) Store in or about a strata lot, the limited common property or the common property any item or substance which would create an unreasonable hazard;
 - (f) Store propane in a tank
 - (g) Dig or penetrate the front lawns, yards or any area of the common property. There are water storage tanks below grade, which can be damaged.
 - (h) Damage or interfere with the growth or maintenance of the lawn, plants, bushes and other vegetation on the common property;
 - (i) Plant flowers or bushes on the common property;
 - (j) Obstruct the common property or interfere with another person’s use of the same;
 - (k) Place or leave any item on the common property except with the prior written permission of the strata corporation or as permitted by these Bylaws or the Rules;
 - (l) Allow a strata lot to become unsanitary;
 - (m) Feed birds, squirrels, rodents or wild animals on the common or limited common property, except for hummingbird feeders;
 - (n) Hang laundry, sheets, blankets or clothing on the common or limited common property or in the window of a strata lot;
 - (o) Display any item in a window other than permitted window coverings and small decorative items;
 - (p) Display window coverings visible from the outside of the building which are not white, off-white or cream in colour;
 - (q) Use a patio or deck for the purposes of storage (other than with respect to items that are permitted on such areas);

- (r) Place a swimming pool or trampoline on the common or limited common property;
 - (s) Use a barbeque unless it is electric;
 - (t) Use or ride, roller skates, roller blades, skateboards, bicycles, tricycles, scooters and similar devices (including motorized versions) on any part of the interior or exterior common property, including the parkade.
 - (u) Allow children to play on the common property unless they are supervised, at a level and in a manner appropriate for their age, by an adult who is responsible for their care;
 - (v) Install window screens the frames of which are a different colour from the window or door;
 - (w) Move into or out of a strata lot except as per the MOVE IN/OUT RULES;
 - (x) Enter any area of the common property to which access has been restricted (the council may restrict access to an area for reasons of safety or security);
- (2) Only patio furniture, accessories and potted plants shall be placed on patios or decks. Any damage, other than normal wear and tear, to patios or balconies caused by items placed by an Owner, tenant or occupant shall be repaired at the expense of the Owner of the Strata Lot;
 - (3) Subject to electoral legislation and these bylaws, no object such as signs, advertising, notices, or placards shall be erected or displayed on common or the limited common property or a strata lot (such that it may be visible from the exterior of the strata lot);
 - (4) No awning, shade screen, trellis, satellite dish, radio or television antenna, air conditioner, heat pump, patio cover, canopy, greenhouse or other such items shall be hung from or attached to the exterior of any building or placed on the limited common and common property, without the prior written approval of the council;
 - (5) Live and fresh Christmas trees are prohibited;
 - (6) From 10 pm to 7 am there shall be "quiet hours" wherein no undue noise shall be made by any owner, tenant or occupant, which can be heard outside the confines of their strata lot;
 - (7) No mats or rugs shall be placed outside of strata lot doors;
 - (8) Owners and tenants of strata lots which contain a water bed or aquarium must maintain enough insurance to cover damage which might reasonably result from the use and/or failure of such items. Copies of such insurance coverage must be submitted to the strata corporation upon its request;
 - (9) 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.

7. Strata Lot Use as Single Family Home

Subject to subparagraphs (2) and (3) below, a strata lot shall only be used as a dwelling for a single family.

- (1) For the purposes of this bylaw the following classes of persons shall be also considered as part of a "single family":
 - (a) A licensed live-in-caregiver; and

- (b) a roommate who resides or intends to reside in the strata lot with the owner or tenant for a period of greater than 60 days;
- (2) Notwithstanding subparagraph (1) above a strata lot may also be used for commercial or professional purposes or the operation of a business provided:
 - (a) the bylaws of the municipality permit them to do so;
 - (b) they comply with all requirements and conditions contained in the municipal bylaws for operating a business, including maintaining a valid business license if so required;
 - (c) the use does not involve:
 - (i) clients or customers of the business attending the strata lot;
 - (ii) the routine deliveries of products and goods to the strata lot (other than the occasional courier);
 - (iii) the use of hazardous or dangerous materials;
 - (iv) the use of machinery (other than small power tools);
 - (v) the use of the common or limited common property;
 - (d) the operation of the business or use does not produce an unreasonable level of noise or odours.

8. No Smoking of Any Kind

- (1) An owner, tenant, occupant or visitor must not use a vaporizer, e-cigarette or smoke tobacco, marijuana or any similar substance:
 - (a) on the interior common property (including hallways, lobbies, stairwells, recreational facilities, common rooms or the parking garage);
 - (b) on the exterior common property within 7.5 meters of any window, entrance door or air in-take vent (including on a patio, deck or balcony).
 - (c) within a strata lot
- (2) The cultivation, and alteration or processing of marijuana is prohibited within a strata lot and on the common and limited common property.

9. Pets and Animals

- (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.
- (2) A resident must not keep a pet on a strata lot other than one or more of the following:
 - (a) a reasonable number of fish or other small aquarium animals;
 - (b) up to 2 caged birds;
 - (c) 1 dog or 1 cat
- (3) Visitors are not permitted to bring any type of pet into the building.
- (4) No owner, tenant or occupant shall keep any dog which:
 - (a) exceeds 18 inches in height at the withers;

- (b) has attacked, injured or killed any person or domestic animal; or
 - (c) is of the following breeds; Pit Bull Terrier, American Pit Bull Terrier, Pit Bull, Staffordshire Bull Terrier, American Staffordshire Terrier or any dog of mixed breeding which includes any of the aforementioned breeds.
- (5) All dogs and cats must:
- (a) be on a leash not exceeding 6 feet in length (or otherwise secured) and under the direct control of their handler while on the common property;
 - (b) wear a collar with tag identifying the pet's owner and their strata lot.
 - (c) A pet's owner must not allow it to defecate or urinate on the common property and if the pet does so, they must promptly remove any waste or excrement left by the pet on the common property;
 - (d) Pets which are, at the discretion of the council, considered to be a nuisance or a danger may, after compliance with s.135 of the Act, be ordered in writing to be removed from the strata lot. An owner, tenant or occupant shall have thirty (30) days to comply with any such order.
 - (e) Pets are not permitted on the rooftop patio, or children's exterior play area.
- (6) A strata lot owner must assume all liability for all actions by a Permitted Pet, regardless of whether the owner had knowledge, notice or forewarning of the likelihood of such action.

10. Inform Strata Corporation

- (1) An owner must notify the strata corporation:
- (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
 - (b) On request by the strata corporation, a tenant must inform the strata corporation of his or her name.
- (2) On request by the strata corporation, an owner must submit a signed Form K informing the strata corporation of the tenant's name, contact information, and the strata lot which the tenant occupies.

11. Obtain Approval Before Altering Common Property

- (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;
 - (b) the exterior of a building;
 - (c) patios, chimneys, stairs, balconies or other things attached to the exterior of a building;
 - (d) doors, windows or skylights on the exterior of a building, or that front on the common property;
 - (e) fences, railings or similar structures that enclose a patio, balcony or yard;
 - (f) common property located within the boundaries of a strata lot;

- (g) those parts of the strata lot which the strata corporation must insure under section 149 of the Act; and
 - (h) wiring, plumbing, piping, heating, air conditioning and other services.
- (2) The strata corporation must not unreasonably withhold its approval under bylaw 7.1, 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 and to indemnify and hold harmless the strata corporation for any future costs in connection with the alteration.

12. Renovations / Alterations to a Strata Lot

- (1) 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.
- (2) An owner must give the strata corporation two working days' prior notice of the scheduled arrival of tradespersons or delivery of materials.
- (3) A resident must not permit any construction debris, materials or packaging to be deposited in the strata corporation's disposal containers.
- (4) A resident must be responsible to ensure:
 - (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
 - (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.
- (5) An owner must ensure that the hours of work are restricted to 8:00 am to 5:00 pm, Monday through Friday, and 10:00 am to 5:00 pm, Saturdays. No power tools or other construction noise is permitted on Sundays or holidays, or outside of these hours.

13. Permit Entry to Strata Lot

- (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, 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, replace, renew and maintain under these bylaws or insure under section 149 of the Act, or
 - (ii) to ensure a resident's compliance with the Act, bylaws and rules.
- (2) If forced entry to a strata lot is required 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.

- (3) The notice referred to in subsection 13(1)(b) must include the date and approximate time of entry, and the reason for entry.
- (4) If access to a strata lot is not provided in accordance with this bylaw, the owner of the strata lot will be responsible for:
 - (a) all costs of forced entry incurred by the strata corporation, including where the strata corporation, having made reasonable efforts is unable to contact the owner of the strata lot, requires access to the strata lot due to an emergency;
 - (b) all costs incurred by the strata corporation in respect of contractors who must re-attend in order to access the strata lot; and
 - (c) the actual legal fees incurred in obtaining an order for entry.

DIVISION 2 - POWERS AND DUTIES OF STRATA CORPORATION

14. Repair and Maintenance of Property by Strata Corporation

- (1) The strata corporation must repair and maintain all of the following:
 - (a) common assets of the strata corporation;
 - (b) common property that has not been designated as limited common property;
 - (c) limited common property, but the duty to repair and maintain it is restricted to:
 - (i) repair and maintenance that in the ordinary course of events occurs less often than once a year, and
 - (ii) the following, no matter how often the repair or maintenance ordinarily occurs:
 - A) the structure of a building;
 - B) the exterior of a building;
 - C) patios, chimneys, stairs, balconies and other things attached to the exterior of a building;
 - D) doors, windows and skylights on the exterior of a building or that front on the common property;
 - E) fences, railings and similar structures that enclose patios, balconies and yards;
 - (d) a strata lot, but the duty to repair and maintain it is restricted to:
 - (i) the structure of a building,
 - (ii) the exterior of a building,
 - (iii) patios, chimneys, stairs, balconies and other things attached to the exterior of a building,
 - (iv) doors, windows and skylights on the exterior of a building or that front on the common property, and
 - (v) fences, railings and similar structures that enclose patios, balconies and yards.

DIVISION 3 - COUNCIL

15. Council Size

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

16. Council Eligibility

- (1) 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.
- (2) No person may stand for council or continue to be on council with respect to a strata lot 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 for which the owner is responsible under section 131 of the Act.
- (3) Any council member who misses three (3) council meetings is no longer eligible to remain on the Strata Council., except at the discretion of the remaining Council members.

17. Council Members' Terms

- (1) The term of office of a council member ends at the end of the annual general meeting at which the new council is elected.
- (2) A person whose term as council member is ending is eligible for re-election.

18. Replacing Council Member

- (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.
- (2) A replacement council member may be appointed from any person eligible to sit on the council.
- (3) The Council may appoint a council member under this section even if the absence of the member being replaced leaves the council without a quorum.
- (4) If all the members of the council resign or are unwilling or unable to act for a period of 2 or more months, persons holding at least 25% of the strata corporation's votes may hold a special general meeting to elect a new council member by complying with the provisions of the Act, the regulations and the bylaws respecting the calling and holding of meetings.

19. Removing Council Member

- (1) Unless all the owners are on the council, the strata corporation may, by a resolution passed by a majority vote at an annual or special general meeting, remove one or more council members.

- (2) After removing a council member, the strata corporation must hold an election at the same annual or special general meeting to replace the council member for the remainder of the term.

20. Officers

- (1) At the first meeting of the council held after each annual general meeting of the strata corporation, the council must elect, from among its members, a president, a vice president 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) if the president is removed, or
 - (c) for the remainder of the president's term if the president ceases to hold office.
- (4) The strata council may vote to remove an officer.
- (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.

21. Calling Council Meetings

- (1) Any council member may call a council meeting by giving the other council members at least one week's notice of the meeting, specifying the reason for calling the meeting.
- (2) The notice in bylaw 21(1) does not have to be in writing.
- (3) A council meeting may be held on less than one week's notice if
 - (a) all council members consent in advance of the meeting, or
 - (b) the meeting is required to deal with an emergency situation, and all council members either
 - (i) consent in advance of the meeting, or
 - (ii) are unavailable to provide consent after reasonable attempts to contact them.
- (4) The Council must inform owners about a council meeting as soon as feasible after the meeting has been called.

22. Requisition of Council Hearing

- (1) By application in writing, stating the reason for the request, an owner or tenant may request a hearing at a council meeting.
- (2) Except for a hearing pursuant to section 144 of the Act, if a hearing is requested under bylaw 22(1), the council must hold a meeting to hear the applicant within one (1) month of the date of receipt of the council of the application.

- (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 date of the hearing.

23. Quorum of Council

- (1) A quorum of the council is
 - (a) 1, if the council consists of one member,
 - (b) 2, if the council consists of 2, 3 or 4 members,
 - (c) 3, if the council consists of 5 or 6 members, and
 - (d) 4, if the council consists of 7 members.

24. Council Meetings

- (1) At the option of the council, council meetings may be held by electronic means, so long as all council members and other participants can communicate with each other.
- (2) If a council meeting is held by electronic or digital means, council members are deemed to be present in person
- (3) Owners and spouses of owners may attend council meetings as observers.
- (4) Despite bylaw 24(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) any other matters if the presence of observers would, in the council's opinion, unreasonably interfere with an individual's privacy.

25. Voting at Council Meetings

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

26. Council to Inform Owners of Minutes

- (1) The council must inform owners the minutes of all council meetings within two weeks of the meeting whether or not the minutes have been approved.

27. Delegation of Council's Powers and Duties

- (1) Subject to bylaws 27(2), 27(3) and 27(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 bylaw 27(3).
- (3) A delegation of a general authority to make expenditures must
 - (a) set a maximum amount that may be spent, and
 - (b) indicate the purposes for which, or the conditions under which, the money may be spent.
- (4) The council may not delegate its powers to determine, based on the facts of a particular case,
 - (a) whether a person has contravened a bylaw or rule,
 - (b) whether a person should be fined, and the amount of the fine, or
 - (c) whether a person should be denied access to a recreational facility, or

28. Spending Restrictions

- (1) A person may not spend the strata corporation's money unless the person has been delegated the power to do so in accordance with these bylaws.

29. Limitation on Liability of Council Member

- (1) A council member who acts honestly and in good faith is not personally liable because of anything done or omitted in the exercise or intended exercise of any power or the performance or intended performance of any duty of the council.
- (2) Bylaw 29(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

30. Fines

- (1) The Strata corporation may fine an owner or a tenant a maximum of:
 - (a) Except as otherwise set out below, a fine of up to \$200 for each contravention of a bylaw;
 - (b) \$500 for a contravention of Bylaw 41;
 - (c) \$1,000 per day for a contravention of Bylaw 42(a);
 - (d) \$50 for each contravention of a rule.
- (2) Fines, the costs to remedy a bylaw contravention and other similar amounts levied by the strata corporation must be paid within 14 days of being levied.

- (3) 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.

31. Continuing Contravention

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

32. Legal Proceedings and Costs

- (1) In accordance with section 171(4) of the Act the authorization referred to under section 171(2) of the Act is not required for a proceeding under the Small Claims Act. Such proceedings may be commenced with the approval of the council only.
- (2) Where the strata corporation takes steps, including commencing any form of legal proceeding against an owner or tenant, in order to:
 - (a) enforce the bylaws or the rules; or
 - (b) collect monies owing to the strata corporation (including, but not limited to, fines, chargebacks and insurance deductibles) it shall be entitled to charge to and recover from that owner or tenant its actual legal costs and other fees and costs incurred in doing so.

DIVISION 5 – ANNUAL AND SPECIAL GENERAL MEETINGS

33. Quorum of Meeting

- (1) If within 30 minutes from the time appointed for an annual or special general meeting a quorum is not present, the eligible voters present, in person or by proxy, constitute a quorum.
- (2) This bylaw 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.

34. Person to Chair Meeting

- (1) Annual and special general meetings must be chaired by the president of the council.
- (2) If the president of the council is unwilling or unable to act, the meeting must be chaired by the vice president of the council.
- (3) If neither the president nor the vice president of the council chairs the meeting, a chair must be elected by the eligible voters present in person or by proxy from among those persons, eligible to vote, who are present at the meeting.

35. Participation by Other Than Eligible Voters

- (1) Tenants and occupants may attend Annual and Special General Meetings, whether or not they are eligible to vote.
- (2) Persons who are not eligible to vote, may not participate in the discussion at a meeting, except at the discretion of the chairperson.
- (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.

36. Voting

- (1) At an annual or special general meeting, voting cards must be issued to eligible voters.
- (2) At an annual or special general meeting a vote is decided on a show of voting cards, unless an eligible voter requests a precise count.
- (3) If a precise count is requested, the chair must decide whether it will be by show of voting cards or by roll call, ballot or some other method.
- (4) The outcome of each vote, including the number of votes for and against the resolution if a precise count is requested, must be announced by the chair and recorded in the minutes of the meeting.
- (5) If there is a tie vote at an Annual or Special General Meeting, the president, or, if the president is absent or unable or unwilling to vote, the vice president, may break the tie by casting a second, deciding vote.
- (6) A vote must be held by ballot, if the ballot is requested by an eligible voter, even if the chair has already decided on another form of vote under subsection (3). A vote for strata lot may not be exercised, except on matters requiring a unanimous vote or an 80% vote, if the strata corporation is entitled to register a lien against that strata lot under s.116 of the Act.
- (7) Each person elected to the strata council must be elected by a majority vote, unless the owners present in person and proxy at the Annual General Meeting, by majority vote, approve another method of election.

37. Electronic Attendance at Meetings

- (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.
- (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.

38. Order of Business

- (1) The order of business at Annual and Special General Meetings is as follows:
 - (a) certify proxies and issue voting cards;
 - (b) determine that there is a quorum;
 - (c) elect a person to chair the meeting, if necessary;
 - (d) present to the meeting proof of notice of meeting or waiver of notice;

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

DIVISION 6 – ADDITIONAL BYLAWS

39. Small Claims Court Proceedings – Authorization to Proceed

- (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 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.

40. Garbage

- (1) Any articles or material, other than normal household garbage and recyclables being disposed of must be removed by, and at the expense of, the owners, tenants and occupants of the strata lot from which the articles or materials originated.
- (2) All normal household waste must be properly sorted (and where applicable bagged) and disposed of in the appropriate container.
- (3) No item which is required by law to be recycled or placed in an organic waste container shall be placed in the garbage.
- (4) An owner, tenant, occupant or visitor must not place anything in the garbage which is prohibited from being disposed of in the same.
- (5) All cardboard must be flattened before being placed in the cardboard container.
- (6) Bins are to be left closed. Garbage and recyclables are not to be left on the floor.

41. Parking

- (1) Maximum height for the parkade is 2.1 meters. Do not bring any vehicle into the parkade taller than 2.1 meters.
- (2) No repairs to or servicing of motor vehicles may be carried out on the common or limited common property except in an emergency.
- (3) Motor vehicles dripping oil, gasoline or any other fluid may, at the discretion of the council, be prohibited from driving on the common property until repaired. Owners of motor vehicles leaving or dripping fluids on the common or limited common property shall promptly clean up the same.
- (4) Moving trucks, delivery and recreational vehicles, exceeding 4500 kg GVW, shall not be brought onto the common property.
- (5) Recreational vehicles, trailers and boats must not be parked or stored on the common or limited common property.
- (6) Visitors using the visitor parking area:
 - (a) may only do so for a maximum of 72 hours without written permission of the council in the form of an Extended Visitor Pass;
 - (b) must display an approved Visitor Parking Pass on their dash
- (7) Owners, tenants and occupants must not park their vehicle in parking spaces designated as visitor parking.
- (8) No vehicle may be parked in a handicapped parking space unless it displays a valid handicap parking permit or decal.
- (9) No vehicle may be parked on the common property unless licensed and insured, and belonging to a resident owner, or tenant.
- (10) Any vehicle which is in violation of any provision of this or any other bylaw or rule pertaining to parking of vehicles may, at the discretion of the council, be towed, without notice, at the expense of the owner of the vehicle.
- (11) A resident must not store unlicensed or uninsured vehicles on the common property, limited common property or on land that is a common asset. The vehicle Owner must provide proof of insurance to the strata corporation or display on the dash.
- (12) A resident, tenant or visitor must not use common property electrical outlets within the parkade for the purpose of charging a Hybrid or Electrical vehicle. Electrical vehicle charging is only permitted in the designated stall for that purpose, according to the posted rules.

42. Bicycles

- (1) Bicycles, including electric and motorized bicycles, and scooters are to be kept in designated bicycle storage areas only.
- (2) Bicycles, scooters, and motorized devices are not permitted in hallways, or elevators.

43. Video Surveillance

- (1) The strata council may operate a video surveillance system on the common property and shall establish a policy in compliance with the personal Information Protection Act for the operation of the system and the use and storage of information collected by it. Owners, tenants, occupants and visitors of the strata corporation are hereby deemed to have consented to the use, collection and disclosure of information recorded by the system so long as the same is done in accordance with the terms of the policy established pursuant to the bylaw.

44. Move Ins / Move Outs

- (1) Owners are to pay a \$100 move-in fee and a \$100 move-out fee for any change of occupancy of the strata lot, and provide a \$200 damage deposit.
- (2) The strata lot owner is responsible for all tenant or resident moves to or from the strata lot, and any damage incurred to common property.
- (3) The owner, tenant or occupants must comply with the MOVE-IN / MOVE-OUT RULES and are to be authorized by the Strata Manager, or the Strata Council. No unauthorized moves are permitted.

45. Residential Rentals

- (1) Within two weeks of renting a strata lot, the landlord must give the strata corporation a copy of the Form K – Notice of Tenant's Responsibilities signed by the tenant, in accordance with section 146 of the Act.
- (2) 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 (Form K), as well as the Move-In/ Move-Out Rules.

46. No Short-Term Accommodation

- (1) An owner, tenant or occupant must not:
 - (a) use or allow their strata lot (or any part of it) to be used for the purposes of providing temporary accommodation for the general public including, but not limited to:
 - (i) as vacation or travel accommodation;
 - (ii) any sort of paid short-term accommodation arrangement (being an occupancy of less than 60 days); or
 - (iii) as a room rental, home exchange or other similar arrangement (excluding the hosting of a single exchange student).
 - (b) allow, permit, agree or otherwise grant, in exchange for money, a license to a person who ordinarily resides outside the strata corporation to occupy their strata lot while that owner, tenant or occupant is absent from the strata lot.

47. Security

- (1) No person shall be admitted to the building unless they are an owner, tenant, occupant, or a visitor or invitee of an owner, tenant or occupant.
- (2) Doors shall not be left open or unlocked unless there is a person in constant supervision of that entrance.
- (3) Breaches of security shall be reported immediately to a strata council member, or the strata manager.
- (4) Only persons authorized by the strata council shall be permitted in those areas of the common property such as the electrical and mechanical rooms which are restricted.
- (5) Owners entering the parkade must ensure the gate closes behind them before driving away.
- (6) Parkade gate/ entrance fobs are not to be left in vehicles.

DIVISION 7 - MARKETING ACTIVITIES BY OWNER DEVELOPER

48. Display Lot

- (1) An owner developer who has an unsold strata lot may carry on sales functions that relate to its sale, including the posting of signs.
- (2) An owner developer may use a strata lot, that the owner developer owns or rents, as a display lot for the sale of other strata lots in the strata plan.

RULES

ROOFTOP USE

- No barbecuing is permitted.
- Children under the age of 18 are to be supervised at all times.
- Rooftop amenity area is to be kept tidy and clean as you found it -- remove any garbage before you leave and clean up any spills.
- Excess noise and disturbance will not be tolerated, and the area is to be vacated by 10 pm when quiet hours begin.
- Anyone not following the strata bylaws or the above rules, including causing damage of any kind to surfaces or plants, may be assessed fines, and/or denied access in the future.