

Schedule of Standard Bylaws

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

Payment of strata fees

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

Repair and maintenance of property by owner

2 (1) An owner must repair and maintain the owner's strata lot, except for repair and maintenance that is the responsibility of the strata corporation under these bylaws.

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

Use of property

3 (1) An owner, tenant, occupant or visitor must not use a strata lot, the common property or common assets in a way that

(a) causes a nuisance or hazard to another person,

(b) causes unreasonable noise,

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

(d) is illegal, or

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

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

(3) An owner, tenant, occupant or visitor must ensure that all animals are leashed or otherwise secured when on the common property or on land that is a common asset.

(4) An owner, tenant or occupant must not keep any pets on a strata lot other than one or more of the following:

- (a) a reasonable number of fish or other small aquarium animals;
- (b) a reasonable number of small caged mammals;
- (c) up to 2 caged birds;
- (d) one dog or one cat.

Inform strata corporation

4 (1) Within 2 weeks of becoming an owner, an owner must inform the strata corporation of the owner's name, strata lot number and mailing address outside the strata plan, if any.

(2) On request by the strata corporation, a tenant must inform the strata corporation of his or her name.

Obtain approval before altering a strata lot

5 (1) An owner must obtain the written approval of the strata corporation before making an alteration to a strata lot that involves any of the following:

- (a) the structure of a building;
- (b) the exterior of a building;
- (c) chimneys, stairs, balconies or other things attached to the exterior of a building;
- (d) doors, 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.

(2) The strata corporation must not unreasonably withhold its approval under subsection (1), but may require as a condition of its approval that the owner agree, in writing, to take responsibility for any expenses relating to the alteration.

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

Obtain approval before altering common property

6 (1) An owner must obtain the written approval of the strata corporation before making an alteration to common property, including limited common property, or common assets.

(2) The strata corporation may require as a condition of its approval that the owner agree, in writing, to take responsibility for any expenses relating to the alteration.

Permit entry to strata lot

7 (1) An owner, tenant, occupant or visitor must allow a person authorized by the strata corporation to enter the strata lot

(a) in an emergency, without notice, to ensure safety or prevent significant loss or damage, and

(b) at a reasonable time, on 48 hours' written notice, to inspect, repair or maintain common property, common assets and any portions of a strata lot that are the responsibility of the strata corporation to repair and maintain under these bylaws or insure under section 149 of the Act.

(2) The notice referred to in subsection (1) (b) must include the date and approximate time of entry, and the reason for entry.

Division 2 — Powers and Duties of Strata Corporation

Repair and maintenance of property by strata corporation

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

(a) common assets of the strata corporation;

(b) common property that has not been designated as limited common property;

(c) limited common property, but the duty to repair and maintain it is restricted to

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

(ii) the following, no matter how often the repair or maintenance ordinarily occurs:

(A) the structure of a building;

(B) the exterior of a building;

(C) chimneys, stairs, balconies and other things attached to the exterior of a building;

(D) doors, windows and skylights 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 in a strata plan that is not a bare land strata plan, but the duty to repair and maintain it is restricted to

(i) the structure of a building,

(ii) the exterior of a building,

(iii) chimneys, stairs, balconies and other things attached to the exterior of a building,

(iv) doors, windows and skylights on the exterior of a building or that front on the common property, and

(v) fences, railings and similar structures that enclose patios, balconies and yards.

Division 3 — Council

Council size

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

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

Council members' terms

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

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

(3) to (5) [Repealed 1999-21-51.]

Removing council member

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

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

Replacing council member

12 (1) If a council member resigns or is unwilling or unable to act for a period of 2 or more months, the remaining members of the council may appoint a replacement council member for the remainder of the term.

(2) A replacement council member may be appointed from any person eligible to sit on the council.

(3) The council may appoint a council member under this section even if the absence of the member being replaced leaves the council without a quorum.

(4) If all the members of the council resign or are unwilling or unable to act for a period of 2 or more months, persons holding at least 25% of the strata corporation's votes may hold a special general meeting to elect a new council by complying with the provisions of the Act, the regulations and the bylaws respecting the calling and holding of meetings.

Officers

13 (1) At the first meeting of the council held after each annual general meeting of the strata corporation, the council must elect, from among its members, a president, a vice president, a secretary and a treasurer.

(2) A person may hold more than one office at a time, other than the offices of president and vice president.

(3) The vice president has the powers and duties of the president

(a) while the president is absent or is unwilling or unable to act, or

(b) for the remainder of the president's term if the president ceases to hold office.

(4) If an officer other than the president is unwilling or unable to act for a period of 2 or more months, the council members may appoint a replacement officer from among themselves for the remainder of the term.

Calling council meetings

14 (1) Any council member may call a council meeting by giving the other council members at least one week's notice of the meeting, specifying the reason for calling the meeting.

(2) The notice does not have to be in writing.

(3) A council meeting may be held on less than one week's notice if

(a) all council members consent in advance of the meeting, or

(b) the meeting is required to deal with an emergency situation, and all council members either

(i) consent in advance of the meeting, or

(ii) are unavailable to provide consent after reasonable attempts to contact them.

(4) The council must inform owners about a council meeting as soon as feasible after the meeting has been called.

Requisition of council hearing

15 (1) By application in writing, stating the reason for the request, an owner or tenant may request a hearing at a council meeting.

(2) If a hearing is requested under subsection (1), the council must hold a meeting to hear the applicant within one month of the request.

(3) If the purpose of the hearing is to seek a decision of the council, the council must give the applicant a written decision within one week of the hearing.

Quorum of council

16 (1) A quorum of the council is

(a) 1, if the council consists of one member,

(b) 2, if the council consists of 2, 3 or 4 members,

(c) 3, if the council consists of 5 or 6 members, and

(d) 4, if the council consists of 7 members.

(2) Council members must be present in person at the council meeting to be counted in establishing quorum.

Council meetings

17 (1) At the option of the council, council meetings may be held by electronic means, so long as all council members and other participants can communicate with each other.

(2) If a council meeting is held by electronic means, council members are deemed to be present in person.

(3) Owners may attend council meetings as observers.

(4) Despite subsection (3), no observers may attend those portions of council meetings that deal with any of the following:

(a) bylaw contravention hearings under section 135 of the Act;

(b) rental restriction bylaw exemption hearings under section 144 of the Act;

(c) any other matters if the presence of observers would, in the council's opinion, unreasonably interfere with an individual's privacy.

Voting at council meetings

18 (1) At council meetings, decisions must be made by a majority of council members present in person at the meeting.

(2) Unless there are only 2 strata lots in the strata plan, if there is a tie vote at a council meeting, the president may break the tie by casting a second, deciding vote.

(3) The results of all votes at a council meeting must be recorded in the council meeting minutes.

Council to inform owners of minutes

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

Delegation of council's powers and duties

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

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

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

Spending restrictions

- 21 (1) A person may not spend the strata corporation's money unless the person has been delegated the power to do so in accordance with these bylaws.
- (2) Despite subsection (1), a council member may spend the strata corporation's money to repair or replace common property or common assets if the repair or replacement is immediately required to ensure safety or prevent significant loss or damage.

Limitation on liability of council member

- 22 (1) A council member who acts honestly and in good faith is not personally liable because of anything done or omitted in the exercise or intended exercise of any power or the performance or intended performance of any duty of the council.
- (2) Subsection (1) does not affect a council member's liability, as an owner, for a judgment against the strata corporation.

Division 4 — Enforcement of Bylaws and Rules

Maximum fine

- 23 The strata corporation may fine an owner or tenant a maximum of

(a) \$50 for each contravention of a bylaw, and

(b) \$10 for each contravention of a rule.

Continuing contravention

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

Division 5 — Annual and Special General Meetings

Person to chair meeting

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

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

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

Participation by other than eligible voters

26 (1) Tenants and occupants may attend annual and special general meetings, whether or not they are eligible to vote.

(2) Persons who are not eligible to vote, including tenants and occupants, may participate in the discussion at the meeting, but only if permitted to do so by the chair of the meeting.

(3) Persons who are not eligible to vote, including tenants and occupants, must leave the meeting if requested to do so by a resolution passed by a majority vote at the meeting.

Voting

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

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

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

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

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

(6) If there are only 2 strata lots in the strata plan, subsection (5) does not apply.

(7) Despite anything in this section, an election of council or any other vote must be held by secret ballot, if the secret ballot is requested by an eligible voter.

Order of business:

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

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

- (m) elect a council, if the meeting is an annual general meeting;
- (n) terminate the meeting.

Division 6 — Voluntary Dispute Resolution

Voluntary dispute resolution

29 (1) A dispute among owners, tenants, the strata corporation or any combination of them may be referred to a dispute resolution committee by a party to the dispute if

- (a) all the parties to the dispute consent, and
 - (b) the dispute involves the Act, the regulations, the bylaws or the rules.
- (2) A dispute resolution committee consists of
- (a) one owner or tenant of the strata corporation nominated by each of the disputing parties and one owner or tenant chosen to chair the committee by the persons nominated by the disputing parties, or
 - (b) any number of persons consented to, or chosen by a method that is consented to, by all the disputing parties.
- (3) The dispute resolution committee must attempt to help the disputing parties to voluntarily end the dispute.

Division 7 — Marketing Activities by Owner Developer

Display lot

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

Strata Plan NW 2410 – Fraser Mews
Rules - Common Areas - April 2005

As a strata lot owner, you have a vested interest in properly maintaining the common areas, which include the landscaped areas and underground parking. To protect your investment, this philosophy is conveyed with the following rules.

Any consent, approval or permission given under these rules must be given in writing, by the Strata Council, or the managing agent acting upon the instructions of the Strata Council. Any examples of exclusions given under these rules are not specifically limited to the samples given. Any reference to the rules applies to all residents and their guests. Violation of the Strata Rules may result in a fine ranging between \$50.00 - \$200.00.

1) Resident Parking

- a) Residents are responsible to ensure that the underground security gates close before proceeding.
- b) A resident owner shall use the parking space(s), which have been specifically assigned to the strata lot. Owners shall not park on the common property (visitor parking).
- c) Parking spaces assigned to a strata lot, or any visitor parking stalls, shall not be rented or leased to non-residents.
- d) No vehicle may be parked or stored on the common property except private passenger motor vehicles and bicycles in designated areas. Without limiting the generality of the foregoing, prohibited vehicles include, but are not limited to, buses, derelicts, motor homes, trailers, trucks, and uninsured vehicles.
- e) Parking areas may not be used for the storage of other than one automobile, except with prior written approval of the Strata Council. No storage, boxes or structures of any kind are allowed in any parking spaces or private garages.
- g) No vehicle shall be parked in a manner that reduces the width of garage, roadway, neighbor's parking space or walkway. Parking is not permitted in the turn-around area in the fire lane.
- h) Only vehicles with current registration and insurance in force, or appropriate storage insurance, shall be allowed in the parking areas, except with special permission of the Strata Council. Parking of vehicles other than those owned or leased by a resident or their guests is prohibited. Proof of storage insurance must be provided to Strata Council upon request.
- i) Excessive speeds and dangerous driving are prohibited in the parking area.
- j) No person(s) is/are allowed to camp overnight in any type of vehicle in common areas.
- l) No repairs to motor vehicles or other mechanical equipment shall be carried out on the common property.
- m) Vehicles dripping oil, gasoline or other fluids will be prohibited from parking until repaired. Owners of vehicles causing staining from such fluids shall, when notified by the Strata Council, clean up all areas affected. Failure to do so within seven days of receipt of the notice shall result in the Strata Council arranging for cleaning of the area(s) and charging the owner with the cost incurred.
- n) No vehicle shall be parked in the loading zone for a period longer than the time reasonable required for the loading and unloading of the vehicle.
- o) Any vehicle, trailer, boat or equipment parked in contravention of the foregoing will be removed at its owner's sole risk and expense.

2) Visitor Parking

Visitor Parking rules include all of the applicable rules above and the following:

- a) Owners/residents are responsible to ensure their guests park in designated parking areas and follow regulations.
- b) Residents are not allowed to park their vehicles in visitor parking and will be towed immediately, at their risk and expense.

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- c) Any vehicles found in contravention of any of the parking regulations will be towed away at the owner's risk and expense. The Strata Corporation, Strata Council and Management Agent will not accept responsibility for any damage or loss to vehicles that are towed away.

3) Patios/Decks and Balconies

- a) No items other than what is permitted by the Rules shall be kept on patios/decks, balconies or common property, unless express permission by Council has been granted.
- b) Items that MAY be kept on a patio/deck or balcony are:
 - i) Gas or electric barbecues. (Note: to limit excessive smoke intruding on neighboring suites, barbecues may be used only between the hours of 8:00 a.m. – 11:00 p.m.)
 - ii) Patio style furniture only (no upholstered living room sofas, chairs, bookcases, etc.)
- c) Items that MAY NOT be kept on a patio/deck or balcony are:
 - i) Freezers.
 - ii) Clothes lines/racks, or any hanging clothing.
 - iii) Storage units, shelves or items unless written approval given by Council.
 - iv) Sports equipment such as skis, exercise machines, dartboards, punching bags, weights, etc.
 - v) Lighting other than which was installed as an original permanent fixture, i.e. no torches. Permanent fixtures outside are part of the limited common property and may not be changed without prior permission from Council.
 - vi) Strings or patio lanterns or lights at any other time except as permitted in the bylaws.
 - vii) Free standing trellises. Trellises must be situated against a wall so as not to detract from the architectural lines of deck/patio or balcony railings. Owners must obtain consent from Council for trellises.
 - viii) Birdfeeders, birdbaths, dog/cat houses, or cat carpet climbing trees.
 - ix) Flooring (cedar, carpeting, etc.) may be installed on deck surfaces in a manner that may penetrate/damage the deck membrane and create potential leakage problems or other damage.
 - x) No cleaning supplies such as mops, garbage cans/bags.
 - xi) No storage of empty boxes, cans, bottles, tires or general refuse.

4) Planters on Patios/Decks and Balconies

Residents are permitted to have planters and flower boxes on their patios/decks and balconies with the following guidelines:

- a) Small shrubs and flowers are permitted.
- b) No plantings shall be made that attach themselves to the building areas, such as ivy.
- c) Planters, flower boxes, statues, etc. must be on the limited common property, not on any surrounding common property.
- d) No hanging baskets.
- e) No flower boxes hanging on the outside of the balcony; flower boxes must be on the inside of the balcony.
- f) Residents are responsible for keeping these planters and flower boxes neat and tidy in appearance at all times year-round, and must have trays below them to catch water runoff.

5) Exterior Appearance

- a) For consistency, the backing of all window treatments visible from the exterior of the building must be the same neutral colour as the original blinds installed by developer.
- b) The Strata Act requires that all exterior alterations must receive prior approval of the Strata Council in writing. This includes attaching anything to the building or common areas (this includes satellite dishes, exterior lighting fixtures, etc.).

6) General

- a) No owner shall use any part of the common property for storage except as permitted in writing by the Council. No owner shall keep furniture, shoes, strollers, umbrellas, and garbage bags, outside their door in the hallways. No owner shall store any items on their parking space or private garage.
- b) For consistency, the suite numbers displayed on the exterior side of private suites must not be changed or altered.
- c) No owner and/or resident shall:
 - i) Do anything, or permit anything to be done, that will increase the risk of fire or the rate of fire insurance on the building of any part thereof, or
 - ii) Do anything, or permit anything to be done, that is contrary to any of the provisions, rules or ordinances of any statute or municipal bylaw.
- d) The sidewalks, walkways, passages and driveways of the common property shall not be obstructed or used for any purpose other than entering or exiting from the building, the strata lots and parking areas within the common property. No access doors or common area door are to be propped open or left in an unlocked position at any time.
- e) No mops, rugs or dusters of any kind shall be shaken, and no refuse or other objects shall be thrown out of any windows or doors, or from any balcony or deck/patio of a strata lot.
- f) Owners and/or residents are to take care when washing their balcony or patio/deck that an undue amount of water shall not be poured onto the balcony as this may cause the unit below to suffer the dirty water draining off. Damp mopping is the best method of cleaning balconies.
- g) Ordinary household refuse and garbage shall be removed from each strata lot and deposited in containers provided by the Strata Corporation for that purpose. All garbage shall be plastic bagged and tied before depositing.
- h) All large items that should not be deposited into the bins shall be left in an area designated by the Resident Manager. The Strata Corporation will arrange for removal of large items from a designated storage area.
- i) No owners or occupants of a strata lot, or their guests, shall do anything on common property likely to damage the plants, bushes, flowers or lawns; and shall not place objects on any of the garden areas so as to damage them, or prevent reasonable growth.
- j) An owner, occupant or agent of an owner may not display an advertising sign of any type upon any Strata Corporation property where it is visible to the general public, except in designated areas, nor will any of the above persons leave open or unlocked any entrance door to the building for the purpose of "open house" selling.