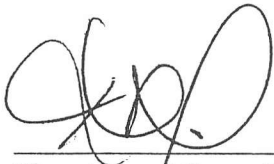

Strata Property Act
FORM I
AMENDMENT TO BY-LAWS
(Section 128)

The Owners, Strata Plan LMS4180 certify that the following or attached amendments to the by-laws of the strata corporation were approved by a resolution passed in accordance with section 128 of the Strata Property Act at an annual or special general meeting held on May 7, 2003.

[see attached amendments]

1. Repeal bylaws and replace with new bylaws as attached.

Signature of Council Member



Signature of Council Member (not required if council consists of only one member)

Bylaw Review

Your strata council has undertaken a project to simplify the bylaws for Greenwich on 5th. The goals of the project are to synchronize our bylaws with the Strata Property Act of 2000, and to augment the standard bylaws to give the Strata Council the tools needed to effectively administer and manage the Greenwich community.

The first part of the project has already taken place. At the Feb 2003 Annual General Meeting, owners voted to replace all of the previous bylaws with the Standard Bylaws in the Strata Property Act, putting us on a solid footing for moving forward. The Standard Bylaws can be found in PDF form at:

<http://www.fic.gov.bc.ca/strata/index.html>

The second part of the project – introducing Greenwich specific bylaws – still needs to be completed. This package is intended to address the bylaws that most impact the Greenwich community.

The changes proposed here are focused on:

- Reinstating the key bylaws that were in place prior to the February 2003 AGM.
- Augmenting the standard bylaws to help the Strata Council deal with specific problems.

Summary of Proposed Changes

Subject	Key changes from Strata Act	Action	Purpose	Sources
Fines	Increase maximums Ensure fair warning Offender bears cost of remedies	Replace Bylaw 23	Discourage "licensing" violations Ensure fairness before fines levied	Strata best practices. Proposed at AGM (46)
Continuing Contravention	Additional fines can be levied without additional complaint	Replace Bylaw 24	Encourage owners to make corrections	Strata best practices. Proposed at AGM (46)
Small Claims	Reduce requirement for general meetings.	Overrides Act clause 171(4)	Allow Council to take action against owners or contractors in the event of non-payment. e.g. Gateway North.	Proposed at AGM (48) Similar bylaw passed at Jan 2002 AGM
Move In Fees	New	No reference	Fee offsets costs, wear and tear, due to moves	Passed at June 2002 SGM
Altering Strata Lot	Add reference to hard surface floors	Add to Bylaw 3	Protect owners from undue noise	Proposed at AGM (4(1)b)
Building Envelope	Add clause to protect envelope	Add clause to Bylaw 6	Protect envelope and warranty	Proposed at AGM (25)
Pets	Increase numbers Empower Council to deal with nuisance pets Strengthen clean-up responsibility	Replace Bylaw 3(4) and add new clauses	Protect owners from nuisance pets Keep common areas clean	Subset of AGM proposal (5(3),(8),(11))
BBQ Use	Additional restrictions on use of BBQs	Add clause to Bylaw 3	Protect building from heat damage and fire hazard	Polygon Bylaw (136) and AGM proposal (13)

Purpose of Bylaws (reminder)

Bylaws are tools we use to resolve conflicts. They are not an excuse to pry into or control people's lives. When conflicts arise, Council must be notified in writing. Only then can Council work to facilitate communication and negotiation. If that fails, Council will turn to the bylaws for an expression of the community's vision of appropriate behaviour, and the remedies available.

Fines

Source: AGM Proposal (46) (excluding subsection (4) regarding denial of access to parking)

Action: Replace Standard Bylaw23

Proposed Bylaw 23:

- (1) Unless otherwise stated in a Bylaw or Rule, the Strata Corporation shall fine an owner or tenant for an infraction or violation of any Bylaw or Rule of "Greenwich on 5th" or the Strata Property Act (the "Act") and Regulations to the Act under the following schedule:
 - (a) \$50.00 for a first infraction or violation,
 - (b) \$100.00 for a second infraction or violation, and
 - (c) \$200.00 for each additional occurrence.
- (2) All fines issued by the Strata Corporation are progressive; infractions are never removed from the record.
- (3) The Strata Corporation may fine an owner or tenant to a maximum of
 - (a) \$200 for each contravention of a Bylaw, and
 - (b) \$50 for each contravention of a Rule.
- (4) Owners and tenants will bear the costs of remedying any damage to property caused by themselves or any occupants or visitors to the Strata Corporation in relation to their strata lot.
- (5) Before a fine is issued by the Strata Corporation, a warning shall be given by the Strata Council outlining the reported Bylaw or Rule infraction or violation. This is to give the party contravening the Bylaw or Rule an opportunity to cease the action that is causing the contravention.
- (6) Owners and tenants shall bear the costs of remedying any contravention of "Greenwich on 5th" Bylaws, Rules, Strata Property Act (the "Act") and Regulations to the Act. Owners and tenants will be responsible for those costs associated with any occupant or visitor to the Strata Corporation in relation to their strata lot.
- (7) All fines issued by the Strata Corporation shall become part of the assessment payable by such owner and shall become due and payable on the first day of the month following the month in which the strata council notified the owner of the breach.
- (8) All fines will be subject to an interest charge of 10% per annum compounded annually on any late or outstanding monies.

Continuing Contravention

Source: AGM Proposal (47)

Action: Replace Standard Bylaw 24

Proposed Bylaw 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 without need for a new complaint process.

Small Claims Action

Source: AGM Proposal (48)

Action: Override Strata Act clause 171(4)

Proposed Bylaw:

Pursuant to section 171 (4) of the Strata Property Act (the "Act"), there shall be no need for a $\frac{3}{4}$ vote at a general meeting to authorize a Small Claims Court proceeding to collect money owing to the Strata Corporation or separate section of the Strata Corporation to collect debts under \$10,000.00 in Provincial Court.

Move In Fee

Source: June 17, 2002 SGM

Action: New

Proposed Bylaw:

A move in fee in the amount of \$100 payable to the Strata Corporation shall be assessed to the owner for each move into the building. A move shall be considered any change of tenancy or ownership involving the suite.

Hard Surface Floors

Source: AGM Proposal (4)(1)b

Action: Add new clause (h) to Standard Bylaw 5(1)

- (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:

Proposed Bylaw addition:

- (h) Hard surface floors.

Building Envelope

Source: AGM Proposal (25)

Action: Add new clause (3) to Standard Bylaw 6

Proposed Bylaw addition:

- (3) Building Envelope

- (a) In order to maintain the building envelope against water penetration of the building, no owner, tenant, occupant or visitor shall puncture, nail, screw, tape or attach anything to the outside walls, ceiling, or floors (satellite dishes or hanging planters included).
- (b) No structural alterations either to the interior or exterior of the building shall be made. No exterior alterations to wiring, plumbing, piping or other services shall be made either on the

strata lot or the common property. Interior alterations to wiring, plumbing, piping, flooring or other services may be made providing they comply with all building codes and do not affect any other strata lot. Municipal permits for wiring and plumbing must be made prior to any alteration.

- (c) The exterior appearance of the building shall not be altered by painting, wood, ironwork, concrete, or other alterations.
- (d) Notwithstanding the above restrictions, any owner, tenant or occupant who wishes to make a modification to the exterior of the building may apply to the Strata Council in writing for permission.

Pets

Source: Bylaw committee 2002, AGM Proposal (5) with considerable deletions

Action: Replace Standard Bylaw 3(4) and add (5) and (6)

Proposed Bylaw additions:

- (4) An owner, tenant, occupant or visitor must not keep a permitted pet on a strata lot other than a maximum of two. A permitted pet is described as:
 - (a) a reasonable number of fish or small aquarium animals
 - (b) a reasonable number of small caged animals
 - (c) a domestic dog or
 - (d) a domestic cat
- (5) A resident must not keep a Permitted Pet which is a nuisance on a strata lot, on common property or on land that is a common asset. If a resident has a pet which is not a Permitted Pet or if, in the sole opinion of council, the Permitted 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.
- (6) A pet owner must ensure that a Permitted Pet is kept quiet, controlled and clean. Owners are responsible for ensuring that pets do not deposit excrement on any general-use common property or on land that is a common asset. Any excrement on common property or on land that is a common asset must be immediately disposed of by the pet owner.

BBQ Use

Source: Polygon (136(3)) and Strata best practices

Action: Add clause (7) to Standard Bylaw 3

Proposed Bylaw addition:

- (7) Barbecue Usage
 - (a) Barbecuing is permitted only with the use of electric or propane fired barbecues. Charcoal type barbecues are strictly prohibited. Outdoor cooking is permitted providing that the practice does not create a fire hazard or create a nuisance for other residents.
 - (b) All barbecues must be kept at a distance of 24 inches away from the building exterior walls. Strata owners or residents are responsible for heat damage to the building envelope.
 - (c) Barbecuing must be controlled at all times and completed by 11 pm to avoid nuisance to other residents.

Next Steps

- 1) Submit comments on this draft proposal by April 17th. Please write any comments you have to the attention of "Council Bylaws" and submit them to the property manager.
- 2) Final comments will be considered in preparing the formal proposal to be circulated in the announcement of the SGM by April 23rd (required at least 14 days prior to the meeting).
- 3) The SGM will be held by May 7th.

This is your second opportunity to make your views known. You do not need to wait for the SGM to express your thoughts. Council encourages your participation in the short time available. We all want to preserve and enhance our community.

To keep the SGM discussion manageable, we need to focus on the issues of greatest concern.

Note: The Act includes protection for existing pets (section 123) should a bylaw change rules on pets.

Note: Bylaws related to rental restrictions have been deferred due to an existing legal limitation preventing any changes from taking effect prior to 2006. If desired by the community, bylaws on this subject will be introduced in the coming years.

Thank you

¾ VOTE RESOLUTION – BYLAW AMENDMENTS

Be it resolved by the owners of Strata Plan LMS 4180 to approve that the Strata Corporation amend the current registered bylaws with the following bylaw amendments:

Building Review

- (34) *The Strata Corporation requires the Strata Council to carry out an exterior preventative maintenance review on the building exterior on a minimum of once every two years.*

Exterior Appearance

- (35) (1) *No signs, fences, gates, billboards, placards, advertising, or notices of any kind shall be erected or displayed on the common property or the Strata Lot without prior written permission of the Strata Council.*
- (2) *No awning, shade screen, satellite dish, radio or television antenna shall be hung from or attached to the exterior of the Strata Lot or the common property, without prior written consent of the Strata Council.*
- (3) *No laundry, clothing, bedding, or other articles shall be hung or displayed from windows, patios, balconies, or other parts of the Strata Lot or the common property so that they are visible from the outside.*
- (4) *Draperies or window coverings that are visible from the exterior of any Strata Lot shall be cream or white in colour.*
- (5) *No structural alterations either to the interior of the Strata Lot or the exterior of the common property shall be made, nor any other services altered or supplemented within any walls or on the common property, without previous written approval of the Strata Council.*

The Chairperson asked for the motion to be put on the floor to allow for discussion.

It was **MOVED** (2154), **SECONDED** (408E) to approve a ¾ Vote Resolution to amend the bylaws as noted above.

The floor was open for discussion.

A question was raised in regard to realtor signage and whether the signage bylaws would apply. AWM advised the realtor signage would remain on the post until the unit's sale had completed.

After a further question and answer period regarding the bylaws, the motion was put to a vote and **CARRIED**.

*****A copy of the approved bylaws with the registered bylaws will be circulated to all of the owners with the next set of Strata Council minutes.*****