VANCOUVER CONDOMINIUM SERVICES LTD.
400 - 1281 W. GEORGIA STREET, VANCOUVER, B.C. V6E 3J7
A FirstService Residential Management Company

BYLAWS

STRATA PLAN VR-329

"PURCELL WOODS"

ADDRESS: 1804 – 2088 Purcell Way
North Vancouver, B.C.
V7J 3K3

Attached hereto is a copy of the bylaws for the strata corporation taken from the records that we maintain 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. The bylaws are an extensive legal document and we recommend you obtain and rely on professional legal counsel and advice on the content.

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BYLAWS

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BYLAWS

STRATA PLAN VR-329

PURCELL WOODS

1. (1) Each owner/occupant/visitor shall observe the rules governing the use of the common assets and its facilities, and strata corporation may fine any owner or occupant a maximum of $50 for each contravention of a rule by an owner or tenant or their visitors.

(2) Each strata lot shall be occupied as a private family residence. In addition to the definition under Part 1 of the Strata Property Act, these bylaws shall further specify that a tenant subject to the rental limitation bylaw (350.1 through 350.8) shall be a person, other than the owner; and where the owner is not in residence; who rents the strata lot and is in possession of the strata lot.

(3) No lot shall be used for commercial or professional purposes or for any purpose which may be illegal or injurious to the reputation of the development; without the approval of the Council.

(4) No owner, occupant or tenant shall do anything or permit anything to be done that is contrary to any of the provisions, rules or ordinances of any statute or municipal by-law.

(5) No owner, tenant, occupant or visitor shall make undue noise in or about any strata lot or the common property or do anything which will interfere unreasonably with any other owner, tenant, occupant or visitor.

(6) An owner, tenant, occupant or visitor must not use an instrument or other device which in the opinion of the Council causes a disturbance or interferes with the comfort of any other owner, tenant, occupant or visitor.

(7) No bus, trailer, camper, commercial vehicle, boat or equipment of any kind shall be parked on any part of the common property without the approval of the Strata Corporation.

(8) Private passenger automobiles and motorcycles only shall be parked on common property and these shall be parked in designated or assigned parking spaces only. No motor vehicle shall be driven on any part of the common property other than on driveways; all private passenger automobiles parked upon common property or assigned parking areas must be currently licensed, insured and in operative condition.

(9) Any vehicle, trailer, camper or commercial vehicle, boat or equipment parked in contravention of the bylaws 1.7 & 1.8 will be removed at its owner's sole risk and expense.

(10) All owners, tenants, occupants and guest(s) shall use the swimming pool and recreation facilities in accordance with rules respecting the use thereof that the Council may from time to time make, and upon publication of a rule so made by the Council the same shall be binding on each owner, tenant, or occupant of a strata lot and their guest(s) and any violation of these rules may result in a fine not to exceed $50 and/or loss of the use of these facilities.

(11) The unimproved common property, located south of the cabana, east of units #1804 #1814 and west of #2058 - #2078 is to remain in a natural state.

(12) Vehicles shall not be washed, except:

(a) in such manner as will not cause nuisance or annoyance to other owners, and

(b) in such place and at such time as the Strata Council may from time to time direct;

(13) Use of the Amenity Room by an owner or resident requires that the owner or tenant complete the "Amenity Room Agreement" (ARA) and provide any deposit stipulated therein. The owners shall be responsible for any damages beyond that covered by the deposit stipulated in the ARA.

LEGAL

2. (1) A second breach of a by-law shall result in a fine for the said breach of the by-law being charged to that owner and shall be added to the strata fees and become part of the strata fees of that owner for the month next following the date of the notice. Strata Council will provide written notification to the owner at the time of levying said fine.

(2) An owner or tenant shall have the right to attend the next following council meeting to appeal the by-law breach notification, provided that Council receives written notice of this intentions to do so 24 hours before the time of the next meeting.

(3) Failure to comply with or any breach of any section of these by-laws unless otherwise stated will result in a fine of up to $200.00 being levied against the owner of the strata lot for every occurrence that any section of these by-laws is not complied with or any subsequent breach thereof. Further failure to comply with or any breach of any rules in these by-laws unless otherwise stated will result in a fine of up to $50.00 being levied against the owner of the strata lot for every occurrence that any section of these by-laws is not complied with.

(4) 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 or negligence or carelessness or by that of an owner's visitors, occupants, guests, employees, agents, tenants or a member of the owner's family.

(5) 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 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, 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.

(6) The invalidity in whole or in part of any by-law does not affect the validity of the remaining by-laws.

MEETINGS

3. (1) A quorum for a general meeting shall be twenty (20%) percent of the persons entitled to vote present in person or by proxy.

(2) If within ½ hour from the time appointed set for an annual or special general meeting, a quorum is not present, the meeting stands adjourned for a further ½ hour on the same day and at the same place. If within a further ½ hour from the time of the adjournment, a quorum is not present, the eligible voters, present in person or by proxy, constitute a quorum.

(3) Voting at a general meeting shall be on a show of hands whereby each owner shall indicate his vote by showing his voting card.

(4) 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 Strata Property Act.

(5) Regulations may be made by Council during the course of each year and shall be effective from the date they are circulated to the owners and tenants. At each subsequent annual general meeting these said Regulations may be included in the by-laws.

(6) Effective the 1992 Annual General Meeting, all council members shall retire from office and the Strata Corporation shall elect four council members for a two year term and three council members for a one year term. Effective the 1993 Annual General Meeting, the three one year term council members shall retire and the Strata Corporation shall elect three council members for a two year term and the practice of electing council members for a two year term shall contrive. A retiring member of the Strata Council shall be eligible for a re-election to achieve the initial two year term, those four council members with the most votes shall be elected for a two year term.

FINANCE

4. (1) Per section 98 of the Strata Property Act, the strata council shall not, except in emergencies, approve, without authorization by a special resolution of the strata corporation, any expenditure exceeding $2,000.00 which was not set out in the annual budget of the corporation and approved by the owners at a general meeting.

FIRE & SAFETY RULES

5. (1) No owner shall do any act or thing or neglect or fail to do any act or things which would or could increase the risk of fire or the rate or fire insurance premium.

(2) No owner shall permit coal or combustible, flammable or offensive material, except a small supply of fuel normally used in fireplaces or outdoor barbecues to be stored in any lot.

(3) Each owner shall endeavour to conserve the plumbing system and the electrical system of the building and any damage to any of these systems caused by the wrongful act or neglect of any owner, occupant or guest shall be repaired at the expense of such owner. No owner will permit a condition to exist within his lot which will result in wasting or excessive consumption of domestic water supply.

(4) No owner shall permit a structural alteration to the interior of any lot to be made; and, no plumbing or electrical work within any bearing or party wall, if any, shall be made without the prior written consent of the Council.

(5) It is mandatory that each strata lot owner install at his/her own cost, one smoke detector per each floor of his/her unit and ensure it is properly functioning at all times. Council has the right to inspect at least on an annual basis all strata lots' insuite fire detection equipment where no owner attestation is provided to indicate compliance with the bylaw.

(6) No owner shall permit or cause, the alteration or disengagement of fire equipment including, but not exclusive of, signage, lighting, extinguishers, alarms or designated fire doors.

GROUNDS AND COMMON PROPERTY

6. (1) No owner or occupant shall permit animals, livestock, fowl or pets to be kept in any lot other than one dog, one cat *or* caged birds (except pigeons) or any other pet approved by the Strata Corporation; any variance to any of the above must be approved by the Strata Council, which approval shall not be unreasonably withheld. When upon the common property, all dogs are to be kept under the supervision of a responsible person. If the Strata Corporation, on reasonable grounds, considers a permitted pet to be nuisance, such pet shall not be kept in the lot after 15 days notice in writing to that effect is given to the owner of the lot where it is kept.

(2) Owners who allow their pets to dispose of their excretal on the common property shall be responsible for the removal of same.

(3) No owner or occupant shall permit television antenna, satellite dish or similar structure or appurtenances thereto to be erected on or fastened to the outside of any unit except in connection with a common television antenna or cable system authorized by the Council.

(4) No owner or occupant shall permit signs, billboards, notices, or other advertising matter of any kind to be placed on any part of a unit or outside a unit without the written consent of the Strata Council; which approval shall not be unreasonably withheld. Exception is made for real estate signs per Section 122 of the Strata Property Act.

(5) No owner or occupant shall permit mops or dusters of any kind to be shaken and no refuse shall be thrown out *of* the windows or doors or from the balcony of a lot.

(6) No owner or occupant shall permit laundry or washing to be hung in such a way as to be visible from the outside of a lot.

(7) No owner or occupant shall place or allow to be placed on balconies, plants, furniture or other items which would be in danger of exceeding the load limits of these structures.

(8) Each owner or occupant shall remove ordinary household refuse and garbage from each lot and deposit only in containers provided by the Strata Corporation for that purpose at central collection points. Any materials other than ordinary household refuse and garbage shall be removed from the Strata Plan property at the expense of or by the individual owner.

(9) No owner or occupant shall allow the area around his premises to become untidy or unsanitary. The Council shall be at liberty to order the removal of any rubbish or cleanup the common area in close proximity to an owner's premises to its satisfaction and charge any expense so incurred to the owner; personal effects left in any part of the common property except areas authorized for specific purposes, may be removed and disposed of at the risk and expense of the owner.

(10) No owner, occupant of a lot or guest shall do anything on common property likely to damage the trees, plants, bushes, flowers, or lawns, and shall not place chairs, tables or other objects on the lawns so as to damage them or prevent their reasonable growth or to interfere with the maintenance of the grounds generally.

(11) The sidewalks, walkways, passages and driveways of the common property shall not be obstructed or used for any purpose other than pedestrian access to or from the lots and parking areas within the common property.

(12) Each owner or occupant shall repair and maintain his lot including windows, doors and areas allocated to his exclusive use, and keep it in a state of good repair.

(13) Without the consent of the Strata Corporation, no part of common property shall be used for the erection, placing or maintenance of incinerators, garbage disposal equipment, recreation or athletic equipment, fencing or gardens.

(14) No owner or occupant shall permit ball playing or any other sports to be carried on in the underground parking areas or adjacent areas.

(15) Fireworks: No owner, family member, tenant, guest or any resident of Strata Plan VR-329 shall use, light or cause to be used or lit, any firework device on the common property of the Strata Plan, unless prior written consent of the strata council has been given. Any strata lot of a person in violation of this by-law shall be subject to a $50.00 penalty/fine and this fine shall become part of the next monthly contribution of that strata lot.

(16) No owner, tenant or guest shall be permitted to "skateboard" on the common property of Strata Plan VR-329. The council shall have the authority to levy a fine of $50.00 on the account of any owner for violation of this by-law.

(17) All Christmas and seasonal lights and decorations must be removed by the owner no later than January 31st by the owner.

(18) The use of lock boxes for real estate sales and purchases is strictly prohibited.

(19) All real estate sale signs must be posted on the sign post provided. Individual sale signs are strictly prohibited.

POOL REGULATIONS

7. (1) The pool is open from 7:30 am until 10:00 pm starting May long weekend and ending Labour Day long weekend (weather permitting).

(2) Adult swimming, for residents 19 years and older is daily from 8:00 pm - 10:00 pm. No residents under the age of 19 are permitted in the pool after 8:00 pm.

(3) No lifeguard is provided. Children under 14 years of age must be supervised by a parent or guardian.

(4) No running games or horseplay permitted in the pool or on the deck. No unnecessary splashing or noise.

(5) Street shoes must not be worn on the pool deck.

(6) Food must not be taken into the pool area. Beverages can be consumed on the pool deck only if they are in plastic containers.

(7) Bathing apparel only is to be worn while swimming - No cut-offs.

(8) Lifesaving equipment is to be used only in case of an emergency.

(9) Pets are not permitted in the pool area.

(10) All persons using the pool do so at their own risk.

(11) As a courtesy to other owners, please limit the number of your guests using the pool to a maximum of 2 persons. Owners are responsible for the actions of their guests and must accompany their guests while swimming.

(12) No eating or drinking in saunas. No changing of clothes in saunas.

(13) Cabana lounge will be open if Council or Pool Committee member is present or by special request.

(14) Lost, stolen or damaged pool keys can only be replaced once annually. There will be a $50.00 charge for replacement.

BYLAW 101

101. (1) Interest income earned on strata corporation funds shall be allocated to the operating fund.

BYLAW 200 – COMMON EXPENSES

200. (1) The fiscal year of the strata corporation shall be January 1st to December 31st.

(2) Prior to the 15th day of December, each owner shall be notified in writing, by mail or hand delivery, of his/her assessment based upon unit entitlement of the budget which has been approved, subject to paragraph (e).

(3) In compliance with section 112 of the Strata Property Act in the case of an owner whose strata fees are not paid, a written demand for payment is provided 14 days prior to filing any lien along with notification of intent to file said lien. The normal course of such action will be a minimum of two (2) successive months in arrears.

(4) If at any time it appears to the strata council of the strata corporation that the approved operating budget of common expenses will be inadequate to meet the common expenses or other special expenses of the strata corporation, the strata council shall convene an Extraordinary General Meeting to approve a special assessment or method by which the deficit could be addressed by the owners.

(5) At each fiscal year end, the strata corporation shall have its books, records and monies audited by an independent auditor. Copies of the audit shall be given to any owner within seven (7) days of a request.

200. (b) All owners' strata fees are due and payable no later than the first business day of each calendar month. Fees received later than the appointed time may be subject to a fine of $25.00. Accounts in arrears of more than $1,000 may also be charged an interest rate of 10% per annum on the outstanding balance.

BYLAW 230 – CONSTRUCTION ALTERATIONS

230. (1) An owner shall submit in writing to the strata corporation all planned or proposed construction alterations to the exterior of his strata lot.

(2) Submissions shall provide a general description review of the proposed alteration and shall be accompanied by a sketch or blueprint to indicate dimensions and special characteristics.

(3) 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.

(4) 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.

(5) 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.

(6) Upon 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.

(7) The owner-applicant shall be responsible to ensure that all municipal building codes and permits are met and obtained. Any liabilities arising from failure to obtain proper municipal approvals shall be the sole responsibility of the owner-applicant.

(8) The owner-applicant, and his 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.

(9) 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.

(10) 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, regulations, and directives that the strata council may impose on specific application.

BYLAW 350 – RENTAL LIMITATION BYLAW

350. (1) The number of units within the strata plan VR 329 that may be leased by the owners shall be ten (10).

This bylaw 350.1 is included here for convenience only. This bylaw limiting the number of strata lots that may be rented to (10) was filed at the Land Title Office on _____ (insert date of registration) under registration number _____ (insert registration number). It remains in force from _____ (insert date of registration) and has not been altered, replaced or repealed since that date.

(2) An owner wishing to lease a strata lot must apply in writing to the strata council for permission to rent before entering into a tenancy agreement.

(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 350.1, excluding exempt strata lots pursuant to sections 143 and 144 of the Act and section 17.15 of the Regulations, the strata 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 strata council based upon the date of the request for permission to rent.

(4) If the limit in stated bylaw 350.1 has not been reached at the time the owner applies for permission to lease a strata lot, excluding exempt strata lots pursuant to sections 143 and 144 of the Act and section 17.15 of the regulations, the strata council shall grant permission and notify the owner in writing as soon as possible.

(5) An owner receiving permission to lease must exercise the permission to lease within 90 days from the date that the strata 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 350.1.

(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.

(7) Within two weeks of renting a strata lot, the owner 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.

(8) Where an owner leases a strata lot in contravention of bylaws 350.1, 350.2 or 350.3, the owner shall be subject to a fine of $500.00, 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 recoverable from the owner on a solicitor and own client basis, by the strata corporation.

BYLAW 600 – PARKING RULES

600. (1) Each unit is entitled to one parking permit.

(2) Only vehicles parking in unassigned stalls need to display a parking permit. The card must be current and clearly displayed from the rear-view mirror.

(3) Parking in lanes, driveways and on the grass is forbidden. These vehicles will be towed.

(4) Only one vehicle may be parked in a stall. "Nose-to-tail" or "across-the-back" parking is not allowed. These vehicles will be towed.

(5) All vehicles banned by the bylaws are still illegal. (see bylaws 1.8 and 1.9).

(6) Parking permits are transferable between your own vehicles or guest vehicles, within the one per unit limit.

(7) Parking permits are for identification only and do not guarantee a parking space. Parking in the unassigned stalls is on a "first come – first served" basis. Designated spots are still reserved.

(8) Parking permits are the property of the strata corporation and these permits must be turned over to the new owner of your strata lot unit when you move from the complex.

(9) Lost, stolen or damaged parking permits can only be replaced once annually. There will be a $50.00 charge for replacement. The fee will be waived upon turning in the damaged permit.

(10) Any unit using parking permits (other than the ones issued by council) will be fined and lose their parking permit for that year.

(11) Any vehicles not parked in accordance with the parking rules will be towed without further warning at the owner's expense.

(12) To retrieve towed vehicles, contact Harold's Towing @ 988-9611 for further details.

(13) Infractions of rules may be dealt with by means of a fine in accordance with the bylaws.

Please note: All carports, underground parking stalls and numbered parking stalls are assigned. These rules are for everyone parking their vehicles within VR-329, including guests. Make sure your guests park properly! If their car is towed away because of lack of information on your part, then... Don't call us – call Harold Towing @ 988-9611

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

PAYMENT OF STRATA FEES

1. (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.

(3) An owner/resident maintain clean and free of debris the following:

(a) Gutter downspout filter baskets related to his/her unit.

(b) All drains related to his/her unit with the proviso that they are easily accessible (decks included).

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 corporation must repair and maintain under the bylaws or insure under section 149 of the Act.

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

INFORM STRATA CORPORATION

4. (1) Within two 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.

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 A 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. (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 the building;

(B) the exterior of the building;

(C) chimneys, stairs, balconies and other things attached to the exterior of the 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 strata plan, but the duty to repair and maintain is restricted to

(i) the structure of the building,

(ii) the exterior of the building,

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

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

(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.

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 eligible for reelection.

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 for 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 leaves the council without a quorum.

(4) If all 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 the 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 all council members consent in advance to the meeting, or the meeting is required to deal with an emergency situation, and all council members either

(a) consent in advance of the meeting, or

(b) 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 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 opinion 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, unreasonable 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. (1) The council must inform owners of the minutes of all council meetings within 2 weeks of the meeting, whether or not the minutes have been approved.

DELEGATION OF COUNCIL'S POWERS AND DUTIES

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

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

(a) delegates the authority to make an expenditure of a specific amount for a specific purpose, or

(b) delegates the general authority to make expenditures in accordance with subsection (3)

(3) A delegation of a general authority to make expenditures must:

(a) set a maximum amount that may be spent, and

(b) indicate the purpose for which, or the conditions under which, the money may be spent.

(4) The council may not delegate its powers to determine, based on the facts of a particular case,

(a) whether a person has contravened a bylaw or rule,

(b) whether a person should be fined, and the amount of the fine, or 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 powers 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 the 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

CONTINUING CONTRAVENTION

23. (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.

DIVISION 5 - ANNUAL AND SPECIAL GENERAL MEETINGS

PERSON TO CHAIR MEETING

24. (1) Annual and special 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

25. (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 discussion at the meeting, but only if permitted to do so by the chair of the meeting.

(3) Persons who are not eligible 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

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

(2) 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.

(3) 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.

(4) 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.

(5) 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.

(6) 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.

(7) 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 legal costs, of remedying a contravention of the bylaw or rules for which the owner is responsible under Section 131 of *The Act.*

ORDER OF BUSINESS

27. (1) 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 the 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 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

28. (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 parties.

(3) The dispute resolution committee must attempt to help the disputing parties end the dispute.

DIVISION 7 - MARKETING ACTIVITIES BY OWNER DEVELOPER

DISPLAY LOT

29. (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.