

Nov-23-2017 10:10:59.001

STRATA PROPERTY ACT FILING  
PROVINCE OF BRITISH COLUMBIA

CA6462350

PAGE 1 OF 2 PAGES

**Strata Property Act  
FORM I  
AMENDMENT TO BYLAWS  
(Section 128)**

The Owners, Strata Plan VIS 6014 (Jasmine Place) certify that the following or attached amendments to the bylaws of the Strata Corporation were approved by a resolution passed by the owners in accordance with Section 128 of the Strata Property Act at the Annual General Meeting held on November 21, 2017. Therefore; be it resolved by a (3/4) vote at the Annual General Meeting held November 21, 2017.

**Division 1 – Duties of Owners, Tenants, Occupants and Visitors  
Bylaw 4: Use of Property**

To add:

**Bylaw 4 (w):** The Strata Corporation wishes to ensure that the levels of sound transmission between units in the building are minimized as much as possible. The replacement of any type of flooring is permitted subject to the following:

1. Replacing existing carpet with new carpet and a high quality acoustical underlay over the same floor area as the existing carpet is acceptable.
2. Replacing existing linoleum is acceptable. When replacing linoleum/vinyl, owners are required to install an underlay to minimize sound transfer.
3. Replacing existing linoleum in bathrooms and laundry rooms with tile and a high-quality subfloor or underlay (or combination) available for the tile at the time of the proposed installation, is acceptable.
4. Replacing existing flooring with laminate, engineered hardwood, cork would require the installation of a sound reduction underlay of the highest rating available at the time of installation. An IIC (Impact Insulation Class) rating of 73 and STC (sound transmission Class) of 73 is the current minimum standard. Owners are encouraged to consider the installation of a high quality sub-floor as well to minimize sound transfer.
5. The request for approval must include: a description of the flooring area to be replaced, the proposed flooring details including product specifications for the flooring type (e.g. carpet, laminate, cork, tile, linoleum, or engineered hardwood floor) and product specifications for the underlay type, and contractor details.
6. Upon completion of the installation, the owners must provide written proof that the approved flooring and underlay was installed by an approved contractor. Typically, this will be an invoice with his verification from a supplier. Alternatively, the installation may be inspected by a contractor approved by Strata Council during the installation process.
7. Approved flooring is defined as any flooring and underlay which meets the criteria set out in (n 1.2.3.4).
8. Approved contractor is described as a company or individual:
  - a. that employs or contracts with professional flooring installation service providers who carries liability insurance and Work Safe B.C. coverage.
9. Common areas including, but not limited to: hallways, stairwells, elevators, ground floor units, utility closets and other storage rooms, are exempt for the sound transmission requirements set out in clause (4).

  
Strata Council Member

  
Strata Council Member

This bylaw takes effect from the date of filing at Land Titles office.

**Strata Property Act  
FORM I  
AMENDMENT TO BYLAWS  
(Section 128)**

The Owners, Strata Plan VIS 6104 (Jasmine Place) certify that the following bylaw of the strata corporation were approved by a resolution passed by the owners in accordance with Section 128 of the Strata Property Act at the Annual General Meeting held on November 21, 2016.

To Repeal Bylaw 37(2) which states: no more than ONE (1) "FOR SALE" sign shall be placed by an owner on the common property, on the front of Jacklin Rd. The sign shall be removed immediately upon the confirmation of the unconditional sale of the unit.

**To Adopt Bylaw 37 (2) which states: signage for advertising the sale of a strata lot may be placed only in the real estate sign which is located at the front entrance of the building. Signage elsewhere on the property will not be permitted, including the inside of a strata lot window. The real estate agent or owner is responsible for measurements and installation of the slot signage required. Once a unit is sold, the real estate signage must be removed within two weeks of strata lot selling.**

This resolution is certified as adopted by the Strata Corporation at its duly constituted Annual General Meeting of November 21, 2016, at which a quorum was present, and the required 3/4 vote of unit owners approved this resolution.

This bylaw will have effect from the date of filing at Land Title's Office, Victoria, B.C.

  
\_\_\_\_\_  
Strata Council Member

  
\_\_\_\_\_  
Strata Council Member  
Gillian Hatton

Created by the land of BC Land Alliance on Dec 13, 2017

Supplied to StrataDocs on 2017/12/13  
Ordered by Ron Neal on 2017/12/14

**Strata Property Act**  
**FORM I**  
**AMENDMENT TO BYLAWS**  
**(Section 128)**

The Owners, Strata Plan VIS 6104 (Jasmine Place) certify that the following bylaws of the strata corporation were approved by a resolution passed by the owners in accordance with Section 128 of the Strata Property Act at the Annual General Meeting held on November 19, 2013.

Therefore; Be it resolved by a Three (3/4) vote at the Annual General Meeting held November 19, 2013.

**To Repeal Bylaw 34.1 which states:** Pursuant to Section 141.2 of the Strata Property Act, SBC1998, chapter 43 no more than FOUR (4) strata lots may be leased or rented at any time unless given written permission by the strata council.

**To Adopt: Bylaw 34.1 which states:** Pursuant to Section 141.2 of the Strata Property Act, SBC1998, chapter 43 no more than FOUR (4) strata lots may be leased or rented at any time unless given written permission by the strata council. **Original owners (purchased from the Developer) are exempt from this bylaw.**

**To Repeal Bylaw 34.4:** which states: An owner, wishing to rent or lease their strata lot, shall apply in writing to the strata council for permission to do so. The council shall then advise the owner whether there are any rentals vacancies under the terms of this bylaw. If there are no vacancies, the owner may request that their names be added to a waiting list of owners who wish to rent or lease. The list will be posted in the council meeting minutes. When a vacancy arises, council will grant permission to rent or lease to the owner whose names appears at the top of the list.

**To Adopt: Bylaw 34.4:** which states: An owner, wishing to rent or lease their strata lot, shall apply in writing to the strata council for permission to do so. The council shall then advise the owner whether there are any rentals vacancies under the terms of this bylaw. If there are no vacancies, the owner may request that their names be added to a waiting list of owners who wish to rent or lease. The list will be posted in the council meeting minutes. **When a tenant moves out, the owner must reapply for permission to rent or lease. The owners' name will be placed at the bottom of the rent or lease waiting list.** When a vacancy arises, council will grant permission to rent or lease to the owner whose name appears at the top of the list.

**To Repeal Bylaw 34.6 which states:** As per Division 1 subsection 6(3): the owner must inform the strata council as to who their tenants are and the owner must ensure that tenants acknowledge receipt of a copy of the bylaw and rules of the Strata by signing the Form K.

- i) The tenant, in signing the Form K, also agrees to abide by all of the bylaws and rules of the Strata.
- ii) A copy of the Form k must be filed with the council.

Supplied to StrataDocs on 2017/12/13  
Ordered by Ron Neal on 2017/12/14

**To Adopt: Bylaw 34.6 which states:** As per Division 1 subsection 6(3): the owner must inform the **property manager** as to who their tenants are and the owner must ensure that tenants acknowledge receipt of a copy of the bylaw and rules of the Strata by signing the Form K.

- i) The tenant, in signing the Form K, also agrees to abide by all of the bylaws and rules of the Strata.
- ii) A copy of the Form k must be **submitted** to the **property management company seven days in advance of the moving in.**

These bylaws will have effect from the date of filing at Land Title's Office, Victoria, B.C.

  
\_\_\_\_\_  
Strata Council Member

  
\_\_\_\_\_  
Strata Council Member

Ordered by: Ron Neal on 2017/12/14

Supplied to StrataDocs on 2017/12/13  
Ordered by Ron Neal on 2017/12/14

# RESOLUTION

## THE OWNERS STRATA PLAN VIS 6104 RESIDENCES OF JASMINE PLACE

**RESOLVED** as a ¾ vote resolution by a quorum of the owners of the Strata Corporation present in person or by proxy at a Special General Meeting held July 3<sup>rd</sup>, 2008.

**Replace Bylaw 41 Section 1 that currently states:**

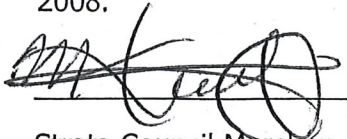
COPY

41(1) Each strata lot is entitled one parking space as Limited Common Property. Parking stalls shall be used only for the parking of passenger automobiles, vans, small trucks, motorcycles, and sport utility vehicles and for no other purpose without the consent of the strata council. Parking stalls are allocated to residents only. No Subletting is allowed. Vehicles must be of a size and parked in a manner so that they do not protrude beyond the boundaries of the parking stall or inhibit the parking of other vehicles.

**With the following Amended Bylaw 41 Section 1:**

41(1) Each strata lot is entitled one parking space as Limited Common Property. ***With the except to Strata Lot 11 and Strata Lot 26, who have two limited common property parking stalls.*** Parking stalls shall be used only for the parking of passenger automobiles, vans, small trucks, motorcycles, and sport utility vehicles and fro no other purpose without the consent of the strata council. Parking stalls are allocated to residents only. No Subletting is allowed. Vehicles must be of a size and parked in a manner so that they do not protrude beyond the boundaries of the parking stall or inhibit the parking of other vehicles.

The above resolution was passed with the required ¾ majority of the owners represented at the Special General Meeting of the strata corporation held on July 3<sup>rd</sup>, 2008.



Strata Council Member



Strata Council Member


Ordered by the Board of MNOB Officers on Dec 13, 2017


Supplied to StrataDocs on 2017/12/13  
Ordered by Ron Neal on 2017/12/14

**Strata Property Act**  
**FORM I**  
**AMENDMENT TO BYLAWS**  
*(Section 128)*

The Owners, Strata Plan 6104 certify that the following or attached amendments to the bylaws of the strata corporation were approved by a resolution passed in accordance with section 128 of the *Strata Property Act* at an annual general meeting held on January 24, 2008\*:

*Please See Attached Bylaws*

  
\_\_\_\_\_  
Signature of Council Member

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

\*Section 128 (3) of the Act provides that an Amendment to Bylaws must be filed in the land title office within 60 days of the amendment being approved.

Ordered by the Clerk of the Strata Corporation on Dec 13, 2017

Supplied to StrataDocs on 2017/12/13  
Ordered by Ron Neal on 2017/12/14

This document was obtained from the StrataDocs System. Its use is subject to agreed upon terms and disclaimers.

Uploaded: Dec 13, 2017 Verified: Dec 13, 2017

## SCHEDULE OF BYLAWS

### Division 1 – Duties of Owners, Tenants, Occupants and Visitors

#### 1. **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.
2. The strata corporation may charge an owner with all bank charges and other charges that relate to such owner issuing a returned cheque for any payment hereunder.

#### 2. **Interest on Late Payment**

1. The strata corporation may charge interest at the rate of TEN (10%) PER CENT per annum, compounded annually, on late assessments and other fees.
2. The strata corporation may charge interest at the rate of TEN (10%) PER CENT per annum, compounded annually, on all late special levies.

#### 3. **Repair and maintenance of property by Owner**

1. An owner must repair and maintain the owner's strata lot including any changes from its original condition, except for the repair and maintenance that is the responsibility of the strata corporation under these bylaws. In order to clarify the owner's obligation to repair and maintain, hereunder, the strata corporation is responsible for the maintenance and repair to the PYA (private yard area) for the normal wear and tear under the general landscaping contract. The maintenance and repair are at the discretion of the Strata Council i.e.) regular maintenance vs. negligence by the strata lot owner, the cost of maintenance would become the responsibility of said strata lot owner.
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 must maintain, repair and replace any additions or alterations made to his/her strata lot, the common property or limited common property. The strata council may require proper drawings and engineering certification prior to giving approval, such to be prepared at the cost of the owner seeking approval.
4. An owner shall also be responsible for any damage occurring to common property, limited common property or their strata lot if such is caused by the act or neglect of the owner or his/her guest or invitee.

#### 4. **Use of property**

1. An owner, tenant, occupant or invitee must not use a strata lot, the common property, common utilities, 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, and no owner, tenant, or occupant shall annoy, harass or disturb any other owner, tenant, occupant or invitee.

- (d) is illegal or is contrary to any statute, ordinance, bylaw or regulation of any governmental authority whether Federal, Provincial or Municipal.
  - (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.
  - (f) will increase the risk of fire or the rate of fire insurance premiums.
  - (g) uses the plumbing or electrical systems for any purpose other than those for which they were constructed.
2. In addition to the above bylaws, owners, tenants and occupants shall comply with the following further bylaws relating to use:
- (a) no owner, tenant, occupant or invitee shall cause or produce any unacceptable smell, vibration or glare in or about any strata lot or the common property.
  - (b) no owner, tenant, or occupant shall:
    - i) operate radios, televisions, stereos, musical instruments, and/or other devices at a level that, in the opinion of the council, is offensive to other residents.
    - ii) no owner, tenant, or occupant shall operate noisy appliances such as dishwashers, clothes washers/clothes dryers, garburators and vacuum cleaners between the hours of 11:00 pm and 7:00 am.
    - iii) hammer, saw or do other construction work between the hours of 9:00 pm and 8:30 am.
  - (c) owners, tenants and occupants and invitees shall not use a waterbed or water filled furniture in any strata lot unless they carry appropriate insurance and obtain the consent of the strata council.
  - (d) owners, tenants, occupants and invitees shall not shake any mops, rags, or rugs from any window, door, balcony or patio, nor shall dirt, rubbish or litter of any kind be swept from or thrown from any window, door, balcony or patio. Owners must keep their own balcony or patio clean, neat and tidy.
  - (e) owners, tenants, occupants and invitees shall not feed any wildlife from their strata lot or the common property, i.e., birds, squirrels, raccoons, deer, etc.
  - (f) owners, tenants, occupants and invitees shall not store or permit to be stored in or about their strata lot or the common property any flammable, explosive or hazardous materials.
  - (g) owners, tenants, and occupants shall use their strata lots as a single-family residence only and in no case shall a strata lot be used as a permanent residence for more than FOUR (4) persons, unless give written permission by the strata council. No more than ONE (1) border per strata lot is permitted.
  - (h) owners, tenants and occupants shall not conduct any business or commercial activity from their strata lot, which results in customers, clients or members of the public attending at their residence.



- (i) owners, tenants and occupants of second, third and fourth floor strata lots shall ensure that the living room, dining room and bedrooms of each strata lot are either carpeted with good quality underlay and carpeting, or with a cork underlay sound barrier not less than six (6) millimetres in thickness under a Laminate or Engineered Wood flooring. Owners, tenants and occupants of all strata lots, shall in addition, ensure all flooring installed shall meet the current building code and be approved by the Property Agent. As of October 31, 2006, all suites that currently have laminate or engineered wood flooring are grandfathered.
- (j) owners, tenants, and occupants shall not install or permit to be installed any radio, telephone or television antennae or receiving dish on the exterior of the building, nor shall they display any sign, banner, poster or other material save and except as permitted under Federal or Provincial Election laws.
- (k) owners, tenants, occupants and invitees shall not hang clothing or bedding of any kind from a balcony, patio, window or door so as to be visible from the exterior of the strata corporation building.
- (l) owners, tenants, occupants and invitees shall not leave personal property, of any kind, in or about the common property areas without permission from Council. In no case shall skateboards, scooters, roller blades or similar devices be used or operated on the common property. All items left on the common property are at the risk of the owner and may be removed by the strata council, without notice, at the owner's expense, if pre-approval was not granted.
- (m) only C.S.A. certified gas barbecues are allowed to be used on the balcony or patio.
- (n) owners, tenants, occupants and invitees shall not smoke anywhere on the interior common property.
- (o) owners, tenants, and occupants shall not use live cut Christmas trees in the strata corporation. Only artificial trees are permitted.
- (p) owners, tenants, occupants must carry bicycles through the lobby, elevator, stairwells or hallways and shall store their bicycles in the designated storage area on the common property or in their strata lot.
- (q) owners, tenants or occupants wishing to change their window coverings must replace them with appropriate window coverings approved by the strata council.
- (r) owners, tenants and occupants shall not pick, pull or damage any of the plants or shrubs on the common property that belong to the corporation and shall ensure that all outside taps are turned off tightly after use.
- (s) no owner, tenant or occupant who is not a member of the strata council shall interfere in any way with the management and administration of the common property including, without restricting the generality of the foregoing, the adjustment of heat in any common area, the opening or closing of doors in the common hallways so as to affect the heat, and no owner, tenant or occupant who is not a member of the strata council shall interrupt or interfere with any contractor of the strata corporation or give instruction to them.
- (t) owners, tenants and occupants acknowledge that all goods and chattels left on the common property or in any storage locker are left there at their sole risk and that the strata corporation shall not be liable for any losses or damages that may occur.

- (u) owners, tenants, and occupants shall not install awnings or shades over or around the exterior of any windows, doors or balconies without the prior written consent of the strata corporation.
  - (v) owners, tenants and occupants shall not allow excessive amounts of water to build up on any patio or balcony and shall ensure that the drains are not blocked with leaves or other debris.
3. An owner, tenant, occupant or invitee must not cause damage 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, reasonable wear and tear excepted. Owners are responsible for the acts of their tenants, occupants and any other person they admit to the strata corporation building.

## 5. Pets

1. Owners, tenants and occupants shall not keep pets of any kind in or about a strata lot or the common property OTHER THAN:
- (a) a reasonable number of aquarium fish or small animals to be kept in an aquarium that does not exceed twenty gallons in size unless given written permission by the strata council.
  - (b) not more than two (2) caged birds.
  - (c) one or two spayed or neutered domestic house cats or dogs that do not exceed 20 kg which is equivalent to 44 lbs.
2. An owner, tenant, occupant or visitor shall ensure that all animals are leashed or otherwise secured when on the common property or on land that is a common asset of the strata corporation.
3. An owner, tenant, occupant or visitor must ensure that all birds and animals living in a strata lot are registered with the Strata Council.
4. Should the strata council receive a written complaint about a permitted pet, the Council shall investigate the matter and may, in their sole discretion, issue a warning letter to the pet's owner if the complaint is justified. If a second complaint is received, then the council may levy a fine or, in their sole discretion, they may order the pet removed from the strata corporation property permanently on FOURTEEN (14) DAYS written notice.

## 6. Inform Strata Council

1. Within two (2) weeks of becoming an owner, an owner must inform the strata council of the owner's name, strata lot number, email, and phone number. If mailing address is outside the strata plan they must also provide this to council.
2. The owner must inform the strata council as to who their tenants are and the owners must ensure that tenants receive a copy of the bylaws and rules and acknowledge receipt of said copies by signing a Form K.

## 7. Obtain approval before alter a strata lot

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 or windows 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.

**8. Obtain approval altering common property.**

1. An owner and the strata council must obtain approval of the strata corporation by a 3/4 vote before making any alteration to common property, including limited common property, or common assets.
2. The strata corporation shall require as a condition of its approval that the owner agrees, in writing, to take responsibility for any expenses relating to the alteration.

**9. Permit entry to strata lot**

1. An owner, tenant, occupant or invitee 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.
  - (c) at a reasonable time, on 48 hours' written notice, to ensure compliance with the Act, the Regulations, the bylaws and the rules.
2. The notice referred to in subsection (1) (b) & (c) must include the date and approximate time of entry, and the reason for entry. The person authorized to enter the suite must announce that they are in the unit by attaching a note to the door while they are working in the unit. The door of the unit will be locked when work is being done in the unit in the absence of the resident. They must also announce that they have been in the unit by leaving a note in a conspicuous location inside the unit when they leave.

**Division 2 – Powers and Duties of Strata Corporation**

**10. 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 the building;
  - (B) the exterior of the building;
  - (C) stairs, balconies and other things attached to the exterior of the building;
  - (D) doors, windows, and skylights on the exterior of the building or that front on the common property only if they leak or are causing damage to the building;
  - (E) fences, railings and similar structures that enclose limited common property and yards;
  - (F) cleaning of inaccessible windows and skylights, chimneys gutters and drains
- (d) a strata lot, but the duty to repair and maintain it is restricted to:
  - (i) the structure of the building,
  - (ii) the exterior of the building,
  - (iii) balconies, gutters, drains, skylights and other things attached to the exterior of the building,
  - (iv) doors and windows on the exterior of the building or that front on the common property only if they leak or are causing damage to the building, and
  - (v) fences, railings and similar structures that enclose limited common property and yards.

PROVIDED ALWAYS that the strata corporation is not obligated to maintain, repair or replace any improvements made by an owner pursuant to bylaw 3 (3) and/or 7, or any such improvements in place at the time of passing of this bylaw, all of which shall be the sole responsibility of the owner for the time being of the strata lot which has the benefit of such improvement.
- (e) the strata corporation shall post advance notice of any work to be done that will potentially affect "occupant" privacy, e.g. washing exterior windows, or interfere with the normal access into or through the building, e.g. carpet cleaning, elevator repairs.
- (f) archives are to be maintained with the property manager, in which copies of all council, annual general and special general meetings are filed in perpetuity. Unless the strata corporation does not hire a property manager, then archives will be maintained by the strata council Secretary in perpetuity.

**Division 3 – Council**

**11. Council Size**

- 1. Strata Corporation shall strive to elect SEVEN (7) persons to Council, but not accept less than THREE (3). These positions are referred to as: President, Vice President, Treasurer, Secretary, and three Members, which are given duties from the President.

This document was obtained from the StrataDocs System. Its use is subject to agreed upon terms and disclaimers.

Uploaded: Dec 13, 2017 Verified: Dec 13, 2017

Supplied to StrataDocs on 2017/12/13  
 Ordered by Ron Neal on 2017/12/13

**12. Council member' terms**

1. The term of office of a council member is one year.
2. A person whose term as council member is ending is eligible for re-election.
3. In addition to a registered owner, the following persons may stand for election to the strata council provided that they reside in the building:
  - (a) the spouse, common-in-law spouse or same sex partner of a registered owner,
  - (b) the parent or adult child of a registered owner. Provided always that no more than one resident of a strata lot shall serve on council at any one time.
4. An owner may not stand for election to the strata council or continue to sit on the strata council if there are arrears in the payment of any assessments or special levies for a period of 30 days and the strata corporation is in a position to file a lien on his/her strata lot under Section 116 of the Strata Property Act.
5. A member of council must resign immediately from the strata council if they accept an unconditional offer to purchase their strata lot.

**13. Removing council member**

1. 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.

**14. Replacing council member**

1. If a council member resigns or is unwilling or unable to act for a period of 2 or more consecutive 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 consecutive 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.

**15. 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, a secretary and a treasurer and if possible three members at large.
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 ceased to hold office.

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

#### 16. 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 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.

#### 17. 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. 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.

#### 18. Quorum of council

1. A quorum of the council is:
  - (a) 2 where the council consists of 3 or 4 members;
  - (b) 3 where the council consists of 5 or 6 members; and
  - (c) 4 where the council consists of 7 members.
2. Council members must be present in person at the council meeting to be counted in establishing a quorum.

#### 19. Council meetings

1. At the option of the council, a council meeting may be held by electronic means, including conference telephone calls, 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.

## 20. 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.

## 21. Council to inform owners of minutes

1. The council must post on the bulletin board in the main lobby a copy of the minutes of each meeting, whether they have been approved or not, and also a copy of the agenda for each meeting.
2. All correspondence to and from Council must be summarized in the minutes.

## 22. Delegation of council's powers and duties

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.
  - (c) require that a copy of all contracts to be entered into by or on behalf of the Strata Corporation, be verified by Council before acceptance, except in the case of an emergency.
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.
5. No member of the strata council shall act unilaterally except in the case of an emergency.

## 23. 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.

2. Pursuant to Section 82 of the *Strata Property Act, SBC 1998, Chapter 43*, the strata council may not acquire or dispose of personal property with a value greater than TWO THOUSAND (\$2,000.00) DOLLARS unless such sale or purchase is approved by a 3/4 vote of the owners in general meeting.
3. Pursuant to Section 98 of the *Strata Property Act SBC 1998, Chapter 43*, the strata council may not make an expenditure that is not provided for in the budget or approved by a 3/4 vote unless the expenditure will potentially benefit all owners and the total annual amount of such expenditures in the fiscal year is less than FIVE THOUSAND (\$5,000.00) DOLLARS and such has been approved by a majority resolution of the strata council.
4. Notwithstanding subsections (1), (2) and (3) above, the strata council may spend the strata corporation's money, such expenditure may be made from the operating fund or the contingency reserve fund, to repair or replace common property or common assets if repair or replacement is required immediately to ensure safety or prevent significant loss or damage.
5. The strata council must inform owners as soon as feasible about any expenditure made under paragraph 4 above.

**24 Fiscal year of Strata Corporation**

1. The fiscal year of the strata corporation shall be December 1<sup>st</sup> to November 30<sup>th</sup>.
2. All contracts with the Strata Corporation shall be deemed to expire on November 30<sup>th</sup>, to coincide with the end of the fiscal year, unless prior arrangements have been made.

**25. Limitation on liability of council member**

1. A council member who acts honestly and in good faith and within the limits of his or her authority 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 judgement against the strata corporation.
3. Provided the council member has acted honestly and in good faith and within the limits of his or her authority, the strata corporation shall indemnify the council member for their reasonable legal costs in responding to a claim of wrongdoing on a solicitor and own client basis.

**Division 4 – Enforcement of Bylaws and Rules**

**26. Maximum Fine**

1. The strata corporation may fine an owner or tenant a maximum of:
  - (a) up to \$200.00, at the discretion of the strata council, for each contravention of a bylaw (save and except for a rental bylaw where the fine may be not more than \$500.00), and
  - (b) up to \$50.00, at the discretion of the strata council, for each contravention of a rule.



- (c) In addition to the above fines, the strata council may levy a fine of up to \$500.00 for a breach of the Rental Restriction Bylaw.

**27. 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 (SEVEN) days, a fine may be imposed every 7 (SEVEN) days.

**28. Owner liable for legal costs**

1. Should the strata corporation be required to undertake any legal action or arbitration, or seek legal advice with respect to a breach by an owner, tenant or occupant of any strata lot of the *Strata Property Act*, the *Strata Property Regulations*, the bylaws, or rule or any amendments thereto, then the owner of the strata lot shall be responsible for and shall pay all of the strata corporation's legal costs incurred on a solicitor and own client basis.

**29. Small claims actions**

1. Notwithstanding the terms and conditions of the *Strata Property Act* the strata council may commence and proceed with a small claims action against an owner without the necessity of first obtaining the consent of the owners by a 3/4 vote.

**Division 5 – Annual and Special General Meetings**

**30. 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 who are present at the meeting.

**31. 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, 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.

**32. 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, 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. 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.
7. No owner may vote at an annual or special general meeting, except in cases of a unanimous vote, if, at the time of the vote, they are more than THIRTY (30) DAYS in arrears in the payment of their assessments, any special levy, or other costs and the strata corporation is entitled to file a lien on his/her strata lot under Section 116 for non-payment of assessments or a special levy.

### 33. Order of business

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

### Division 6 – Rental Restriction bylaw

#### 34. Rental restriction bylaw

1. Pursuant to Section 141 (2) of the *Strata Property Act*, SBC 1998, Chapter 43 no more than FOUR (4) strata lots may be leased or rented at any time unless given written permission by the strata council.

- 2. The above restriction shall be enforced and administered by the strata council.
- 3. An owner, wishing to rent or lease their strata lot, shall apply in writing to the strata council for permission to do so. The council shall then advise the owner whether there are any rental vacancies under the terms of this bylaw. If there are no vacancies, the owner may request that their name be added to a waiting list of owners who wish to rent or lease. The list will be posted in the Council meeting minutes. When a vacancy arises Council will grant permission to rent or lease to the owner whose name appears at the top of the list.
- 4. An owner receiving permission to rent or lease hereunder shall do so within SIXTY (60) DAYS of the date of such letter of permission. An owner failing to do so must then reapply for permission.
- 5. The strata corporation may levy a fine not in excess of FIVE HUNDRED (\$500.00) DOLLARS for breach of this bylaw and all of the other terms and conditions of the bylaws concerning the frequency with which a fine may be levied shall also apply hereto.
- 6. As per Division 1 subsection 6(3): *The owner must inform the strata council as to who their tenants are and the owner must ensure the tenants acknowledge receipt of a copy of the bylaws and rules of the Strata by signing a Form K.*
  - i) *The tenant, in signing the Form K, also agrees to abide by all the bylaws and rules of the Strata.*
  - ii) *A copy of the Form K must be filed with the council.*

**Division 7 – Insurance**

**35. Insurance**

- 1. The strata corporation must maintain errors and omissions – “Officers & Directors” liability insurance in an amount of not less than \$2,000,000.00.
- 2. Owners and tenants are solely responsible to carry third party liability insurance for their strata lot and excess insurance coverage for replacement value of all improvements made to the fixtures, fittings and finish of their strata lot from those installed by the Developer and specifically acknowledge that such improvement may not be insured under the general strata corporation insurance. Owners must provide proof of such coverage upon request from Strata Council. Owners shall also be solely responsible for any deductible on their own insurance policy.

**Division 8 – Miscellaneous**

**36. Ingress and egress**

- 1. Owners, tenants, occupants and invitees shall only use walkways, driveways and other means of ingress and egress for access to the strata corporation building and parking areas and shall ensure that such areas are kept free of obstruction at all times.
- 2. All motor vehicles shall be parked in designated parking stalls only. A violation of this bylaw may result in the council having the vehicle towed at the owner’s expense.

This document was obtained from the StrataDocs System. Its use is subject to agreed upon terms and disclaimers.

Uploaded: Dec 13, 2017 Verified: Dec 13, 2017

Supplied to StrataDocs on 2017/11/15  
Ordered by Ron Neal on 2017/11/15  
StrataDocs.com

**37. Sale of strata lot and moving**

1. Owners shall notify and provide the strata council with the name, address and telephone of the realtor prior to listing their strata lot for sale.
2. No more than ONE (1) "FOR SALE" sign shall be placed by an owner on the common property, on the front of Jacklin Rd. The sign shall be removed immediately upon the confirmation of an unconditional sale of the unit.
3. Any open houses shall be held only between the hours of 1:00 p.m. and 5:00 p.m.
4. Prospective purchasers must be escorted at all times while in the building and in no case shall entrance doors be left open or unsecured.
5. Realtors must comply with all the bylaws and rules and the owner must provide them with a copy. For security reasons, realtors must store the key fob, suite and internal building keys in their company office, and not put them in a lock box on or around the common or limited common property.
6. All persons moving into or out of the strata corporation building shall provide the strata council with at least 48 hours notice of the move. Moving shall be done between the hours of 7:00 a.m. and 8:00 p.m. only, unless given written consent. A TWENTY FIVE (\$25.00) DOLLAR deposit is required to obtain the elevator key and blankets. Once council receives the elevator key and blankets, the TWENTY FIVE (\$25.00) DOLLAR deposit will be returned. Please contact the strata council to make arrangements.
7. Owners, tenants and occupants moving into or out of the building shall, exercise due care and attention so as not to damage the common property and shall ensure that it is left in a clean and tidy condition.
8. A non-refundable "move-in" fee of ONE HUNDRED (\$100) DOLLARS will be charged by the Strata Corporation to all new owners and tenants, payable prior to the move in.

**38. Fees payable for records**

1. The strata corporation may charge a fee of TWENTY-FIVE (\$.25) CENTS per page for copies of documents or records that are requested by an owner. In addition, they may charge the sum of FIFTEEN (\$15.00) DOLLARS for a Certificate of Payment, Form F and THIRTY-FIVE (\$35.00) DOLLARS for a Certificate of the Strata Corporation, Form B. Provided always that should the permissible fees be increased by Regulation, the Strata Corporation may charge the higher amounts as set out in the Regulation.

**39. Keys**

1. Owners, tenants and occupants must advise the Strata Council or Property Manager, if they lose a key to the common areas, i.e., front/rear entry, bike storage. Owners, tenants and occupants will be charged for an additional key to the common areas.
2. Keys in the custody of the Property Management Company, i.e.; utilities, are to be signed for and dated when taken out and brought back. If any keys become lost, the person who signed them out must replace them at their cost.

**40. Security**

1. Owners, tenants and occupants must not admit unknown persons to the strata corporation building. Residents should ensure that all doors are closed behind them when leaving or entering the strata corporation building.

2. The front, rear and internal security doors of the building must not be propped open or left open or unattended at any time.
3. Owners, tenants and occupants shall report any suspicious activity or illegal act by calling 911 and shall give details to the strata council as soon as possible

#### 41. Parking

1. Each strata Lot is entitled one parking space as Limited Common Property. Parking stalls shall be used only for the parking of passenger automobiles, vans, small trucks, motorcycles, and sport utility vehicles and for no other purpose without the consent of the strata council. Parking stalls are allocated to residents only. No subletting is allowed. Vehicles must be of a size and parked in a manner so that they do not protrude beyond the boundaries of the parking stall or inhibit the parking of other vehicles.
2. Any unassigned parking stall will remain under the control of the Council and may be rented from the strata Council when and if they are available and at a rate set by the Strata Council from time to time. Owners, tenants or occupants may rent a second parking stall through the council. Long-term rentals, (12 months or more), shall be paid for by adding the rental amount to the owner's monthly strata fees. Payments for short-term use, (less than 12 months), must be submitted to the Parking Committee Chair three months at a time, or added to the owner's monthly strata fees. The unused portion of the rental, calculated in whole weeks, will be fully refunded to a short-term renter if the rental agreement is cancelled before the last week of the third month. Parking stall rentals are subject to cancellation should the parking be needed for a first parking stall for an owner, tenant or occupant of a strata lot.
3. All motor vehicles parked on the common property must be operational and insured. If a resident wishes to store their motor vehicle, they must first obtain approval from the strata council and they must purchase Third Party Liability insurance in a minimum amount of \$1,000,000.00. A copy of the policy must be provided to the strata council.
4. Owners, tenants and occupants shall not park in the visitors parking at any time except with specific approval from strata council, or their vehicle is subject to being towed at the owner's expense. Any vehicle parked illegally in an assigned parking space, a visitor stall, in the fire lane on the north side of the building or along the fence in front of the lower condo units is subject to towing at the owner, tenant or occupant's expense.
5. No major mechanical repair work of any kind shall be done on any vehicle and in no case shall an owner store or keep a derelict or unlicensed vehicle on the common property unless the unlicensed vehicle has storage insurance and its storage is approved by the strata council in writing. Owners of vehicles leaking gasoline, diesel or oil shall be responsible for cleaning up the leaked fluids and for restoring the parking lot surface if it is damaged.
6. The maximum speed for driving or cycling on driveways and in the parking lot is 10km per hour.
7. All guest parking is short term to a maximum of 72 hours (3 days) every 2 weeks. Residents must obtain written permission from the Council Member, who is in charge of parking, for guest parking longer than 72 hours. That Council Member will inform Council at the next meeting. A violation will result in the vehicle being towed away at the Owner's expense. Any time parking on any one day will count as 24 hours (1 day).
8. The parking area in front of the strata building is municipal property, which the strata council does not control or maintain.

**42. Garbage**

1. Owners, tenants and occupants shall dispose of household refuse, including garbage and recyclable materials, in accordance with the CRD Bylaw in such manner as the Strata Council may from time to time direct. It is the responsibility of all owners who rent their strata lots to ensure that their tenant is familiar with the CRD rules.
2. No furniture or household fixtures are to be put in the bins or anywhere else on the common property. It is the responsibility of the owner of such material to arrange for the disposal of said materials off the common property.

**43. Severability**

1. For the purposes of interpretation of these bylaws and any amendments, additions or alterations to them, each heading, paragraph, and subparagraph shall be deemed to be a separate section with the intent that should an Arbitrator or Court of Competent Jurisdiction find that any such heading, paragraph or subparagraph of these bylaws or any amendments is void for uncertainty or is ultra vires the strata corporation or is, for any other reason, unenforceable, then such heading, paragraph or subparagraph shall be deemed to be severable and the remaining heading, paragraphs and subparagraphs of these bylaws shall be interpreted so as to be given the broadest meaning possible and such heading, paragraphs and subparagraphs shall remain in force and effect.

**End of Document**

This document was obtained from the StrataDocs System. Its use is subject to agreed upon terms and disclaimers.

Uploaded: Dec 13, 2017 Verified: Dec 13, 2017

Created by: Ron Neal on 2017/12/13

Supplied to StrataDocs on 2017/12/13  
Ordered by Ron Neal on 2017/12/13