

# **CITYSIDE BYLAWS**

**STRATA PLAN NO. 6720**

**LAST UPDATE: JUNE 6, 2019**

(Please note that these bylaws have been consolidated for convenience only. The official bylaws of the Strata Corporation are those approved by the owners in accordance with the Act and filed in the Land Title Office from time to time.)

**PLEASE ENSURE THIS COPY REMAINS IN THE UNIT AT ALL TIMES.**

## Bylaws – SP VIS6720 – Cityside

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

#### Payment of strata fees

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

#### Repair and maintenance of property by owner

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

#### Use of property

- 3 (1) An owner, tenant, occupant or visitor must not use a strata lot, the common property or common assets in a way that
  - (a) causes a nuisance or hazard to another person,
  - (b) causes unreasonable noise,
  - (c) unreasonably interferes with the rights of other persons to use and enjoy the common property, common assets or another strata lot,
  - (d) is illegal, or
  - (e) is contrary to a purpose for which the strata lot or common property is intended as shown expressly or by necessary implication on or by the strata plan.
- (2) An owner, tenant, occupant or visitor must not cause damage, other than reasonable wear and tear, to the common property, common assets or those parts of a strata lot which the strata corporation must repair and maintain under these bylaws or insure under section 149 of the Act.
- (3) An owner, tenant, occupant or visitor must ensure that all animals are leashed or otherwise secured when on the common property or on land that is a common asset.
- (4) An owner, tenant or occupant must not keep any pets on a strata lot other than one or more of the following:
  - (a) a reasonable number of fish or other small aquarium animals;  
**(Amended November 26, 2008 FB232557)**

- (b) One (1) small dog under thirty (30) lbs and 1 cat. Dogs cannot be left unattended outside of the owners unit at any time; and **(Amended November 26, 2008 FB232557)**
- (c) No caged birds, caged mammals or lizards, snakes, arachnoids of any kind are permitted anywhere within the development. **(Amended November 26, 2008 FB232557)**
- (5) No exterior hot tubs are permitted without the prior written consent of the Strata Corporation. **(Added November 26, 2008 FB232557)**
- (6) Owners, tenant, occupants and invitees shall not smoke anywhere in the common areas of the strata corporation. **(Added February 11, 2010 FB339745)**
- (7) Balconies and patios shall not be used for the storage or anything other than appropriate patio furniture, planters and barbecues. **(Added February 11, 2010 FB339745)**

#### **Inform strata corporation**

- 4** (1) Within 2 weeks of becoming an owner, an owner must inform the strata corporation of the owner's name, strata lot number and mailing address outside the strata plan, if any.
- (2) On request by the strata corporation, a tenant must inform the strata corporation of his or her name.
- (3) An owner must complete a "Unit Info Sheet" provided by the Strata Council within two weeks of written request, or within two weeks of signing a Residential Tenancy Agreement. **(Added September 28, 2010 FB382686)**

#### **Obtain approval before altering a strata lot**

- 5** (1) An owner must obtain the written approval of the strata corporation before making an alteration to a strata lot that involves any of the following:
  - (a) the structure of a building;
  - (b) the exterior of a building;
  - (c) chimneys, stairs, balconies or other things attached to the exterior of a building;
  - (d) doors, windows or skylights on the exterior of a building, or that front on the common property;
  - (e) fences, railings or similar structures that enclose a patio, balcony or yard;
  - (f) common property located within the boundaries of a strata lot;
  - (g) those parts of the strata lot which the strata corporation must insure under section 149 of the Act.

- (2) The strata corporation must not unreasonably withhold its approval under subsection (1), but may require as a condition of its approval that the owner agree, in writing, to take responsibility for any expenses relating to the alteration.
- (3) This section does not apply to a strata lot in a bare land strata plan.
- (4) Window Coverings – No Awnings, blinds, drapes, or window coverings shall be installed in any strata lot window visible from any street or other strata lot in the development unless such window covering (including colour, form and method of attachment) has been given prior written approval by the Strata Corporation.  
**(Added November 26, 2008 FB232557)**

### **Obtain approval before altering common property**

- 6** (1) An owner must obtain the written approval of the strata corporation before making an alteration to common property, including limited common property, or common assets.
- (2) The strata corporation may require as a condition of its approval that the owner agree, in writing, to take responsibility for any expenses relating to the alteration.

### **Permit entry to strata lot**

- 7** (1) An owner, tenant, occupant or visitor must allow a person authorized by the strata corporation to enter the strata lot
- (a) in an emergency, without notice, to ensure safety or prevent significant loss or damage, and
  - (b) at a reasonable time, on 48 hours' written notice, to inspect, repair or maintain common property, common assets and any portions of a strata lot that are the responsibility of the strata corporation to repair and maintain under these bylaws or insure under section 149 of the Act.
- (2) The notice referred to in subsection (1) (b) must include the date and approximate time of entry, and the reason for entry.

## **Division 2 — Powers and Duties of Strata Corporation**

### **Repair and maintenance of property by strata corporation**

- 8** The strata corporation must repair and maintain all of the following:
- (a) common assets of the strata corporation;
  - (b) common property that has not been designated as limited common property;
  - (c) limited common property, but the duty to repair and maintain it is restricted to

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

### **Division 3 — Council**

#### **Council size**

- 9** (1) Subject to subsection (2), the council must have at least 3 and not more than 7 members.
- (2) If the strata plan has fewer than 4 strata lots or the strata corporation has fewer than 4 owners, all the owners are on the council.

#### **Council members' terms**

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

#### **Removing council member**

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

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

### **Replacing council member**

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

### **Officers**

- 13** (1) At the first meeting of the council held after each annual general meeting of the strata corporation, the council must elect, from among its members, a president, a vice president, a secretary and a treasurer.
- (2) A person may hold more than one office at a time, other than the offices of president and vice president.
- (3) The vice president has the powers and duties of the president
- (a) while the president is absent or is unwilling or unable to act, or
  - (b) for the remainder of the president's term if the president ceases to hold office.
- (4) If an officer other than the president is unwilling or unable to act for a period of 2 or more months, the council members may appoint a replacement officer from among themselves for the remainder of the term.

### **Calling council meetings**

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

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

### **Requisition of council hearing**

- 15**
- (1) By application in writing, stating the reason for the request, an owner or tenant may request a hearing at a council meeting.
  - (2) If a hearing is requested under subsection (1), the council must hold a meeting to hear the applicant within one month of the request.
  - (3) If the purpose of the hearing is to seek a decision of the council, the council must give the applicant a written decision within one week of the hearing.

Regulation 18.1 – Definition for section 15 of Standard Bylaws

18.1 For the purposes of section 15 of the Standard Bylaws, “hearing” means an opportunity to be heard in person.

### **Quorum of council**

- 16**
- (1) A quorum of the council is
    - (a) 1, if the council consists of one member,
    - (b) 2, if the council consists of 2, 3 or 4 members,
    - (c) 3, if the council consists of 5 or 6 members, and
    - (d) 4, if the council consists of 7 members.
  - (2) Council members must be present in person at the council meeting to be counted in establishing quorum.

### **Council meetings**

- 17**
- (1) At the option of the council, council meetings may be held by electronic means, so long as all council members and other participants can communicate with each other.
  - (2) If a council meeting is held by electronic means, council members are deemed to be present in person.

- (3) Owners may attend council meetings as observers.
- (4) Despite subsection (3), no observers may attend those portions of council meetings that deal with any of the following:
  - (a) bylaw contravention hearings under section 135 of the Act;
  - (b) rental restriction bylaw exemption hearings under section 144 of the Act;
  - (c) any other matters if the presence of observers would, in the council's opinion, unreasonably interfere with an individual's privacy.

### **Voting at council meetings**

- 18**
- (1) At council meetings, decisions must be made by a majority of council members present in person at the meeting.
  - (2) Unless there are only 2 strata lots in the strata plan, if there is a tie vote at a council meeting, the president may break the tie by casting a second, deciding vote.
  - (3) The results of all votes at a council meeting must be recorded in the council meeting minutes.

### **Council to inform owners of minutes**

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

### **Delegation of council's powers and duties**

- 20**
- (1) Subject to subsections (2) to (4), the council may delegate some or all of its powers and duties to one or more council members or persons who are not members of the council, and may revoke the delegation.
  - (2) The council may delegate its spending powers or duties, but only by a resolution that
    - (a) delegates the authority to make an expenditure of a specific amount for a specific purpose, or
    - (b) delegates the general authority to make expenditures in accordance with subsection (3).
  - (3) A delegation of a general authority to make expenditures must
    - (a) set a maximum amount that may be spent, and
    - (b) indicate the purposes for which, or the conditions under which, the money may be spent.
  - (4) The council may not delegate its powers to determine, based on the facts of a particular case,



- (a) whether a person has contravened a bylaw or rule,
- (b) whether a person should be fined, and the amount of the fine, or
- (c) whether a person should be denied access to a recreational facility.

### **Spending restrictions**

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

### **Limitation on liability of council member**

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

**22.1** A council member who does not miss more than one scheduled strata council meeting during their term of office will receive \$100.00 from the operating fund at the annual general meeting at which the new council is elected for completion of their term of office. For this purposes of this bylaw 22.1, "term of office" is defined as the period between the annual general meeting at which a council member is elected and the annual general meeting at which the new council is elected. **(Added June 29, 2017 CA109833)**

### **Council remuneration for accompanying/meeting third parties (Added June 6, 2019 CA7546350)**

**22.2** A council member will receive remuneration in the amount of \$25.00 per hour plus a prorated amount for part of an hour from the operating fund for time spent meeting with and/or accompanying a third party, who is inspecting, repairing and/or maintaining common property, a strata lot and/or common assets, with further details of this arrangement to be set out in a resolution approved by the council and the timing of such payment to be determined by a resolution approved by the council.  
**(Added June 6, 2019 CA7546350)**

## **Division 4 — Enforcement of Bylaws and Rules**

### **Maximum fine**

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

- (a) \$200.00 for each contravention of a bylaw or any section of the Strata Property Act, and  
**(Amended November 17, 2011 FB447326)**
- (b) \$50.00 for each contravention of a rule.  
**(Amended November 17, 2011 FB447326)**

### **Continuing contravention**

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

### **Division 5 — Annual and Special General Meetings**

#### **Quorum of meeting (Added June 29, 2017 CA6109833)**

- 24.1** If within 15 minutes from the time appointed for an annual or special general meeting, a quorum is not present, the eligible voters, present in person or by proxy, constitute a quorum. **(Added June 29, 2017 CA6109833)**

This bylaw 24.1 is an alternative to section 48(3) of the Strata Property Act, SBC 1998, c 43. This bylaw does not apply to a meeting demanded pursuant to section 43 of the Strata Property Act, SBC 1998, c 43 and failure to obtain a quorum for a meeting demanded pursuant to section 43 terminates, and does not adjourn, that meeting.  
**(Added June 29, 2017 CA6109833)**

#### **Person to chair meeting**

- 25**
- (1) Annual and special general meetings must be chaired by the president of the council.
  - (2) If the president of the council is unwilling or unable to act, the meeting must be chaired by the vice president of the council.
  - (3) If neither the president nor the vice president of the council chairs the meeting, a chair must be elected by the eligible voters present in person or by proxy from among those persons who are present at the meeting.

#### **Participation by other than eligible voters**

- 26**
- (1) Tenants and occupants may attend annual and special general meetings, whether or not they are eligible to vote.
  - (2) Persons who are not eligible to vote, including tenants and occupants, may participate in the discussion at the meeting, but only if permitted to do so by the chair of the meeting.

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

## Voting

- 27** (1) At an annual or special general meeting, voting cards must be issued to eligible voters.
- (2) At an annual or special general meeting a vote is decided on a show of voting cards, unless an eligible voter requests a precise count.
- (3) If a precise count is requested, the chair must decide whether it will be by show of voting cards or by roll call, secret ballot or some other method.
- (4) The outcome of each vote, including the number of votes for and against the resolution if a precise count is requested, must be announced by the chair and recorded in the minutes of the meeting.
- (5) If there is a tie vote at an annual or special general meeting, the president, or, if the president is absent or unable or unwilling to vote, the vice president, may break the tie by casting a second, deciding vote.
- (6) If there are only 2 strata lots in the strata plan, subsection (5) does not apply.
- (7) Despite anything in this section, an election of council or any other vote must be held by secret ballot, if the secret ballot is requested by an eligible voter.

## Order of business

- 28** The order of business at annual and special general meetings is as follows:
- (a) certify proxies and corporate representatives and issue voting cards;
  - (b) determine that there is a quorum;
  - (c) elect a person to chair the meeting, if necessary;
  - (d) present to the meeting proof of notice of meeting or waiver of notice;
  - (e) approve the agenda;
  - (f) approve minutes from the last annual or special general meeting;
  - (g) deal with unfinished business;
  - (h) receive reports of council activities and decisions since the previous annual general meeting, including reports of committees, if the meeting is an annual general meeting;
  - (i) ratify any new rules made by the strata corporation under section 125 of the Act;
  - (j) report on insurance coverage in accordance with section 154 of the Act, if the meeting is an annual general meeting;

- (k) approve the budget for the coming year in accordance with section 103 of the Act, if the meeting is an annual general meeting;
- (l) deal with new business, including any matters about which notice has been given under section 45 of the Act;
- (m) elect a council, if the meeting is an annual general meeting;
- (n) terminate the meeting.

### **Division 6 — Voluntary Dispute Resolution**

#### **Voluntary dispute resolution**

- 29**
- (1) A dispute among owners, tenants, the strata corporation or any combination of them may be referred to a dispute resolution committee by a party to the dispute if
    - (a) all the parties to the dispute consent, and
    - (b) the dispute involves the Act, the regulations, the bylaws or the rules.
  - (2) A dispute resolution committee consists of
    - (a) one owner or tenant of the strata corporation nominated by each of the disputing parties and one owner or tenant chosen to chair the committee by the persons nominated by the disputing parties, or
    - (b) any number of persons consented to, or chosen by a method that is consented to, by all the disputing parties.
  - (3) The dispute resolution committee must attempt to help the disputing parties to voluntarily end the dispute.

### **Division 7 — Marketing Activities by Owner Developer**

#### **Display lot**

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

### **Division 8 – Parking (Added February 11, 2010 FB339745)**

#### **Parking**

- 31**
- (1) Visitor's parking spots are limited to 24 hours maximum and are for visitors only, violators will be towed without warning.  
**(Added February 11, 2010 FB339745)**
  - (2) The space next to the garbage room to be converted into a temporary visitors parking stall, weekends only, for 24 hours maximum. No parking Monday to

Friday. Violators will be towed without warning.  
(Added February 11, 2010 FB339745)

**Division 9 – Insurance**  
(Added February 11, 2010 FB339745)

**Strict Liability Insurance Bylaw & Indemnity**

- 32**
- (1) An owner, tenant, occupant or visitor must not cause damage, other than reasonable wear and tear to the common property, common assets or those parts of a strata lot which the Strata Corporation must repair and maintain under these bylaws or insure under section 149 of the Act.  
(Added February 11, 2010 FB339745)
  - (2) An owner shall reimburse the Strata Corporation for the expense of any maintenance, repair or replacement and any loss or damage to that owner's strata lot, common property, limited common property or the contents of same if:  
(Added February 11, 2010 FB339745)
    - (a) that owner is responsible for the loss or damage; or
    - (b) if the loss or damage arises out of or is caused by or results from an act, omission, negligence or carelessness of:
      - (i) that owner; or,
      - (ii) any member of the owner's family; or,
      - (iii) the owner's pet(s); or,
      - (iv) the owner's guests, employees, contractors, agents, tenants, volunteers, or their pets (the "Responsible Owner"), but only to the extent that such expense is not met by the proceeds received from any applicable insurance policy, excluding the insurance deductible.
  - (3) For greater certainty, an owner shall be deemed to be a Responsible Owner even if that owner is not negligent and such responsibility shall be construed as a strict liability standard for purposes of payment of the insurance deductible pursuant to section 158(2) of the Act, repair costs and other related costs or expenses not covered by proceeds from insurance.  
(Added February 11, 2010 FB339745)
  - (4) Without restricting the generality of the foregoing, a Responsible Owner is responsible for:  
(Added February 11, 2010 FB339745)
    - (a) any water escape damage from that owner's strata lot or any other type of damage caused by or arising out of the operation of any appliance, equipment or fixture located in the owner's strata lot including, but not limited to the following:
      - (i) dishwasher;
      - (ii) refrigerator with ice/water dispensing capabilities;

- (iii) garburator;
  - (iv) toilet, sink, bathtub and/or shower;
  - (v) fish tank;
  - (vi) plumbing pipes, fixtures and hoses located wholly within the strata lot;
  - (vii) fireplace; or,
  - (viii) any other similar type of appliance, equipment or fixture.
- (b) any damage arising out of any alteration or addition to the strata lot, the limited common property or the common property installed by that owner or a prior owner of that strata lot; and,  
**(Added February 11, 2010 FB339745)**
- (c) any damage to the limited common property that a Responsible Owner is required to repair and maintain, including, but not limited to, damage from a blocked drain on that owner's balcony or patio.  
**(Added February 11, 2010 FB339745)**
- (5) A Responsible Owner under this bylaw shall indemnify and save harmless the Strata Corporation from any cost or expense for repair, maintenance or replacement to the strata lot, common property or limited common property, including legal costs as between a solicitor and his own client, but only to the extent that such expense or cost is not reimbursed from the proceeds received by operation of any insurance policy. In such circumstances, any insurance deductible paid or payable shall be considered an expense not covered by the proceeds received by the Strata Corporation as insurance coverage and for purposes of this bylaw will be charged to the Responsible Owner.  
**(Added February 11, 2010 FB339745)**
- (6) For purposes of this bylaw, the lesser of the amount of the damages or the insurance deductible plus any uninsured repair costs and related legal costs shall be charged to the Responsible Owner and shall become due and payable as part of that owner's monthly assessment on the first of the month following the date on which the expense was incurred.  
**(Added February 11, 2010 FB339745)**
- (7) An owner must obtain and maintain an Homeowner Package insurance policy to cover:  
**(Added February 11, 2010 FB339745)**
  - (a) the losses described in section 161 of the Act;
  - (b) the deductible portion of the insurance claim against the Strata Corporation's insurance policy; and,
  - (c) any betterments or changes to the buildings or fixtures built by the developer.

- (8) The Owner shall provide the Strata Council with confirmation that an owner's policy with coverage set out is in place, together a copy of the insurance policy within a reasonable time after request.

**(Added February 11, 2010 FB339745)**

**Division 10 – Miscellaneous  
(Added June 29, 2017 CA6109833)**

**Miscellaneous**

- 33** An owner, tenant, occupant or visitor must not have a cut or live Christmas tree anywhere on Strata Plan VIS 6720, including, not exhaustively, in a strata lot. For clarity, an owner, tenant, occupant or visitor may only have an artificial Christmas tree on Strata Plan VIS 6720, including, not exhaustively, in a strata lot. **(Added June 29, 2017 CA6109833)**

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