

**STRATA PROPERTY ACT
FORM I
AMENDMENT TO BYLAWS
(SECTION 128)**

THE OWNERS, STRATA PLAN EPS 1502 CERTIFY THAT THE FOLLOWING RESOLUTION TO AMEND THE BYLAWS OF THE STRATA CORPORATION IS APPROVED BY A RESOLUTION PASSED IN ACCORDANCE WITH SECTION 128 OF THE STRATA PROPERTY ACT AT THE ANNUAL GENERAL MEETING HELD ON: NOVEMBER 26, 2018.

Be it resolved by a 3/4 vote that the following bylaw is added to the registered bylaws of EPS1502:

Surveillance Bylaw

The Strata Corporation may install and maintain Surveillance Cameras on the Common Property or land that is a Common Asset for the purpose of monitoring Common Property and land that is a Common Asset, including:

- (a) protecting Owners, Tenants, Occupants, and Invitees from injury or harm;
- (b) preventing unauthorized entry; and
- (c) preventing, recording, investigating and obtaining evidence of any theft, vandalism, break and enter, nuisance, damage, loss, or injury.

The Surveillance Cameras are installed at the following locations:

Main lobby /P1 Lobby /P2 Lobby /West entrance to main lobby /P1 above stall /P2 above stall /P1 above mechanical room
P2 bike storage /P3 bike storage /P3 entrance to storage lockers /Exterior at the front door facing entranceway
Exterior at the front door facing vehicle door and parking area
Garbage/Recycling Room

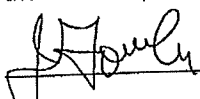
The footage from the Surveillance Cameras will be held and used as follows:

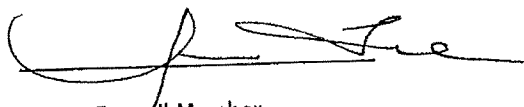
- (d) will be stored on a computer located securely in the locked electrical rooms for each building, which computers are password protected;
- (e) will not be used for the purpose of conducting routine daily reviews;
- (f) will not be used for the purpose of enforcing minor bylaw infractions;
- (g) except as set out in A - C above video will be permanently destroyed by being shredded, burned, magnetically erased or otherwise made permanently unreadable;
- (h) except as set out and needed in A - C above, video will be kept for a maximum of three (3) weeks;
- (i) If the Strata Council resolves to retain the footage for a purpose contemplated in A - C above, the Strata Council will record such resolution in the minutes of the Strata Council meeting and will:
 - (i) retain such footage for as long as is reasonably necessary; and
 - (ii) where it is necessary to do so in the opinion of the Strata Council, provide the footage to police.
- (j) will be viewed by those persons designated to do so by the Strata Council, which may include the Strata Corporation's resident manager, members of the Strata Council, and the Strata Corporation's strata manager.

The Strata Corporation makes no representations or guarantees that any of the Surveillance Cameras will be fully operational any time. The Strata Corporation is not responsible to an Owner, Tenant, Occupant, or Invitee for any cost, loss or damage whatsoever related to a failure of the Surveillance Cameras to operate for any reason, including but not limited to a failure resulting from negligence or lack of maintenance or repair.

No Owner, Tenant, or Occupant shall do anything to damage or interfere with any Surveillance Cameras on the Premises.

The above Resolution was passed with the required 3/4 vote of the owners represented at the Annual General Meeting of the strata corporation held: November 26, 2018.


Strata Council Member


Strata Council Member

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Ordered by Ron Neal on 2018/11/23

STRATA PROPERTY ACT FILING
PROVINCE OF BRITISH COLUMBIA

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

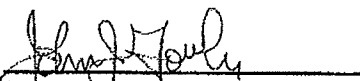
The Owners, Strata Plan EPS 1502, The Mondrian certify that the following amendment to the bylaws of the Strata Corporation are approved by a ¾ vote resolution passed in accordance with section 128 of the Strata Property Act, at the Annual General Meeting General Meeting held on November 23, 2017.

BE IT RESOLVED that the Strata Corporation adopt the following Bylaw amendment, in addition to all previously registered bylaws:

If a quorum for an annual or special general meeting is not achieved within 15 minutes of the start time for the meeting, the meeting is adjourned for an additional 15 minutes. If a quorum is not achieved 30 minutes after the start time for the meeting, then the meeting may proceed with those present representing the quorum



Signature of Council Member



Signature of Council Member

Created by the Dept. of Public Safety on May 11, 2010

Supplied to StrataDocs on 2018/12/05
Ordered by Ron Neal on 2018/05/13

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

The Owners, Strata Plan EPS 1502 certify that the following resolution to amend the bylaws of the Strata Corporation is approved by a resolution passed in accordance with section 128 of the Strata Property Act at the Annual General Meeting held on: November 19, 2015.

Be it resolved by a ¾ vote that the following bylaws are added to the registered bylaws of EPS1502:

Charge Back Bylaw

An owner will indemnify and save harmless the strata corporation from all expenses for any maintenance, repair or replacement rendered necessary to the common property, limited common property, common assets or a strata lot if the owner or the tenant, occupant, contractor, agent, guest or invitee of the owner is responsible for the loss or damage to the extent that the loss is not covered by the strata corporation's insurance.

In the event that loss or damage occurs to common property, limited common property, common assets or any strata lot that gives rise to a valid claim under the strata corporation's insurance policy the owner shall reimburse the strata corporation for the deductible portion of the insurance claim if the owner is responsible for the loss or damage that gave rise to the claim.

Interest on Late Payment

(1) The Strata Corporation may charge interest at the rate of TEN (10%) PER CENT per annum, compounded annually, on all late assessments.

(2) A The Strata Corporation may charge interest at the rate of TEN (10%) PER CENT per annum, compounded annually, on all late special levies.

Owner Liable for Legal Costs

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 rules or any amendments thereto, then the owner of the strata lot shall be responsible on a full indemnity basis and shall pay all of the Strata Corporation's legal costs incurred on a solicitor and own clients basis.


Ordered by Ron Neal on 2018/12/05
Supplied to StrataDocs on 2018/12/05
Created by the Dept of Public Safety on May 11, 2018

Suing Owners for Non-Payment

The requirement of a resolution passed by a ¾ vote at an annual or special general meeting imposed by section 171(2) of the Act before the Strata Corporation can sue an owner, is dispensed with pursuant to section 171(4) of the Act, in relation to any suit to collect money owing to the Strata Corporation, including money owing as a fine, provided that a portion of such money is at least 30 days overdue and the filing of the suit is authorized by a resolution of Council. The Strata Corporation may bring suit in such court as it determines.

The above Resolution was passed with the required 3/4 vote of the owners represented at the Annual General Meeting of the Strata Corporation held November 19, 2015.


Strata Council Member


Strata Council Member

VICTORIA LAND TITLE OFFICE

Jun-25-2013 14:55:09.006

CA3198412

STRATA PROPERTY ACT FILING
PROVINCE OF BRITISH COLUMBIA

PAGE 1 OF 6 PAGES

- Your electronic signature is a representation by you that:
 - you are a subscriber; and
 - you have incorporated your electronic signature into
 - this electronic application, and
 - the imaged copy of each supporting document attached to this electronic application, and have done so in accordance with Sections 168.3 and 168.41(4) of the *Land Title Act*, RSBC 1996, C.250.
 - Your electronic signature is a declaration by you under Section 168.41 of the *Land Title Act* in respect of each supporting document required in conjunction with this electronic application that:
 - the supporting document is identified in the imaged copy of it attached to this electronic application;
 - the original of the supporting document is in your possession; and
 - the material facts of the supporting document are set out in the imaged copy of it attached to this electronic application.
- Each term used in the representation and declaration set out above is to be given the meaning ascribed to it in Part 10.1 of the *Land Title Act*.

Bradley Cunnin
4MP7L6

Digitally signed by Bradley Cunnin 4MP7L6
DN: c=CA, cn=Bradley Cunnin 4MP7L6,
o=BC Land Surveyor, ou=Verify ID at www.
libert.com/LKUP.cdm?id=4MP7L6
Date: 2013.06.25 14:50:22 -0700

1. CONTACT: (Name, address, phone number)

Bradley W Cunnin

100-407 Swift Street

Phone: 250-381-2257

Email: brad@bcsurveyor.ca

Victoria

BC V8W 1S2

Document Fees: \$24.20

Deduct LTSA Fees? Yes

2. IDENTIFICATION OF ATTACHED STRATA PROPERTY ACT FORM OR OTHER SUPPORTING DOCUMENT:

Form-Y Owners Developers' Notice of Different Bylaws

LTO Document Reference:

3. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:

[PID]

[LEGAL DESCRIPTION]

NO PID NMBR LOT A, OF LOTS 862 & 863, VICTORIA CITY, PLAN 11270

Related Plan Number: **EPS1502**

Ordered by: Ron Neal on 2013/05/13

Applied to StrataDocs on 2013/12/05
Ordered by Ron Neal on 2013/05/13

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EXHIBIT 4

Strata Property Act

FORM Y

OWNER DEVELOPER'S NOTICE OF DIFFERENT BYLAWS

(Section 245(d); Regulations section 14.6(2))

Re: Strata Plan VIS _____, being a strata plan of property legally described as follows:

City of Victoria
Parcel Identifier: 005-006-716
Lot A, of Lots 862 and 863, Victoria City, Plan 11270

The amendments to the Bylaws set out in this document are in addition to those contained in the Standard Bylaws. Where these amendments conflict with the Standard Bylaws, these amendments to the Bylaws shall take precedence.

Section 3 of Division 1 of the Schedule of Standard Bylaws is deleted, and replaced with the following:

"Use of Property:

- 3(1) An owner, tenant, occupant or visitor must not use a strata lot, the common property, limited 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 use a strata lot, common property, or common assets, so as to erect, place, keep or display signs, billboards, advertising matter or other notices or displays of any kind which may be visible from the outside of the strata lot, without the prior written consent of the strata council, save and except for:
 - a) in relation to strata lot _____, being the commercial strata lots, the owner may display signs, billboards or advertising material respecting its business, provided:
 - i) the same are in compliance with any applicable bylaws of the City of Victoria; and
 - ii) approval has been obtained from the owner/developer, if the owner/developer owns any strata lots, or the strata council, if the owner/developer does not own any strata lots, at their sole discretion;

Ordered by the Clerk of the Court on May 11, 2018

Applied to StrataDocs on 2018/12/05
Ordered by Ron Neal on 2019/05/14

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- b) the owner developer's advertising, as set out in Section 30, for marketing unsold strata lots.
- (3) An owner, tenant, occupant or visitor shall not use any limited common property, including balconies or patios, or common property, for erecting or maintaining antennas, satellite dishes for radios, television or citizen bands, or other instruments or equipment for receiving or transmitting communications.
- (4) An owner, tenant, occupant or visitor shall only store bicycles in the bicycle storage facilities located in the underground parking lot, and shall not pass through common property, limited common property, including elevators with bicycles, store bicycles on any strata lot, limited common property, including balconies or patios, or common property, including elevators.
- (5) An owner, tenant, occupant or visitor shall only store bicycles in the bicycle storage facilities located in the underground parking lot, and shall not store bicycles on any strata lot, limited common property, including balconies or patios, or common property, including elevators.
- (6) No owner, tenant, occupant or visitor may house or harbour in a residential strata lot no more than 2 domestic animals, a reasonable number of fish or other small aquarium animals, or not more than 2 caged birds. The combined weight of the domestic animals can be no more than 65 pounds or 29.48 kilograms.
- (There are absolutely no pit-bull or Rottweiler dogs or pit-bull or Rottweiler cross dogs allowed).
- (7) For the purpose of section 19 "dog" and "cat" mean domestic animals.
- (8) An owner, tenant or occupant of a strata lot who houses or harbours domestic animals in his or her lot, either permanently or temporarily, must register that pet with the Strata Corporation by providing a written notice, including the name, breed and colour of the pet(s), the strata lot number of the strata lot in which the pet is kept, the name and telephone number of the owner of the pet and any requisite licence number of the pet(s).
- (9) Dogs must be leashed or otherwise secured and under the control of a responsible adult when on common property or limited common property.
- (10) An owner, tenant or occupant must:
- a) make reasonable efforts to ensure that his or her pet does not urinate or defecate on the common property or on any limited common property; and
- b) forthwith remove all of his or her pet's waste from the common property or limited common property.
- (11) If, in the opinion of Council, any special cleaning or floor covering replacement is required as a result of a pet urinating or defecating, the owner of the strata lot in which the pet has been housed must pay all costs of such special cleaning or floor covering replacement.
- (12) An owner, tenant or occupant must ensure that his or her visitors who bring a pet on to the common or limited common property comply with the bylaws.
- (13) Council may:

Ordered by the Board of Home Allottees on May 31, 2018

Ordered by Ron Neal on 2018/05/31
Applied to StrataDocs on 2018/12/05

- a) make rules in relation to the terms and conditions under which any pet may be permitted on the common property or limited common property and the types of pets permitted to be on the common property or limited common property and, for this purpose, make different rules and regulations imposing different terms and conditions for different types of pets;
- b) require removal by an owner, tenant or occupant of any pet kept by the owner, tenant or occupant in a strata lot if such pet, in the opinion of Council, constitutes a nuisance, or may be dangerous or cause damage to any owner, tenant or occupant of a strata lot or to any property of the Strata Corporation or an owner;
- c) Birds are not to be fed from any Strata Lot or from the common property or from the limited common property.
- (14) No owner, tenant, occupant or visitor shall carry out repairs, major work, or oil changes to motor vehicles or other mechanical equipment on limited common property or common property. Each owner is responsible for the condition of the parking stall assigned to the strata lot as limited common property, and any oil leaks must be cleaned up promptly.
- (15) Only registered and currently insured vehicle will be permitted on the common property and limited common property.
- (16) No owner, tenant, occupant or visitor shall hang clothing, laundry or other items from the limited common property, including balconies and patios, or the common property.
- (17) No window film of any sort shall be applied to any exterior windows without written permission from the Strata Council.
- (18) Other than window coverings installed by the Developer or with written permission from the Strata Council pursuant to this section, drapes or blinds in strata lots must not be visible from the outside of Strata Lots. The original window coverings must not be removed or replaced without written approval from the Strata Council, which shall be granted only if the change will not materially alter the uniform appearance of the exterior of the building.
- (19) Patios and decks shall not be used for storage purposes.
- (20) Smoking is not permitted in the lobbies, hallways, stairwells, elevators, underground parking areas or any other interior common property. Disposal of smoking material from balconies/patios or windows is prohibited.

Division 4 of the Schedule of Standard Bylaws is deleted and replaced with the following:

23 Maximum Fine

Council may fine an owner for his/her tenant a maximum of:

- a) \$200 for each contravention of a bylaw;
- b) \$50 for each contravention of a rule; and

24 Assessments

- (1) Fines levied pursuant to these bylaws and rules, and the reasonable costs of the enforcement or remedying of any contravention of the bylaws or rules incurred by the Strata Corporation on behalf of an owner, shall be assessed and charged to the responsible owner.
- (2) All costs, expenses and damages (including but not limited to the full repair or restoration of common property) incurred by the Strata Corporation as a result of a contravention of a bylaw or rule by an owner, tenant, occupant, or visitor shall be assessed and charged to the responsible owner.
- (3) Where an owner fails to comply with a work order from a public or local authority and where such failure results in Council causing the Strata Corporation to complete such work, the cost of the work shall be assessed and charged to the responsible owner.
- (4) Notwithstanding any provision of the Act, Council may cause the Strata Corporation to proceed under the *Small Claims Act* (British Columbia) against any owner or other person to collect money owing to the Strata Corporation, including money owing as a fine, without requiring authorization by a resolution passed by a 3/4 vote of owners.
- (5) No owner may vote at an annual or Special General Meeting where the Strata Corporation is entitled to file a lien on his/her strata lot under Section 116 of the Strata Property Act for non-payment of assessments or a special levy, except in cases of an unanimous vote.

Division 7 of the Schedule of Standard Bylaws is deleted and replaced with the following:

"Display Strata Lot and Marketing:

- 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 or other advertising material on the strata lot or on the common property of the strata corporation, and holding as many open houses as it considers necessary.
- (2) An owner developer may use a strata lot, that the owner developer owns or rents, as a display suite for the sale of other strata lots in the strata plan."

Division 8 is added the Schedule of Standard Bylaws:

Division 8 – Miscellaneous

"Move-in Fee

- 31
 - a) With the exception of the original purchaser from the owner developer (or the first tenant of the original purchaser, if the original purchaser did not move in), any owner of a strata lot shall pay to the strata corporation a move-in fee of \$150.00 concurrent with his or her purchase of the strata lot, or if he or she rents to a tenant, concurrent with each new tenancy.
 - b) It is the express responsibility of the Owner to ensure that all furniture and equipment moved into or out of a strata lot is done in accordance with such Rules as may be established from time to time by the Strata Council.

Ordered by the Clerk of the Strata Council on May 11, 2018

Applied to StrataDocs on 2018/12/05
Ordered by Ron Neal on 2018/05/13

- c) Only the designated elevator shall be used for moving furniture and equipment. Owners are required to contact the Strata Corporation's management company to arrange for the installation of elevator pads and elevator lock-off key, and to arrange for changes to the enterphone directory. Owners are responsible for making these arrangements for ant tenant(s) they may put into their strata lot(s).

Privacy of Information

- 32 The collection, retention, and disclosure of personal information must be in accordance with the Strata Property Act, the Freedom of Information and protection of Privacy Act (FIPPA), and the Personal Information Protection Act (PIPA)."

Unapproved Expenditures

- 33 Except in the case of emergency, the Strata Council may approve a single expenditure including retaining legal council, as long as such expenditure does not exceeding FIVE THOUSAND DOLLARS (\$5,000) which has not already been included in a budget approved by the owners. The aforesaid expenditure shall come from the general funds of the Strata Corporation. A non-budgeted, non-emergency expenditure of more than \$5,000 must be approved by a special resolution approved by the owners at a general meeting.

Types of Strata Lots for Budget

- 34 The Strata Corporation shall be comprised of two types of strata lots, namely residential types and commercial types, for purposes of determining each Strata Lot's allocation of operating expenses. An operating expense related solely to the owners of one type of strata lot will be charged to only the owners of the strata lots of that type.

In all other respects, the Schedule of Standard Bylaws remains unchanged.

Date: July 18th 2011.

BIJAN NEYESTANI

Authorized Signatory of Johnson Street Project Ltd.

Created by the Dept. of Public Safety on May 11, 2010

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Applied by Ron Neal on 2013/05/13

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IMPORTANT INFORMATION

This Act is Current to April 18, 2012

STRATA PROPERTY ACT

[SBC 1998] CHAPTER 43

Schedule of Standard Bylaws

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

Payment of strata fees

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

Repair and maintenance of property by owner

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

Use of property

- 3 (1) An owner, tenant, occupant or visitor must not use a strata lot, the common property or common assets in a way that
 - (a) causes a nuisance or hazard to another person,
 - (b) causes unreasonable noise,
 - (c) unreasonably interferes with the rights of other persons to use and enjoy the common property, common assets or another strata lot,
 - (d) is illegal, or

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

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

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

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

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

Inform strata corporation

- 4 (1) Within 2 weeks of becoming an owner, an owner must inform the strata corporation of the owner's name, strata lot number and mailing address outside the strata plan, if any.
- (2) On request by the strata corporation, a tenant must inform the strata corporation of his or her name.

Obtain approval before altering a strata lot

- 5 (1) An owner must obtain the written approval of the strata corporation before making an alteration to a strata lot that involves any of the following:
- (a) the structure of a building;
 - (b) the exterior of a building;
 - (c) chimneys, stairs, balconies or other things attached to the exterior of a building;
 - (d) doors, windows or skylights on the exterior of a building, or that front on the common property;
 - (e) fences, railings or similar structures that enclose a patio, balcony or yard;

(f) common property located within the boundaries of a strata lot;

(g) those parts of the strata lot which the strata corporation must insure under section 149 of the Act.

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

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

Obtain approval before altering common property

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

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

Permit entry to strata lot

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

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

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

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

Division 2 — Powers and Duties of Strata Corporation

Repair and maintenance of property by strata corporation

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

(a) common assets of the strata corporation;

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

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Created by the staff of BCLAW Alliance on May 31, 2019

(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.

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

Removing council member

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

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

Replacing council member

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

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

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

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

Officers

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

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

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

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

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

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(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.

Repealed

15 [Repealed 2009-17-35.]

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.

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

(3) Owners may attend council meetings as observers.

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

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

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

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

Voting at council meetings

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

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

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

Council to inform owners of minutes

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

Delegation of council's powers and duties

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

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

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

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

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

- (a) set a maximum amount that may be spent, and
- (b) indicate the purposes for which, or the conditions under which, the money may be spent.

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

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

Spending restrictions

21 (1) A person may not spend the strata corporation's money unless the person has been delegated the power to do so in accordance with these bylaws.

(2) Despite subsection (1), a council member may spend the strata corporation's money to repair or replace common property or common assets if the repair or replacement is immediately required to ensure safety or prevent significant loss or damage.

Limitation on liability of council member

22 (1) A council member who acts honestly and in good faith is not personally liable because of anything done or omitted in the exercise or intended exercise of any power or the performance or intended performance of any duty of the council.

(2) Subsection (1) does not affect a council member's liability, as an owner, for a judgment against the strata corporation.

Division 4 – Enforcement of Bylaws and Rules

Maximum fine

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

- (a) \$50 for each contravention of a bylaw, and
- (b) \$10 for each contravention of a rule.

Continuing contravention

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

Division 5 – Annual and Special General Meetings

Person to chair meeting

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

Participation by other than eligible voters

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

Voting

- 27** (1) At an annual or special general meeting, voting cards must be issued to eligible voters.
- (2) At an annual or special general meeting a vote is decided on a show of voting cards, unless an eligible voter requests a precise count.
- (3) If a precise count is requested, the chair must decide whether it will be by show of voting cards or by roll call, secret ballot or some other method.
- (4) The outcome of each vote, including the number of votes for and against the resolution if a precise count is requested, must be announced by the chair and recorded in the minutes of the meeting.
- (5) If there is a tie vote at an annual or special general meeting, the president, or, if the president is absent or unable or unwilling to vote, the vice president, may break the tie by casting a second, deciding vote.

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

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

Order of business

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

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

Division 6 — Voluntary Dispute Resolution

Voluntary dispute resolution

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

Division 7 – Marketing Activities by Owner Developer

Display lot

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

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