

STRATA PLAN NW 2924 TIFFANY SHORES

1210, 1220, 1230 & 1240 Quayside Drive
New Westminster, British Columbia

Bylaws

*Attached are the Bylaws of Strata Plan NW 2924.
For legal purposes, please obtain a true copy as
registered at the Land Title Office.*

Incorporated with the Schedule of Standard Bylaws as per the
Strata Property Act

Updated: July 3rd, 2019

Amended	July 3 rd , 2019	CA7668331
Amended	July 23 rd , 2018	CA6948479
Amended	July 20 th , 2017	CA6163081
Amended	August 12 2016	CA5420436
Amended	June 28 2012	CA2684961
Repealed and Replaced	June 25, 2009	BB1093332
Amended	June 14, 2007	BB430074
Amended	June 12, 2003	BV305641
Repealed and Replaced	June 14, 2001	Registration BR176501
Amended	June 22, 2023	CB871532

Note: Please keep in a safe place. There is a charge for additional copies

STRATA PLAN NW 2924, TIFFANY SHORES

BYLAWS

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

Payment of Strata fees

- 1** (1) An owner must pay strata fees on or before the first day of the month to which the strata fees relate.
- (2) Monies received by the strata corporation from an owner or on behalf of the owner shall be applied against the account relating to their strata lot in the following order of priority:
 - (a) the cost of remedying the contravention of a bylaw or rule;
 - (b) fines;
 - (c) interest on unpaid strata fees or special levies;
 - (d) outstanding contributions required pursuant to a special levy; and
 - (e) outstanding strata fees.

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) Subject to (3), (4) and (6) 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) Where a deck has been expanded beyond the original size as shown on the strata plan, the costs of repair and maintenance related to the expanded portion only, shall be paid by the owner of the strata lot which has the use of the deck.
- (4) Fire detection and suppression systems found within a strata lot must be maintained by the owner and may not be altered without the written approval of the strata council.
- (5) Owners are responsible for the repair and maintenance of all appliances and plumbing fixtures contained within their strata lots.
- (6) (a) Owners who have undertaken renovations, consisting of improvements, changes to, or any addition of fixtures to Limited Common Property (LCP) assigned to their Strata Lots for their exclusive use, including the conversion of non-habitable attic areas to habitable areas and the expansion and improvement of decks and fences, are responsible for the maintenance of all of these, regardless of the frequency of maintenance needs. In the event of a major maintenance project that is the obligation of the Strata Corporation to carry out under Bylaw 15, the Strata Corporation is only responsible for restoring a mezzanine deck to a basic acceptable standard, and to the dimensions originally provided by the Developer, as recorded in the Strata Plan.

(b) Notwithstanding the information on Information Certificates provided to owners under s.59 of the Strata Property Act, specifically s.59 (3) (c), the responsibility outlined in (a) above extends to all current owners of Strata Lots where such renovations to LCP have been made by previous owners, including those made in the absence of agreements with the Strata Corporation. **(Amended July 3, 2019 AGM-CA7668331)**

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.
 - (f) Owners and tenants must not enter into short-term rental or license agreements that lead to the use of a strata lot as a bed and breakfast and/or a lodging facility. A short-term agreement being one made on an hourly, daily, or weekly basis.
 - (g) An owner or tenant must not advertise, promote, or list a strata lot, or a portion of a strata lot, as the site or address of a short-term rental or license agreement-based accommodation, or a home business that is illegal and/or not allowed by the Bylaws of the Strata Corporation.
- (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) The patios and balconies of each strata lot must not be used for the purpose of storage. No bicycles, laundry or other items, except for patio furniture and potted plants, and barbecues shall be placed on the patios or balconies so as to detract from the appearance of the building;
- (4) No items other than small planter boxes shall be hung on the railing or any balcony or patio. Permitted planter boxes must be hung on the inside of the railing.
- (5) No nails, screws or similar fastening devices shall be used on the exterior surfaces of the building. This shall not prohibit the installation of a ductless mini-split HVAC/ Heat Pump system. Installation of ductless mini-split HVAC systems may be permitted subject to the provisions of Bylaw 6 requiring approval of the Strata Corporation before altering common property. No such system may be attached or placed on the exterior of the building (ie) balcony without the prior written consent of the Strata Corporation and that such HVAC units be secured and of a quality, type, design, and colour as approved by Strata Corporation. No such system may have any penetration into the rain screening of the building with a diameter in excess of 2.5 inches. The penetration must be accessible and sealed from both sides (moisture should not be able to enter the wall from the exterior or interior). The penetration must be covered with a lineset outdoor heat cap. The heat cap must be silicone-sealed to exterior siding to prevent moisture entry. *(Amended: 22-June-2023 – CB871532)*
- (6) All draperies and window coverings visible from the outside of the building shall be white or off white and of such style, pattern and type so as not to detract from the appearance of the buildings and shall be kept clean and in good repair.

- (a) Windows shall not be used for the display of signs, billboards, or other items that are offensive or that detract, in the opinion of the council acting reasonably, from the appearance of the buildings.
 - (b) Owners may for the purposes of Holy Days, commonly recognised and observed holidays or significant religious ceremony, temporarily display items in keeping with the expression of such Holy day, holiday or religious ceremony including but not limited to Halloween, Diwali, Christmas, Hanukkah.
- (7) No items may be thrown or shaken from any window, patio or balcony;
 - (8) There shall be no smoking on the common property. Smoking is permitted only within strata lots and on limited common property (such as balconies and patios), so long as it does not create a nuisance, of any kind, for any other resident. Also, the specific act of smoking must comply with all applicable City of New Westminster Bylaws and Provincial and Federal laws as may be amended from time to time. The term "smoke or smoking" includes inhaling, exhaling, burning or carrying of a lighted cigar, cigarette, pipe, lighted smoking equipment/device or electronic smoking/equipment/device of tobacco and any form or extract of plant, or any other substances.
 - (9) Live and fresh cut Christmas trees shall not be permitted in any strata lot.
 - (10) The following items shall not be displayed or erected in or about a strata lot such as to be visible from the outside, or displayed or erected on the common property, including
 - (i) signs, billboards, notices or other advertising matter;
 - (ii) television and radio antenna, satellite dishes or similar devices;
 - (iii) window coverings, shades, or awnings.
 - (11) Seasonal lights and decorations may only be displayed so as to be visible from the outside between November 15 and January 15.
 - (12) When cleaning patios and balconies, debris must be collected and disposed of within the suite.
 - (13) Junk mail, flyers, wrappings etc. must be deposited into the bottom tray of the newspaper stand for caretaker removal.
 - (14) The placement of lawn decorations, patio lights, seasonal lights and other similar items is restricted to limited common property, unless permission in writing is granted by the strata council.
 - (15) No solid food bird feeders or compost bins of any kind are permitted on balconies, ground floor patios and roof-top decks. Similarly, the feeding of any food to birds or wildlife by hand is prohibited. However, a reasonable number of solution hummingbird feeders per strata lot are allowed. These may not be hung from trees or other common property garden elements and must be secured out of the reach of wildlife.

Pets

- 3.1** (1) 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 two caged birds;

- (d) two dogs or two indoor cats (or any combination of dogs or indoor cats to a maximum of two animals) so long as the weight of each animal does not exceed 10 kg (22 lbs) and its height is no more than 30 cm (12 inches) at the shoulder.
- (e) Owners may be able to obtain an exemption to the size and weight specifications contained in this by-law if an application is made to the Strata Council in advance of the pet in question taking up residence in the Strata complex. Factors that the Council will consider in the evaluation of the application include:
 - (i) Species and breed of the pet
 - (ii) Behavioural certification of the pet
 - (iii) Size of the pet
 - (iv) Owner information concerning responsible pet ownership

The decision by Council on the exemption application will be final (*Amended: 2017 – July – 19 – CA6163081*)

- (2) All pets must be leashed and under the control of their owner while on the common property.
- (3) No owner, tenant or occupant shall permit their pet to interfere with any other person, pet or object or disturb any other owner, tenant or occupant.
- (4) If an owner, tenant, or occupant violates a provision of Bylaw 3.1 or if the council, in its discretion, considers, on reasonable grounds, a pet to be a nuisance, the council may issue a written notice to the owner, tenant or occupant to remove the pet and the owner, tenant or occupant must do so within thirty (30) days of receipt of the notice.

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) Upon the commencement of a tenancy, 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 prior 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; doors, windows or skylights on the exterior of a building, or that front on the common property;
 - (d) fences, railings or similar structures that enclose a patio, balcony or yard;
 - (e) common property located within the boundaries of a strata lot; or
 - (f) those parts of the strata lot, which the Strata Corporation must insure under, section 149 of the Act (including but not limited to flooring).
- (2) Fire detection and suppression systems found within a strata lot must not be altered in any way without the prior written approval of the Strata Council.
- (3) 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, including ongoing maintenance and/or replacement costs related to the alteration.

(4) Construction Hours of Work

(a) Construction work is permitted between 8:00 a.m. and 5:00 p.m. on weekdays and Saturdays. Construction work is not permitted:

- Before 8:00 a.m. or after 5:00 p.m. on weekdays and Saturdays
- On Sundays or public holidays

All reasonable steps to minimize noise from construction sites must be implemented

Exemptions:

- Residents may do construction work on their own residence on Sundays and Holidays between 9:00 a.m. and 5:00 p.m. (This does not include professional contractors working for a resident).
- Construction work that has no impact on the neighbourhood (i.e. interior work that does not create noise) is permitted at any time.

Obtain approval before altering common property

- 6**
- (1) An owner must obtain prior written approval of the Strata Corporation before making an alteration to common property, including limited common property, or common assets.
 - (2) The Strata Corporation will require as a condition of its approval that the owner:
 - (i) submit design drawings pertaining to the proposed alterations;
 - (ii) provide proof of third party liability insurance;
 - (iii) agree, in writing, to:
 - (a) take responsibility for any expenses relating to the alteration; and
 - (b) indemnify and save harmless the Strata Corporation, its council and agents and employees from any and all liability arising out of the alterations;
 - (iv) obtain all applicable permits
 - (3) An owner who alters the common property without the written approval of the Strata Corporation shall, at the request of the Strata Corporation, immediately restore the common property to its original condition and shall be responsible for all costs related to doing so. Should an owner refuse to restore the common property, the Strata Corporation shall be entitled to do so and charge the costs related to such restoration to the owner; such costs forming part of the next monthly assessment of strata fees.
 - (4) The placement of lawn decorations, patio lights, seasonal lights and other similar items is restricted to limited common property, unless permission in writing is granted by the strata council.

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, and
 - (c) to inspect for compliance with the bylaws and 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.
 - (3) All owners must supply the Strata Corporation with the name and telephone number of a person who can grant access to the strata lot in the event of an emergency (as defined in (1)(a)) and the Strata Corporation being unable to otherwise gain access.
 - (4) If the emergency referred to in (1)(a) is the result of something within the strata lot which is not the responsibility of the Strata Corporation, the owner of the strata lot shall indemnify the Strata Corporation for any expenses incurred by it as the result of the emergency.

Selling a Strata Lot

- 8 (1) Owners must promptly advise the strata council that their strata lot is being listed for sale.
- (2) For Sale Signs shall not be posted.
- (3) No realtor lock boxes shall be permitted.
- (4) Open houses are permitted but only during reasonable hours. Persons attending an open house must be escorted to and from the entrance doors and shall not be allowed to wander the building unattended.
- (5) Upon completion of the sale, the numbered entrance keys assigned to that particular strata lot shall be verified by a strata council member or the strata manager and an acknowledgement of receipt signed by the new owner(s).

Moving

- 9 (1) A move-in fee of \$200.00 will be assessed to a strata lot each time owners, tenants or occupants move into the strata lot. The fee is due and payable at the same time as the following month's strata fees. *(Amended: 12-Aug-2016 - CA5420436)*
- (2) Seventy-two (72) hours' notice of a move-in or move-out must be given in writing in order to arrange the elevator key and to allow for the elevator pads to be put into place. Owner(s), tenant(s) or occupant(s) may book a time slot of a maximum four (4) hours for their move. *(Amended: 12-Aug-2016 - CA5420436)*
- (3) Removal of all boxes and waste, which is a result of the move, is the responsibility of the owner(s), tenant(s) or occupant(s) moving in. Costs incurred by the Strata Corporation in removing such items will be charged to the strata lot.
- (4) The owner of a strata lot shall be liable for any damage caused by persons moving in or out of that strata lot.
- (5) In the event that entrance doors must be kept open for a period, the owner(s), tenant(s) or occupant(s) involved in the move, must be present at the open doors and are responsible for ensuring the security of the building.

Garbage

- 10** (1) Any articles or material other than normal household garbage and recyclables must be removed by, and at the expense of, the owners, tenants and occupants of the strata lot from which the articles or materials originated. All normal household garbage must be properly bagged and placed inside the appropriate recycle receptacle or garbage bin.
- (2) Cardboard boxes must be properly flattened before being placed in the 'Cardboard' recycle bin. *(Amended: 2017 – July – 19 – CA6163081)*
- (3) Under no circumstances is garbage to be left on the floor inside or outside of the garbage room.

Rental Restrictions

- 11** (1) The rental of strata lots is prohibited except to the extent allowed by the Strata Property Act (the "Act") and these bylaws.
- (2) A strata lot may be rented on a "rent-to-own" basis provided that:
- (i) an Agreement for Sale is signed between the owner(s) and the purchaser(s)/tenant(s) and registered in the Land Title Office prior to the purchaser(s)/tenant(s) taking occupancy of the strata lot and a copy of the registered agreement along with the Notice of Tenant's Responsibility referred to below, is submitted to the Strata Corporation in advance; or
 - (ii) a Contract for Purchase and Sale with all subjects removed and a completion date of not more than three (3) months from the date of the execution of the contract is signed between the owner(s) and the purchaser(s)/tenant(s), and a copy of the fully executed contract along with the Notice of Tenant's Responsibility referred to below is submitted to the
- (3) Should an owner rent a strata lot to a family member (as defined by the Act) or obtain permission under the Act to rent on the basis of a hardship, or rent under the provisions of bylaw 37(2), that owner must submit a signed Notice of Tenant's Responsibility to the Strata Corporation within the time limit allowed under the Act.
- (4) Tenants may only be given two (2) sets of keys for the exterior locks by an owner. Additional sets of keys may only be provided with the approval of the strata council.
- (5) An owner or tenant must not enter into a short-term rental agreement that leads to the use of their strata lot as accommodation, or a place of business. A short-term rental agreement is defined as a rental agreement made on an hourly, daily, or weekly basis.

Occupancy of Strata Lots

- 12** (1) No person, other than an owner or tenant, or a family member (as defined by the Act) of an owner or tenant, may occupy a strata lot for more than fourteen (14) days without the prior written approval of the Strata Corporation.
- (2) No more than two (2) persons may occupy a one-bedroom strata lot. No more than four (4) persons may occupy a two-bedroom strata lot.

Parking

- 13** (1) An owner, tenant or occupant (herein a "Resident") must only use the parking space

- which is specifically assigned to the strata lot in which he or she resides, and no other person shall use such parking space without the owner's permission.
- (2) Residents and visitors must park in designated locations only and observe the posted time restrictions.
 - (3) A parking space assigned to a strata lot must not be rented or leased to non-residents, and may only be leased to residents whose strata lots adjoin the parking garage in which the space is located.
 - (4) Residents must ensure that the garage door has returned to a fully closed position before leaving the entrance area. Before trying to open the gate for entry or exit for their own vehicles, following drivers must not interfere with full gate closure by the driver ahead of them.
 - (5) No repairs to motor vehicles may be made in parking garage unless such repairs can be completed within four (4) hours. Repairs undertaken must not be a nuisance or obstruction and must not be conducted in an unsightly manner.
 - (6) Items other than motor vehicles must not be stored in parking spaces without the written approval of the strata council.
 - (7) The allotted parking space must be kept clean and tidy by the Resident to whom it is assigned.
 - (8) Owners of motor vehicles causing floor stains or leaving fluids shall, upon notice of the council, clean up all drippings including stains or, failing to do so within seven days, the Strata Corporation may do so and the costs of such cleaning shall be assessed as a charge against the owner of the strata lot to whom the parking space is assigned.
 - (9) Unlicensed vehicles must be covered by insurance for third party liability, and a copy of the said insurance must be delivered to the council. If evidence of insurance on the unlicensed vehicles is not provided to council, and the Resident to whom the parking space has been assigned has been notified in writing, the council may arrange to have the unlicensed vehicle removed from the parking garage and the cost of removal shall be charged to the owner of the strata lot to whom the parking space has been assigned and become due and payable with his next monthly maintenance fee.
 - (10) The parking garage shall not be used for recreational purposes.
 - (11) Remote garage door openers shall not be left in vehicles while parked in the parking garage.

Storage

- 14**
- (1) No owner, tenant or occupant may store any personal property on the common property.
 - (2) No combustible, flammable or hazardous materials shall be stored in a storage locker.
 - (3) Propane tanks for use with a barbeque must only be stored on a balcony or patio.
 - (4) Items stored in lockers must not exceed the height of the wooden sides of the locker.

NOTE: *Tiffany Shores Bylaws 15 through 41 have been developed from the official Strata Property Act. Minor alterations have been incorporated to relate specifically to circumstances of Tiffany Shores and are included for the information of the owners.*

Division 2 – Powers and Duties of Strata Corporation

Repair and maintenance of property by Strata Corporation

- 15** (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 or is the responsibility of an owner pursuant to bylaw 2(3) to 2(6);
 - (c) limited common property, except that which is the responsibility of an owner pursuant to bylaw 2(3) to 2(6), 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; and
 - (C) chimneys.

Unapproved Expenditures

- 16** In accordance with s.98 (2)(a) of the Strata Property Act, the maximum single unapproved expenditure or, all unapproved expenditures combined during the fiscal year, shall not exceed 5% of the operating budget. **(Amended July 3, 2019 AGM-CA7668331)**

Insurance

- 17** (1) For the purposes of section 149(4)(b) “major perils” shall include the peril of “earthquake” in addition to those perils listed under Regulation 9.1(2).
- (2) Insurance Deductible and Damage to Property
- (a) The owner of a strata lot shall be obligated to pay to the strata corporation upon demand the amount of any insurance deductible paid by the strata corporation in relation to any claim made under or against the strata corporation’s insurance policy, the cause of which claim the owner, a tenant, an occupant of that owner/s strata lot or their guest or invitee are responsible for or the source of the damage giving rise to the claim originated in that owner’s strata lot.
 - (b) If an owner makes an insurance claim under the strata corporation’s insurance policy in relation to any portion of that owner’s strata lot which the strata corporation is required to insure for which the owner, a tenant, an occupant of that owner’s strata lot or their guest or invitee are responsible for the damage which gave rise to the claim or the source of which originated in that owner’s strata lot, the owner shall pay directly any deductible related to such claim.
 - (c) The strata corporation, subject to the terms of the Strata Property Act and these bylaws, shall recover from an owner or tenant (as the case may be) the costs to repair any physical damage to the common property, limited common property or those portions of a strata lot which the strata corporation is required to repair and which is not covered by the strata corporation’s insurance policy for which the owner, a tenant, an occupant of the strata lot or their guest or invitee are

responsible or the source of which originated in that strata lot. The strata corporation may choose to seek recovery (including suing) from only the owner of a strata lot in relation to damage caused by a tenant or occupant of that strata lot or their guest or invitee. Nothing in this section shall act to restrict the rights of the strata corporation pursuant to s.133 of the Strata Property Act.

- (d) The owner of a strata lot shall be obligated to pay to another owner the costs (including any insurance deductible) to repair any damage to that other owner's strata lot for which the owner, a tenant, an occupant of the strata lot or their guest or invitee are responsible or the source of which originated in the owner's strata lot.

Court Actions

- 18 (1) In accordance with section 171(4) the authorization referred to under section 171(2) is not required for a proceeding under the Small Claims Act. Such proceedings may be commenced with the approval of the council only.
- (2) The Strata Corporation shall not commence proceedings under Section 117 of the Act unless the sum owed to the Strata Corporation for which such proceedings may be commenced is equal to or greater than \$1,000.00.

Division 3 – Council

Council size

- 19 (1) Council must have at least 3 and not more than 7 members.

Council Membership

- 20 (1) An owner of a strata lot whose strata fees are in arrears for more than thirty days is ineligible for election to the council.
- (2) An owner of a strata lot whose strata fees are in arrears for more than thirty days must resign from council.

Council members' terms

- 21 (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 re-election.

Removing council member

- 22 (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.

Replacing council member

- 23** (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 must appoint a replacement council member for the remainder of the term, unless there is no person who is willing to fill the position.
- (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

- 24** (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

- 25** (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

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

Quorum of council

- 27** (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

- 28** (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

- 29** (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

- 30** The council must inform owners of the minutes of all council meetings within 3 weeks of the

meeting, whether or not the minutes have been approved. *(Amended: 2017 – July – 19 – CA6163081)*

Delegation of council's powers and duties

- 31** (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

- 32** (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.

Council Members' Standard of Care

- 33** (1) In exercising the powers and performing the duties of the strata corporation, each council member must
- (a) act honestly and in good faith with a view to the best interests of the strata corporation, and
 - (b) exercise the care, diligence and skill of a reasonably prudent person in comparable circumstances.
- (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

Fines

- 34** (1) The Strata Corporation may fine an owner or a tenant a maximum of:
- (a) \$200.00 for each contravention of a bylaw, other than a rental bylaw;
 - (b) \$500.00 for each contravention of a rental bylaw; and
 - (c) \$50.00 for each contravention of a rule.
- (2) Fines levied by the Strata Corporation shall be due and owing along with the next instalment of strata fees.

Continuing contravention

- 35** 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

- 36** (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

- 37** (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.
- (4) A vote for strata lot may not be exercised, except on matters requiring a unanimous vote, if the Strata Corporation is entitled to register a lien against that strata lot under s.116.

Voting

- 38** (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 within one-half (1/2) hour from the time appointed for an annual or special general meeting a quorum is not present, the meeting shall be terminated if it was required to be held pursuant to section 43 of the Act. If the meeting was called by the council at its discretion then the meeting shall stand adjourned generally if quorum has not been met within one (1) hour of the proposed start time.
- (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

39 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.

Voluntary dispute resolution

- 40** (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 parting, 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.