



**STRATA PLAN LMS 2174
PARK PLAZA**

BYLAWS

**STRATA PLAN LMS 2174
PARK PLAZA BYLAWS**

Amendments:

Registration:	June 6, 2012	CA2584742
Registration:	June 27, 2014	CA3808775

TABLE OF CONTENTS

DUTIES OF OWNERS, TENANTS, OCCUPANTS AND VISITORS.....	1
1. Compliance with bylaws and rules	1
2. Payment of strata fees and special levies	1
3. Repair and maintenance of property by owner	2
4. Use of property	2
5. Pets and animals	3
6. Inform strata corporation	5
7. Obtain approval before altering a strata lot.....	5
8. Obtaining approval before altering common property	5
9. Renovation/alterations	7
10. Permit entry to strata lot.....	9
POWERS AND DUTIES OF STRATA CORPORATION.....	9
11. Repair and maintenance of property by strata corporation	9
COUNCIL	10
12. Council size	10
13. Council eligibility	10
14. Council members' term	10
15. Removing council member.....	10
16. Replacing council member.....	11
17. Officers	11
18. Calling council meetings	12
19. Requisition of council hearing	12
20. Quorum of council.....	12
21. Council meetings	13
22. Voting at council meetings	13
23. Council to inform owners of minutes	13
24. Delegation of council's power and duties	13
25. Spending restrictions	14
26. Limitation on liability of council member	14
27. Common Expenses.....	14
ENFORCEMENT OF BYLAWS AND RULES.....	14
28. Fines.....	14
29. Continuing contravention	15
ANNUAL AND SPECIAL GENERAL MEETINGS	15
30. Quorum of meeting	15
31. Person to chair meeting	15
32. Participation by other than eligible voters.....	15

33.	Voting	15
34.	Order of business.....	16
VOLUNTARY DISPUTE RESOLUTION		17
35.	Voluntary dispute resolution	17
SMALL CLAIMS COURT PROCEEDINGS		17
36.	Authorization to proceed	17
MARKETING ACTIVITIES BY OWNERS AND OCCUPANTS		18
37.	Sale of a strata lot.....	18
INSURANCE		18
39.	Storage lockers and bicycle storage.....	18
PARKING		18
40.	Parking	18
MOVING		19
41.	Moving in/out procedures.....	19
APPEARANCE OF STRATA LOTS		20
42.	Cleanliness	20
RENTALS.....		20
43.	Rentals	20
VISITORS AND CHILDREN		21
44.	Children and supervision.....	21
45.	Miscellaneous	21
46.	Building Security	22
DIVISION 10 – PRIVACY		22
47.	Privacy.....	22
48.	Hard Surface Floor Installation.....	24
49.	Gym Usage.....	25

**PARK PLAZA
Strata Plan LMS 2174**

SCHEDULE OF STANDARD BYLAWS

PREAMBLE

These bylaws bind the strata corporation and the owners, tenants and occupants to the same extent as if the bylaws had been signed by the strata corporation and each owner, tenant and occupant and contained covenants on the part of the strata corporation with each owner, tenant and occupant and on the part of each owner, tenant and occupant with every other owner, tenant and occupant and with the strata corporation to observe and perform their provisions.

Unless otherwise stated, all terms have the meanings prescribed in the *Strata Property Act*, S.B.C. 1998, c. 43 the “Act”). For the purposes of these bylaws, “residents” means collectively, owners, tenants and occupants and “a resident” means collectively, an owner, a tenant and an occupant. The Schedule of Standard Bylaws to the Act does not apply to the strata corporation.

DUTIES OF OWNERS, TENANTS, OCCUPANTS AND VISITORS

1. Compliance with bylaws and rules

1.1 All residents and visitors must comply strictly with the bylaws and rules of the strata corporation adopted from time to time.

2. Payment of strata fees and special levies

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

2.2 Where an owner fails to pay strata fees in accordance with bylaw 2.1, outstanding strata fees will be subject to an interest charge of 10% per annum, compounded annually. In addition to interest, failure to pay strata fees on the due date will result in a fine of \$200 for each contravention of bylaw 2.1.

2.3 An owner must provide the strata corporation or its agent with twelve (12) consecutive, monthly post-dated cheques for strata fees for the fiscal year of the strata corporation, dated as of the first day of each month or, if applicable, written authorization for monthly automatic debit from the owner’s bank account.

2.4 Failure by an owner to submit twelve (12) monthly, post-dated strata fee cheques or written authorization for automatic debit in accordance with bylaw 2.3 is a contravention of bylaw 2.3 and the strata corporation will levy a fine of \$200 for each contravention. Each dishonoured cheque or dishonoured automatic debit will be subject to a fine of \$200 and an administration charge at the prevailing rates.

2.5 A special levy is due and payable on the date or dates noted in the resolution authorizing the special levy.

2.6 Failure to pay a special levy on the due date will result in a fine of \$200 for each contravention of bylaw 2.5.

2.7 Where an owner fails to pay a special levy in accordance with bylaw 2.5, outstanding special levies will be subject to an interest charge of 10% per annum, compounded annually.

3. Repair and maintenance of property by owner

3.1 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.

3.2 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.

4. Use of property

4.1 A resident 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.

4.2 All owners and tenants shall have a right to quiet and peace in their residences at all times, therefore undue and excessive noise by any owner, tenant, guest, employee, pet or other invitee of a strata lot, including but not limited to that from appliances, machinery, sound/music systems, televisions, instruments and voices, is not permitted.

4.3 A quiet period shall be in force in the entire complex from 11:00 p.m. until 8:00 a.m. every day, at which time owners and everyone else on the premises are expected to take special care and attention to not make noise.

4.4 the following shall be specifically deemed to be undue and excessive noise and is therefore not permitted:

- (i) Sound from music systems, and/or televisions, and/or live music at a volume that can be heard by people in any other strata lot or in the common property after 11:00 p.m. and before 8:00 a.m.;
- (ii) "Construction" noise caused by renovations of strata lots between the hours of 6:00 p.m. and 8:00 a.m. Monday to Friday; after 5:00 p.m. on Saturdays, and at any time on Sundays and statutory holidays.

- 4.5 A resident or visitor must not cause damage, other than reasonable wear and tear, to the common property, common assets or hose pars of a strata lot which the strata corporation must repair and maintain under these bylaws or insure under section 149 of the Act.
- 4.6 An owner is responsible for any property damage caused by occupants, tenants or visitors to the owner's strata lot.
- 4.7 An owner shall indemnify and save harmless the strata corporation from the expense of any maintenance, repair or replacement rendered necessary to the common property, limited common property, common assets or to any strata lot by the owner's act, omission, negligence or carelessness or by that of an owner's visitors, occupants, guests, employees, agents, tenants or a member of the owner's family, but only to the extent that such expense is not reimbursed from the proceeds received by operation of any insurance policy. In such circumstances, and for the purposes of bylaws 4.1, 4.2 and 4.3, any insurance deductible paid or payable by the strata corporation shall be considered an expense no covered by the proceeds received by the strata corporation as insurance coverage and will be charged to the owner.
- 4.8 A resident must not use, or permit to be used, the strata lot except as a private dwelling home and, unless granted prior written approval by the council, a resident must not allow more than two persons to occupy a strata lot originally designated by the owner developer as a studio or one bedroom unit and not allow more than four persons to occupy a strata lot originally designated by the owner developer as a two bedroom unit. For the purposes of this bylaw 4.5, a "person" is defined to include children, but exclude visitors staying for less than 3 days with an owner, occupant or tenant of a strata lot.
- 4.9 An owner or occupant who alleges hardship as a result of the passage of bylaw 4.5 may appeal to the council for permission to be exempt from bylaw 4.5 on the basis of hardship and the council must not unreasonably refuse the appeal.

5. Pets and animals

- 5.1 A resident or visitor must not keep any pets on a strata lot or common property or on land that is a common asset except in accordance with these bylaws.
- 5.2 A resident or visitor must ensure that all animals are leashed or otherwise secured when on the common property or n land that is a common asset.
- 5.3 A resident must not keep a pet 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) up to two dogs or two cats.
- 5.4 A resident must not harbour exotic pets, including not exhaustively, snakes, reptiles, spiders or large members of the cat family.

- 5.5 A resident must apply to the council for written permission to keep a pet (a “Permitted Pet”) by registering the pet with the council within 7 days of the pet residing on a strata lot (or the passage of this bylaw) and b providing, in writing, the name of the Permitted Pet, breed, colour and markings, together with the name, strata lot number and telephone number of the pet owner.
- 5.6 A resident or visitor must not permit a loose or unleashed Permitted Pet (leashes cannot exceed six feet in length) at any time on the common property or on land that is a common asset. A Permitted Pet found loose on common property or land that is a common asset shall be delivered to the municipal pound at the cost of the strata lot owner.
- 5.7 A resident must not allow a Permitted Pet in the courtyard or recreation areas.
- 5.8 A resident must not keep a Permitted Pet which is a nuisance on a strata lot, on common property or on land that is a common asset. If a resident has a pet which is not a Permitted Pet or if, in the opinion of council, the Permitted Pet is a nuisance or has caused or is causing an unreasonable interference with the use and enjoyment by residents or visitors of a strata lot, common property or common assets, the council may order such pet to be removed permanently from the strata lot, the common property or common asset or all of them.
- 5.9 A resident whose pet contravenes bylaw 5.8 will be subject to an immediate injunction application and the owner of the strata lot will be responsible for all expenses incurred by the strata corporation to obtain the injunction, including legal costs.
- 5.10 A pet owner must ensure that a Permitted Pet is kept quiet, controlled and clean. Any excrement on common property or on land that is a common asset must be immediately disposed of by the pet owner.
- 5.11 A pet owner must keep a Permitted Pet only in a strata lot, except for ingress and egress, and the resident or visitor must ensure the Permitted Pet is on a leash when the Permitted Pet is in the interior of the building, including the elevators.
- 5.12 A strata lot owner must assume all liability for all actions by a Permitted Pet, regardless of whether the owner had knowledge, notice or forewarning of the likelihood of such action.
- 5.13 A resident or visitor must not feed birds, rodents or other wild animals from any strata lot, limited common property, common property or land that is a common asset. No bird feeders of any kind are permitted to be kept on balconies, strata lots, common property or land that is a common asset.
- 5.14 A resident who contravenes any of bylaws 5.1 to 5.13 (inclusive) will be subject to a \$100 fine.
- 5.15 As of June 1, 2016, no cats will be allowed in the building. Existing cats will be permitted and grandfathered until such time that the cat passes away, the owner sells the strata lot or the resident tenant moves out. New owners or tenants will not be allowed to have any cats living in the unit. All existing cats must be recorded in the pet register.

6. Inform strata corporation

- 6.1 An owner must notify the strata corporation within two weeks of becoming an owner; the owner's name and any occupants' names, strata lot number and mailing address outside the strata plan, if any; and
- 6.2 A tenant must inform the strata corporation of the tenant's name and the strata lot which the tenant occupies.

7. Obtain approval before altering a strata lot

- 7.1 An owner must obtain the written approval of the strata corporation before making or authorizing 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) patios, 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; and
 - (h) wiring, plumbing, piping, heating, air conditioning and other services.
- 7.2 The strata corporation must not unreasonably withhold its approval under bylaw 7.1, 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 and to indemnify and hold harmless the strata corporation for any future costs in connection with the alteration.
- 7.3 bylaw 5(3) of the Schedule of Bylaws to the Act does not apply to the strata corporation.
- 7.4 An owner intending to apply to the strata corporation for permission to alter a strata lot must submit, in writing, detailed plans and written description of the intended alteration.
- 7.5 An owner installing hard surface flooring must ensure that sufficient sound absorbing materials are installed to minimize sound transmission to another strata lot or the common property.

8. Obtaining approval before altering common property

- 8.1 An owner must obtain the written approval of the strata corporation before making or authorizing an alteration to common property, including limited common property or common assets.

- 8.2 An owner, as part of its application to the strata corporation for permission to alter common property, limited common property or common assets, must:
- (a) submit, in writing, detailed plans and description of the intended alteration;
 - (b) obtain all applicable permits, licences and approvals from the appropriate governmental authorities and provide copies to the strata council; and
 - (c) obtain the consent of the owners by written approval of the strata council under bylaw 8.1.
- 8.3 The strata corporation may require, as a condition of its approval, that the owner agree, in writing, to certain terms and conditions, including, not exhaustively, the following:
- (a) that alterations be done in accordance with the design or plans approved by the strata council or its duly authorized representatives;
 - (b) that the standard of work and materials be not less than that of the existing structure;
 - (c) that the work and materials necessary for the alteration be at the sole expense of the owner;
 - (d) that the owner from time to time of the strata lot receiving the benefit of an alteration to common property, limited common property or common assets must, for so long as he or she remains an owner, be responsible for all present and future maintenance, repairs and replacements, increases in insurance, and any damage suffered or cost incurred by the strata corporation as a result, directly or indirectly of the alterations to common property, limited common property or common assets.
 - (e) that the owner and any subsequent owner on title who receives the benefit of such alteration, must with respect only to claims or demands arising during the time that they shall have been owner, indemnify and hold harmless the strata corporation, its council members, employees and agents from any and all claims and demands whatsoever arising out of or in any manner attributable to the alteration. Any costs or expenses incurred by the strata corporation as the result of such claim or demand will be the responsibility of the owner from time to time of the strata lot who has benefited from the alteration and the said costs or expenses incurred must be charged to that owner and shall be added to and become part of the strata fees of that owner for the month next following the date upon which the cost or expenses are incurred, but not necessarily paid by the strata corporation, and shall become due and payable on the due date of payment of monthly strata fees.
- 8.4 An owner who has altered common property, limited common property or common assets prior to the passage of these bylaws shall be subject to their content and intent to the extent that any damages suffered or costs incurred by the strata corporation as a result, directly or indirectly, of the alteration, must be borne by the owner who has benefited from the alteration.

8.5 Any owner who, subsequent to the passage of bylaws 8.1 to 8.3 inclusive, alters common property or limited common property without adhering strictly to these bylaws, must restore, at the owner's sole expense, the common property, limited common property or common assets, as the case may be, to its condition prior to the alteration. If the owner refuses or neglects to restore the alteration to its original condition, the strata corporation may conduct the restoration, at the expense of the owner who altered the common property or limited common property. The cost of such alteration shall be added to and become part of the strata fees of that owner for the month next following the date on which the cost was incurred and will become due and payable on the due date of payment of monthly strata fees.

9. Renovation/alterations

9.1 An owner must give the council two working days' prior notice of the scheduled arrival of tradespersons or delivery of materials. Tradespersons must be licensed and bonded. Inadequate notice or work by unlicensed or unbounded tradespersons will result in the levy of fines.

9.2 A resident must not permit any construction debris, materials or packaging to be deposited in the strata corporation's disposal containers.

9.3 An owner must ensure that the delivery of any construction materials is through the parking lot and, if in an elevator, the owner must ensure the elevator is protected with property wall pads and floor coverings. An owner must not permit any renovations/alterations materials to be delivered through the main lobby unless the size of the item will not fit through any other entrance in such case prior permission is required by the strata council.

9.4 A resident must be responsible to ensure:

(a) drop cloths are installed and removed daily between the elevators and the strata a lot as well as between other doors to protect common areas from any spillage or dripping; and

(b) stairs, lobbies and paths through the parking areas are regularly cleaned (and vacuumed at the request of the council) and the residential corridor thoroughly vacuumed daily.

9.5 An owner must ensure that the hours of work are restricted to 8:00 a.m. to 5:00 p.m., Monday through Friday, and 10:00 a.m. to 5:00 p.m., Saturdays, Sundays and statutory holidays. To perform renovations/alterations on statutory holidays, an owner must apply for permission in writing to the council at least five business days before the holiday date.

9.6 An owner must be in attendance for all SIGNIFICANT renovations/alterations, the determination of SIGNIFICANT shall be in the discretion of the council.

9.7 In order to maintain or improve the integrity of the building's main system (piping, electrical, acoustics, fire and evacuation safety, structural, environmental, etc.):

- (a) The owner or resident undertaking any repairs or alterations must agree in writing:
 - (i) to pay all costs of the work proposed,
 - (ii) to be responsible and pay for all related maintenance and repairs required in the future,
 - (iii) to reimburse the strata corporation for any resulting increased insurance or other costs incurred by it,
 - (iv) to indemnify the strata corporation of any owner or resident for any injury or loss suffered as a result of work or the owner's failure to live up to these terms and conditions,
 - (v) to take out and maintain insurance that will cover any damages or injury suffered by the strata corporation or any owner or resident resulting directly or indirectly from the subject work, such as insurance to be with insurers and on such terms and conditions as the strata corporation reasonably requests and approves in advance, and
 - (vi) to ensure that upon the sale of the owner's strata lot, the purchaser will assume these obligations of the seller;
 - (b) All required municipal licenses and permits must be obtained and copies provided to council;
 - (c) Detailed plans and drawings must be prepared, to the standards and specifications requested by council, and copies provided to council;
 - (d) The work must be carried out in a professional manner by reputable contractors and trades people who have proper insurance and WorkSafeBC coverage in place, proof of which must be produced;
 - (e) The work must be made and maintained to the same or better standards than those that then already exist;
 - (f) The work must be carried out and completed in strict compliance with all permit, plans and approvals given;
 - (g) Council must be allowed reasonable access to the strata lot and any common property impacted by the work, on a 24 hours' notice, to inspect the work done to confirm compliance with these conditions, the *Strata Property Act* and the strata corporation's bylaws.
- 9.8 Changes or additions to door hardware or installation of security stickers on doors or any other change that may be done to a door must be approved in writing by the strata council prior to the change being made.
- 9.9 An owner in contravention of bylaws 9.1 to 9.8 (inclusive) shall be subject to a fine of \$100 for each contravention, as well as be responsible for any clean up or repair costs.

10. Permit entry to strata lot

- 10.1 A resident or visitor must allow a person authorized by the strata corporation to enter the strata lot or limited common property
- (a) in an emergency, without notice, to ensure safety or prevent significant loss or damage;
 - (b) at a reasonable time, on 48 hours' notice,
 - (i) to inspect, repair, renew, replace or maintain common property, common assets and any portion of a strata lot that are the responsibility of the strata corporation to repair, replace, renew and maintain under these bylaws or the Act or to insure under Section 149 of the Act; or
 - (ii) to ensure a resident's compliance with the Act, bylaws and rules.
- 10.2 If forced entry to a strata lot is required due to required emergency access and the inability to contact the owner of the strata lot, the owner shall be responsible for all costs of forced entry incurred by the strata corporation.
- 10.3 The notice referred to in bylaw 10.1(b) must include the date and approximate time of entry, and the reason for entry.
- 10.4 An owner, whether resident or non-resident, must make arrangements to allow access to his/her strata lot for the purpose of conducting annual testing of fire and smoke detection equipment.

POWERS AND DUTIES OF STRATA CORPORATION

11. Repair and maintenance of property by strata corporation

- 11.1 The strata corporation must repair and maintain all of the following:
- (a) common assets of the strata corporation;
 - (b) common property that has not been designated as limited common property;
 - (c) limited common property, but the duty to repair and maintain it is restricted to
 - (i) repair and maintenance that in the ordinary course of events occurs less often than once a year, and
 - (ii) the following, no matter how often the repair or maintenance ordinarily occurs:
 - (A) the structure of a building;
 - (B) the exterior of a building;
 - (C) patios, chimneys, stairs, balconies and other things attached to the exterior of a building;

- (D) fences, railings and similar structures that enclose patios, balconies and yards;
- (d) a strata lot, but the duty to repair and maintain it is restricted to
 - (i) the structure of a building,
 - (ii) the exterior of a building,
 - (iii) patios, chimneys, stairs, balconies and other things attached to the exterior of a building,
 - (iv) fences, railings and similar structures that enclose patios, balconies and yards.

COUNCIL

12. Council size

12.1 The council must have at least 3 and not more than 7 members.

13. Council eligibility

13.1 An owner or the spouse of an owner may stand for council, but not both.

13.2 No person may stand for council or continue to be on council with respect to a strata lot if the strata corporation is entitled to register a lien against that strata lot under section 116(1) of the Act.

13.3 No person may stand for council or continue to be on council with respect to a strata lot if there are amounts owing to the strata corporation charged against the strata lot in respect of administration fees, bank charges, fines, penalties, interest or the costs, including the legal costs, of remedying a contravention of the bylaws or rules.

13.4 No person may stand for council or continue to be on council with respect to a strata lot if there are amounts owing to the strata corporation charged against the strata lot in respect of administration fees, bank charges, fines, penalties, interest or the costs, including the legal costs, or remedying a contravention of the bylaws or rules for which the owner is responsible under section 131 of the Act.

14. Council members' term

14.1 The term of office of a council member ends at the end of the annual general meeting at which the new council is elected.

14.2 A person whose term as council member is ending is eligible for re-election.

15. Removing council member

15.1 Unless all the owners are on the council, the strata corporation may, by a resolution passed by a two-thirds (2/3) vote at an annual or special general meeting, remove one or more council members. The strata corporation must pass a separate resolution for

each council member to be removed. In this bylaw 15.1, a 2/3 (two-thirds) vote means a vote in favour of a resolution by at least 2/3 of the votes cast by eligible voters who are present in person or by proxy at the time the vote is taken and who have not abstained from voting.

- 15.2 After removing a council member, the strata corporation may hold an election at the same annual or special general meeting to replace the council member for the remainder of the term or the remaining members of the council may appoint a replacement council member for the remainder of the term.
- 15.3 If the strata corporation removes all of the council members, the strata corporation must hold an election at the same annual or special general meeting to replace the council members for the remainder of the term up to, at least, the minimum number of council members required by bylaw of the strata corporation for the remainder of the term.
- 15.4 The council may appoint the remaining council members necessary to achieve a quorum for the strata corporation, even if the absence of the members being replaced leaves the council without a quorum.
- 15.5 A replacement council member appointed pursuant to bylaws 15.2 and 15.4 may be appointed from any person eligible to sit on council.

16. Replacing council member

- 16.1 If a council member resigns or is unwilling or unable to act, the remaining members of the council may appoint a replacement council member for the remainder of the term.
- 16.2 A replacement council member may be appointed from any person eligible to sit on the council.
- 16.3 The council may appoint a council member under bylaw 16.2 even if the absence of the member being replaced leaves the council without a quorum.
- 16.4 If all members of the council resign or are unwilling or unable to act, 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.

17. Officers

- 17.1 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.
- 17.2 A person may hold more than one office at a time, other than the offices of president and vice president.
- 17.3 The vice president has the powers and duties of the president
 - (a) while the president is absent or is unwilling or unable to act,

- (b) if the president is removed, or
- (c) for the remainder of the president's term if the president ceases to hold office.

17.4 The strata council may vote to remove an officer.

17.5 If an officer other than the president is removed, resigns, is unwilling or unable to act, the council members may elect a replacement officer from among themselves for the remainder of the term.\

18. Calling council meetings

18.1 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.

18.2 The notice in bylaw 18.1 does not have to be in writing.

18.3 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.

18.4 Bylaw 14(4) of the Schedule of Bylaws to the Act does not apply to the strata corporation.

19. Requisition of council hearing

19.1 By application in writing, a resident may request a hearing at a council meeting stating the reasons for the request.

19.2 Except for a hearing pursuant to section 144 of the Act, if a hearing is requested under bylaw 19.1, the council must hold a meeting to hear the applicant within one (1) month of the date of receipt by the council of the application.

19.3 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 date of the hearing.

20. Quorum of council

20.1 A quorum of the council is

- (a) 2, if the council consists of 3 or 4 members,
- (b) 3, if the council consists of 5 or 6 members, and

(c) 4, if the council consists of 7 members.

20.2 Council members must be present in person at the council meeting to be counted in establishing quorum.

21. Council meetings

21.1 The council may meet together for the conduct of business, adjourn and otherwise regulate its meetings as it thinks fit.

21.2 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.

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

22. Voting at council meetings

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

22.2 If there is a tie vote at a council meeting, the president may break the tie by casting a second, deciding vote.

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

23. Council to inform owners of minutes

23.1 The council must circulate to or post for owners the minutes of all council meetings within 2 weeks of the meeting, whether or not the minutes have been approved.

24. Delegation of council's power and duties

24.1 Subject to bylaws 24.2, 24.3 and 24.4, 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.

24.2 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 bylaws 24.3.

24.3 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.

- 24.4 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,
 - (c) whether a person should be denied access to a recreational facility, or
 - (d) whether an owner should be granted an exemption from a rental restriction bylaw under section 144 of the Act.

25. Spending restrictions

- 25.1 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.
- 25.2 Bylaw 21(2) of the Schedule of bylaws to the Act does not apply to the strata corporation.

26. Limitation on liability of council member

- 26.1 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.
- 26.2 Bylaw 26.1 does not affect a council member's liability, as an owner, for a judgement against the strata corporation.
- 26.3 All acts done in good faith by the council are, even if it is afterwards discovered that there was some defect in the appointment or continuance in office of a member of council, as valid as if the council member had been duly appointed or had duly continued in office.

27. Common Expenses

- 27.1 The fiscal year of the strata corporation shall be April 1 to March 31.
- 27.2 The strata corporation shall ensure that a monthly financial statement is prepared and delivered to the council by the 15th day of each month, for the month preceding.
- 27.3 At each fiscal year end, the strata corporation shall have its books, records and monies audited by an independent auditor. Copies of the audit shall be given to any owner within seven days of a request.

ENFORCEMENT OF BYLAWS AND RULES

28. Fines

- 28.1 Except where specifically stated to be otherwise in the bylaws, the strata corporation may fine an owner or tenant:

- (a) \$200 for each contravention of a bylaw, and
- (b) \$50 for each contravention of a rule.

28.2 The council must, if it determines in its discretion that a resident is in repeated contravention of any bylaws or rules of the strata corporation, levy fines and the fines so levied shall be immediately added to the strata fees for the strata lot and shall be due and payable together with the strata fees for the strata lot in the next month following such contravention.

29. Continuing contravention

29.1 Except where specifically stated to be otherwise in these bylaws, 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.

ANNUAL AND SPECIAL GENERAL MEETINGS

30. Quorum of meeting

30.1 If within ½ hour 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.

This bylaw 30.1 is an alternative to section 48(3) of the Act. This bylaw does not apply to a meeting demanded pursuant to section 43 of the Act and failure to obtain a quorum for a meeting demanded pursuant to section 43 terminates, and does not adjourn, that meeting.

31. Person to chair meeting

31.1 Annual and special general meetings must be chaired by the president of the council.

31.2 If the president of the council is unwilling or unable to act, the meeting must be chaired by the vice president of the council.

31.3 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, eligible to vote, who are present at the meeting.

32. Participation by other than eligible voters

32.1 Persons who are not eligible to vote, may not participate in the discussion at a meeting.

32.2 Persons who are not eligible to vote, must leave the meeting if requested to do so by the chair.

33. Voting

33.1 Except on matters requiring a unanimous vote, the vote for a strata lot may not be exercised if the strata corporation is entitled to register a lien against that strata lot under section 116(1) of the Act.

- 33.2 Except on matter requiring a unanimous vote, the vote for a strata a lot may not be exercised if there are amounts owing to the strata corporation charged against the strata lot in respect of administration fees, bank charges, fines, penalties, interest or the costs, including the legal costs, or remedying a contravention of the bylaws or rules.
- 33.3 Except on matters requiring a unanimous vote, the vote for a strata lot may not be exercised if there are amounts owing to the strata corporation charged against the strata lot in respect of administration fees, bank charges, fines, penalties, interest or the costs, including the legal costs of remedying a contravention of the bylaws or rules, including legal costs, for which the owner is responsible under section 131 of the Act.
- 33.4 At an annual or special general meeting, voting cards must be issued to eligible voters.
- 33.5 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.
- 33.6 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.
- 33.7 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.
- 33.8 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.
- 33.9 Despite anything in bylaws 33.1 to 33.8 (inclusive), an election of council or removal of a council member must be held by secret ballot, if the secret ballot is requested by an eligible voter.

34. Order of business

34.1 The order of business at annual and special general meetings is as follows:
certify proxies and corporate representatives and issue voting cards;

- (a) determine that there is a quorum;
- (b) elect a person to chair the meeting, if necessary;
- (c) present to the meeting proof of notice of meeting or waiver of notice;
- (d) approve the agenda;
- (e) approve minutes from the last annual or special general meeting;
- (f) deal with unfinished business;
- (g) receive reports of council activities and decisions since the previous annual general meeting, including reports of committees, if the meeting is an annual general meeting.

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

VOLUNTARY DISPUTE RESOLUTION

35. Voluntary dispute resolution

- 35.1 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.
- 35.2 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.
- 35.3 The dispute resolution committee must attempt to help the disputing parties to voluntarily end the dispute.

SMALL CLAIMS COURT PROCEEDINGS

36. Authorization to proceed

- 36.1 The strata corporation may proceed under the *Small Claims Act*, without further authorization by the owners, to recover from an owner or other person, by an action in debt in Small Claims Court, money owing to the strata corporation including money owing as administration fees, bank charges, fines, penalties, interest or the costs, including legal costs, of remedying a contravention of the bylaws or rules and to recover money which the strata corporation is required to expend as a result of the owner's act, omission, negligence or carelessness or by that of an owner's visitors, occupants, guests, employees, agents, tenants or a member of the owner's family.

MARKETING ACTIVITIES BY OWNERS AND OCCUPANTS

37. Sale of a strata lot

- 37.1 Real estate signs must not be displayed in a strata lot or on the common property except with council's prior written approval.

INSURANCE

39. Storage lockers and bicycle storage

- 39.1 A resident must store bicycles and tricycles only in basement parking areas, the bicycle rack and storage lockers.
- 39.2 A resident must not store any hazardous or flammable substances in storage lockers.
- 39.3 Storage lockers may not be rented or leased to anyone not residing within the building.
- 39.4 Bicycles are not permitted in common areas above level P1 and cannot be transported in the elevators, lobby or halls in the building.
- 39.5 Bicycles secured to any part of the building not assigned for bicycle storage will be removed.

PARKING

40. Parking

- 40.1 A resident must not permit any oversized, commercial or recreational vehicles including, but not exhaustively, boats, trailers and campers to enter or be parked or stored on common property, limited common property or land that is a common asset.
- 40.2 A resident must not store unlicensed or uninsured vehicles on the common property, limited common property or on land that is a common asset.
- 40.3 A resident storing a vehicle must provide proof of insurance to the strata corporation on the commencement date of the storage.
- 40.4 A resident must not rent (or allow the free use of) parking stalls to any person other than a resident or owner of the building.
- 40.5 A resident must park only in the parking stall assigned to the resident.
- 40.6 A resident or visitor must not permit a vehicle to be parked or left unattended in a manner that interferes with parking stalls, access lanes or no parking zones.
- 40.7 Any resident's vehicle parked in violation of bylaw 40.6 will be subject to removal by a towing company authorized by council, and all costs associated with such removal will be charged to the owner of the strata lot.
- 40.8 A resident or visitor must not use any parking area as a work area for carpentry, renovations, repairs (including, but not exhaustively, sawing, drilling and the use of any

adhesive or hardening compounds) or work on vehicles involving any automotive fluids or paints, motor tune ups or mechanical repairs.

- 40.9 A resident or visitor operating a vehicle in the parking areas must activate the vehicle's headlights and not exceed 10 km/hour.
- 40.10 A resident or visitor must not smoke while in the parking area.
- 40.11 A resident must wash a vehicle in the location designated for vehicle washing only. Once washing is completed, the resident must hose down and remove all dirt, refuse and excess water from the washing area. While washing, a resident must keep audio volume low.
- 40.12 A resident must not park or store any vehicle that drips oil or gasoline. A resident must remove any dripped oil, gasoline or other automotive residue. Residents who do not clean up after being notified will be charged \$50 for the clean up and \$50 for an oil pad to be placed in the parking space. Cardboard is not acceptable as it still causes a slipping hazard. The strata council reserves the right to charge \$50 every seven days for serious violations where an oil pad is not sufficient.

MOVING

41. Moving in/out procedures

- 41.1 An owner must conform and ensure that any tenants conform to the Move In and Move Out rules established by council from time to time.
- 41.2 A resident must schedule with the building manager all moving arrangements at least five working days in advance before the moving date. All moves must take place between 9:00 a.m. and 5:00 p.m., Monday through Saturday (excluding statutory holidays). Exceptions may be made for the last day of any month.
- 41.3 A resident using the elevator during a move must ensure that the ELEVATOR SERVICE KEY is used to control the elevator and the doors not jammed open in any manner.
- 41.4 The front entrance doors may not be used for moves. Only the rear entrance doors may be used and shall be attended at all times during the move. Protective floor coverings shall be used if requested by the building manager. A resident must ensure that the entrance doors are not left open, ajar or unattended and that furniture is not left piled in the common area.
- 41.5 A resident must ensure that all common areas are left damage free, clean and all hallways and lobby areas vacuumed immediately upon completion of the move.
- 41.6 An owner will pay to the strata corporation a move fee of \$100 (one hundred dollars) each time an occupant (owner or tenant) is moving in and out of the respective strata lot.
- 41.7 A SECURITY PERSON MUST BE SUPPLIED BY THE STRATA CORPORATION DURING ALL MOVES. THE COST OF SECURITY WILL BE CHARGED TO THE OWNER IN ADDITION TO ANY MOVE-IN FEE. THE SECURITY RATES WILL BE PUBLISHED ON THE MOVE FORMS AND POSTED.

- 41.8 A resident contravening bylaws 41.1 to 41.7 (inclusive) shall be subject to a fine of \$200 (two hundred dollars) per violation.

APPEARANCE OF STRATA LOTS

42. Cleanliness

- 42.1 A resident must not allow a strata lot to become unsanitary or untidy. Rubbish, dust, garbage, boxes, packing cases and other similar refuse must not be thrown, piled or stored in the strata lot or on common property. Any expenses incurred by the strata corporation to remove such refuse will be charged to the strata lot owner.
- 42.2 A resident must ensure that ordinary household refuse and garbage is securely wrapped and placed in the containers provided for that purpose, recyclable material is kept in designated areas and material other than recyclable or ordinary household refuse and garbage is removed appropriately.
- 42.3 Owners/residents of the building are advised that only household garbage is allowed to be discarded in the strata corporation bins. All other garbage, such as furniture, electronics, renovation debris, construction debris, must be discarded at the City Transfer Station. Any owner/resident found in contravention will be fined as per the strata corporation's bylaws. All garbage and recyclable material must be placed in the appropriate bins.

RENTALS

43. Rentals

- 43.1 The number of strata lots within the strata corporation that may be leased and/or rented at any one time is not limited.
- 43.2 Prior to possession of a strata lot by a tenant, an owner must deliver to the tenant the current bylaws and rules of the strata corporation and a Notice of Tenant's Responsibilities in Form K.
- 43.3 Within two weeks of renting a strata lot, the landlord must give the strata corporation a copy of the Form K – Notice of Tenant's Responsibilities signed by the tenant, in accordance with section 146 of the Act. Tenants must schedule a move-in with the building manager in order to receive access cards and provide instructions to update the enterphone system.
- 43.4 Failure to provide a Form K will result in a \$50 fine per month until the Form K is received.
- 43.5 No owner or tenant shall permit a residential strata lot to be used under a tenancy agreement, contract or license arrangement for transient, vacation, hotel or commercial purposes, including, without limitation, the rental or licensing of a strata lot arranged through VRBO, Premier Executive Suites, Airbnb or any newspaper, magazine or web based residential home rental service.

VISITORS AND CHILDREN

44. Children and supervision

- 44.1 Residents are responsible for the conduct of visitors including ensuring that noise is kept at a level, in the sole determination of a majority of the council that will not disturb the rights or quiet enjoyment of others.
- 44.2 Residents are responsible for the conduct of children residing in their strata lot, including ensuring that noise is kept at a level, in the sole determination of a majority of the council that will not disturb the quiet enjoyment of others.
- 44.3 Residents are responsible to assume liability for and properly supervise activities of children including, but not exhaustively, bicycling, skateboarding and hockey.

45. Miscellaneous

- 45.1 A resident or visitor must not smoke on common property (except in the designated outside areas) or consume alcoholic beverages on common property.
- 45.2 A resident or visitor must not hinder or restrict sidewalks, entrances, exits, halls, passageways, stairways and other parts of the common property. Hindrance and restriction includes the keeping of personal items and garbage.
- 45.3 A resident or visitor must not wear or use inline skates and skateboards ANYWHERE on common property, in the building or in a strata lot.
- 45.4 A resident or visitor must not use common property electrical outlets with the exception of parking area outlets used while vacuuming a vehicle.
- 45.5 Subject to bylaw 37.1 (regarding real estate signs), a resident or owner must not erect or display or permit to be erected or displayed any signs, fences, billboards, placards, advertising, notices or other fixtures of any kind on the common property or in a strata lot, unless authorized by the council. This shall include exterior painting and the addition of wood, ironwork, concrete or other materials.
- 45.6 A resident may post notices on the designated bulletin board, subject to being removed by the council if deemed inappropriate or posted for in excess of one week.
- 45.7 A resident must ensure that all entrance doors to strata lots are kept closed and kitchen extract fans are used when cooking.
- 45.8 A resident or visitor must not shake rugs, carpets, mops or dusters of any kind from any balcony, window, stairway or other part of a strata lot or common property.
- 45.9 A resident must ensure that drapes or blinds visible from the outside of the building are cream or white in colour.
- 45.10 A resident must ensure that no air conditioning units, laundry, flags, clothing, bedding or other articles are hung or displayed from windows, balconies or other parts of the building so that they are visible from the outside of the building.

- 45.11 A resident must not display or erect fixtures, poles, clotheslines, racks, storage sheds and similar structures permanently or temporarily on limited common property, common property or land that is a common asset. Despite the foregoing, the placing of items on the limited common property balconies or patio areas shall be limited to free standing, self contained planter boxes or containers, summer furniture and accessories.
- 45.12 A resident who installs Christmas lights must install them after December 1st of the year approaching Christmas and must remove them before January 15th of the year following Christmas.

46. Building Security

- 46.1 Residents must stop and wait for the garage gate to fully close before proceeding in or out of the parkade. Failure to do so may result in a fine of \$50 per incident.
- 46.2 Garage transmitters, keys and access cards are not to be left in vehicles.
- 46.3 Residents must not hold the entry door open for others. Each resident must use their own key for access. Visitors must be buzzed in through the enterphone system. Residents who allow strangers into the building may be fined \$50 per incident.
- 46.4 Residents must report any breach of security or suspicious activity to the on-site building manager immediately by way of completing the form provided.
- 46.5 Residents who lose their transmitters, keys or access cards must report it immediately to the on-site building manager or the strata agent.
- 46.6 Residents and/or visitors must not actively prevent other residents from enforcing the security bylaws.

DIVISION 10 – PRIVACY

47. Privacy

The Park Plaza adheres to the *BC Personal Information Protection Act*. PIPA sets out how BC organizations, including corporations (including strata corporations), sole-proprietorships, partnerships, and non-profit organizations, may collect, use and disclose personal information about individuals.

Under PIPA:

- (1) The strata corporation may collect, from time to time, certain personal information of owners, tenants, and occupants including but not limited to:
- (i) the name, home address, and home telephone and/or cell phone numbers of owners, tenants and occupants
 - (ii) banking information, in the case of owners, for payment of strata fees
 - (iii) video images and voice recordings obtained during the use and operation of the video surveillance system (VSS) installed or to be installed in the building by the strata corporation in the following locations, with signage

noting the operation and monitoring and operational 24 hours a day, 7 days a week:

- (a) Exterior entrance/exit locations for pedestrian and vehicle traffic
 - (b) Interior entrance/exit locations in common areas
 - (c) Common activity areas such as gym
 - (d) As needed in other interior/exterior common property or limited common property areas to address security, physical safety illegal actions, or bylaw infractions
 - (e) Elevators
- (iv) information and data recorded and collected during the use and operation of the access control system (e.g., key fobs) installed in the building that monitors access to and from the common areas of the building 24 hours a day, 7 days a week.
- (2) Personal information recorded and collected will not be disclosed to any person, other than: the building manager; the strata corporation's strata agent; elected members of the strata council during the course of exercising the powers and performing the duties of the strata corporation; the strata corporation's legal counsel; or law enforcement personnel, except:
- (i) when required or authorized by law to do so
 - (ii) when disclosure is consented to in writing by an owner, tenant, or occupant
 - (iii) to up-date banking or financial records
 - (iv) when required to collect outstanding strata fees
 - (v) during the course of a criminal investigation involving vandalism to or theft of common property or common assets of the strata corporation, vandalism to or theft of personal belongings of owners, tenants, occupants, visitors and invitees, or the physical assault of an owner, tenant, occupant, visitor, or invitee.
- (3) The strata corporation will take all reasonable precautions to ensure that personal information is kept safe from loss, unauthorized access, modification or disclosure.
- (4) This bylaw authorizes the collection of personal information using the video surveillance system and access control system for the following purposes only:
- (i) to monitor access to and from the common property areas of the building
 - (ii) to protect personal property of owners, tenants, occupants, visitors and invitees

- (iii) to protect common property and common assets of the strata corporation
 - (iv) to protect the security and physical safety of owners, tenants, occupants, visitors and invitees to the building
- (5) Personal information collected from the use and operation of the video surveillance system and access control system will be retained by way of electronic data storage for up to 3 days on the strata corporation's computer data storage system at which time the personal information recorded and collected will be recorded over.
- (6) Requests for access to view a specific individual's personal information, including access to view those portions of the video surveillance or access control system that contain personal information for the individual requesting access, must be made in writing and delivered to the strata corporation's strata agent. Access to the specific individual's personal information, other than personal information recorded and collected using the video surveillance system and the access control system, will be made available in the presence of an elected member of the strata council or the strata corporation's strata agent, within 14 days from the date of the request and copies of personal information will be provided and a reasonable fee will be charged for the copies of the personal information. Personal information recorded and collected using the video surveillance system and the access control system will, provided that the personal information has not previously been recorded over, be made available for inspection with 24 hours from the date of the request and a reasonable fee will be charged for the inspection of that personal information.

48. Hard Surface Floor Installation

- 48.1 An owner or owners may, with the prior written approval of the strata council, make changes to the floor finishing of their strata lot from carpet to any hard surface floor finish (e.g. tile or hardwood flooring) and the council shall give due consideration to the type and quality of flooring and underlay in relating to the sound transmission between strata lots.
- 48.2 An owner or occupant of a strata lot with hard floor surfaces such as wooden floors or tile in a strata lot at the time of this bylaw was passed must take all reasonable steps to satisfy noise complaints from residents within audible range, including without limitation:
- (a) avoiding walking with hard shoes or dragging furniture or other heavy objects across such floor surfaces;
 - (b) chair legs should be fitted with felt pads
 - (c) avoiding activities that cause unnecessary noise such as, bouncing balls, dancing and stomping of feet; and
 - (d) any noise inducing equipment should be separated from the floor with adequate cushioning.

- 48.3 The following underlay (sound deadening material) must be installed under a hard floor (hardwood, laminate, ceramic tile or slate) surface. The underlay installation requirements are the minimum installation pre-requisites that must be met:
- (a) if cork is used it must be at least six (6) millimeters thick and possess a STC (sound transmission class) rating of greater than 50 (≥ 50).
 - (b) if “silent step” is used, the STC must be greater than 61 (≥ 61) and the ICC must be greater than 50 (≥ 50).
 - (c) Proper leveling of the concrete slab must be ensured prior to any hard surface installation.

49. Gym Usage

- 49.1 All residents and their guests will comply with the Rules and Regulations governing the use and enjoyment of the recreation facilities as posted. Such posting will constitute sufficient notice.
- 49.2 Gym facilities are for the use of residents and accompanying guests only. All guests of a resident must be accompanied by an adult resident.
- 49.3 The strata corporation accepts no liability for any loss of life, personal injury or other loss or injury occurring whatsoever by use by any resident, their guest or invitees.
- 49.4 The strata corporation may, for a reasonable length of time, deny any owner, tenant, occupant or visitor the use of a recreational facility that is common property or a common asset if the owner, tenant, occupant or visitor has contravened a bylaw or rule relating to the recreational facility.
- 49.5 The gym may not be used by residents for commercial purposes (ie. As a facility for resident personal trainers to work with paid clients). Such use will result in a fine and revocation of gym access for the unit in which the violator resides.