

DOGWOOD CROSSING - EPS 2110 CONSOLIDATED BYLAWS
January 2023

DIVISION 1-DUTIES OF OWNERS, TENANTS, OCCUPANTS AND VISITORS

1. 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. 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.
- 2.2. 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.
- 2.3. The Strata Corporation shall designate from time to time a landscaping company authorized to perform landscaping and yard maintenance work within the strata and a day on which such work shall be performed. Landscaping and yard maintenance must be performed by the landscaping contractor on a day mutually agreed upon with the strata.
- 2.4. Sprinkler systems installed in common areas shall be operated and managed by the strata corporation by exterior mounted timers. An owner shall not be permitted to make any changes to the exterior mounted timers without consent of the strata corporation.

3. 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 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.
- 3.2. An owner, tenant 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
- 3.3. An owner, tenant, occupant or visitor may not place any signs on a strata lot or in the window of any building of a strata lot without the prior written approval of the strata corporation which may not be reasonably withheld.
- 3.4. A strata lot must be used solely as a single family residence, with no commercial activities other than those associated with a home office environment. Home office activities involving client or potential client traffic are prohibited.

4. PETS

- 4.1. An owner, tenant, occupant or visitor must ensure that all animals are leashed and under their control when on the common property or on land that is a common asset.
- 4.2. 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 caged animals;
 - (c) up to two caged birds;
 - (d) two dogs or two cats or one dog and one cat.
- 4.3. Pet owners are obligated to comply, in all respects and at all times, with the provisions of Section F and Section G of the Fraser Valley Regional District Animal Control Bylaws. A copy of these bylaws is available on our Power Strata system under documents.

5. INFORM STRATA CORPORATION

- 5.1. 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.
- 5.2. On request by the strata corporation, a tenant must inform the strata corporation of his or her name.

6. OBTAIN APPROVAL BEFORE ALTERING A STRATA LOT

- 6.1. An owner must obtain the written approval of the strata corporation before making an alteration to a strata lot that involves any of the following
 - (a) the structure of a building;
 - (b) the exterior of a building;
 - (c) chimneys, stairs, balconies or other things attached to the exterior of a building;
 - (d) doors, windows or skylights on the exterior of a building, or that front on the common property;
 - (e) fences, railings or similar structures that enclose a patio, balcony or yard;
 - (f) those parts of the strata lot which the strata corporation must insure under section 149 of the Act.
- 6.2. The strata corporation may withhold its approval under subsection 5.1, subject to a $\frac{3}{4}$ vote in favour of a resolution of the strata corporation approving the alterations passed at an annual or special general meeting of the strata corporation.

7. OBTAIN APPROVAL BEFORE ALTERING COMMON PROPERTY

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

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

8. PERMIT ENTRY TO STRATA LOT

8.1. 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.

8.2. The notice referred to in subsection 7.1(b) must include the date and approximate time of entry, and the reason for entry.

DIVISION 2 - POWERS AND DUTIES OF STRATA CORPORATION

9. REPAIR AND MAINTENANCE OF PROPERTY BY STRATA CORPORATION

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

- (a) common assets of the strata corporation; and
- (b) common property that has not been designated as limited common property.

9.2. An owner must repair and maintain, to the standards set by the strata corporation, the owner's strata lot, and any associated limited common property, including:

- (a) the structure of the building;
- (b) the exterior of the building;
- (c) chimneys, stairs, balconies and other things attached to the exterior of the building;
- (d) doors, windows and skylights on the exterior of the buildings; and
- (e) fences, railings and similar structures that enclose patios, balconies and yards.

DIVISION 3- COUNCIL

10. COUNCIL SIZE

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

11. COUNCIL MEMBER TERMS

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

11.2. A person whose term as council member is ending is eligible for reelection.

12. REMOVING COUNCIL MEMBER

- 12.1. Unless all the owners are on the council, the strata corporation may, by a resolution passed by a majority vote at an annual or special general meeting, remove one or more council members.
- 12.2. 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.

13. REPLACING COUNCIL MEMBER

- 13.1. If a council member resigns or is unwilling or unable to act for a period of 2 or more months, the remaining members of the council may appoint a replacement council member for the remainder of the term.
- 13.2. A replacement council member may be appointed from any person eligible to sit on the council.
- 13.3. 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.
- 13.4. 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.

14. OFFICERS

- 14.1. 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.
- 14.2. A person may hold more than one office at a time, other than the offices of president and vice president.
- 14.3. 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.
- 14.4. 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.

15. CALLING COUNCIL MEETINGS

- 15.1. 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.
- 15.2. The notice does not have to be in writing.

- 15.3. 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
 - 15.3.b.1. consent in advance of the meeting, or
 - 15.3.b.2. are unavailable to provide consent after reasonable attempts to contact them.
- 15.4. The council must inform owners about a council meeting as soon as feasible after the meeting has been called.

16. REQUISITION OF COUNCIL HEARING

- 16.1. By application in writing, stating the reason for the request, an owner or tenant may request a hearing at a council meeting.
- 16.2. If a hearing is requested under subsection 15.1, the council must hold a meeting to hear the applicant within one month of the request.
- 16.3. 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.

17. QUORUM OF COUNCIL

- 17.1. A quorum of the council is 1, if the council consists of one member,
- (a) 2, if the council consists of 2, 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.
- 17.2. Council members must be present in person at the council meeting to be counted in establishing quorum.

18. COUNCIL MEETINGS

- 18.1. 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.
- 18.2. If a council meeting is held by electronic means, council members are deemed to be present in person.
- 18.3. Owners may attend council meetings as observers.
- 18.4. Despite subsection 17.3, 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.

19. VOTING AT COUNCIL MEETINGS

- 19.1. At council meetings, decisions must be made by a majority of council members present in person at the meeting.
- 19.2. If there is a tie vote at a council meeting, the president may break the tie by casting a second, deciding vote.
- 19.3. The results of all votes at a council meeting must be recorded in the council meeting minutes.
- 19.4. The council must inform owners of the minutes of all council meetings within 2 weeks of the meeting, whether or not the minutes have been approved.

20. DELEGATION OF COUNCIL'S POWERS AND DUTIES

- 20.1. Subject to subsections 20.2 to 20.4, 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.
- 20.2. 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 20.3.
- 20.3. 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.
- 20.4. 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.

21. SPENDING RESTRICTIONS

- 21.1. A person may not spend the strata corporation's money unless the person has been delegated the power to do so in accordance with these bylaws.
- 21.2. Despite subsection 21.1, 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.

22. LIMITATION ON LIABILITY OF COUNCIL MEMBER

- 22.1. A council member who acts honestly and in good faith is not personally liable because of anything done or omitted in the exercise or intended exercise of any power or the performance or intended performance of any duty of the council.
- 22.2. Subsection 22.1 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

23. MAXIMUM FINE

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

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

24. CONTINUING CONTRAVENTION

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

DIVISION 5- ANNUAL AND SPECIAL GENERAL MEETINGS

25. PERSON TO CHAIR MEETING

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

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

25.3. 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.

26. PARTICIPATION BY OTHER THAN ELIGIBLE VOTERS

26.1. Tenants and occupants may attend annual and special general meetings, whether or not they are eligible to vote.

26.2. 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.

26.3. 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.

27. VOTING

27.1. At an annual or special general meeting, voting cards must be issued to eligible voters.

27.2. 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.

27.3. 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.

27.4. 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.

27.5. 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.

27.6. If there are only 2 strata lots in the strata plan, subsection 25.5 does not apply.

27.7. If requested by an eligible voter, a secret ballot must be conducted for any vote.

28. ORDER OF BUSINESS

28.1. 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 I 03 of the Act, if the meeting is an annual general meeting;
- (l) deal with new business, including any matters about which notice has been given under section 45 of the Act;
- (m) elect a council, if the meeting is an annual general meeting;
- (n) terminate the meeting.

DIVISION 6- VOLUNTARY DISPUTE RESOLUTION

29. VOLUNTARY DISPUTE RESOLUTION

29.1. A dispute among owners, tenants, the strata corporation or any combination of them may be referred to a dispute resolution committee by a party to the dispute if

- (a) all the parties to the dispute consent, and
- (b) the dispute involves the Act, the regulations, the bylaws or the rules.

29.2. 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.

29.3. The dispute resolution committee must attempt to help the disputing parties to voluntarily end the dispute.

DIVISION 7 -AGE RESTRICTION

30. AGE RESTRICTION

(Added by the Developer on Second Amendment of Discloser November 2014)(Amended at the Special General Meeting held on January 10, 2023)

- 30.1. The strata corporation restricts the age of an owner, tenant or occupant of a strata lot to 55 years of age or older. *(Amended at the Special General Meeting held on January 10, 2023)*
- 30.2. For greater certainty, subsection 30.1 does not apply to the following:
(Amended at the Special General Meeting held on January 10, 2023)
 - (a) a spouse of an owner or tenant who is 55 years of age or older; or
 - (b) a visitor of an owner or tenant who is 55 years of age or older.
- 30.3. No person under the age of 55 years may use or occupy any strata lot for more than 30 days in a calendar year without prior written approval of the strata council, which approval will not be unreasonably withheld.

DIVISION 8 –ADDITIONAL BYLAWS

31. AIR BNB TYPE ACCOMMODATIONS

(Added at the Annual General Meeting held on August 22, 2017)

- 31.1. An owner, tenant or occupant is not permitted to use or allow their strata lot (or any part of it) to be used for the purposes of vacation or travel accommodation for the general public or as part of a vacation rental program, room rental [home exchange] or other similar program.
- 31.2. Except as otherwise permitted by these bylaws, an owner, tenant or occupant must not in exchange for money or other consideration, allow, permit, agree or otherwise grant license to a person who ordinarily resides outside the strata corporation to occupy their strata lot while that owner, tenant or occupant is absent from the strata lot.

32. SIGNAGE

(Added at the Annual General Meeting held on August 22, 2017)

- 32.1. Realtor signs must be removed within two weeks of the property being sold.
- 32.2. Realtor signs must be no larger than 8” in height.
- 32.3. All realtor signs must be suspended from the sign post provided by the Strata Corporation on Vedder Road only.
- 32.4. The “For Sale” sign must prominently display the unit number.

End of Bylaws