

ALTA VISTA II LMS1736

SCHEDULE OF STANDARD BY-LAWS

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) 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

- (1) An owner must pay strata fees on or before the first day of the month to which the strata fees relate ***either by pre-authorized debit or twelve post dated checks.***

Amendment April 07-08 BB0848605

- (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 \$25.00.
- (3) A special levy is due and payable on the date or dates noted in the resolution authorizing the special levy.
- (4) Failure to pay a special levy on the due date will result in a fine of \$200.00 for each contravention of bylaw 2.3
- (5) Where an owner fails to pay a special levy in accordance with bylaw 2.3, outstanding special levies will be subject to an interest charge of 10% per annum, compounded annually.

3. Repair and maintenance of property by owner

- (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.

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

Use and Enjoyment of Property

4. Noise

- (1) Residents and visitors are not permitted to create noise at a level, which, in the sole determination of a majority of the council, will disturb the rights of quiet enjoyment of others, including the operation of musical instruments and sound reproduction devices.
- (2) 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 of quiet enjoyment of others.
- (3) Residents and visitors are not permitted to operate excessively noisy vehicles on the property.

5. Use of property

- (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, including by way of smell, vibration or glare;
 - b) unreasonably interferes with the rights of other persons to use and enjoy the common property, common assets or another strata lot,
 - c) increases the risk of fire or the rate of insurance on the building or any part thereof;
 - d) results in the waste or excessive consumption of the strata's common water supply, heated water supply or electricity;
 - e) allow the strata lot to become unsanitary or a source of odour;
 - f) is illegal, or
 - g) 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.
 - h) A resident 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.
 - i) An owner of a strata lot may not use his strata lot at any time, directly or indirectly, for or in any manner connected, associated or involved with the sale of timeshare weeks, and or resort

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affiliation programs or plans.

- (2) A resident or visitor must not obstruct or use the sidewalks, walkways, staircases, and driveways of the common property or limited common property such that it causes a disturbance or interferes with the comfort of any other resident or visitor.
- (3) An owner is responsible for any damage caused by occupants, tenants or visitors to the owner's strata lot.

6. Pets and animals

- (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.
- (2) A resident or visitor must ensure that all animals are leashed or otherwise secured when on the common property or on land that is a common asset.
- (3) A resident or visitor must not permit an unleashed or unsecured pet at any time on the common property or on land that is a common asset. An uncontrolled pet found loose on common property or land that is a common asset may be delivered to the municipal pound at the cost of the strata lot owner.
- (4) A resident must not keep a 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 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) A pet owner must ensure that a pet is kept quiet, controlled and clean. The pet owner must immediately dispose of any excrement on common property or on land that is a common asset.
- (6) A strata lot owner must assume all liability for all actions by a pet, regardless of whether the owner had knowledge, notice or forewarning of the likelihood of such action.

7. Inform strata corporation

- (1) An owner must notify the strata corporation of within two weeks of becoming an owner; the owner's name and any occupants' names, strata lot number, mailing **and email** address outside the strata plan, if any.

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- (2) On request by the strata corporation, a tenant must inform the strata corporation of the tenant's name and the strata lot which the tenant occupies.

8. Obtain approval before altering a strata lot

- (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;

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- 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.
- (2) The strata corporation must not unreasonably withhold its approval under bylaw 8.1, 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.
- (3) 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.

9. Obtain approval before altering common property

- (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, and including the pruning and topping of trees.
- (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 9.1.
- (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 structures;
 - c) that all work and materials necessary for the alteration be at the sole expense of the owner;

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- 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.
- (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.
 - (5) An owner who, subsequent to the passage of bylaws 9.1 to 9.3 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.

10. Renovations/alterations

- (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 unbonded tradespersons will result in the levy of a fine and cessation of renovations and/or alterations.
- (2) A resident must not permit any construction debris, materials or packaging to be deposited in the strata corporation's disposal containers or on any common property, limited common property or common assets.

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- (3) An owner must ensure that the performance of any renovations/alterations does not breach any bylaw concerning noise.
- (4) An owner performing or contracting with others to perform renovations or alterations will be responsible, financially and otherwise, for ensuring that any and all required permits and licences are obtained.
- (5) An owner in contravention of any of bylaws 10.1 to 10.4 (inclusive) shall be subject to a fine for each contravention, as well as be responsible for any clean up or repair costs.
- (6) An owner of a strata lot who has or installs hard floor surfaces such as hardwood floors or tile in a strata lot must take all reasonable steps to satisfy noise complaints from neighbours, including without limitation, ensuring that no less than 80% of such hard floor surfaces, excepting only kitchens, bathrooms and entry areas, are covered with area rugs or carpet and avoiding walking on such flooring with hard shoes.

11. Permit entry to strata lot

- (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' written notice,
 - i. to inspect, repair, renew, replace or maintain common property, common assets and any portions 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.
- (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.
- (3) The notice referred to in bylaw 11.1(b) must include the date and approximate time of entry, and the reason for entry.

Powers and Duties of Strata Corporation

12. Repair and maintenance of property by Strata Corporation

- (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

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- 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. doors, windows and skylights on the exterior of a building or that front on common property;
 - E. 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. doors, windows and skylights on the exterior of a building or that front on common property, and
 - v. fences, railings and similar structures that enclose patios, balconies and yards.

Council

13. Council size

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

14. Council eligibility

- (1) The spouse of an owner may stand for council.
- (2) No person may stand for council or, in the discretion of remaining members of council, 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.
- (3) No person may stand for 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 for which the owner is responsible under section 131 of the Act.

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15. Council members' terms

- (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.

16. Removing council member

- (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. For the purposes of this bylaw 16.1, a two-thirds (2/3) vote means a vote in favour of a resolution by at least two-thirds (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.
- (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.
- (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.
- (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.
- (5) A replacement council member appointed pursuant to bylaws 16.2 or 16.4 may be appointed from any person eligible to sit on the council.

17. Replacing council member

- (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.
- (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 bylaw 17.2 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, 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.

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18. Officers

- (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,
 - b) if the president is removed, or
 - c) for the remainder of the president's term if the president ceases to hold office.
- (4) The strata council may vote to remove an officer.
- (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.

19. Calling council meetings

- (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 in bylaw 19.1 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.

20. Requisition of council hearing

- (1) By application in writing, a resident may request a hearing at a council meeting stating the reasons for the request.
- (2) Except for a hearing pursuant to section 144 of the Act, if a hearing is requested under bylaw 20.1, 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.
- (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.

21. Quorum of council

- (1) A quorum of the council is
 - a) 1, if the council consists of one member,

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- 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, or by teleconference, at the council meeting to be counted in establishing quorum.

22. Council meetings

- (1) The council may meet together for the conduct of business, adjourn and otherwise regulate its meetings as it thinks fit.
- (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.
- (3) If a council meeting is held by electronic means, council members are deemed to be present in person.
- (4) Owners and spouses of owners may attend council meetings as observers.
- (5) Despite bylaw 22.4, 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.

23. Voting at council meetings

- (1) At council meetings, decisions must be made by a majority of council members present in person at the meeting.
- (2) 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.

24. Council to inform owners of minutes

- (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.

25. Delegation of council's powers and duties

- (1) Subject to bylaws 25.2, 25.3 and 25.4, 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

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- 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 bylaw 25.3.
- (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,
 - 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.

26. **Spending restrictions**

- (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.

27. **Limitation on liability of council member**

- (1) A council member who acts honestly and in good faith is not personally liable because of anything done or omitted in the exercise or intended exercise of any power or the performance or intended performance of any duty of the council.
- (2) Bylaw 27.1 does not affect a council member's liability, as an owner, for a judgment against the strata corporation.
- (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.
- (4) **Add-Council members shall be insured by the Strata Corporation for an injuries/illness sustained while carrying out Strata Corporation business.**

Enforcement of Bylaws and Rules

28. **Fines**

- (1) Except where specifically stated to be otherwise in these bylaws, the strata corporation may fine an owner or tenant in accordance with the following guidelines:
- a) \$100.00 for a first contravention of a bylaw;

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- b) \$200.00 for each subsequent contravention of a bylaw;
 - c) \$ \$50.00 for each contravention of a rule.
- (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

- (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

- (1) If within 1/2 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

- (1) The president of the council must chair annual and special general meetings.
- (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, eligible to vote, who are present at the meeting.

32. Participation by other than eligible voters

- (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, may not participate in the discussion at a meeting.
- (3) Tenants who are not eligible to vote must leave the meeting if requested to do so by a resolution passed by a majority vote at the meeting.

33. Voting

- (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.

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- (2) 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.
- (3) At an annual or special general meeting, attendance must be taken of eligible voters present.
- (4) At an annual or special general meeting a vote is decided on a show of hands, unless an eligible voter requests a precise count.
- (5) If a precise count is requested, the chair must decide whether it will be by show hands or by roll call, secret ballot or some other method.
- (6) 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.
- (7) 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.
- (8) Despite anything in bylaws 33.1 to 33.7 (inclusive), an election of council or removal of a council member must be held by secret ballot, if an eligible voter requests the secret ballot.

34. Order of business

- (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 103 of the Act, if the meeting is an annual general meeting;

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- 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

35. Voluntary dispute resolution

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

Small Claims Court Proceedings

36. Authorization to proceed

- (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 an owner's act, omission, negligence or carelessness or by that of an owner's visitors, occupants, guests, employees, agents, tenants or a member of an owner's family.

Insurance

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37. Insuring against major perils

- (1) The strata corporation will insure only the original building structures of the strata units (appraisal is done yearly to cover inflation). To be clear, the strata corporation is not responsible for insuring neither the contents within nor the interior of the buildings, nor any additions to the buildings, including exterior and building structures.
- (2) The strata corporation must insure against major perils, as set out in regulation 9.1(2), including, without limitation, earthquakes.
- (3) Owner's Liability for Insurance Deductible

An owner will be responsible for the cost, up to the strata corporation's insurance policy deductible at the time of the claim, of repairs to the strata lot, adjacent strata lots, common property and limited common property occasioned by water damage caused by owner modifications, a hot water tank no longer under a manufacturer's warranty, a garburetor, an ice maker or failure in the water line thereto, a refrigerator, a plumbing pipe failure, overflowing toilets, water tubs or spas of any kind whatever, and the use of shower, bath, basin, sink and laundry facilities where, in the opinion of a majority of council members, the damage resulted from the owner's negligence.

Bylaw 37(3) adopted April 10-10 BB1273895

Parking

38. Parking

Whereas each Strata Lot is assigned one (1) coloured parking cards, and allowed to park one (1) vehicle per unit.

- (1) A resident or visitor must display a valid parking card from the windshield of any car while parked in any of the parking lots on common property.
- (2) A resident or visitor 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, limited common property or land that is a common asset.
- (3) A resident or visitor must not store unlicensed or uninsured vehicles on the common, limited common property or on land that is a common asset.
- (4) An owner must not sell; lease or licence parking stalls to any person other than an owner or occupant.
- (5) 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, fire lanes, or no parking zones.
- (6) Any resident's or visitor's vehicle parked in violation of bylaw 38.5 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.

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- (7) 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 vehicle repairs.
- (8) A resident or visitor operating a vehicle on common property or in the parking areas must not exceed 15 km/hour.
- (9) A resident must wash a vehicle in the location designated for vehicle washing only.
- (10) A resident or visitor must not park or store any vehicle that drips oil or gasoline. A resident must remove any dripped oil, gasoline or other automotive residue. Where there is a failure to do such removal within seven (7) days of notification by Strata Counsel to do so, then the cost of such removal and/or repairs to the parking surface will be assessed to the owner of the parking card in the subject vehicle.
- (11) **Vehicles for more than 4 continuous days shall not occupy the visitors parking stalls.**
- (12) A resident or visitor must not activate a vehicle alarm or security system at the complex unless it can be performed in a silent mode and without creating disturbance to others.

Bylaw 38(12) adopted April 10-10 BB1273895

Appearance of strata lots

39. Balconies

- (1) The only items allowed to be stored on balconies are patio furniture, and a barbecue.

40. Garbage Disposal

- (1) A resident or owner must never leave any household refuse anywhere outside on common property, including on balconies and any other limited common property, nor throw any refuse out of any windows or doors, or from the balcony of a strata lot onto common property.
- (2) All ordinary households refuse and recyclable materials must be placed in the appropriate, designated, containers, provided for that purpose, within the garbage shed.
- (3) **ADD- it is the responsibility of the owner/tenant to remove recyclables unable to fit in the recyclable bin. Failure to do so will result in a \$75.00 fine**

41. Window Covers, Exterior and Entry Door Hardware

- (1) Window and glass door coverings must be off-white in colour when viewed from the outside.

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- (2) No awnings, window or balcony guards or screens, ventilators, supplementary heating or air conditioning devices shall be installed without prior approval from the strata corporation.
- (3) No television, radio antennae, or satellite dishes or similar structures shall be erected on or fastened to any part of a strata lot, except as authorized by majority vote of the strata council.
- (4) ***All entry door hardware must be of a satin nickel finish and the same as the style of lockset passed for installation in Resolution "B" of the April 2, 2005 Annual General Meeting. (Satin Nickel colour code #619, Schlage Model #F10-ACC-619 Accent Lever Style Handle, Emtek Model #8450-US15 Deadbolt – both in a Satin Nickel finish).***

Marketing Activities by Owners and Occupants

42. Sale of a strata lot

- (1) Real estate signs must not be displayed in a strata lot or on the common property except in the location designated by the strata corporation for real estate signs.

43. Other Advertising

- (1) Subject to bylaw 42.1, 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.
- (2) A resident may post notices on the designated bulletin board, subject to being removed by the council if deemed inappropriate or posted for an excessive period of time.

Rentals

44. Residential rentals

- (1) If an owner rents a strata lot to a tenant then, 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.
- (2) 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.
- (3) Where an owner leases a strata lot without compliance with bylaws 44.1 and 44.2, the owner shall be subject to a fine of \$200.00 and the strata corporation shall take all necessary steps to terminate the lease or tenancy, including, but not limited to, seeking a declaration or Court injunction to enforce the bylaw. Any legal costs incurred by the strata corporation in enforcing the rental restriction

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bylaws shall be the responsibility of the contravening owner and shall be recoverable from the owner on a solicitor and own client basis by the strata corporation.

45. Prohibited Activities

- (1) Residents and visitors are not permitted to bicycle, skateboard or in-line skate on any of the walkways on the property.
- (2) Residents and visitors are not permitted to skateboard or in-line skate on any of the driveways or parking lots on the property.
- (3) Any unit which suffers from losses arising out of the growing manufacturing, processing, storing or distribution of any drug, narcotic or illegal substances or items of any kind the possession of which constitutes a criminal offence will, under any and all circumstances (including a unit rental) be an owner's direct responsibility whereby the owner will be held responsible for all costs involved up to the current insurance provider's stated deductible amount for such an occurrence. The Strata Corporation and/or its insurer may also subrogate against the owner for the total cost for any and all damages incurred

46. Water Damage

- (1) The owner will be responsible for reimbursing the strata corporation the deductible portion of any claim made against the fire and risk insurance policy carried by the strata corporation should the claim result from damage, including water damage, due to the failure of a resident of, or visitor to the strata lot, to maintain the strata lot at an appropriate temperature, to drain the water system, or take other appropriate steps to ensure that the water supply pipes within the strata lot do not freeze.
- (2) In the event of any dispute over the cause or causes of such a claim, the matter in dispute should be determined by arbitration pursuant to the Strata Property Act.
- (3) All strata lots must be kept at a minimum of 10C.