
THE MANSE TOWNHOUSES

Strata Corporation VR 1503

BYLAWS

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Strata VR 1503

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The Owners, Strata Plan VR 1503

Be it resolved that all previously registered bylaws be repealed, and replaced with the following bylaws, with the exception that the rental restriction bylaw previously registered is amended as per Division 7 of the bylaws. These bylaws replace Part 5 of the *Condominium Act* and the Schedule of Standard Bylaws in the *Strata Property Act*:

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

Payment of strata fees

- 1 (1) An owner must pay strata fees on or before the first day of the month to which the strata fees relate. If an owner fails to pay strata fees at the required time the strata corporation may charge interest at the rate of 10% per annum compounded annually. If an owner fails to pay a special levy at the required time he may be fined \$50.00 for each month the special levy remains unpaid.

(2) An owner that incurs a returned cheque, or partial debit will be charged \$25.00 payable immediately upon the owner's notification of such.

Repair and maintenance of property by owner

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

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

(3) Each owner is responsible to repair and maintain his or her deck or concrete slab and to pay for the cost of such repair. If an owner fails to do necessary maintenance and repair on his deck after being given notice by the council to do so, the strata corporation may do the repair and/or maintenance and charge the cost of doing so to the owner, who will be responsible to pay for it.

Use of property

- 3 (1) An owner, tenant, occupant or visitor must not use a strata lot, the common property or common assets in a way that
 - (a) causes a nuisance or hazard to another person,
 - (b) causes unreasonable noise,
 - (c) unreasonably interferes with the rights of other persons to use and enjoy the common property, common assets or another strata lot,
 - (d) is illegal, or
 - (e) is contrary to a purpose for which the strata lot or common property is intended as shown expressly or by necessary implication on or by the strata plan.

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

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

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

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

(5) The owner of a pet is responsible for the immediate clean-up of any pet excrement that occurs on common property.

(6) Visitors shall be informed of the rules concerning pets, and residents will be responsible for clean up or damage repair resulting from their visitors' pets on the premises.

(7) A pet shall not cause a nuisance to any resident.

(8) If the council receives a complaint about a pet, a bylaw enforcement hearing will be held in accordance with the provisions of the *Strata Property Act*. At the end of the hearing, the council may take no action, fine the owner, require the person to pay the costs of remedying the contravention, or order the immediate removal of the pet from the strata lot in which case the pet will be immediately removed. The owner of the pet will be advised about the outcome of the hearing in writing.

(9) Pigeons, crows, seagulls, raccoons and other wild animals, with the exception of all other wild birds, shall not be fed from any strata lot or from the common property.

(10) No open fires are permitted anywhere on a strata lot or the common property.

(11) No laundry, washing, swimming apparel, or towels shall be hung in such a way as to be visible from the interior courtyard of the strata lot.

(12) Everything shall be done to reduce fire hazards and nothing shall be brought or stored on a strata lot or the common property which in any way increases or tends to increase the risk or the rate of fire insurance or any other insurance policy held by the strata corporation.

(13) An owner, tenant, occupant or visitor shall not cause damage to trees, plants, bushes, flowers, lawns or any other vegetation so as to damage them or prevent their growth.

(14) If an owner, tenant, occupant or visitor damages a strata lot or the common property the owner of the strata lot will be responsible for the cost to repair the damage, except to the extent that the proceeds of the strata corporation's insurance can be applied.

(15) Owners, tenants and occupants shall ensure that garbage containers are placed out on the roadway no more than 24 hours before garbage pick up and are removed within 24 hours of the garbage being picked up. Owners, tenants and occupants of strata lots are responsible to ensure that any garbage overflowing onto the roadway is cleaned up.

(16) Strata does not allow “For Sale” signs to be posted at the entrance way of the Strata Complex. Owners are to inform their realtors at the time of selling, that signs can not be erected at the entranceway of the complex. However, owners that wish may post a “For Sale” sign on their unit. Strata will build a stand that will allow realtors to hang a wooden sign listing the unit for sale and contact information.

Inform strata corporation

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

Obtain approval before altering a strata lot

- 5 (1) An owner must obtain the written approval of the council before making an alteration to a strata lot that involves any of the following:
- (a) the structure of a building;
 - (b) the exterior of a building;
 - (c) chimneys, stairs, balconies or other things attached to the exterior of a building;
 - (d) doors, windows or skylights on the exterior of a building, or that front on the common property;
 - (e) fences, railings or similar structures that enclose a patio, balcony or yard;
 - (f) common property located within the boundaries of a strata lot;
 - (g) those parts of the strata lot which the strata corporation must insure under section 149 of the *Act*;
 - (h) antennas, satellite dishes, supplementary heating systems or air conditioning devices, awnings, enclosures, retaining walls, sunscreens, greenhouses and canopies attached, placed or located on the outside of the building or the common property including but not limited to balconies;
 - (i) painting or staining any portion of the common property or common assets.
- (2) The council must not unreasonably withhold its approval under subsection (1), but may require as a condition of its approval that the owner agree, in writing, to take responsibility for any expenses relating to the alteration.
- (3) The strata corporation is specifically not responsible to repair and maintain decks or for the cost of such repair and maintenance.

Obtain approval before altering common property

- 6 (1) An owner must obtain the written approval of the council before making an alteration to common property, including limited common property, or common assets.
- (2) The council may require as a condition of its approval that the owner agree, in writing, to take responsibility for any expenses relating to the alteration.

Alterations to a strata lot or common property

- 7 (1) Any alteration to a strata lot (as per section 5) or to common property that has not received the prior written approval of council must be removed at the owner’s expense if the council orders that the alteration be removed. An owner who receives approval will be

liable for all costs connected to the alteration, including the cost of repairing and maintaining the alteration and the cost of repairing and maintaining the common property or a strata lot if such repair is required as a result of the alteration. An owner who receives approval will be required by the council to sign an Assumption of Liability Agreement.

(2) In considering whether to grant approval, the council may consider whether the alteration conforms to the design of the building and the landscaping of the common property.

(3) The owner will be responsible to obtain the applicable building permits prior to commencing the work, and obtaining such permits is a condition of the council's approval.

(4) Owners who undertake alterations in accordance with these bylaws, and subsequent owners, are responsible for all costs relating to:

- (a) the maintenance and repair of the alterations, and
- (b) the effects on all adjacent strata lots or common property, and
- (c) the effects of rain and weathering, staining, discoloration.

(5) The council may maintain, repair, or remove alterations to common property if in the opinion of the council:

- (a) the alterations are not maintained or repaired, or
- (b) the alterations are damaged.

All costs incurred in the maintenance, repair, and/or removal will be charged to the owner of the strata lot and are his responsibility.

(6) On the sale of a strata lot, owners must include all obligations and costs that may be applied relating to alterations in any agreement of sale. If the subsequent owner refuses to sign an Assumption of Liability Agreement with the strata corporation the alteration may be removed by council and the cost of the removal will be charged to the new owner.

(7) To remove an approved alteration or attachment, an owner must negotiate the terms of removal with the council.

(8) The council reserves the right to require, or have an owner provide, specified professional supervision or inspection, or both, of approved alterations. The council may include specified supervision or inspection as a requirement of approval.

(9) Owners who have completed alterations prior to this bylaw coming into force are responsible to ensure that they adhered to the bylaw in force at the time the alteration was made and are responsible to adhere to bylaws 7(3) to 7(8), and 7(12) to 7(14).

(10) Consent shall not be granted where a structural component is involved unless a building permit is obtained from the Town of Gibsons, where a building permit is required.

(11) An owner shall submit plans and details of the contemplated renovation to the council at least (40) days in advance of the date of planned construction.

- (12) No alterations, creating a disturbance, shall be conducted other than during hours of:
8:00 am to 8:00 pm Monday to Friday (excluding statutory holidays)
8:00 am to 8:00 pm Saturdays
12:00 noon to 8:00 Sundays and statutory holidays
- (13) The building manager, property agent or council member shall have full authority to direct work crews with respect to their actions on the common property of the strata corporation.
- (14) The council member shall be at liberty to set down further reasonable rules and regulations in the case of any specific alteration in progress.

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*.
- (2) The notice referred to in subsection (1) (b) must include the date and approximate time of entry, and the reason for entry.
- (3) If the strata corporation is required to enter a strata lot for the purpose of maintaining or repairing, the strata corporation and its agents shall, in carrying out any work or repairs, do so in a proper and workmanlike manner and shall make good any damage to the strata lot occasioned by such works and restore the strata lot to its former condition, leaving the strata lot clean and free from debris.

Division 2 – Powers and Duties of Strata Corporation

Repair and maintenance of property by strata corporation

- 9** 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) chimneys, stairs, balconies and other things attached to the exterior of a building;
 - (D) doors, windows and skylights on the exterior of a building or that front on the common property;
 - (E) fences, railings and similar structures that enclose patios, balconies and yards;
 - (d) a strata lot, but the duty to repair and maintain it is restricted to
 - (i) the structure of a building,

- (ii) the exterior of a building,
- (iii) chimneys, stairs, balconies and other things attached to the exterior of a building,
- (iv) doors, windows and skylights on the exterior of a building or that front on the common property, and
- (v) fences, railings and similar structures that enclose patios, balconies and yards.

Division 3 – Council

Council size and membership

- 10** (1) The council must have at least 3 and not more than 7 members.
- (2) An owner will not be entitled to be elected to council or continue to stand on council if the strata corporation is entitled to register a lien against that strata lot under section 116 of the *Strata Property Act*.

Council members' 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.
- (2) A person whose term as council member is ending is eligible for reelection.

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

Replacing council member

- 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.
- (2) A replacement council member may be appointed from any person eligible to sit on the council.
- (3) The council may appoint a council member under this section even if the absence of the member being replaced leaves the council without a quorum.
- (4) If all the members of the council resign or are unwilling or unable to act for a period of 2 or more months, persons holding at least 25% of the strata corporation's votes may hold a special general meeting to elect a new council by complying with the provisions of the *Act*, the regulations and the bylaws respecting the calling and holding of meetings.

Officers

- 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.

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

(3) The vice president has the powers and duties of the president
(a) while the president is absent or is unwilling or unable to act, or
(b) for the remainder of the president's term if the president ceases to hold office.

(4) If an officer other than the president is unwilling or unable to act for a period of 2 or more months, the council members may appoint a replacement officer from among themselves for the remainder of the term.

Calling council meetings

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.

(2) The notice does not have to be in writing.

(3) A council meeting may be held on less than one week's notice if
(a) all council members consent in advance of the meeting, or
(b) the meeting is required to deal with an emergency situation, and all council members either
(i) consent in advance of the meeting, or
(ii) are unavailable to provide consent after reasonable attempts to contact them.

(4) The council must inform owners about a council meeting as soon as feasible after the meeting has been called.

Requisition of council hearing

16 (1) By application in writing, stating the reason for the request, an owner or tenant may request a hearing at a council meeting.

(2) If a hearing is requested under subsection (1), the council must hold a meeting to hear the applicant within one month of the request.

(3) If the purpose of the hearing is to seek a decision of the council, the council must give the applicant a written decision within one week of the hearing.

Quorum of council

17 (1) A quorum of the council is
(a) 1, if the council consists of one member,
(b) 2, if the council consists of 2, 3 or 4 members,
(c) 3, if the council consists of 5 or 6 members, and
(d) 4, if the council consists of 7 members.

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

Council meetings

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.

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

(3) Owners may attend council meetings as observers.

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

- (a) bylaw contravention hearings under section 135 of the *Act*;
- (b) rental restriction bylaw exemption hearings under section 144 of the *Act*;
- (c) any other matters if the presence of observers would, in the council's opinion, unreasonably interfere with an individual's privacy.

Voting at council meetings

19 (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.

Council to inform owners of minutes

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

Delegation of council's powers and duties

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

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

- (a) delegates the authority to make an expenditure of a specific amount for a specific purpose, or
- (b) delegates the general authority to make expenditures in accordance with subsection (3).

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

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

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

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

Spending restrictions

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

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

Limitation on liability of council member

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

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

Division 4 – Enforcement of Bylaws and Rules

Maximum fine

24 Unless otherwise provided for in the bylaws 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

Continuing contravention

25 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.

Allocation of Strata Fees to Unpaid Fines

26 Whenever an Owner pays their Strata Fees, this payment would be applied to any outstanding fines firstly, and thereafter, any remaining funds would be applied to their monthly Strata Fees.

Division 5 – Annual and Special General Meetings

Quorum

27 If at the time appointed for a general meeting, a quorum is not present, the meeting shall stand adjourned for a period of thirty minutes whereupon the adjourned meeting shall be reconvened at the same place and the persons present in person or by proxy and entitled to vote, shall constitute a quorum.

Person to chair meeting

28 (1) Annual and special general meetings must be chaired by the president of the council.

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

(3) If neither the president nor the vice president of the council chairs the meeting, a chair must be elected by the eligible voters present in person or by proxy from among those persons who are present at the meeting.

Participation by other than eligible voters

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

Voting

- 30** (1) At an annual or special general meeting, voting cards must be issued to eligible voters.
- (2) At an annual or special general meeting a vote is decided on a show of voting cards, unless an eligible voter requests a precise count.
- (3) If a precise count is requested, the chair must decide whether it will be by show of voting cards or by roll call, secret ballot or some other method.
- (4) The outcome of each vote, including the number of votes for and against the resolution if a precise count is requested, must be announced by the chair and recorded in the minutes of the meeting.
- (5) If there is a tie vote at an annual or special general meeting, the president, or, if the president is absent or unable or unwilling to vote, the vice president may break the tie by casting a second, deciding vote.
- (6) Despite anything in this section, an election of council or any other vote must be held by secret ballot, if the secret ballot is requested by an eligible voter.
- (7) An owner will not be entitled to vote at a general meeting except on matters requiring a unanimous vote if the strata corporation is entitled to register a lien against that strata lot under section 116 of the *Strata Property Act*.

Order of business

- 31** The order of business at annual and special general meetings is as follows:
- (a) certify proxies and corporate representatives and issue voting cards;
 - (b) determine that there is a quorum;
 - (c) elect a person to chair the meeting, if necessary;
 - (d) present to the meeting proof of notice of meeting or waiver of notice;
 - (e) approve the agenda;
 - (f) approve minutes from the last annual or special general meeting;
 - (g) deal with unfinished business;
 - (h) receive reports of council activities and decisions since the previous annual general meeting, including reports of committees, if the meeting is an annual general meeting;
 - (i) ratify any new rules made by the strata corporation under section 125 of the *Act*;

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

Division 6 – Voluntary Dispute Resolution

Voluntary dispute resolution

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

Division 7 – Rental Restriction Bylaw

- 33** (1) The number of strata lots that may be rented within the Strata Plan shall be limited to three (3) except for those rented pursuant to a successful appeal on the basis of hardship. Prior to offering the rental of a strata lot, the owner thereof shall make a written request to the council for permission to rent his strata lot. The council shall reply in writing stating whether or not three (3) strata lots have been rented, (excluding those where permission to rent the strata lot was granted under hardship), and whether or not the owner can proceed to rent the strata lot in question. The council shall keep a register of those strata lots rented and a waiting list for owners to rent their strata lots. Requests to rent shall be honored on a first come, first served basis. A strata lot must be rented within 60 days of permission being granted or the owner will lose his place on the waiting list.
- (2) Notwithstanding the preceding paragraph, an owner may apply in writing for an exemption on the grounds that this bylaw causes hardship to the owner. The application must be made in writing and must provide the reason the owner considers that an exemption should be made and must also provide whether or not the owner requires a hearing. If the owner requires a hearing, the council must hear the owner or the owner's agent within 3 weeks after the date the application is given to the strata corporation. An exemption is allowed if the council does not give its decision in writing to the owner within one week after the hearing, or if no hearing is requested, within 2 weeks after the application is given to the strata corporation. The exemption granted by the council may be for a limited time. The council cannot unreasonably refuse to grant the exemption.

(3) Within two weeks after renting all or part of his or her strata lot an owner must give the strata corporation a copy of the Notice of Tenant's Responsibilities signed by the tenant.

(4) The limitation on rentals is subject to section 143, as applicable of the *Strata Property Act*, and amendments thereto.

(5) Where the council grants an exemption to an owner to rent his strata lot on the grounds of hardship, the council can specify the length of time that the exemption is granted for. When permission to rent is granted on the grounds of hardship, the owner must rent his strata lot within 60 days, or the exemption is withdrawn.

(6) Where permission to rent pursuant to this bylaw has been automatically revoked, withdrawn, terminated, or will expire, an owner may re-apply to the council for permission to rent the strata lot and such application will be governed by the provisions of this bylaw and the *Strata Property Act* and amendments thereto.

(7) Where an owner leases his strata lot in violation of the bylaw, the strata corporation shall levy against the owner a fine of Five Hundred (\$500.00) Dollars every seven days during the period of the lease.

(8) For the purposes of this bylaw the terms "lease", "rent", "rents", and "rental arrangement" shall include any and all forms of tenancy or licence relating to the occupancy of a strata lot.

Division 8 - Parking

34 (1) A resident shall use only the parking space assigned to his strata lot, save and except for private arrangements with another owner for the use of parking spaces assigned to the other owner.

(2) The parking space assigned to a strata lot shall not be rented or leased to a non-resident.

(3) All motor vehicles on common property must be insured. Copies of insurance must be provided to the council if they request it.

(4) No parking is allowed anywhere along fire routes, or in any area not specifically designated as a parking space. A motor vehicle shall not be parked in a manner that will reduce the width of the access driveway.

(5) Any motor vehicle that is illegally parked within the strata complex will be removed by the strata corporation, at the expense of the owner of the motor vehicle.

(6) No trailer, boats or equipment of any kind shall be parked on the common property, without the prior written consent of the council.

(7) No major repairs, adjustments or paintwork to motor vehicles or other mechanical equipment may be carried out on the common property or a strata lot. Excessive motor vehicle noise is not allowed.

(8) No motor vehicle, whether fully insured or not, shall be left in a state of disrepair such as having, but not limited to, a missing door or doors or a missing wheel or having body damage.

(9) All owners of motor vehicles parked within the strata complex with a flat tire, must have the said tire repaired immediately.

(10) Motor vehicles dripping excessive oil or any fuel will be prohibited from parking on the common property until they are repaired. Owners of motor vehicles causing oil staining shall, at the council's notification, clean up all drippings, or on failure to do so after seven (7) days notice, shall be assessed the cost of clean up.

(11) Use of a motor vehicle horn upon entering, leaving or within the parking area is prohibited unless the horn is being used in an attempt to avoid an accident.

(12) In the interest of traffic safety and other hazards, no one is permitted to play in the paved driveway of the complex.

(13) A maximum speed limit of 10 kms within the complex must be strictly adhered to.

Division 9 – Small Claims

- 35** Pursuant to section 171 of the *Strata Property Act*, the council, on behalf of the strata corporation, may commence a proceeding under the *Small Claims Act* against an owner or other person to collect money owing to the strata corporation without further authorization from the strata corporation. The council may commence the proceedings to collect monies owing to the strata corporation for any reason, including but not limited to monies owing by an owner or tenant for a fine or to recover the deductible portion of an insurance claim if the person is responsible for the loss or damage that gave rise to the claim. The council has full authority to negotiate a settlement or discontinue or dismiss the action.

Division 10 – Severability

- 36** (1) Should any portion of these bylaws be deemed unenforceable by any court of competent jurisdiction, then for the purposes of interpretation and enforcement of the bylaws, each paragraph, sub-paragraph or clause hereof shall be deemed a separate provision and severable, and the balance of the provisions contained herein shall remain in full force and effect.
- (2) For the purposes of all bylaws, wherever the singular or masculine is used, it shall be construed as meaning the plural or feminine or body corporate where the context requires. The terms "resident" or "residents" refer to those individuals residing in the building, whether as owners, tenants or other occupants.