

MODE – BCS 2557

BYLAWS

Latest amendments as of Apr 27, 2012

AMENDMENT TO BYLAWS
(Section 128)

The Owners, Strata Plan BCS 2557, certify that the following or attached amendments to the Bylaws of the Strata Corporation were approved by a Resolution passed in accordance with Section 128 of the *Strata Property Act* at an Annual or Special General meeting held on April 24, 2012*:

3/4 VOTE RESOLUTIONS #1

BE IT RESOLVED by a 3/4 vote of the Strata lots of **THE OWNERS, STRATA PLAN BCS 2557** (the "Strata Corporation") that the Bylaws of the Strata Corporation be amended by adopting the following as Bylaw 41:

Minimum Rental Period

41.1 An owner must not rent or lease a strata lot to a tenant for a period of less than 12 consecutive months.

41.2 Where an owner leases a Strata lot in contravention of Bylaw 41.1, the owner shall be subject to a fine of \$500.00, which fine may be levied every 7 days for a continuing infraction, 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 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.

3/4 VOTE RESOLUTIONS #2

BE IT RESOLVED by a 3/4 vote of the Strata lots of **THE OWNERS, STRATA PLAN BCS 2557** (the "Strata Corporation") that the Bylaws of the Strata Corporation be amended by adopting the following as Bylaw 42.

No Lodging and Other Uses of Strata Lot

42 An owner, tenant or occupant must not use a strata lot for:

- (a) commercial purposes such as a lodging house, vacation rental, timeshare or bed and breakfast;
- (b) a home exchange or homestay.

3/4 VOTE RESOLUTIONS #3

BE IT RESOLVED by a 3/4 vote of the Strata lots of **THE OWNERS, STRATA PLAN BCS 2557** (the "Strata Corporation") that the Bylaws of the Strata Corporation be amended by adopting the following as Bylaw 43.

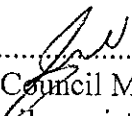
Quorum for General Meeting

43 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 43 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.



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Signature of Council Member



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Signature of Second Council Member
(not required if Council consists of only one member)

Dated APRIL 24, 2012

*Section 128 (2) of the Act provides that an Amendment to Bylaws must be filed in the Land Title Office. B.C. Reg. 312/2009, s. 7.

Strata Property Act
FORM I
AMENDMENT TO BYLAWS
(Section 128)

The Owners, Strata Plan BCS 2557, certify that the following or attached amendments to the Bylaws of the Strata Corporation were approved by a Resolution passed in accordance with Section 128 of the *Strata Property Act* at an Annual or Special General meeting held on July 12, 2010*:

3/4 VOTE RESOLUTION # 2-14 - BYLAW AMENDMENTS

BE IT RESOLVED BY A 3/4 VOTE RESOLUTIONS of the Owners, Strata Plan BCS 2557 (the "Strata Corporation") that the Strata Corporation's Bylaws be amended as follows:

2. Bylaw 2 amended by adding Bylaw 2(3) as follows:

2(3) Without limiting the generality of Bylaw 2(2), an owner must ensure that the drainage on a roof deck, patio, balcony or patio that is assigned as limited common property to their strata lot is kept free from the accumulation of any ice, snow, leaves or debris.

3. Bylaw 3(5) is repealed and replaced with the following:

3(5)(a) A resident moving in to a strata lot must pay a \$150.00 move in fee to the Strata Corporation, which fee must be paid no later than 48 hours prior to any move. A strata lot owner is responsible to pay the move in fees for their tenant(s).

(b) An owner, tenant or occupant must advise the property manager of any move in or out at least three business days prior to the move.

4. Bylaw 3 be amended by adding Bylaw 3(8) as follows:

3(8) An owner, tenant or occupant must not use the Amenity Room without first reserving the use of the room through a Strata Council Member.

5. Bylaw 3 be amended by adding Bylaw 3(9) as follows:

3(9) An owner, tenant or occupant must not use the rooftop between the hours of 9 pm and 9 am the following day without the prior written approval of the Strata Council.

6. Bylaw 3 be amended by adding Bylaw 3(10) as follows:

(a) An owner, tenant or occupant must not use a parking stall for storing anything other than a vehicle.

(b) An owner, tenant or occupant must not store more than one vehicle in a parking stall.

7. **Bylaw 3 be amended by adding Bylaw 3(11) as follows:**

3(11) An owner, tenant or occupant must not:

- (a) sell, lease or licence parking stalls to any person other than an owner, tenant or occupant; or
- (b) permit anyone other than an owner, tenant or occupant to use a parking stall.

8. **Bylaw 3 be amended by adding Bylaw 3(12) as follows:**

3(12) An owner, tenant or occupant must remove their vehicle from the parkade when notified by the Strata Corporation that the parkade is to be cleaned. If an owner, tenant or occupant fails to comply with this bylaw 3(12), the Strata lot owner must, in addition to any fine levied, reimburse the Strata Corporation for the cost of removing the vehicle from the parkade.

9. **Bylaw 3 be amended by adding Bylaw 3(13) as follows:**

3(13) An owner, tenant or occupant must maintain the security of the building. Without limiting the generality of the foregoing, an owner, tenant, or occupant must:

- (a) not allow persons unknown to them into the building by any means;
- (b) wait for both the interior and exterior parkade gates to completely close before driving away from the area; or
- (c) not prop open any exterior doors while unattended.

10. **Bylaw 3 be amended by adding Bylaw 3(14) as follows:**

3(14) A pet owner must ensure that a pet is kept quiet, controlled and clean. Any excrement on common property or on land that is a common asset must be immediately disposed of by the pet owner. If a pet owner fails to comply with this bylaw 3(14), the strata lot owner must, in addition to any fine levied, reimburse the strata corporation for the cost of cleaning the common property.

11. **Bylaw 3 be amended by adding Bylaw 3(15) as follows:**

3(15) An owner, tenant or occupant must not dispose of or leave any items other than ordinary household garbage and bottles, cans and paper for recycling in the garbage room. If an owner, tenant or occupant fails to comply with this bylaw 3(15), the strata lot owner must, in addition to any fine levied, reimburse the strata corporation for the cost of removing the unauthorized items.

12. **Bylaw 23.1 is added as follows:**

23.1 Notwithstanding Bylaw 23, a breach of any of the following bylaws is subject to a fine of \$200 for each infraction: Bylaws 3(5), 3(8), 3(9), 3(10), 3(11), 3(12), 3(13), 3(14), and 3(15).

13. **Bylaw 33(1) is repealed and replace with the following:**

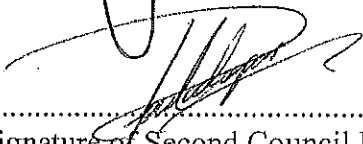
33(1) An owner, tenant or occupant must not do or store anything, or bring anything onto, a Strata lot or the common property which will or will tend to:

- (a) unreasonably increase the risk of fire;
- (b) unreasonably increase the rate of fire insurance or any other insurance held by the Strata Corporation; or
- (c) invalidate any insurance policy held by the Strata Corporation.

14. **Bylaw 35 is amended by adding Bylaw 35(5) as follows:**

35(5) A resident must not display or erect fixtures, poles, clotheslines, racks, storage sheds and similar structures permanently or temporarily on limited common property, common property or land that is a common asset. Despite the foregoing, the placing of items on the limited common property balconies or patio areas is limited to free standing, self contained planter boxes or containers, summer furniture and accessories.


.....
Signature of Council Member


.....
Signature of Second Council Member
(not required if Council consists of only one member)

Dated 

*Section 128 (2) of the Act provides that an Amendment to Bylaws must be filed in the Land Title Office.
B.C. Reg. 312/2009, s. 7.

Strata Property Act
FORM I
AMENDMENT TO BYLAWS
(Section 128)

The Owners, Strata Plan BCS 2557, certify that the following or attached amendments to the Bylaws of the Strata Corporation were approved by a Resolution passed in accordance with Section 128 of the *Strata Property Act* at an Annual or Special General meeting held on April 20, 2009*:

¾ VOTE RESOLUTION #3 – Bylaw Amendment – Maximum Fine 23 (a) (b)

BE IT RESOLVED AS A ¾ VOTE RESOLUTION of the Owners of Mode, Strata Plan BCS 2557, that Bylaw 23 of the Strata Corporation's bylaws filed under BB589077 be repealed and replaced with the following.

Division 4 - Enforcement of Bylaws and Rules

Maximum Fine

- 23** 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.

¾ VOTE RESOLUTION #4 – Bylaw Amendment – Move In Fee 3 (5)

Rationale:

In order to protect the common property of BCS 2557 the owners will put in place a move in to help defer the cost of repairs to the common areas such as touch up painting, carpet cleaning, etc.

BE IT RESOLVED AS A ¾ VOTE RESOLUTION of the Owners of Mode, Strata Plan BCS 2557, that the following Bylaw be added that reads as follows:

Use of property 3 (5) - Move in

3 (5) All residents moving in must pay a \$150.00 moving in fee to the Strata Corporation. Owners of suites are responsible to pay moving fees for their tenants.

¾ VOTE RESOLUTION #6 – Bylaw Amendment – Christmas Trees 33 (a)

BE IT RESOLVED AS A ¾ VOTE RESOLUTION of the Owners of Mode, Strata Plan BCS 2557 that Bylaw 33 of the Strata Corporation's bylaws be amended by:

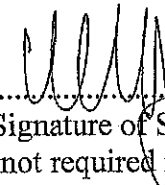
- (a) amending subparagraph (1);

Fire hazards must be minimized. No item shall be brought onto or stored in a Strata lot or the common property which will in any way increase or tend to increase the risk of fire or the rate of fire insurance or any other insurance policy held by the Strata Corporation, or which will invalidate any insurance policy.

To read:

Fire hazards must be minimized. No item shall be brought onto or stored in a Strata lot or the common property, *which includes live Christmas trees*, which will in any way increase or tend to increase the risk of fire or the rate of fire insurance or any other insurance policy held by the Strata Corporation, or which will invalidate any insurance policy.


.....
Signature of Council Member


.....
Signature of Second Council Member
(not required if Council consists of only one member)

Dated April 25/2009.....

* Section 128 (3) of the Act provides that an Amendment to Bylaws must be filed in the Land Title Office within 60 days of the amendment being approved.

EXHIBIT "E"

STRATA PROPERTY ACT

FORM Y - OWNER DEVELOPERS' NOTICE OF DIFFERENT BYLAWS [Section
245(d), Regulations section 14.6(2)]

Re: Strata Plan _____ (the registration number of the strata plan,) being a Strata Plan of: : Parcel Identifier 026 - 169 -738, Parcel A, Block 74 District Lot 541, Group 1, Plan BCP 15576;

The following bylaws differ from the Standard Bylaws to the Strata Property Act, as permitted by section 120 of the Act:

1. Bylaw 3 is amended by adding the following sub-subsection to subsection (I) :
 - (f) is in contravention of any rule, order or bylaw of the Strata Plan _____ applicable to the strata lot or that will result in any unusual or objectionable odor to emanate from the strata lot, or that is inconsistent with the intent of these bylaws.
2. Bylaw 3 is amended by adding the following as subsection (5):
 - (5) The owners of pets shall be fully responsible for their behavior within the common property. If a pet is deemed to be a nuisance by the council, it shall be removed from the strata corporation within thirty (30) days. Visitors shall be informed of the bylaws and rules concerning pets and residents will be responsible for clean-up or damage repair should their guests bring pets into the common property.
3. Bylaw 3 is amended by adding the following as subsection (6):
 - (6) An owner, tenant or occupant shall not feed wild birds including pigeons, seagulls, crows, and starlings from any strata lot or the common property.
4. Bylaw 3 is amended by adding the following as subsection (7):
 - (7) Any owner of a strata lot who leases his strata lot without submitting to the strata corporation a Form K in accordance with the Strata Property Act shall be liable to a fine of \$200.00 for every month or part thereof that a tenant is in occupancy of the strata lot and the Form K. is not submitted.
5. Bylaw 5 is amended by adding the following sub-subsection to subsection (I):
 - (h) the painting of the exterior (including balconies), or the attachment of sunscreens or greenhouses.
6. Bylaw 7 is amended by adding the following as subsection (3):

(3)Where the strata corporation is required to enter a strata lot for the purpose of maintaining, repairing or renewing pipes, wires,

cables and ducts for the time being existing in the strata lot, which are capable of being used in connection with the enjoyment of any other strata lot or the common property, the strata corporation and its agents shall in carrying out any work or repairs do so in a proper and workmanlike manner. The strata corporation 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.

7. Add the following as "Division 8 - Miscellaneous Bylaws":

Strata Fees

31(1) All areas designated as per the 'legend' on Sheet 1 of the Strata Plans, Limited Common Properties are marked as LCP SL 1 - 60 for the exclusive benefit of the residential units. These include all exposed balconies and patios, access areas like lobbies, stairs, elevator, hallways, and vestibules, bike storage and storage lockers. All parking spots marked'© are also for the exclusive benefit of the residential units. The Residential Section shall :

(i) Control, manage, administrate, maintain, repair and replace, fixtures, apparatus, equipment and other assets used by and for the benefit of residents of the Limited Common Property and the common property appurtenant to its section.

(ii) Pay for all services, supplies, and assessments incurred by way of generally accepted business practice, on behalf of and for the benefit of the occupants and owners of the section.

The Strata corporation shall collect all contributions apportioned to individual strata lots, in a ratio of unit entitlement of each strata lot to the aggregate unit entitlement. It shall deposit such money with government approved financial institution.

After allowing for the contingency reserves for one time occurring expenses such as Electric system, mechanical system, heating and ventilation systems, parking areas and roadways, and after paying the common expenses as per column shall pay and separately account for sectional expenses.

Strata fees are due and payable on or before the first day of each month. Strata fees not received,by,the 10th day of the month in which they are due are subject to a 10% per annum interest penalty compounded annually until paid.

When arrears of strata fees exceed two monthly payments a lien will be placed by the strata corporation on the strata lot involved. at the owner's expense for the total monies due, including all legal and other expenses.

Disturbance of Others

- 32 (1) Mops or dusters of any kind shall not be shaken, and nothing shall be thrown out of any window, door, passage, or other parts of a strata lot or the common property.

(2) No owner shall operate his barbecue in a manner which, in the opinion of the council, interferes with another owner's enjoyment of his strata lot. All barbecues must be kept at a minimum distance of 24 inches away from the building exterior walls. Strata lot owners or residents are responsible for heat damage to the building envelope made by barbecues.

(3) Cycling or skate boarding on common property other than the roadway is prohibited.

(4) Carpentry or similar alterations work shall be limited to the hours as permitted by the City of Vancouver Bylaws.

Hazards

33 (1) Fire hazards must be minimized. No item shall be brought onto or stored in a strata lot or the common property which will in any way increase or tend to increase the risk of fire or the rate of fire insurance or any other insurance policy held by the strata corporation, or which will invalidate any insurance policy.

(2) No material or substances, especially burning material such as cigarettes or matches, shall be permitted to be discharged from any window, door, patio or other part of a strata lot or the common property.

Cleanliness

34 (1) All household refuse and recycling material shall be secured in suitable plastic bags or recycling containers. The owners will comply with the City of Vancouver recycling program as it is implemented.

(2) Any waste material other than ordinary household refuse and normally collected recycling materials shall be removed by the individual owner or resident of the strata lot.

Exterior Appearance

35 (1) No signs, fences, gates, billboards, placards, advertising or notices of any kind shall be erected or displayed on the common property or the strata lot without prior written approval by the sectional council.

(2) No awning, shade screen, smoke stack, satellite dish, radio or television antenna shall be hung from or attached to the exterior of the strata lot, without prior written consent of the sectional council.

(3) No laundry, clothing, bedding, or other articles shall be hung or displayed from windows, patios, or other parts of the strata lot so that they are visible from the outside.

(4) Draperies or window coverings that are visible from the exterior of any strata lot shall be cream or white in color.

Common Areas

36 Each Section shall administer the common areas appurtenant to their section and any rules and regulations formulated by the section from time to time shall be binding upon all owners, residents and visitors.

Parking

37 1) An owner shall use only the parking spot allocated as part of his strata lot, save and except for private arrangements with other owners for the use of their parking spots. Non residents shall not occupy parking slots.

(2) No major repairs or adjustments shall be made to motor vehicles on the common property.

(3) A maximum speed of 15 km/h shall apply within the common property.

(4) Owners will be responsible for the clean up of oil spills on common property.

(5) No parking is permitted except in a designated parking space, nor shall a vehicle park in a manner which will reduce the width of an access roadway.

(6) No vehicles exceeding 4,000 kg. G.V.W. shall be parked or brought onto the common property without the consent of the council, except when used in delivery to or removal from the premises. No RV, boat or trailer shall be permitted on the surface parking stalls at any time. The storage of any RV, boat, trailer or unlicensed vehicle shall be completely enclosed within a parking spot appurtenant to a strata lot.

(7) Any vehicle which does not comply with this Bylaw 37 may be removed at the owner's expense.

Damage to Property

38 An owner or resident shall not try to alter or cause damage to any common property except with in their own strata lots and shall not place chairs, tables or other objects in the common areas.

Security

39 (1) Owners or residents are responsible for anyone they admit onto or about the common property, inclusive of agents, servants, licensees, or invitees.

Moving and Resale

40 (1) It will be the express responsibility of an owner to ensure that all moves in or out by the owner or resident conform to the regulations as established by the council from time to time.

(2) On site advertising for the resale or rental of a strata lot shall only be permitted within the boundaries of the strata corporation on directory trees which shall be located, supplied and maintained by the council.

DATED at Vancouver, British Columbia, this _____ day of

Signature of Owner/Developer

SCHEDULE OF STANDARD BYLAWS

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

Payment of strata fees

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

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.

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, occupant 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.

(4) 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) one dog or one cat.

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 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* [amendment SPAA s. 51(a)] 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.
- (2) The strata corporation must not unreasonably withhold its approval under subsection (1), but may require as a condition of its approval that the owner agree, in writing, to take responsibility for any expenses relating to the alteration.
- (3) This section does not apply to a strata lot in a bare land strata plan.

Obtain approval before altering common property

- 6 (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.
- (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.

Permit entry to strata lot

- 7 (1) An owner, tenant, occupant or visitor must allow a person authorized by the strata corporation to enter the strata lot
- (a) in an emergency, without notice, to ensure safety or prevent significant loss or damage, and
 - (b) at a reasonable time, on 48 hours' written notice, to inspect, repair or maintain common property, common assets and any portions of a strata lot that are the responsibility of the strata corporation to repair and maintain under these bylaws or insure under section 149 of the Act.

- (2) The notice referred to in subsection (1)(b) must include the date and approximate time of entry, and the reason for entry.

Division 2 - Powers and Duties of Strata Corporation

Repair and maintenance of property by strata corporation

- 8 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* [amendment SPAA s.51(c)] 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 in a strata plan that is not a bare land strata plan, 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* [amendment SPAA s.51(c)] 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

- 9 (1) Subject to subsection (2), the council must have at least 3 and not more than 7 members.
- (2) If the strata plan has fewer than 4 strata lots or the strata corporation has fewer than 4 owners, all the owners are on the council.

Council members' terms

- 10** (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 [amendment SPAA s.51(c)].
- (2) A person whose term as council member is ending is eligible for reelection [note deletion of s. 10(3), (4) and (5) SPAA s. 51(d)].

Removing council member

- 11** (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

- 12** (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

- 13** (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

- 14 (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* [amendment SPAA s. 51(e)] after the meeting has been called.

Requisition of council hearing

- 15 (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* [amendment SPAA s. 51(f)] 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

- 16 (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

- 17 (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

- 18** (1) At council meetings, decisions must be made by a majority of council members present in person at the meeting.
- (2) Unless there are only 2 strata lots in the strata plan, if there is a tie vote at a council meeting, the president may break the tie by casting a second, deciding vote.
- (3) The results of all votes at a council meeting must be recorded in the council meeting minutes [amendment SPAA s. 51(g)].

Council to inform owners of minutes

- 19** 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

- 20** (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

- 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.
- (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

- 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.
- (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

- 23** The strata corporation may fine an owner or tenant a maximum of
- (a) \$50 for each contravention of a bylaw, and
 - (b) \$10 for each contravention of a rule.

Continuing contravention

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

Division 5 - Annual and Special General Meetings

Person to chair meeting

- 25** (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

- 26** (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

- 27**
- (1) At an annual or special general meeting, voting cards must be issued to eligible voters.
 - (2) At an annual or special general meeting a vote is decided on a show of voting cards, unless an eligible voter requests a precise count.
 - (3) If a precise count is requested, the chair must decide whether it will be by show of voting cards or by roll call, secret ballot or some other method.
 - (4) The outcome of each vote, including the number of votes for and against the resolution if a precise count is requested, must be announced by the chair and recorded in the minutes of the meeting.
 - (5) If there is a tie vote at an annual or special general meeting, the president, or, if the president is absent or unable or unwilling to vote, the vice president, may break the tie by casting a second, deciding vote.
 - (6) If there are only 2 strata lots in the strata plan, subsection (5) does not apply.
 - (7) Despite anything in this section, an election of council or any other vote must be held by secret ballot, if the secret ballot is requested by an eligible voter.

Order of business

- 28** 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

- 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.
- (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 - Marketing Activities by Owner Developer

Display lot

- 30** (1) An owner developer who has an unsold strata lot may carry on sales functions that relate to its sale, including the posting of signs.
- (2) An owner developer may use a strata lot, that the owner developer owns or rents, as a display lot for the sale of other strata lots in the strata plan.