

As of December 2012

**STRATA PLAN VR1551, 145th ON TWELFTH
145 EAST 12TH STREET
NORTH VANCOUVER, B.C. V7L 2J3**

Schedule of Bylaws

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

Payment of strata fees (See Reg. 17.9 in *Strata Property Act*)

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.

(3) An owner shall pay the strata corporation, upon demand, any insurance deductible that applies to damage to any area of the building, including the owner's strata lot or neighbouring strata lot that is caused by that owner and results in a claim on the strata corporation insurance policy.

(4) An owner shall pay the strata corporation, upon demand, any costs to repair damage to any area of the building, including the owner's strata lot or neighbouring strata lot, that is caused by that owner and which costs are not covered by the strata corporation insurance policy.

(5) The council will arrange for repair and/or maintenance and/or replacement of patio door rollers at the owner's expense. Interior patio door or window handles needing replacement or repair will be the owner's responsibility to repair or replace and pay for.

(6) An owner shall not engage a contractor for repair or maintenance of common property, common assets, or limited common property without the approval of council. Any costs of a contractor engaged without this prior approval shall be the sole responsibility of the owner.

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) (a) 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.
- (b) An owner or tenant may have only one of the following categories of pet(s) per strata lot:

Category "A"	One (1) domestic cat
Category "B"	Up to two (2) small domestic birds
Category "C"	A reasonable number of fish in one (1) fish tank that has a maximum capacity of twenty (20) gallons

Upon application, the council may permit an exception to this bylaw for an owner or tenant who requires a certified assistance dog.

- (c) An owner or tenant shall not keep in the strata lot a dangerous pet or an exotic pet, including (without limitation) reptiles, rodents, insects or arachnids.
- (d) Owners and tenants will be financially responsible for any damage caused by their pet or their visitor's pet.
- (e) The council may for just cause revoke authorization to keep a pet. Notice of such revocation shall be given in writing, with reasons, and allow 30 calendar days for removal of the pet. Just cause may include (without limitation):
 - (i) allowing the pet to create excessive noise;
 - (ii) allowing the pet to cause dirt or other mess, including natural waste, in common areas;

- (iii) occupation of common areas without complying with strata corporation rules; or
 - (iv) inhumane treatment or improper care of a pet.
- (4) An owner or tenant shall not allow signs, billboards, notices or advertising matter of any kind to be placed on any exterior part of their strata lot, limited common property or common property without the express written consent of the council.
 - (5) An Owner must receive written permission of council before undertaking any commercial or professional activity in or from their strata lot. Such permission will not be given if the proposed activity would increase any cost to the strata corporation (e.g., water consumption or garbage disposal) or unduly increase the use of visitor parking spaces.
 - (6) An owner or tenant will not park any motor vehicle, trailer, boat, or equipment of any kind on the common property or an area of exclusive use, other than assigned or rented parking stalls without approval of council. No motor vehicle shall be driven on any part of the common property or area of exclusive use other than on driveways and roadways.
 - (7) An owner or tenant will not use a parking stall for storage or for repairs or for any purpose other than the parking of one licensed and insured motor vehicle or trailer which does not exceed the dimensions of any automobile, except with the written consent of council.
 - (8) An owner or tenant will not attempt any repair or adjustment of any common system or equipment, such as the plumbing, heating, electrical, intercom, or common door closers or locks, without authorization from council. Installation of any appliance requiring special plumbing, wiring or ducting (e.g. dishwasher, washer or dryer) must be approved in writing by council. If authorization is given, licensed sub-trades must carry out the work.
 - (9) An owner or tenant will not, except with the approval of and in the manner directed by council, place any article of furniture, or attach or plug in any object or appliance, on their balcony or patio that is liable to cause damage or is detrimental to the exterior appearance of the building. The determination of detrimental will be at the sole discretion of council.
 - (10) The use of charcoal barbecues or hibachis is prohibited on balconies or patios. The use of all other types of barbecues shall cease by ten (10:00) P.M.
 - (11) Except with the written approval of council for hardship reasons, there are no rentals allowed within the strata corporation.

- (12) An Owner, tenant, occupant or visitor; must not feed pigeons, gulls, or other birds, squirrels, rodents or other animals from a strata lot or anywhere on or in close proximity to the common property or any limited common property, but this shall not apply to a pet permitted to be kept in a strata lot pursuant to these bylaws and rules hereunder, provided that pets shall be fed only within a strata lot.
- (13) The use of dishwashers, washers, dryers, waste disposers, vacuum cleaners or any other noisy appliance or gadget shall not be operated between the hours of 10:00pm and 8:00am. Musical instruments, TV, radio, stereo or any similar sound producing apparatus shall be kept at a level so as not to disturb any neighbours.
- (14) Rugs, carpets, mops or dusters of any kind shall not be shaken from any window, balcony, stairway or other part of a strata lot or common property.
- (15) No portable air conditioning units, laundry, clothing, bedding or other articles shall be hung or displayed from windows, balconies or other parts of the building so as to be visible from the outside. Box type air conditioning units mounted in windows are not allowed.
- (16) An Owner must not display or erect trellises, clotheslines, shelving, hammocks, bird feeders, birdhouses, chimes, antennae, satellite dishes, freezers, storage sheds and similar structures permanently or temporarily on balconies, patios, window sills or limited common property. The placing of items on limited common property, balconies, or patio areas shall be limited to secured self-contained planter boxes or containers, summer furniture and accessories, free standing trellises not directly in front of balcony half height walls, freestanding hammocks and clothes rack dryers below balcony railing height and Christmas lights.
- (17) Drapes or blinds visible from the outside of the building shall be a neutral colour ranging from white to ivory to beige.
- (18) Owners are responsible for pest/insect control in their strata lots.
- (19) An Owner shall not wash automobiles except in such a manner that avoids nuisance or annoyance to other owners. Washing of automobiles is only allowed on the sloped driveway into the underground parkade. No repairs or adjustments to automobiles shall be carried out on the property.
- (20) No smoking by an owner, occupant or visitor is permitted in interior common areas, doorways, entries, or in the underground parking areas. Permitted smoking can only occur at least 3 metres from a doorway, window or air intake.
- (21) An Owner or tenant must provide notice to the council of all moving arrangements, including bringing home, accepting deliveries of, and disposing of boxes, furniture or appliances, at least 48 hours before the moving date. All moves must take place between 8:00am and 9:00pm.

- (22) An Owner or tenant using the elevator during a move, including bringing home, accepting deliveries of, and disposing of boxes, furniture or appliances, must ensure that the ELEVATOR SERVICE KEY is used to control the elevator and the doors are not jammed open in any manner, and that protective pads and floor coverings are used.
- (23) An Owner or tenant must ensure that the lobby doors are not left open, ajar or unattended, and that furniture is not left in the lobby area except temporarily during a move in or move out procedure.
- (24) An Owner or tenant must ensure that all common areas are left damage free, clean, and all hallways and lobby areas are vacuumed immediately upon completion of the move.
- (25) An Owner or tenant or suitable alternate, must be in attendance to supervise the move-in or move-out.
- (26) An Owner or tenant must pay to the strata corporation a non-refundable move-in fee of \$200.00 48 hours prior to any move in.
- (27) Tradespersons and anyone making a delivery, including a prepared food delivery, must be physically met by the owner, tenant, or their designate at the point of entrance to the strata building. Only owners and tenants with disabilities will be permitted to allow access to such persons via the enterphone.
- (28) Occupancy of a strata lot by someone other than the registered owner or a tenant permitted under Bylaw 3 (11) is only permitted when the owner or tenant occupies the strata lot on a full time basis.

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.

- (3) A Form "K" and copies of qualified references are required to be completed and returned to council for all tenanted suites within a period of two weeks following initial occupancy.

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 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) With the exception of ground floor strata lots, written permission must be obtained from the council for the installation of hardwood, ceramic, marble or similar flooring in areas other than entrances, kitchens and bathrooms. Permission will only be granted on the condition that:
- (a) installations include a high quality sound dampening underlay or other such noise barrier; and
 - (b) where hardwood, ceramic, marble or similar flooring causes a noise problem for the residents of the strata lot neighbours (above, below or beside), at least 60% of the hard floor surfaces are covered with area rugs or carpet.
- Hardwood, ceramic, marble or similar flooring installed in a strata lot before this bylaw was passed must adhere to Bylaw 5. (3) (b)
- (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 licenses are obtained from the appropriate governmental authorities. Copies of such permits and licenses are to be delivered to the council prior to the commencement of work.
- (5) If construction materials are delivered through stairs, lobbies, or residential corridors, the Owner must ensure that the stairs, lobbies, and residential corridors are covered with drop cloths, and such common areas must be thoroughly cleaned and vacuumed

at the end of each working day. While using an elevator to deliver or remove any construction materials, the Owner must ensure the elevator is protected with proper wall pads and the ELEVATOR SERVICE KEY is in use. Repair costs for any damage caused by an Owner's contractor shall be charged to the Owner.

- (6) An Owner must not permit any construction debris, materials, or packaging to be deposited in the common disposal containers.
- (7) An Owner must ensure that owner or contractor hours of work are restricted to between 8:00am and 6:00 pm Mondays to Fridays, and 10:00am and 6:00 pm on Saturdays, Sundays and Statutory Holidays.
- (8) An Owner in contravention of any of bylaws 5.1 through 5.8, shall be subject to a fine of \$200.00 for each contravention and will be responsible for the cost of any clean up or repair.

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

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 after the meeting has been called.

Requisition of council hearing

15. [REPEALED UNDER THE STRATA PROPERTY ACT]

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.

Council to inform owners of minutes

19. The council must inform owners of the minutes of all council meetings within 3 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. (1) The strata corporation may fine an owner or tenant a maximum of
- (a) \$200 for each contravention of a bylaw, and
 - (b) \$50 for each contravention of a rule.
- (2) If the strata corporation must seek legal advice or representation to enforce any bylaw or rules, and the owner is found to be non-compliant with a bylaw or rule, any legal cost or expense incurred by the strata corporation will be charged to that Owner and shall be added to and become part of the strata fees due from that Owner for the month next following the date upon which the cost or expense is incurred.

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.