

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, 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 or 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 and windows 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. (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

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 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.

Bylaws Ammends VIS 6445

Division 8 -- Pets

31. An owner or occupant of a strata lot shall not permit their pet to be on the common property, including limited common property, unless the pet is leashed and/or under the control of the owner of the pet or another responsible adult.

32. An owner of a pet shall not permit the pet to urinate or defecate on the common property, including limited common property, or another strata lot and if any pet does urinate or defecate on the common property, limited common property, or other strata lot, the owner shall immediately and completely remove all of the pet's waste from the common property, limited common property, or other strata lot, and dispose of it in a waste container or by some other sanitary means

33. If in the reasonable opinion of the strata corporation.

(a) any special cleaning is required as a result of the pet urinating or defecating, the owner, tenant or occupant shall pay all costs of such special cleaning; or

(b) If replacement of the flooring or covering is necessary as a result of the pet urinating or defecating, the owner, tenant or occupant shall pay all costs of such replacement.

34. An owner, tenant or occupant whose guest or invitee brings an animal or pet onto the common property, limited common property, or other strata lot shall ensure that the guest or invitee complies with all requirements of these bylaws as they relate to animals/pets and shall perform all the duties and obligations with respect to that animal or pet as set out in these bylaws as if the animal or pet were one kept by the owner, tenant or occupant in their strata lot.

35. The strata corporation may:

(a) make, amend, rescind and enforce rules and regulations it considers necessary or desirable from time to time in relation to the terms and conditions under which any animal or type of animal may be permitted on the common property, limited common property, or other strata lot and the types of pet permitted to be on the common property, limited common property, or other strata lot, for this purpose, make different rules and regulations and different terms and conditions for different types of animals; and

(b) require removal by an owner, tenant or occupant of any strata lot of any pet or other animal kept by the owner, tenant or occupant in a strata lot if such pet or animal, in the opinion of the council, constitutes a nuisance to any owner or occupier of a strata lot, or causes danger or damage to any owner or occupier of the strata lot or to any property of the strata corporation or an owner or occupier of a strata lot,

36 – 40 Not allocated

Division 9 -- Parking

41. An owner, tenant or occupant shall not;
- (a) park any vehicle in a manner which; inhibits, impedes, or otherwise causes an obstruction or partial obstruction of any traffic flow or that will reduce the width of the garage, roadway, or entrance; or in any manner that will interfere with other owner, tenant or occupant assigned parking spaces within their strata lot;
 - (b) use any part of the common property or on any limited common property for parking
 - (c) park or store any vehicle or equipment that constitutes a hazard or impedance to any emergency service vehicle (fire, ambulance or police) or in the opinion of the council cause aforementioned obstruction on the common property or limited common property;
 - (c) parking is prohibited in all designated fire routes, visitor allotments, entranceways, delivery and service areas, and any other part of the common elements other than those areas specifically designated for strata lot parking.
 - (d) carry out any oil changes, major repairs or adjustments to motor vehicles or other mechanical equipment on common property or on any limited common property;
 - (e) alter or deface any parking areas;
 - (f) park on common property or limited common property unless current road insurance including liability insurance is displayed on the vehicle;
 - (g) travel in excess of 15 km/h in the common road area;
 - (h) vehicles dripping excessive liquid, oil, gasoline or other fluids will be prohibited from parking within the confines of any part of the common property or on any limited common property until repaired. An owner, tenant or occupant must promptly clean up any oil or other substance that spills or leaks onto the common property, following written notification. Failure to clean up any stained area following seven (7) day's notice will result in the area cleaned up on the owner's behalf and the cost billed to the owner, tenant or occupant.
42. **Compliance and Enforcement, Any motor vehicles which are illegally parked within the strata corporation will be removed at the owner, tenant or occupant risk and expense.**

Note. All Residents are expected to respect and obey the Parking Control Bylaws and attempt to remedy parking situations if reasonable at the lowest level. All vehicles on the common property must be registered, insured, and fully operable and in drivable condition at all times.

43 – 50 Not allocated

Division 10 -- Form K

Request to incorporate in bylaws Section 146 Chapter 43 Part 8 - Rentals of **Strata Property Act**

51. *Landlord to give bylaws, rules and Notice of Tenant's Responsibilities to tenant*
52. *Before a landlord rents all or part of a residential strata lot, the landlord must give the prospective tenant*
(a) the current bylaws and rules, and
(b) a Notice of Tenant's Responsibilities in the prescribed form.
53. *Within 2 weeks of renting all or part of a residential strata lot, the landlord must give the strata corporation a copy of the notice signed by the tenant.*
54. *If a landlord fails to comply with subsection (1) or (2), the tenant*
(a) is still bound by the bylaws and rules, but
(b) may, within 90 days of learning of the landlord's failure to comply, end the tenancy agreement without penalty by giving notice to the landlord.
55. *If a tenant ends a tenancy agreement under subsection (3), the landlord must pay the tenant's reasonable moving expenses to a maximum of one month's rent.*
- 56 – 60 Not allocated

**Strata Property Act
FORM K
NOTICE OF TENANT'S RESPONSIBILITIES
(Section 146)**

Strata Plan _____ Address _____
Unit # _____ Strata Lot # _____
Name(s) of tenant(s) _____

Contact number: _____ (home) _____ (office) _____ (fax)
_____ (cell) _____ (email)

Vehicle Make _____ Colour _____ License Plate # _____

Tenancy commencing this _____ day of _____, 200_____.

IMPORTANT NOTICE TO TENANTS:

1. Under the Strata Property Act, a tenant in a strata corporation must comply with the bylaws and rules of the strata corporation that are in force from time to time (current bylaws and rules attached).
2. The current bylaws and rules may be changed by the strata corporation, and if they are changed, the tenant must comply with the changed bylaws and rules.
3. If a tenant or occupant of the strata lot, or a person visiting the tenant or admitted by the tenant for any reason, contravenes a bylaw or rule, the tenant is responsible and may be subject to penalties, including fines, denial of access to recreational facilities, and if the strata corporation incurs costs for remedying a contravention, payment of those costs.

Dated this _____ day of _____, 200_____.

Signature of Tenant Signature of Tenant

Note to landlord - A VALID FORM K MUST BE ISSUED WITH EACH TENANT CHANGE

Landlords name (please print)

Signature of Landlord, or Agent of Landlord

OWNER'S MAILING ADDRESS _____

Owner's telephone numbers: Home _____ Work _____

Fax _____ Cellular _____ E-mail: _____

**Strata VIS 6445
827 Arncote Ave
Victoria, B.C. V9B C06**

Division 11 -- Noise / Silent Hours

61. No noise shall be made in or about any strata lot or the common property which, in the opinion of the Strata Council, is a nuisance to or interferes unreasonably with the use and enjoyment of any other strata lot by its owner.
62. Strata quiet hours shall be from 23:00 to 07:00 hrs weekdays and 23:30pm to 09:00 hrs weekends.
63. An owner, tenant, occupant or guest shall not;
- (a) causes a noise nuisance or hazard.
 - (b) causes unreasonable noise.
 - (c) through excessive noise which interferes with the rights of other persons to use and enjoy the common property; and
 - (d) is illegal or unlawful under CRD bylaws of City of Langford bylaws;
- 64 – 65 Not allocated

Division 12 -- Children

66. Residents are responsible for the behaviour of, damage caused by, and control at all times of their own or visiting minor children within the common area, limited common property, another strata lot and or their strata lot.

Division 13 -- Treasurer Authority

67. (1) A executive member may expend from the operating fund or contingency reserve funds if there are reasonable grounds to believe that an immediate expenditure is necessary to ensure safety or prevent significant loss or damage, repair or replace any common property, limited common property, common assets or replacement is immediately required to ensure safety or prevent significant loss or damage, whether physical or otherwise.
- (2) Executive expenditures need not have been put forward for approval in either a budget or at an annual or special general meeting, the strata corporation may only make the expenditure in accordance with Strata Property Regulation Part 6 — Finances and the Strata Property Act Part 6 Division 1 Section 98.
- (3) Subject to subsection (2), the expenditure may be made if the expenditure, together with all other unapproved expenditures, whether of the same type or not, that were made under this subsection in the same fiscal year, is
- (a) less than \$2 000 or 5% of the total contribution to the operating fund for the current year, whichever is less.

68 – 70 Not allocated