

RULES FOR NW1678 – TALL TIMBERS

Rules were Ratified at the August 21, 2018 Annual General Meeting.

PARKING

- i) An owner, tenant or occupant shall only use the parking space that has been specifically assigned to his or her strata lot and a parking space of another strata lot if an arrangement has been made with the owner of that strata lot. The strata corporation will not enforce private parking arrangements.
- ii) All residents and visitors must wait for the parkade gates to close completely when exiting/entering the parking areas. Residents should not follow other vehicles through the parkade gate(s) (e.g. tailgating); only one vehicle should enter/exit the gate at a time for security reasons.
- iii) Owners and Tenants are not permitted to park in the designated visitor parking stalls; these are for visitors only. Each Strata Lot will be issued two visitor parking passes for short-term parking in the visitor parking area. Visitors must display this pass on their dash at all times while parked in visitor parking.
- iv) Visitor parking stalls may not be reserved, and are available on a first come first served basis.
- v) Guests using visitor parking stalls must be visiting a resident's suite. Visitor parking passes must be displayed in vehicle.
- vi) The replacement cost of Parking Passes is \$20.00, payable to NW1678 via the Strata Management Company.
- vii) The strata corporation may have a vehicle in violation of any of the laws of rules towed and impounded at the vehicle owner's risk and expense.
- viii) **Front Parking Stalls:**
 - (1) Owners wishing to rent a front parking stall are to contact the Strata Management Company.
 - (2) Priority will be given on a first come first serve bases. Waiting lists will be maintained by the Strata Management Company.
 - (3) All rental stalls are governed by the Exclusive Use Agreement.

FRONT PARKING STALL EXCLUSIVE USE AGREEMENT

BETWEEN:

THE OWNERS, STRATA PLAN NW1678 ("The Strata")

AND:

THE OWNERS OF SUITE # _____ ("The Renter")

Parking Stall # _____ \$10.00 per month

Owners wishing to rent a front parking stall0 (herein after referred to as "the stall" or "stalls") are subject to the following:

1. The Renter must be an owner and must live in the building.
2. The Renter must pay an monthly fee due 1st of each month.
3. All rental stalls are governed by this exclusive use agreement.
4. The exclusive use agreement is not transferable or assignable to another owner or a new owner.
5. The Strata Corporation is not responsible for any loss, damage, or injury that may occur while using this rental stall. The Renter is responsible for arranging insurance for the stall contents.
6. The Strata Corporation may renew the term of the exclusive use agreement, alter the conditions, or the strata may cancel if there is a violation of the terms and the violation is not remediated in 30 days. If the agreement is cancelled because of a continuing violation no portion of the fee will be returned to the Renter. If the agreement is cancelled by the Strata for reasons other than a violation during the term, the monthly fee will be refunded on a pro-rated basis. If the owner cancels the agreement no portion of the fee will be refunded unless the owner is moving out. If the owner moves from Tall Timbers refunds will be given for complete days unused.
7. The term of the agreement will be until 30-day cancellation is provided by the Renter or in the event of Strata cancellation as noted above.
8. The replacement cost of a front parking stall pass is \$20.00, payable to NW1678 via the Strata Management Company. Front Parking Stall passes must be displayed in the vehicle at all times.
9. The strata corporation may have a vehicle in violation of any of the laws or rules towed and impounded at the vehicle owner's risk and expense.

Owner name: _____ Joint Owner name: _____

Owner signature: _____ Joint Owner signature: _____

Date: _____ Date: _____

“TALL TIMBERS”

STRATA PLAN NW1678

STRATA CORPORATION BYLAWS

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RULES & REGULATIONS

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Attached hereto are the bylaws for Strata Plan NW1678. They are consolidated for convenience. For legal purposes please obtain a true copy as registered at the Land Title Office.

Changes of Bylaws

Registered August 8, 2002. Registration #8T287428

Amended March 23, 2007. Registration #88481674

Adopted July 18, 2017. Registered October 4, 2017 (CA6349710)

Amended August 27, 2019. Registered September 12, 2019 (CA7744674)

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Strata Plan NW 1678 -Tall Timbers

Preamble

These bylaws bind the strata corporation and the owners, tenants and occupants to the same extent as if the bylaws had been signed by the strata corporation and each owner, tenant and occupant and contained covenants on the part of the strata corporation with each owner, tenant and occupant and on the part of each owner, tenant and occupant with every other owner, tenant and occupant and with the strata corporation to observe and perform their provisions.

Unless otherwise stated, all terms have the meanings prescribed in the *Strata Property Act*, S.B.C. 1998, c. 43. For the purposes of these bylaws, "residents" means collectively, owners, tenants and occupants and "a resident" means collectively, an owner, a tenant and an occupant.

Duties of Owners, Tenants, Occupants and Visitors

1. Compliance with bylaws and rules

- 1.1 All residents and visitors must comply strictly with the bylaws and rules of the strata corporation adopted from time to time.

2. Payment of strata fees and special levies

- 2.1. An owner must pay strata fees on or before the first day of the month to which the strata fees relate.
- 2.2. Where an owner fails to pay strata fees in accordance with bylaw 2.1, outstanding strata fees will be subject to an interest charge of 10% per annum, compounded annually. In addition to interest, failure to pay strata fees on the due date will result in a fine of \$50.00 for each contravention of bylaw 2.1.
- 2.3. A special levy is due and payable on the date or dates noted in the resolution authorizing the special levy.
- 2.4. Where an owner fails to pay a special levy in accordance with bylaw 2.3, outstanding special levies will be subject to an interest charge of 10% per annum, compounded annually.

3. Repair and maintenance of property by owner

- 3.1. 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.
- 3.2. 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.

4. Use of property

1. A resident or visitor must not use a strata lot, the common property or common assets in a way that
- (a) causes a nuisance or hazard to another person,
 - (b) causes unreasonable noise,
 - (c) unreasonably interferes with the rights of other persons to use and enjoy the common

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- 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. A resident or visitor must not cause damage, other than reasonable wear and tear, to the common property, common assets or those parts of a strata lot which the strata corporation must repair and maintain under these bylaws or insure under section 149 of the Act.
 3. An owner is responsible for any damage caused by occupants, tenants or visitors to the owner's strata lot.
 4. An owner shall indemnify and save harmless the strata corporation from the expense of any maintenance, repair or replacement rendered necessary to the common property, limited common property, common assets or to any strata lot by the owner's act, omission, negligence or carelessness or by that of an owner's visitors, occupants, guests, employees, agents, tenants or a member of the owner's family, but only to the extent that such expense is not reimbursed from the proceeds received by operation of any insurance policy. In such circumstances, and for the purposes of bylaws 4.1, 4.2 and 4.3, any insurance deductible paid or payable by the strata corporation shall be considered an expense not covered by the proceeds received by the strata corporation as insurance coverage and will be charged to the owner.
 5. A resident must not use, or permit to be used, the strata lot except as a private dwelling home and, unless granted prior written approval by the council, a resident must not allow more than two persons to occupy a strata lot originally designated by the owner developer as a one-bedroom unit and not allow more than four persons to occupy a strata lot originally designated by the owner developer as a two-bedroom unit. For the purposes of this bylaw 4.5, a "person" is defined to include children, but exclude visitors staying for less than 30 days with an owner, occupant or tenant of a strata lot.
 6. An owner or occupant who alleges hardship as a result of the passage of bylaw 4.5 may appeal to the council for permission to be exempt from bylaw 4.5 on the basis of hardship and the council must not unreasonably refuse the appeal.
 7. An Owner, tenant or occupant shall not grant a license to any person or use or permit the use of the strata lot under any of the following arrangements. Without limiting the generality of the foregoing, no owner, occupant or tenant will grant a license to any person to occupy a strata lot under the following arrangements:
 - (a) Pursuant to a house swap;
 - (b) As a motel, hotel, inn, hostel, or bed and breakfast or other similar accommodations;
 - (c) Through any website designated for booking short term accommodations, including but not limited to www.airbnb.com, www.vrbo.com, and other similar websites; or
 - (d) At a nightly or weekly rate.

****Adopted July 18, 2017*

Pets and Animals

1. A resident or visitor must not keep any pets on a strata lot or common property or on land that is a common asset except in accordance with these bylaws.

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2. A resident or visitor must ensure that all animals are leashed or otherwise secured when on the common property or on land that is a common asset.
3. A resident must not keep a pet on a strata lot other than one or more of the following:
 - (a) a reasonable number of fish or other small aquarium animals;
 - (b) up to 2 caged bird^;
 - (c) one dog maximum weight 25 lbs. at adulthood, or one cat.
4. A resident must not harbor exotic pets, including not exhaustively, snakes, reptiles, spiders or large members of the cat family. A \$100.00 fine every 7 days will be assessed for non-compliance with this bylaw.
5. Register the pet with the council within 30 days of the pet residing on a strata lot (or the passage of this bylaw) and by providing, in writing, the name of the Permitted Pet, breed, colour and markings, together with the name, strata lot number and telephone number of the pet owner.
6. A resident or visitor must not permit a loose or unleashed Permitted Pet (leashes cannot exceed three feet in length) at any time within on the common property or on land that is a common asset. A Permitted Pet found loose on common property or land that is a common asset shall be delivered to the municipal pound at the cost of the strata lot owner.
7. A resident must not keep a Permitted Pet which is a nuisance on a strata lot, on common property or on land that is a common asset. If a resident has a pet which is not a Permitted Pet or if, in the opinion of council, the Permitted Pet is a nuisance or has caused or is causing an unreasonable interference with the use and enjoyment by residents or visitors of a strata lot, common property or common assets, the council may order such pet to be removed permanently from the strata lot, the common property or common asset or all of them.
8. If a resident contravenes bylaw 5.7, the owner of the strata lot will be subject to a fine of \$100.00.
9. Notwithstanding bylaw 5.8, a resident whose pet contravenes bylaw 5.7 will be subject to an immediate injunction application and the owner of the strata lot will be responsible for all expenses incurred by the strata corporation to obtain the injunction, including legal costs.
10. A pet owner must ensure that a Permitted 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.
11. A strata lot owner must assume all liability for all actions by a Permitted Pet, regardless of whether the owner had knowledge, notice or forewarning of the likelihood of such action.
12. A resident or visitor must not feed birds, rodents or other wild animals from any strata lot, limited common property, common property or land that is a common asset. No bird feeders of any kind are permitted to be kept on balconies, strata lots, common property or land that is a common asset.
13. A resident who contravenes any of bylaws 5.1 to 5.6 (inclusive) or 5.10 to 5.13 (inclusive) will be subject to a \$50.00 fine.

6. Washing Machines. Water Beds. Wind Chimes

1. Washing Machines

- (a) No washing machines or dryers shall be installed in individual suites. With the exception of units 212, 214, 302, 303, 313 and 315 who were grandfathered by the previous bylaw.
- (b) Owners with washing machines and dryers installed will be held responsible for damage to other units or common property including but not limited to flooding or problems created with the buildings piping system.

2. Water Beds

No water beds shall be allowed.

3. Wind Chimes

Wind chimes are not permitted.

4. Floor Covering

In the event that the existing floor covering is removed and replaced with hardwood and /or laminate flooring, an underpad MUST BE INSTALLED that meets with the following minimum specifications:

ACOUSTIC UNDERLAYMENT FOR LAMINATE FLOORS AND ENGINEERED
HARDWOOD FLOORS -PRODUCT SPECIFICATIONS:

THICKNESS: 14073.55mm

ACOUSTICAL: 63 FIIC (ASTM E492) Impact Sound Transmission
DENSITY: 22 Ibs/cu.ft.

7. Inform strata corporation

7.1. An owner must notify the strata corporation of:

- (a) within two weeks of becoming an owner; the owner's name and any occupants' names, strata lot number and mailing address outside the strata plan, if any; and

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

8. Obtain approval before altering a strata lot

8.1. An owner must obtain the written approval of the strata corporation before making or authorizing an alteration to a strata lot that involves any of the following:

- (a) the structure of a building;
- (b) the exterior of a building;
- (c) patios, chimneys, stairs, balconies or other things attached to the exterior of a building;
- (d) doors, windows or skylights on the exterior of a building, or that front on the common property;
- (e) fences, railings or similar structures that enclose a patio, balcony or yard;
- (f) common property located within the boundaries of a strata lot;
- (g) those parts of the strata lot which the strata corporation must insure under section 149 of

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- the Act; and
 - (h) wiring, plumbing, piping, heating air conditioning and other services.
- 8.2. The strata corporation must not unreasonably withhold its approval under bylaw 8.1, but may require as a condition of its approval that the owner agree, in writing, to take responsibility for any expenses relating to the alteration and to indemnify and hold harmless the strata corporation for any future costs in connection with the alteration.
- 8.3. An Owner intending to apply to the strata corporation for permission to alter a strata lot must submit, in writing, detailed plans and written description of the intended alteration.
- 9. Obtain approval before altering common property**
- 9.1 An Owner must obtain the written approval of the strata corporation before making or authorizing an alteration to common property, including limited common property or common assets.
- 2. An owner, as part of its application to the strata corporation for permission to alter common property, limited common property or common assets, must:
 - (a) submit, in writing, detailed plans and description of the intended alteration;
 - (b) obtain all applicable permits, licences and approvals from the appropriate governmental authorities and provide copies to the strata council; and
 - (c) obtain the consent of the owners by written approval of the strata council under bylaw 9.1.
- 3. The strata corporation may require, as a condition of its approval, that the owner agree, in writing, to certain terms and conditions, including, not exhaustively, the following:
 - (a) that alterations be done in accordance with the design or plans approved by the strata council or its duly authorized representatives;
 - (b) that the standard of work and materials be not less than that of the existing structures;
 - (c) that all work and materials necessary for the alteration be at the sole expense of the owner;
 - (d) that the owner from time to time of the s t r a t a lot receiving the benefit of an alteration to common property, limited common property or common assets must, for so long as he or she remains an owner, be responsible for all present and future maintenance, repairs and replacements, increases in insurance, and any damage suffered or cost incurred by the strata corporation as a result, directly or indirectly, of the alterations to common property, limited common property or common assets;
 - (e) that the owner and any subsequent owner on title who receives the benefit of such alteration, must, with respect only to claims or demands arising during the time that they shall have been owner, indemnify and hold harmless the strata corporation, its council members, employees and agents from any and all claims and demands whatsoever arising out of or in any manner attributable to the alteration. Any costs or expenses incurred by the strata corporation as the result of such claim or demand will be the responsibility of the owner from time to time of the strata Lot who has benefited from the alteration and the said costs or expenses incurred must be charged to that owner and shall be added to and become part of the strata fees of that owner for the month next following the date upon which the cost or expenses are incurred, but not necessarily paid by the strata corporation, and shall become due and payable on the due date of payment of monthly strata fees.
- 4. An owner who has altered common property, limited common property or common assets prior to the passage of these bylaws shall be subject to their content and intent to the extent that any damages suffered or costs incurred by the strata corporation as a result, directly or indirectly, of

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the alteration, must be borne by the owner who has benefited from the alteration.

- 9.5 An owner who, subsequent to the passage of bylaws 9.1 to 9.3 inclusive, alters common property or limited common property without adhering strictly to these bylaws, must restore, at the owner's sole expense, the common property, limited common property or common assets, as the case may be, to its condition prior to the alteration. If the owner refuses or neglects to restore the alteration to its original condition, the strata corporation may conduct the restoration, at the expense of the owner who altered the common property or limited common property. The cost of such alteration shall be added to and become part of the strata fees of that owner for the month next following the date on which the cost was incurred and will become due and payable on the due date of payment of monthly strata fees.

10. Renovations/alterations

1. An owner must give the council two working days' prior notice of the scheduled arrival of tradespersons or delivery of materials. Tradespersons must be licensed and bonded. Inadequate notice or work by unlicensed or unbonded tradespersons will result in the levy of fines.
2. A resident must not permit any construction debris, materials or packaging to be deposited in the strata corporation's disposal containers.
3. A resident must be responsible to ensure:
 - (a) drop cloths are staked and removed daily between the elevators and the strata lot as well as between other doors to protect common areas from any spillage or dripping; and
 - (b) stairs, lobbies and paths through the parking areas are regularly cleaned (and vacuumed at the request of the council) and the residential corridor thoroughly vacuumed daily;
4. An owner must ensure that the hours of work are restricted to 8:00 a.m. to 8:00 p.m., Monday through Friday, and 10:00 a.m. to 8:00 p.m., Saturdays (No Sundays and no statutory holidays). To perform renovations/alterations on statutory holidays, an owner must apply for permission in writing to the council at least five business days before the holiday date.
5. An owner or agent must be in attendance for all **SIGNIFICANT** renovations/alterations, the determination of **SIGNIFICANT** shall be at the discretion of the council.
6. 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.
7. An owner in contravention of bylaws 10.1 to 10.7 (inclusive) shall be subject to a fine of \$ 100.00 for each contravention, as well as be responsible for any clean up or repair costs.

11. Permit entry to strata lot

- 11.1. A resident or visitor must allow a person authorized by the strata corporation to enter the strata lot or limited common property
- (a) in an emergency, without notice, to ensure safety or prevent significant loss or damage;
 - (b) at a reasonable time, on 48 hours' written notice,
 - (i) to inspect, repair, renew, replace or maintain common property, common assets and any portions of a strata lot that are the responsibility of the strata corporation to repair, replace, renew and maintain under these bylaws or the Act or to insure under section 149 of the Act; or
 - (ii) to ensure a resident's compliance with the Act, bylaws and rules.
2. If forced entry to a strata lot is required due to required emergency access and the inability to contact the owner of the strata lot, the owner shall be responsible for all costs of forced entry incurred by the strata corporation.
3. The notice referred to in bylaw 1 1.1(b)(i) must include the date and approximate time of entry, and the reason for entry.

Powers and Duties of Strata Corporation

12. Repair and maintenance of property by strata corporation

- 12.1 The strata corporation must repair and maintain all of the following:
- (a) common assets of the strata corporation;
 - (b) common property that has not been designated as limited common property;
 - (c) limited common property, but the duty to repair and maintain it is restricted to
 - (i) repair and maintenance that in the ordinary course of events occurs less often than once a year, and
 - (ii) the following, no matter how often the repair or maintenance ordinarily occurs:
 - A. the structure of a building;
 - B. the exterior of a building;
 - C. patios, chimneys, stairs, balconies and other things attached to the exterior of a building;
 - D. doors, windows and skylights on the exterior of a building or that front on common property;
 - E. fences, railings and similar structures that enclose patios, balconies and yards;
 - (d) a strata lot, but the duty to repair and maintain it is restricted to
 - (i) the structure of a building,
 - (ii) the exterior of a building,
 - (iii) patios, chimneys, stairs, balconies and other things attached to the exterior of a building,
 - (iv) doors, window frames and skylights on the exterior of a building or that front on common property, and
 - (v) fences, railings and similar structures that enclose patios, balconies and yards.

Council

13. Council size

13.1 The council must have at least 3 and not more than 7 members.

14. Council eligibility

14.1. Only Registered Owners may stand for council.

14.2. No person may stand for council or continue to be on council with respect to a strata lot if the strata corporation is entitled to register a lien against that strata Lot under section 116(1) of the Act.

14.3. No person may stand for council or continue to be on council with respect to a strata Lot if there are amounts owing to the strata corporation charged against the strata lot in respect of administration fees, bank charges, fines, penalties, interest or the costs, including the legal costs, of remedying a contravention of the bylaws or rules.

14.4. No person may stand for council or continue to be on council with respect to a strata Lot if there are amounts owing to the strata corporation charged against the strata Lot in respect of administration fees, bank charges, fines, penalties, interest or the costs, including the legal costs, of remedying a contravention of the bylaws or rules for which the owner is responsible under section 131 of the Act.

15. Council members' terms

15.1 The term of office of a council member ends at the end of the annual general meeting at which the new council is elected.

15.2 A person whose term as council member is ending is eligible for re-election.

16. Removing council member

16.1. Unless all the owners are on the council, the strata corporation may, by a resolution passed by a two-thirds (2/3) vote at an annual or special general meeting, remove one or more council members. The strata corporation must pass a separate resolution for each council member to be removed.

16.2. After removing a council member, the strata corporation may hold an election at the same annual or special general meeting to replace the council member for the remainder of the term or the remaining members of the council may appoint a replacement council member for the remainder of the term.

16.3. If the strata corporation removes all of the council members, the strata corporation must hold an election at the same annual or special general meeting to replace the council members for the remainder of the term up to, at least, the minimum number of council members required by bylaw of the strata corporation for the remainder of the term.

16.4. The council may appoint the remaining council members necessary to achieve a quorum for the strata corporation, even if the absence of the members being replaced leaves the council without a quorum.

16.5. A replacement council member appointed pursuant to bylaws 16.2 and 16.4 may be appointed

from any person eligible to sit on the council.

17. Replacing council member

- 17.1. If a council member resigns or is unwilling or unable to act, the remaining members of the council may appoint a replacement council member for the remainder of the term.
- 17.2. A replacement council member may be appointed from any person eligible to sit on the council.
- 17.3. The council may appoint a council member under bylaw 17.2 even if the absence of the member being replaced leaves the council without a quorum.
- 17.4. If all the members of the council resign or are unwilling or unable to act persons holding at least 25% of the strata corporation's votes may hold a special general meeting to elect a new council by complying with the provisions of the Act, the regulations and the bylaws respecting the calling and holding of meetings.

18. Officers

- 18.1 At the first meeting of the council held after each annual general meeting of the strata corporation, the council must elect, from among its members, a president, a vice president, a secretary and a treasurer.
 2. A person may hold more than one office at a time, other than the offices of president and vice president.
 3. The vice president has the powers and duties of the president
 - (a) while the president is absent or is unwilling or unable to act,
 - (b) if the president is removed, or
 - (c) for the remainder of the president's term if the president ceases to hold office.
 4. The strata council may vote to remove an officer.
 5. If an officer other than the president is removed, resigns, is unwilling or unable to act, the council members may elect a replacement officer from among themselves for the remainder of the term.

19. Calling council meetings

1. Any council member may call a council meeting by giving the other council members at least one week's notice of the meeting, specifying the reason for calling the meeting.
2. The notice in bylaw 19.1 does not have to be in writing.
3. A council meeting may be held on less than one week's notice if
 - (a) all council members consent in advance of the meeting, or
 - (b) the meeting is required to deal with an emergency situation, and all council members either
 - (i) consent in advance of the meeting, or
 - (ii) are unavailable to provide consent after reasonable attempts to contact them.
4. Bylaw 14(4) of the Schedule of Bylaws to the Act does not apply to the strata corporation.

20. Requisition of council hearing

1. By application in writing, a resident may request a hearing at a council meeting stating the reasons for the request.
2. Except for a hearing pursuant to section 144 of the Act, if a hearing is requested under bylaw 20.1, the council must hold a meeting to hear the applicant within one (1) month of the date of receipt by the council of the application.
3. If the purpose of the hearing is to seek a decision of the council, the council must give the applicant a written decision within one week of the date of the hearing.

1. Quorum of council

- 1.1. A quorum of the council is
 - (a) 2, if the council consists of 3 or 4 members,
 - (b) 3, if the council consists of 5 or 6 members, and
 - (c) 4, if the council consists of 7 members.
- 1.2. Council members must be present in person at the council meeting to be counted in establishing quorum.

2. Council meetings

- 2.1. The council may meet together for the conduct of business, adjourn and otherwise regulate its meetings as it thinks fit.
- 2.2. At the option of the council, council meetings may be held by electronic means, so long as all council members and other participants can communicate with each other.
- 2.3. If a council meeting is held by electronic means, council members are deemed to be present in person.
- 2.4. Owners and spouses of owners may attend council meetings as observers.
- 2.5. Despite bylaw 22.4, no observers may attend those portions of council meetings that deal with any of the following:
 - (a) bylaw contravention hearings under section 135 of the Act;
 - (b) rental restriction bylaw exemption hearings under section 144 of the Act;
 - (c) any other matters if the presence of observers would, in the council's opinion, unreasonably interfere with an individual's privacy.

23. Voting at council meetings

- 23.1. At council meetings, decisions must be made by a majority of council members present in person at the meeting.
- 23.2. If there is a tie vote at a council meeting, the president may break the tie by casting a second, deciding vote.
- 23.3. The results of all votes at a council meeting must be recorded in the council meeting minutes.

24. Council to inform owners of Minutes

- 24.1 The council must circulate to or post for owners the minutes of all council meetings within 2 weeks of the meeting, whether or not the minutes have been approved.

25. Delegation of council's powers and duties

- 25.1. Subject to bylaws 25.2, 25.3 and 25.4, the council may delegate some or all of its powers and duties to one or more council members or persons who are not members of the council, and may revoke the delegation.
- 25.2. 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 bylaw 25.3.
- 25.3. 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.
- 25.4. The council may not delegate its powers to determine, based on the facts of a particular case,
- (a) whether a person has contravened a bylaw or rule,
 - (b) whether a person should be fined, and the amount of the fine,
 - (c) whether a person should be denied access to a recreational facility, or
 - (d) whether an owner should be granted an exemption from a rental restriction bylaw under section 144 of the Act.

26. Spending restrictions

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

27. Limitation on liability of council member

- 27.1 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.
- 27.2. Bylaw 27.1 does not affect a council member's liability, as an owner, for a judgment against the strata corporation.
- 27.3. All acts done in good faith by the council are, even if it is afterwards discovered that there was some defect in the appointment or continuance in office of a member of council, as valid as if the council member had been duly appointed or had duly continued in office.

Enforcement of Bylaws and Rules

28. Fines

1. Except where specifically stated to be otherwise in these bylaws, the strata corporation may fine an owner or tenant:
 - (a) \$200.00 for each contravention of a bylaw, and
 - (b) \$50.00 for each contravention of a rule.
2. The council must, if it determines in its discretion that a resident is in repeated contravention of any bylaws or rules of the strata corporation, levy fines and the fines so levied shall be immediately added to the strata fees for the strata lot and shall be due and payable together with the strata fees for the strata lot in the next month following such contravention.

29. Continuing contravention

- 29.1 Except where specifically stated to be otherwise in these bylaws, if an activity or lack of activity that constitutes a contravention of a bylaw or rule continues, without interruption, for longer than 7 days, a fine may be imposed every 7 days.

Annual and Special General Meetings

30. Person to chair meeting

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 from the remaining council members, failing that a chair must be elected by the eligible voters present in person or by proxy from among those persons, eligible to vote, who are present at the meeting.

31. Participation by other than eligible voters

- 31.1. Tenants and occupants may attend annual and special general meetings, whether or not they are eligible to vote.
- 31.2. Persons who are not eligible to vote, may not participate in the discussion at a meeting.
- 31.3. Tenants who are not eligible to vote, must leave the meeting if requested to do so by a resolution passed by a majority vote at the meeting.

32. Voting

- 32.1. Except on matters requiring a unanimous vote, the vote for a strata lot may not be exercised if the strata corporation is entitled to register a lien against that strata lot under section 116(1) of the Act.
- 32.2. Except on matters requiring a unanimous vote, the vote for a strata lot may not be exercised if there are amounts owing to the strata corporation charged against the strata lot in respect of administration fees, bank charges, fines, penalties, interest or the costs, including the legal costs, of remedying a contravention of the bylaws or rules.

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- 32.3. Except on matters requiring a unanimous vote, the vote for a strata lot may not be exercised if there are amounts owing to the strata corporation charged against the strata lot in respect of administration fees, bank charges, fines, penalties, interest or the costs, including the legal costs, of remedying a contravention of the bylaws or rules, including legal costs, for which the owner is responsible under section 131 of the Act.
- 32.4. At an annual or special general meeting, voting cards must be issued to eligible voters.
- 32.5. 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.
- 32.6. 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.
- 32.7. 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.
- 32.8. 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.
- 32.9. Despite anything in bylaws 32.1 to 32.8 (inclusive), an election of council or removal of a council member must be held by secret ballot, if the secret ballot is requested by an eligible voter.

33. Electronic attendance at meetings

- 33.1 A person who is eligible to vote may attend an annual or special general meeting by electronic means so long as the person and the other participants can communicate with each other.
- 33.2 If an annual or general meeting is held by electronic means with a person, the person is deemed to be present in person for the purposes of the meeting.

34. Order of business

- 34.1 The order of business at annual and special general meetings is as follows:
- (a) certify proxies and corporate representatives and issue voting cards;
 - (b) determine that there is a quorum;
 - (c) elect a person to chair the meeting, if necessary;
 - (d) present to the meeting proof of notice of meeting or waiver of notice;
 - (e) approve the agenda;
 - (f) approve minutes from the last annual or special general meeting;
 - (g) deal with unfinished business;
 - (h) receive reports of council activities and decisions since the previous annual general meeting, including reports of committees, if the meeting is an annual general meeting;
 - (i) ratify any new rules made by the strata corporation under section 125 of the Act;
 - (j) report on insurance coverage in accordance with section 154 of the Act, if the meeting is an annual general meeting;
 - (k) approve the budget for the coming year in accordance with section 103 of the Act, if the meeting is an annual general meeting.
 - (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.

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A Quorum is 33% of the eligible voters. If at time 33% are not present meeting is adjourned for 30 minutes, and then after 30 minutes, whoever is present will make a quorum.

Voluntary Dispute Resolution

35. Voluntary dispute resolution

- 35.1. 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.
- 35.2. 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.
- 35.3. The dispute resolution committee must attempt to help the disputing parties to voluntarily end the dispute,

Small Claims Court Proceedings

36. Authorization to proceed

- 36.1 The strata corporation may proceed under the *Small Claims Act*, without further authorization by the owners, to recover from an owner, by an action in debt in Small Claims Court, money owing to the strata corporation, including money owing as administration fees, bank charges, fines, penalties, interest or the costs, including legal costs, of remedying a contravention of the bylaws or rules and to recover money which the strata corporation is required to expend as a result of the owner's act, omission, negligence or carelessness or by that of an owner's visitors, occupants, guests, employees, agents, tenants or a member of the owner's family.

Marketing Activities by Owners and Occupants

37. Sale of a strata lot

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

38. The strata corporation must insure against major perils, as set out in regulation 9.1(2), including, without limitation, earthquakes.

Storage

39. Storage lockers and bicycle storage

- 39.1. A resident must store bicycles and tricycles only in basement parking areas, the bicycle rack and storage lockers.
- 39.2. A resident must not store any hazardous or flammables in storage lockers.

Parking

40. Parking

- 40.1. A resident must not permit any oversized, commercial or recreational vehicles including, but not exhaustively, boats, trailers and campers to enter or be parked or stored on common, limited common property or land that is a common asset.
- 40.1.2 A resident must not store or park a vehicle at any time, in the surface parking lot in the front of the building, which is not fully operational and in roadworthy condition.
- 40.2. A resident must not store unlicensed or uninsured vehicles on the common, limited common property or on land that is a common asset.
- 40.3. A resident storing a vehicle must provide proof of insurance to the strata corporation on the commencement date of the storage.
- 40.4. An owner must not sell, lease or license parking stalls to any person other than an owner or occupant.
- 40.5. A resident must park only in the parking stall assigned to the resident.
- 40.6. A resident or visitor must not permit a vehicle to be parked or left unattended in a manner that interferes with parking stalls, access lanes or no parking zones.
- 40.7. Any resident's vehicle parked in violation of bylaw 40.6 will be subject to removal by a towing company authorized by council, and all costs associated with such removal will be charged to the owner of the strata lot.
- 40.8. A resident or visitor must not use any parking area as a work area for carpentry, renovations, repairs (including, but not exhaustively, sawing, drilling and the use of any adhesive or hardening compounds) or work on vehicles involving any automotive fluids or paints, motor tune ups or mechanical repairs except in emergencies.
- 40.9. A resident or visitor operating a vehicle in the parking areas must activate the vehicle's headlights and not exceed 10 km/hour.
- 40.10. A resident or visitor must not smoke while in the underground parking area before the visitor parking.
- 40.11. A resident must wash a vehicle in location designated for vehicle washing only. Once washing is completed, the resident must hose down and remove all dirt, refuse and excess water from the washing area. While washing, a resident must keep audio volume low.
- 40.12. A resident must not park or store any vehicle that drips oil or gasoline. A resident must remove any dripped oil, gasoline or other automotive residue. \$50.00 fine will be assessed for non-compliance with this bylaw.
- 40.13. No residents to park in visitors parking.
- 40.14. An owner may apply to the council for permission to park a trailer in a parking space designated for trailer parking subject to the following:

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- (a) payment of the user fee as set out in the rules;
 - (b) the trailer cannot be capable of being lived in;
 - (c) the trailer must be licensed and insured at all times; a copy of the insurance must be provided upon request;
 - (d) the trailer must be properly maintained and road worthy at all times;
 - (e) the trailer must be registered to the owner, occupant of tenant of the building; and
 - (f) the trailer must fit within the side and length parameters of the stall.
- 40.15. Parking for trailers as permitted by subsection 40.14 will be allocated on a first come first serve basis. The council will keep a waiting list of owners wishing to use a trailer parking stall and will grant permission when a space becomes available in the order that the requests were received.

****40.14 & 40.15 Adopted August 27, 2019*

41. Moving in/out procedure

- 41.1 An owner must conform and ensure that any tenants conform to the Move In and Move Out rules established by council from time to time.
- 41.2 A resident must provide notice to the strata corporation of all moving arrangements at least 48 hours before the moving date. All moves must take place between 9:00 a.m. and 8:00 p.m., Monday through Friday and 10:00 a.m. to 8:00 p.m. on Saturdays, Sundays and statutory holidays.
- 41.3 A resident using the elevator during a move must ensure that the ELEVATOR SERVICE KEY is used to control the elevator and the doors not jammed open in any manner.
- 41.4 A resident must ensure that the lobby doors are not left open, ajar or unattended and that furniture is not left piled in the lobby area.
- 41.5 A resident must ensure that all common areas are left damage free, clean and all hallways and lobby areas vacuumed immediately upon completion of the move.
- 41.6 A resident must pay a refundable damage deposit of \$100.00, whether in or out, 48 hours prior to any move and any expenses incurred by the strata corporation attributable to the resident and all fines levied will be deducted from the deposit.
- 41.7 A resident contravening bylaws 41.1 to 41.6 (inclusive) shall be subject to a fine of \$100.00.
- 41.8 Any move into the building will result in a charge of \$100.00 being assessed against the owner of the strata lot.

Appearance of strata lots

42. Cleanliness

- 42.1. A resident must not allow a strata lot to become unsanitary or untidy. Rubbish, dust, garbage, boxes, packing cases and other similar refuse must not be thrown, piled or stored in the strata lot or on common property. Any expenses incurred by the strata corporation to remove such refuse will be charged to the strata lot owner.
- 42.2. A resident must ensure that ordinary household refuse and garbage is securely wrapped and placed in the containers provided for that purpose, recyclable material is kept in designated areas and material other than recyclable or ordinary household refuse and garbage is removed appropriately.

- 42.3. Balconies and patios are not to be used as storage areas. This includes motorized vehicles, refuse, freezers, refrigerators, garbage cans, boxes, luggage, household furniture, appliances, toys, swimming pools (includes wading and kiddie pools, plastic or inflatable or any item that may detract from the general appearance of the building and to maintain a fire safety standard.

Rentals

43. Residential rentals

- 43.1. No strata lots may be rented.
- 43.2. If an owner is exempt from a rental restriction bylaw pursuant to the Act, prior to possession of a strata lot by a tenant, an owner must deliver to the tenant the current bylaws and rules of the strata corporation and a Notice of Tenant's Responsibilities in Form K.
- 43.3. Within two weeks of renting a strata lot, the landlord must give the strata corporation a copy of the Form K - Notice of Tenant's Responsibilities signed by the tenant, in accordance with section 146 of the Act.
- 43.4. Where an owner leases a strata lot in contravention of bylaws 43.1, the owner shall be subject to a fine of \$500.00 and the strata corporation shall take all necessary steps to terminate the lease or tenancy, including, but not limited to, seeking a declaration or Court injunction to enforce the bylaw. Any legal costs incurred by the strata corporation in enforcing the rental restriction 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.
- 43.5. An owner receiving permission to lease a strata lot must exercise the permission to lease within 90 days from the date that the council granted same, otherwise the permission expires. During the 90 days immediately following the grant of permission, the strata lot shall be deemed leased for the purposes of the limit stated in bylaw 43.1.
- 43.6. Prior to possession of a strata lot by a tenant, an owner must deliver to the tenant the current bylaws and rules of the strata corporation and a Notice of Tenant's

Responsibilities in Form K.

- 43.7 All approved rentals (for any reason including hardship) will be re-assessed on an annual basis for eligibility.

Visitors and Children

44. Children and supervision

- 44.1. Residents are responsible for the conduct of visitors including ensuring that noise is kept at a level, in the sole determination of a majority of the council, that will not disturb the rights of quiet enjoyment of others.
- 44.2. Residents are responsible for the conduct of children residing in their strata lot, including ensuring that noise is kept at a level, in the sole determination of a majority of the council, that will not disturb the quiet enjoyment of others.
- 44.3. Residents are responsible to assume liability for and properly supervise activities of children including, but not exhaustively, bicycling, skateboarding and hockey.

45. Miscellaneous

- 45.1. A resident or visitor must not smoke on interior common property.
- 45.1(A) A resident or visitor must not smoke within 7 'A metres from any open air intake, window or door on the exterior common property (does not include balconies)."
- 45.2. A resident or visitor must not hinder or restrict sidewalks, entrances, exits, halls, passageways, stairways and other parts of the common property. Hindrance and restriction includes the keeping of personal items and garbage.
- 45.3. A resident or visitor must not wear or use inline skates and skateboards ANYWHERE in the building, including a strata lot.
- 45.4. A resident must not permit any person to play or loiter in the garden areas, on common property or on land that is a common asset, unless such common property or common asset is a playground.
- 45.5. A resident or visitor must not use common property electrical outlets with the exception of parking area outlets used while vacuuming a vehicle.
- 45.6. Subject to bylaw 37.1, a resident or owner must not erect or display or permit to be erected or displayed any signs, fences, billboards, placards, advertising, notices or other fixtures of any kind on the common property or in a strata lot, unless authorized by the council. This shall include exterior painting and the addition of wood, ironwork, concrete or other materials.
- 45.7. A resident may post notices on the designated bulletin board, subject to being removed by the council if deemed inappropriate or posted for in excess of one week.
- 45.8. A resident must ensure that all entrance doors to strata lots are kept closed and kitchen extract fans are used when cooking.
- 45.9. A resident or visitor must not shake rugs, carpets, mops or dusters of any kind from any balcony, window, stairway or other part of a strata lot or common property.
- 45.10. A resident must ensure that drapes or blinds visible from the outside of the building are cream or white in colour.
- 45.11 A resident must ensure that no air conditioning units, laundry, clothing, bedding or other articles are hung or displayed from windows, balconies or other parts of the building so that they are visible from the outside of the building.
- 45.12 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 shall be limited to free standing, self-contained planter boxes or containers, summer furniture and accessories.
- 45.13 An owner must ensure that Christmas lights are installed after December 1st of the year approaching Christmas and removed before January 31" of the year following Christmas.
- 45.14 The placing of items on the exterior or top of balcony railings such as hanging baskets and hanging flower boxes is not permitted.
- 45.15 No radio or television antenna and/or satellite dishes shall be hung from, protrude out of, be placed on or attached to the exterior of the Strata Lot, without written consent of the Strata Council.

46. Fire Risks

- 46.1 An owner, tenant or occupant must not create a fire hazard by bringing onto or storing on a strata lot or the common property any item 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
- 46.2 No material substance, especially burning materials such as cigarettes, cigars, ashes or matches, shall be thrown out or be permitted to fall out of any window, door, balcony or other part of the unit or common property.
- 46.3 No pyrotechnic device (fireworks/fire crackers) shall be discharged on any strata lot or common property at any time.
- 46.4 No barbecues other than those fueled by propane, natural gas or electricity may be used. No owner shall operate his barbecue in a manner which, in the opinion of the Strata Council, interferes with another owner's enjoyment of their strata lot. All barbecues must be kept a minimum distance of 12 inches away from the building exterior walls. Strata lot owners or residents are responsible for heat damage to the building envelope.

47. Unauthorized Activities

- 47.1 The owner is responsible for repairing/restoring a strata lot damaged by illegal/unauthorized activity (illegal activities include, but is not limited to a marijuana grow operation or a methamphetamine laboratory) and must comply with orders issued by any level of government. The owner is responsible for all costs incurred for environmental and structural restoration.