

LMS – 3432, The Park, Bylaws

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Forward

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 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,c43.(“Act”). For the purpose of these bylaws, the schedule of Standard Bylaws to the Act does not apply to the strata corporation.

“owner” means a person as defined in the Strata Property Act;

“residents” mean collectively, owners, tenants and occupants;

“Strata Corporation” and “strata corporation” means the owners, Strata Plan LMS 3432;

“strata lot” and “lot” means a lot as shown as such in the Strata Plan;

“Strata Plan” means Strata Plan deposited in the Vancouver Land Title Office;

“unanimous resolution” has the meaning assigned thereto by the Strata Property Act;

The provisions hereof shall be deemed independent and severable, and the invalidity in whole or in part of any bylaw does not affect the validity of the remaining bylaws, which shall continue in full force and effect as if such invalid portion had not been included herein.

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

1 Compliance with bylaws and rules

- 1.1 All owners, residents and visitors must comply strictly with the bylaws and rules of the Strata Corporation as 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 \$100.00 for each contravention of bylaw 2.1. *(Nov. 29/2004)*
- 2.3 Owners are asked to provide the Strata Corporation or its agent with twelve (12) consecutive monthly post-dated cheques for strata fees for the fiscal year of the Strata Corporation dated as the first day of each month, or if applicable, written authorization for monthly automatic debit from the owner's bank account.
- 2.4 Each dishonoured cheque or dishonoured automatic debit will be subject to a fine of \$50.00 and an administration charge of \$30.00.
- 2.5 A special levy is due and payable on the date or dates noted in the resolution authorizing the special levy. Failure to pay a special levy on the due date will result in a fine of \$100.00 for each contravention of bylaw 2.5.
- 2.6 Where an owner fails to pay a special levy in accordance with bylaw 2.5, 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/Pets

- 4.1 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, unreasonably interferes with the rights of other persons to use and enjoy the common property, common assets or another strata lot,

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- (c) is illegal, or
 - (d) 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.
- 4.2 An owner, tenant, occupant or visitor must not cause damage, other than reasonable wear, 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.
- 4.3 A strata lot owner is responsible for any damage caused by occupants, tenants or visitor's to the owner's strata lot.
- 4.4 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 the owner's visitors, occupants, guests, employees, agents tenants or a member of the owner's family, but only to the extent that such expenses is not reimbursed from the proceeds received by operation of any insurance policy. In such circumstances, and for the purpose 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.
- 4.5 An owner, tenant, occupant or visitor must not:
- (a) smoke anywhere indoors on common property including the stairwells, or anywhere in the underground parking, or on limited common property,
 - (b) use the amenity room for commercial purposes.
 - (c) use the elevator as a means of conveyance for bicycles.
- 4.6 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.
- 4.7 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; one dog or one cat for units up to 600 square feet and two dogs or two cats for units measuring from 601 to 1200 square feet.
- 4.7 No snakes, spiders or poisonous animals are permitted in the strata.

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- 4.9 The following breeds of dogs are prohibited from being on the strata property at any time:
- (a) Pit bulls, American Pit bull terriers, Staffordshire terriers, American Staffordshire terriers, and any dog whose breeding includes the aforementioned breeds.
 - (b) If any of the breeds set out above currently reside in the building, they must be muzzled at all times they are on any part of the common property or outside of the strata lot. *(April 14, 2003)*
- 4.10 An owner of a pet shall not permit the pet to urinate or defecate on the common property or limited common property, and if the pet does urinate or defecate on the common property or limited common property, the pet owner shall immediately and completely remove all of the pet's waste from the common property or limited common property and dispose of it in a waste container or by some other sanitary means. *(April 14, 2003)*
- 4.11 A resident whose visitor brings an animal or pet onto the common property or limited common property shall ensure that the guest or invitee complies with all requirements of these bylaws as they relate to animals and shall perform all of the duties and obligations with respect to that animal or pet as set out in these bylaws. *(April 14, 2003)*
- 4.12 No resident shall permit its pet to interfere with any other person, pet or object, or permit its pet to disturb any other resident with uncontrolled barking or howling. *(April 14, 2003)*
- 4.13 The strata council may, from time to time on behalf of the strata corporation, enact such rules with respect to the keeping of pets as the strata council, acting reasonably, deems necessary or desirable, provided that, in the event of any conflict between these bylaws and any such rule, the provisions of these bylaws will prevail. *(April 14, 2003)*
- 4.14 If any resident violates any provision of these bylaws or if the strata council on reasonable grounds considers a pet to be a nuisance the strata council may, by written notice to such resident cause such resident to have the pet removed from the strata lot within thirty days of receiving such notice. *(April 14, 2003)*
- 4.15 Pets are not permitted in the Amenity Room or the main floor of the Tower. *(April 14, 2003)*

5 Building Security

- 5.1 Residents must not admit anyone who phones on the enterphone unless they are known to the resident.
- 5.2 Residents are responsible for anyone they admit to the building.
- 5.3 Residents entering or leaving the building must not admit anyone to the building unknown to them or who does not have specific business with them.
- 5.4 Residents entering or leaving the underground parking complex must ensure that the outside gate is in the lowered position behind them.
- 5.5 Residents are encouraged to report any suspicious activity within the building complex or on the property, to the management company or a member of the Strata Council.

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6 Inform strata corporation

- 6.1 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.
- 6.2 On request by the strata corporation, a tenant must inform the strata corporation of his or her name.

7 Obtain approval before altering a strata lot

- 7.1 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) 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 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: and
 - (h) wiring, plumbing, piping, heating, air conditioning and other services that require the shut off of power or water.
- 7.2 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 and to indemnify and hold harmless the Strata Corporation for any future costs in connection with the alterations. The owner and each subsequent owner of the strata lot receiving the benefit of the alteration shall be responsible for all present and future maintenance, repair and replacement, increase in insurance, and any damage suffered or cost incurred by the Strata Corporation in excess of any proceeds received and paid to the Strata Corporation from an insurance policy as a result, directly or indirectly of the alteration.
- 7.3 An owner intending to apply to the Strata Corporation for permission to alter a strata lot must submit an application in writing, with detailed plans and written description of the intended alteration.
- 7.4 An owner must obtain all applicable permits, licenses and approvals from the appropriate government and professional authorities and provide copies to the Strata Council before work commences.

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8 Obtain approval before altering common property

- 8.1 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.
- 8.2 An owner intending to apply to the Strata Corporation for permission to alter common property must submit an application in writing, with detailed plans and written description of the intended alteration.
- 8.3 An owner must obtain all applicable permits, licenses and approvals from the appropriate government and professional authorities and provide copies to the Strata Council before work commences.
- 8.4 The strata corporation may require as a condition of its approval that the owner agree, in writing, to certain terms and conditions, including but not limited to, the following:
- (a) that alterations are to be done in accordance with the design of plans approved by the Strata 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 alterations be at the sole expense of the owner.
 - (d) that the owner and any subsequent owner of the strata lot receiving the benefit of an alteration of the common property, limited common property or common asset must, for as 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: and
 - (e) that the owner and any subsequent owner on the title who receives the benefit of such alteration, must with respect only to the 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 alterations. Any costs or expenses incurred by the Strata Corporation as the result of such claim or demand will be the responsibility of the owner, or subsequent owner, who has benefited from the alteration and the said costs or expenses incurred must be charged to that owner.
- 8.5 An owner who, subsequent to the passage of bylaws 8.1 to 8.3 inclusive, alters common property limited common property or common assets without adhering strictly to these bylaws, must restore, at the owner's sole expense, the common property, the limited common property or the common asset, 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, limited common property or common asset. The cost of such restoration will be charged to the strata owner.

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- 8.6 Without limiting the generality of bylaws 8.1 to 8.5, bylaws 8.1 to 8.5 apply to balcony enclosures and:
- (a) No strata lot owner shall construct, build or erect a balcony enclosure or any other structure on the balcony of the owner's strata lot without first submitting to the Strata Council for written approval, a detailed plan of the enclosure or structure which plan shall be based on specifications, i.e. dimensions of the structure or enclosure and the materials to be used, as provided by the Strata Council, and the Strata Council shall not unreasonably withhold approval to construct the balcony enclosure.
 - (b) The balcony enclosure or structure to be constructed by a strata lot owner must conform with all municipal building code and bylaw requirements. In an event that a building permit is required, the strata lot owner shall apply for and obtain the building permit and provide a copy of the permit to the Strata Council prior to the owner undertaking construction of the enclosure or the structure.
 - (c) Any window coverings placed on the balcony enclosures shall consist of vertical or horizontal blinds in a colour approved by the Strata Council.
 - (d) All balcony enclosures and structures constructed prior to or subsequent to the enactment of this bylaw shall be maintained and repaired by each existing strata lot owner and by any subsequent owner or purchaser of the strata lot and each balcony enclosure or structure shall be deemed to be part of the limited common property designated for the use and benefit of that strata lot.

9 Renovations/alterations

- 9.1 An owner must give the council one working day's prior notice of the scheduled arrival of tradespersons or delivery of materials. Tradespersons must be licensed and bonded.
- 9.2 A resident must not permit any construction debris, materials or packaging to be deposited in the Strata corporation's disposal containers.
- 9.3 An owner must ensure that the delivery of any construction materials is through the parkade level and if in an elevator, the owner must ensure the elevator is protected with proper wall pads. An owner must not permit any construction materials to be delivered through the main entrance.
- 9.4 A resident must be responsible to ensure:
- (a) drop cloths/plastics are installed and removed daily between the elevators and the strata lot as well as between other doors to protect common areas from any spillage or drippings:
 - (b) stairs, lobbies and paths through the parkade are regularly cleaned (and vacuumed at the request of the council) and the residential corridor thoroughly vacuumed daily during the period of renovation construction.

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- 9.5 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.
- 9.6 An owner must ensure that the renovations or alterations shall be performed between the hours of 8 AM to 8 PM Monday to Friday and 10 AM to 6 PM Saturday, Sunday and statutory holidays.
- 9.7 An owner in contravention of bylaws 9.1 to 9.6 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.

10 Permit entry to strata lot

- 10.1 An owner, tenant, occupant 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, and
 - (b) at a reasonable time, on 48 hours' written notice, indicating on said notice the date and approximate time of entry, and the reason for entry.
 - (i) 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.
 - (ii) to ensure compliance with the Act and bylaws.

Division 2 — Powers and Duties of Strata Corporation

11 Repair and maintenance of property by strata corporation

- 11.1 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;

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- (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;
 - (F) a strata lot, but the duty to repair and maintain it is restricted to:
 - (ii) the structure of a building,
 - (iii) the exterior of a building,
- 11.1 (c) (ii) (F)
- (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

12 Council size

- 12.1 The council must have at least 5 and not more than 7 members.

13 Council eligibility

- 13.1 The spouse of an owner assigned the right by the owner may stand for council.
- 13.2 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.
- 13.3 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 of the costs, including the legal costs, of remedying a contravention of the bylaws or rule for which the owner is responsible under section 131 of the Act.

14 Council Members' Terms of Office

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

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- 14.2 A person whose term as council member is ending is eligible for re-election.
- 14.3 In the election of council members held at an annual general meeting subsequent to the election of all council members for a term of one year,
- (a) if the council has an even number of members, one-half the members must be elected for a term of two (2) years and the remainder elected for a term of one year, or
 - (b) if the council has an odd number of members, a simple majority must be elected for a term of two years, and the remainder elected for a term of one year.

15 Removing a council member

- 15.1 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.
- 15.2 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.

16 Replacing a council member

- 16.1 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.
- 16.2 A replacement council member may be appointed from any person eligible to sit on the council.
- 16.3 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.
- 16.4 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.

17 Officers

- 17.1 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.
- 17.2 A person may hold more than one office at a time, other than the offices of president and vice president.
- 17.3 Duties of Council Members
- (a) President will chair each council.

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- (b) The vice president has the powers and duties of the president
 - (i) while the president is absent or is unwilling or unable to act, or
 - (ii) for the remainder of the president's term if the president ceases to hold office.
- (b) Treasurer will review all accounts of the corporation reported by the management company or resident caretaker and report to Council any discrepancies and ensure any corrections required are completed.
- (c) Secretary will review all correspondence to the corporation and ensure the minutes of the meetings of the council are accurate and concise.
- (d) The President and/or Vice President will liaise with the property management company and report on his/her/their actions to the council.

17.4 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.

18 Calling council meetings

- 18.1 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.
- 18.2 The notice does not have to be in writing.
- 18.3 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.
- 18.4 The council must inform owners about a council meeting as soon as feasible after the meeting has been called.

19 Requisition of council hearing

- 19.1 By application in writing, stating the reason for the request, an owner or tenant may request a hearing at a council meeting.
- 19.2 If a hearing is requested under subsection 19.1, the council must hold a meeting to hear the applicant within one month of the request.

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19.3 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.

20 Quorum of council

20.1 A quorum of the council is 3, if the council consists of 5 or 6 members, and 4, if the council consists of 7 members.

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

21 Council meetings

21.1 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.

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

21.3 Owners and spouses of owners may attend council meetings as observers.

21.4 Despite subsection 21.3, 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.

22 Voting at council meetings

22.1 At council meetings, decisions must be made by a majority of council members present in person at the meeting.

22.2 If there is a tie vote at a council meeting, the president may break the tie by casting a second, deciding vote.

22.3 The results of all votes at a council meeting must be recorded in the council meeting minutes.

23 Council to inform owners of minutes

23.1 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.

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24 Delegation of council's powers and duties

- 24.1 Subject to subsections 24.2 to 24.4, 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.
- 24.2 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 24.3.
- 24.3 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.
- 24.4 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.
- 24.5 Significant decisions cannot be made without approval of at least a quorum of the council.

25 Spending restrictions

- 25.1 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.
- 25.2 Despite bylaw 25.1, 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.

26 Limitation on liability of council member

- 26.1 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.
- 26.2 Bylaw 26.1 does not affect a council member's liability, as an owner, for a judgment against the strata corporation.

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- 26.3 All acts done in good faith by the council are, even if it is afterwards discovered that there was some defect in the appointment of 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.

Division 4 — Enforcement of Bylaws and Rules

27 Maximum fine

- 27.1 Except where specifically stated to be otherwise in these bylaws, the strata corporation may fine an owner or tenant a maximum of
- (a) \$200 for each contravention of a bylaw, and *(Nov. 29/2004)*
 - (b) \$50 for each contravention of a rule.

28 Continuing contravention

- 28.1 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.

Division 5 – Miscellaneous

29 Moving

- 29.1 An owner must conform and make sure that any tenants conform to the Move in/out bylaws and rules established by council from time to time.
- 29.2 A resident or owner 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 8:00 AM and 8:00 PM Monday through Friday and between 10:00 AM to 6:00 PM Saturdays, Sundays and statutory holidays.
- 29.3 No move into, or out of, any strata lot, other than a townhouse unit (to which this bylaw 29.3 does not apply), may take place without a professional security guard on duty at all times during the move at the door(s) through which the move takes place, unless alternate arrangements satisfactory to council, acting reasonably, are made and pre-approved in writing by council. All arrangements and payments required to be made in respect of such security guard are the responsibility of the owner of the strata lot into/out of which the move takes place. The owner of the strata lot will indemnify and save harmless the strata corporation from any and all costs incurred as a result of failing to comply with this bylaw and the terms of any approvals granted by council, including the cost of hiring a security guard on an emergency basis if considered appropriate by council, and will be liable for a fine of \$200 per incident. *(Nov. 29/2004)*

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- 29.4 The caretaker or a designated person must be contacted when a move begins so that the elevator can be locked off and the caretaker or a person designated must be contacted at the end of a move to ensure that the elevator is returned to service. The elevator doors must not be jammed open in any manner.
- 29.5 A resident must ensure that the lobby doors and parkade gates are not left open, ajar or unattended and that furniture is not left piled in the lobby area.
- 29.6 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.
- 29.7 All new residents must pay a non-refundable moving fee of \$50.00, 48 hours prior to moving.
- 29.8 Where there is more than one move into an apartment strata lot (involving furniture) in a calendar year (other than when the unit has been purchased) each additional move in will be assessed a move in fee of \$250. (*April 14, 2003*)
- 29.9 A resident contravening the moving bylaws and rules will be subject to a fine of \$100.00.

Division 6 — Annual and Special General Meetings

30 Quorum of Meeting

- 30.1 If within 15 minutes from the time appointed for an annual or special general meeting, a quorum is not present, the meeting stands adjourned for a further 15 minutes on the same day at the same place. If within such further 15 minutes from the time of the adjournment (i.e., within a total of 30 minutes from the time appointed for the meeting), a quorum is not present, the eligible voters, present in person or by proxy, constitute a quorum. (*Nov. 29/2004*)
- 30.2 This bylaw, 30.1, is an alternative to section 48(3) of the Act. This bylaw does not apply to a meeting demanded pursuant to section 43 of the Act and failure to obtain a quorum for a meeting demanded pursuant to section 43 terminates and does not adjourn that meeting.

31 Person to chair meeting

- 31.1 Annual and special general meetings must be chaired by the president of the council.
- 31.2 If the president of the council is unwilling or unable to act, the meeting must be chaired by the vice president of the council.
- 31.3 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.

32 Participation by other than eligible voters

- 32.1 Tenants and occupants may attend annual and special general meetings, whether or not they are eligible to vote.

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- 32.2 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.
- 32.3 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.

33 Voting

- 33.1 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.
- 33.2 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 on the costs, including the legal costs, of remedying a contravention of the bylaws or rule.
- 33.3 At an annual or special general meeting, voting cards must be issued to eligible voters.
- 33.4 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.
- 33.5 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.
- 33.6 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.
- 33.7 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.
- 33.8 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.

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;

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- (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 7 — 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.

Division 9 — Parking

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37 Parking

- 37.1 An owner, tenant or occupant must use parking stalls only for the parking of licensed and insured motor vehicles, trailers, motorcycles or bicycles, and not for the parking of any other type of vehicle or the storage of any other item, unless otherwise approved in writing by the council.
- 37.2 An owner, tenant or occupant must not:
- (a) use any parking space in the building or on the common property or on any limited common property, except the parking space which has been specifically assigned to his/her strata lot, a parking space leased by the owner or, when specifically agreed with another owner, the parking space assigned to the strata lot of that other owner;
 - (b) 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;
 - (c) rent or lease the parking space assigned to his/her strata lot to or otherwise permit that parking space to be regularly used by anyone that is not a resident of the building;
 - (d) park any vehicle in a manner which will reduce the width of the garage roadway or ramp or any roadway on the common property or on any limited common property; or
 - (e) use any part of the common property (other than established storage rooms or lockers) for storage, without the written consent of the council.
- 37.3 An owner, tenant or occupant must promptly and at his/her own expense clean up any oil or other substance which spills or leaks onto the common property.

Division 10 — Miscellaneous

38. Window Appearance

- 38.1 use or install in or about a strata lot any shades, awnings, window or balcony guards or screens, ventilators, supplementary heating or air conditioning devices, except those installations approved in writing by the council;
- 38.2 hang or display any laundry, washing, clothing, bedding or other articles from windows, balconies or other parts of the building so that they are visible from the outside of the building;
- 38.3 install any window coverings, visible from the exterior of his strata lot, which are different in size or colour from those of the original building specifications;
- 38.4 erect on or fasten to the strata lot, the common property or any limited common property any television or radio antenna or similar structure or appurtenance thereto;
- 38.5 place any signs, billboards, notices or other advertising matter of any kind on, or visible from, the exterior of a strata lot.