

**BYLAWS OF
THE OWNERS, STRATA PLAN LMS2768
THE BOULEVARD CLUB**

**(Please note that this copy is for owners' convenience only.
The official registered copy of the strata corporation's
bylaws are held in the Land Title Office)**

**Amended August 7, 2001 – BR200610
Amended October 30, 2002 – BT397956
Amended March 16, 2004 – BW102455 and BW102456
Amended August 29, 2005 – BX482893
Amended June 26, 2006 – BA303909
Amended June 25, 2007 – BB524596
Amended November 20, 2007 – BB146336
Amended July 13, 2008 – BB0684752
Amended December 15, 2009 – BB1131436
Amended August 25, 2010 – BB170090 1
Amended July 13, 2011 – BB1971496
Amended October 29, 2013 – CA3427766
Amended September 22, 2014 – CA3972152**

BYLAWS
of
THE OWNERS, STRATA PLAN LMS 2768

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 (the "Act"). 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 If an owner is late in paying any strata fee or additional strata fee, the owner must pay to the strata corporation interest on the late payment often per centum (10%) per annum, compounded annually, commencing from the date the payment was due and continuing until paid in full.

(Amended March 16, 2004 – BW102455)

2.3 A special levy is due and payable on the date or dates noted in the resolution authorizing the special levy.

2.4 Failure to pay a special levy in accordance with bylaw 2.3 will result in a fine of \$50.00 for the first month, \$75.00 for the second month and \$100.00 for the third and succeeding months.

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

- 4.1 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 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.
- 4.2 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.
- 4.3 An owner is responsible for any damage caused by occupants, tenants or visitors 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 an owner's visitors, occupants, 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.

- 4.5 A resident must not use a residential strata lot other than as a private residential dwelling and not for transient, commercial or hotel purposes and unless granted prior written approval by the strata council. For the purposes of this bylaw 4.5, a “person” is defined to include children but excludes visitors staying less than 30 days with an owner, occupant or tenant of a strata lot.

For the purpose of this bylaw residents must notify council in writing within 14 days that a room mate/s, caregiver/s or home sitter/s will occupy and part of a residential strata lot.
(Amended July 13, 2011 – BB1971496)

- 4.6 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.

5. Pets and animals

- 5.1 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.

- 5.2 A resident or visitor 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) a reasonable number of small caged mammals;
- (c) up to 2 caged birds;
- (d) two dogs and/or an unspecified number of cats as per the City of Surrey bylaw.
(Amended June 25, 2007 – BB524596)

- 5.3 A resident or visitor must ensure that all animals are leashed or otherwise secured when on common property or on land that is a common asset.
(Amended June 25, 2007 – BB524596)

- 5.4 A resident must not harbour exotic pets, including not exhaustively, snakes, reptiles, spiders or large members of the cat family.

- 5.5 A resident must register with the council when desiring to keep a pet (a “Permitted Pet”) by registering 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.

- 5.6 A resident or visitor must not permit a loose or unleashed Permitted Pet (leashes cannot exceed six 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.

- 5.7 (a) 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.
- (b) A resident must not keep any such breed of animal that is considered dangerous, including reptiles, mammals, arachnids, scorpions and, more specifically, breeds of dogs that have been classified dangerous and/or such dogs that, in the opinion of the strata council, are considered dangerous, such as Pit-bulls, Rottweilers, and/or dogs that exceed 18" in height when measured at the shoulder and/or exceed 45lbs in weight when fully grown. If a resident has a pet on a strata lot, on common property or on land that is a common asset, which is not a Permitted Pet and/or if, in the opinion of council, the Permitted Pet is considered to be a danger to the other residents and/or visitors of a strata lot in any way, the council will order such pet to be removed immediately from the strata lot, the common property or common asset or all of them.

(Amended August 29, 2005 – BX482893)

- 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.
- 5.9 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.
- 5.10 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.
- 5.11 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.
- 5.12 A resident who contravenes any of bylaws 5.1 to 5.7 (inclusive), 5.9 or 5.11 will be subject to a \$100.00 fine.

6. Inform strata corporation

- 6.1 An owner must notify the strata corporation 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
- 6.2 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.

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) 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 the Act; and
 - (h) wiring, plumbing, piping, heating air conditioning and other services.
 - (i) the floor covering and/or the floor substrate, including the sheathing attached to the supporting floor joists. In the event that the existing floor covering be removed and replaced with hardwood and/or laminate floors, an underpad must be installed that meets with the following minimum specifications:

**ACOUSTIC UNDERLAYMENT FOR LAMINATE FLOORS AND
ENGINEERED HARDWOOD FLOORS – PRODUCT SPECIFICATIONS**

THICKNESS	.085"/3.0 mm
ACOUSTICAL DENSITY	63 FIIC (ASTM E492) Impact Sound Transmission 20 lbs/cu. ft.

(Amended June 25, 2007 – BB524596)

- 7.2 The strata corporation must not unreasonably withhold its approval under bylaw 7.1, but will require as a condition of its approval that the owner must sign an Assumption of Liability which document will hold the current and all future owners responsible 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. The current owner who has signed an Assumption of Liability will be obligated to disclose and hand a copy of this document to future owners and this document is to form part of the Purchase and Sale Agreement between the seller and the buyer.

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(Amended August 25, 2010 – BB1700901)

- 7.3 Bylaw 5 (3) of the Schedule of Bylaws to the Act does not apply to the strata corporation.
- 7.4 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.

8. Obtain approval before altering common property

- 81 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.

- 82 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 8.1.

- 83 The strata corporation will require, as a condition of its approval, that the owner sign an Assumption of Liability, which document will hold the current and all future owners responsible to abide by certain terms and conditions, including, not exhaustively, the following:
(Amended August 25, 2010 – BB1700901)

- (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 strata 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; The current owner who has signed an Assumption of Liability will be obligated to disclose and hand a copy of this document to future owners and this document is to form part of the Purchase and Sale Agreement between the seller and the buyer. *(Amended August 25, 2010 – BB1700901)*
- (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.

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

8.5 An owner who, subsequent to the passage of bylaws 8.1 to 8.3 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.

9. Renovations/alterations

- 9.1 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.
- 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 parking lot and, if in an elevator, the owner must ensure the elevator is protected with proper wall pads and floor coverings. An owner must not permit any renovations/alterations materials to be delivered through the main lobby.
- 9.4 A resident must be responsible to ensure:
- (a) drop cloths 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 dripping;
 - (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;
- 9.5 An owner must ensure that the hours of work are restricted to 8:00 a.m. to 5:00 p.m., Monday through Friday, and 10:00 a.m. to 5:00 p.m., Saturdays, Sundays and 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.
- 9.6 An owner must be in attendance for all **SIGNIFICANT** renovations/alterations, the determination of **SIGNIFICANT** shall be in the discretion of the council.
- 9.7 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 licences are obtained.
- 9.8 An owner in contravention of bylaws 9.1 to 9.7 (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.
- 10. Permit entry to strata lot**
- 10.1 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.

10.2 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.

10.3 The notice referred to in bylaw 10.1(b) must include the date and approximate time of entry, and the reason for entry.

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;
 - 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, windows 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

12. Council size

121 The council must have at least 5 members and not more than 7 members.
(Amended November 20, 2007 – BW146336)

13. Council eligibility

131 The spouse of an owner may stand for council.

132 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 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.

13.4 No person may stand for council 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.

14. Council members' terms

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

15. Removing council member

- 15.1 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.

In this bylaw 15.1, a two-thirds (2/3) vote means a vote in favour of a resolution by at least 2/3 of the votes cast by eligible voters who are present in person or by proxy at the time the vote is taken and who have not abstained from voting.

- 15.2 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.
- 15.3 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.
- 15.4 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.
- 15.5 A replacement council member appointed pursuant to bylaw 15.2 or 15.4 may be appointed from any person eligible to sit on the council.

16. Replacing council member

- 16.1 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.
- 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 bylaw 16.2 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, 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 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.

17.4 The strata council may vote to remove an officer.

17.5 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.

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 in bylaw 18.1 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 either
 - (i) consent in advance of the meeting, or

(ii) are unavailable to provide consent after reasonable attempts to contact them.

184 Bylaw 14(4) of the Schedule of Bylaws to the Act does not apply to the strata corporation.

19. Requisition of council hearing

191 By application in writing, a resident may request a hearing at a council meeting stating the reasons for the request.

192 Except for a hearing pursuant to section 144 of the Act, if a hearing is requested under bylaw 19.1, 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.

193 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.

20. Quorum of council

20.1 A quorum of the council is

- (a) 1, if the council consists of one member,
- (b) 2, if the council consists of 2, 3 or 4 members,
- (c) 3, if the council consists of 5 or 6 members, and
- (d) 4, if the council consists of 7 members.

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

21. Council meetings

21.1 The council may meet together for the conduct of business, adjourn and otherwise regulate its meetings as it thinks fit.

21.2 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.

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

- 21.4 Owners and spouses of owners may attend council meetings as observers.
- 21.5 Despite bylaw 21.4, 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.

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 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.

24. Delegation of council's powers and duties

- 24.1 Subject to bylaws 24.2, 24.3 and 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 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.

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 Bylaw 21(2) of the Schedule of Bylaws to the Act does not apply to the strata corporation.

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.

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 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

27. Fines

27.1 Except where specifically stated to be otherwise in these bylaws, the strata corporation may fine an owner or tenant:

- (a) \$100.00 for each contravention of a bylaw, and
- (b) \$50.00 for each contravention of a rule.

27.2 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.

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.

Annual and Special General Meetings

29. Quorum of meeting

29.1 If within V2 hour from the time appointed for an annual or special general meeting, a quorum is not present, the meeting stands adjourned for a further V2 hour on the same day and at the same place. If within a further V2 hour from the time of the adjournment, a quorum is not present, the eligible voters, present in person or by proxy, constitute a quorum.

This bylaw 29.1 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.

29.2 In establishing a quorum at a general meeting, all properly completed proxy forms on behalf of strata lots entitled to vote shall be counted however no single person shall be allowed to hold more than three proxies. *(Amended December 15, 2009 – BB1131436)*

30. Person to chair meeting

30.1 Annual and special general meetings must be chaired by the president of the council.

30.2 If the president of the council is unwilling or unable to act, the meeting must be chaired by the vice president of the council.

30.3 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, 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.

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.

32 .A Special General Meeting Called under Sect 43 of the Strata Property Act

32A.1 On proper receipt of a petition which meets the requirement of sect 43 of the Strata

Property Act by the strata corporation delivered in accordance with sect 63 of the SPA, the strata council may validate the petition prior to calling the SGM, in the event that the petition is found to be invalid, the strata council must notify all owners in writing within 14 days of receipt of the petition, that the petition does not comply with sect 43 of the SPA.

32A.2 An owner has the right to withdraw the endorsement of the petition within 7 days of receipt of the petition by council and should this action by the owner/s bring the petition into non-compliance with sect 43, the strata council must notify all of the owners as per 32.1
(Amended December 15, 2005 – BB1131436)

33. Electronic attendance at meetings

331 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.

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, employees, agents, tenants or a member of the owner's family.

Marketing Activities by Owner Developer

37. Display lot

- 37.1 Subject to bylaw 38.1, an owner developer who has an unsold strata lot may carry on sales functions that relate to its sale, including the posting of signs.
- 37.2 An owner developer may use a strata lot that the owner developer owns or rents, as a display lot for the sale of other strata lots in the strata plan.

Marketing Activities by Owners and Occupants

38. Sale of a strata lot

- 38.1 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.

Insurance

39. Insuring against major perils

- 39.1 The strata corporation must insure against major perils, as set out in regulation 9.1(2), including, without limitation, earthquakes.
- 39.2 Where the strata corporation is required to repair, replace and/or maintain any portion of the common property, common facilities, assets, including strata lots comprised in the building(s) (the "Property") that are usually the subject of insurance pursuant to Section 149 of the Act and whereas the strata corporation is subject to an insurance deductible greater than five (5) percent of the insured value of the Property, in the event of damage to the Property caused by an earthquake, the strata corporation shall levy a special assessment upon all owners of the strata corporation in proportion to the respective unit entitlement of each owner's strata lot in an amount equivalent to the deductible or such lesser amount as may be required to complete all repairs to and replacement of the Property as necessary. In the event of an earthquake, the special assessment shall immediately become due and payable in full and any owner who sells, conveys or transfers his/her title, including a remortgage, shall pay the full amount outstanding. As a matter of financial convenience only, the owners may pay the special assessment over a period of six (6) months, such payments to be equally divided and commencing on the first day of the month following declaration of this bylaw by the strata council or any duly appointed administrator in

lieu of the strata council. Any installment not made on the first of each month shall be assessed a fine of \$100.00. The strata corporation may further add interest charges.

This special assessment shall be considered as part of the common expenses of the strata corporation and Section 171 of the Act shall be applicable where an owner fails to make the required payment as authorized by this bylaw.

- 39.3 An owner shall indemnify and save harmless the strata corporation from the expense of any maintenance, repair of strata lot or contents thereof caused by or resulting from the acts, omission of acts, negligence or carelessness, by the owner or by that of any member of the owner's family or their guests, employees, contractors, agents, tenants or volunteers, but only to the extent that such expense is not met by the proceeds received from any applicable insurance policies held by the strata corporation as required by the provisions of the Strata Property Act.
- 39.4 For the purposes of this bylaw, the payment of an insurance deductible pursuant to section 158 of the Strata Property Act does not limit the capacity of the strata corporation to sue an owner, tenant or the persons who normally occupy a strata lot in order to recover the deductible portion of an insurance claim if the owner, tenant or person who normally occupies the strata lot is responsible for the loss or damage that gave rise to the claim.
- 39.5 No owner shall be entitled to claim any compensation from the strata corporation for any loss or damage to the property or person or the owner, or his or her guests, contractors, agents, invitees arising from defect or want of repair of the common property or any part thereof.
- 39.6 Subject to the provisions of the Strata Property Act, the strata corporation shall not be responsible to an owner for any loss, damage or expenses caused by an overflow or leakage of water from the building or any adjoining buildings or by the breaking or bursting of pipes or plumbing fixtures or in any other manner whatsoever.

(Amended March 16, 2004 – BW102456)

Storage

40. Storage lockers and bicycle storage

- 40.1 A resident must store bicycles and tricycles only in the bicycle rack and storage
- 40.2 A resident must not store any hazardous or flammable materials in storage lockers.

Parking

41. Parking

- 41.1 A resident must not store unlicensed or uninsured vehicles on the common, limited common property or on land that is a common asset.
- 41.2 A resident storing a vehicle must provide a **CURRENT** copy of the storage insurance to the strata corporation. The resident **MUST** also display a copy of such insurance on the dashboard of their vehicle/s. *(Amended June 26, 2006 – BA303909)*
- 41.3 An owner must not sell, lease or license parking stalls to any person other than an owner or occupant.
- 41.4 A resident **MUST** park in the parking stall assigned to their strata lot, except where an owner has leased a parking stall from another owner in the same building.
(Amended August 25, 2010 – BB1700901)
- 41.5 Visitor parking is **ONLY** to be used by visitors of residents. The two parking stalls in the visitor parking area closest to the entrance to the elevator lobby are designated as 30-minute maximum parking and are to be used by owners/residents for offloading purposes on a first-come, first-served basis. Any owner/resident abusing this privilege will be subject to the terms stated in paragraph 41.10. *(Amended June 26, 2006 – BA303909)*
- 41.6 No visitor may park overnight in visitor parking between the hours of 2:00 a.m. to 6:00 a.m. unless a **VISITOR PARKING PASS** provided by the strata corporation is clearly displayed on the dashboard of the vehicle, indicating which strata lot is being visited. In the event that an owner requires additional parking passes, the owner **MUST** contact the resident manager at least 48 hours in advance for such a parking pass, and the resident manager will issue the owner with a **TEMPORARY VISITOR PARKING PASS**, or the owner must download this parking pass from the management company's website. This parking pass will only be valid for **24 HOURS**, and **MUST** be dated. *(Amended June 25, 2007 – BB524596)*
- 41.7 Any resident's or visitor's vehicle parked in contravention of any of bylaws 41.4, 41.5, 41.6 and 41.7 may be subject to removal by a towing company authorized by council, and all costs associated with such removal will be charged to the vehicle owner.
- 41.8 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.
- 41.9 Any resident's vehicle parked in contravention of bylaw 41.5, 41.8 and a 41.9 will be subject to a fine of \$100.00 and the vehicle will be removed by a towing company authorized by council. All

finer will be charged to the owner of the strata lot and the costs for such removal will be charged to the owner of the vehicle. *(Amended June 26, 2006 – BA303909)*

41.10 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.

41.11 A resident or visitor operating a vehicle on the common property of the strata corporation within the complex **MUST** activate the vehicle's headlights and **NOT** exceed the speed limit of 10 km/hour. Failure to comply with this bylaw will result in a fine of \$100.00 being charged to the owner's strata lot. *(Amended June 26, 2006 – BA303909)*

41.12 A resident must wash a vehicle in the location designated for vehicle washing only. 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.

41.13 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.

41.14 A resident must not store any items in the parking stall assigned to them, the only exception being an oil mat which is approved for use by the City of Surrey Fire Department.
(Amended July 4, 2008 – BB0684752)

Moving

42 Moving in/out procedures

42.1 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.

42.2 A resident must provide notice to the Resident Manager of all moving arrangements at least 48 hours before the moving date. All moves must take place between 9:00 a.m. and 6:00 p.m., Monday through Friday, and 8:00 a.m. to 6:00 p.m. on Saturdays, Sundays and statutory holidays. *(Amended June 26, 2006 – BA303909)*

42.3 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.

- 42.4 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.
- 42.5 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.
- 42.6 (a) An owner must pay a \$100.00 non-refundable move-in fee, with the exception of the first move-in after the purchase of the strata lot that involves the moving in or out of furniture.
(Amended July 13, 2011 – BB1971496)
- 42.6 (b) An owner must pay a \$50.00 non-refundable change of occupancy fee each time there is a change in occupancy that does not involve the moving in or out of furniture.
(Amended July 13, 2011 – BB1971496)
- 42.7 A resident must pay a refundable damage deposit of \$500.00, 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.
- 42.8 A resident contravening any of bylaws 42.1 to 42.7 (inclusive) shall be subject to a fine of \$100.00.
(Amended June 26, 2006 – BA303909)

Appearance of strata lots

43. Cleanliness

- 43.1 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.
- 43.2 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.

Rentals

44. Residential rentals

- 44.1 The number of strata lots within the strata corporation that may be leased at any one time is limited to 10%.
- 44.2 An owner wishing to lease or rent a strata lot to a person or a corporation must apply to the strata council for permission to rent before entering into a tenancy agreement. For the purpose of this bylaw a lease or tenancy of any residential strata lot shall be for a term of not less than six consecutive months. No residential strata lot shall be occupied under a residential tenancy lease, contract, or license arrangement for transient, hotel or commercial purposes and shall, in

Amended July 13, 2011 – BB1971496

accordance with bylaw 4.5, only be leased or rented as a private residential dwelling. *(Amended July 13, 2011 – BB1971496)*

- 44.3 If the number of strata lots leased at the time an owner applies for permission to lease has reached the limit stated in bylaw 44.1, excluding exempt strata lots pursuant to sections 143 and 144 of the Act and section 17.15 of the Regulations, the council must refuse permission and notify the owner of the same in writing, as soon as possible stating that the limit has been reached or exceeded, as the case may be, and place the owner of the strata lot on a waiting list to be administered by the council based upon the date of the request for permission to rent.
- 44.4 If the limit stated in bylaw 44.1 has not been reached at the time the owner applies for permission to lease a strata lot, excluding exempt strata lots pursuant to sections 143 and 144 of the Act and section 17.15 of the Regulations, the council shall grant permission and notify the owner of the same in writing as soon as possible.
- 44.5 An owner receiving permission to lease a strata lot must exercise the permission to lease within 90 days from the date the strata council granted same, otherwise the permission expires. During the 90 days immediately following the grant of permission, the strata lot shall be deemed to be leased for the purpose of the limit stated in bylaw 44.1 and bylaw 44.2. Upon the termination or conclusion of the tenancy agreement entered into subsequent to the granting of permission under this bylaw, the owner must re-apply for permission to lease his or her strata lot.
(Amended July 13, 2011 – BB1971496)
- 44.6 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.
- 44.7 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.
- 44.8 Where an owner leases a strata lot in contravention of bylaws 44.1, 44.2 or 44.3, 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.
- 44.9 Where an owner leases a strata lot in contravention of bylaws 44.6 and 44.7, the owner shall be subject to a fine of \$200.00. *(Amended July 13, 2011 – BB1971496)*
- 44.10 Notwithstanding the previous restrictions to rentals set out above, the rental of Units #213 (Strata Lot 109) and of #120 Ventura, while they are a common asset of the Strata Corporation will not be considered a rental for the purposes of bylaw 44. These units will not be counted as part of the 10% limit on rentals, shall not be levied strata fees or special levies, shall not be included in any calculation of payment of judgment against the strata corporation, and shall not affect or impede other rentals and rental procedures applicable under bylaw 44. Unit #213 and #120 Ventura shall be rented for the purposes of recouping the debts and charges owed to the Strata Corporation pursuant to litigation arising in connection to the previous use and occupancy of Unit #213. *(Amended September 22, 2014 – CA3972152)*

Visitors and Children

45. Children and supervision

45.1 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.

45.2 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.

45.3 Residents are responsible to assume liability for and properly supervise activities of children including, but not exhaustively, bicycling, skateboarding and hockey and including use by children of common property amenities.

46. Miscellaneous

46.1 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.

46.2 A resident or visitor must not wear or use inline skates and skateboards **ANYWHERE** in the building, including a strata lot.

46.3 A resident or visitor must not use common property electrical outlets with the exception of parking area outlets used while vacuuming a vehicle.

46.4 Subject to bylaw 38.1, 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.

46.5 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.

46.6 A resident must ensure that all entrance doors to strata lots are kept closed and kitchen extract fans are used when cooking.

46.7 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.

46.8 A resident must ensure that drapes or blinds visible from the outside of the building are the same in colour to those of the original building specifications, the colour being either

white or ivory. *(Amended July 13, 2011 – BB1971496)*

- 46.9 A resident must ensure that no laundry, flags, clothing, bedding or other articles are hung displayed from windows, balconies or other parts of the building so that they are visible from the outside of the building.
- 46.10 A resident must not display or erect fixtures, poles, clotheslines, racks, freezers 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 and free standing storage containers painted to match the exterior of the building.
- 46.11 An owner wishing to have Christmas lights must ensure that Christmas lights are installed after December 1st of the year approaching Christmas and removed before January 15th of the year following Christmas.
- 46.12 A resident must not bring live Christmas trees onto a strata lot, common property or land that is a common asset. *(Amended August 29, 2005 – BX482893)*
- 46.13 A resident must not use, install or permit any person to use or install, in or about a strata lot, any shades, awnings, screens, ventilators, supplementary heating or air conditioning devices, except those installations approved in writing by the council.
- 46.14 A resident must not erect on or fasten to, or permit any person to erect on or fasten to common property, limited common property or a strata lot, any television or radio antenna or similar structure or appurtenance thereto, except for the installation of satellite dishes, provided they are installed in a professional and responsible manner without damage to the common property, limited common property or strata lot. For greater certainty, this bylaw 46.15 permits the installation of a free standing satellite dish, not attached to the building, not exceeding 24 inches wide and painted to match the colour of the exterior of the building.
- 46.15 An owner **MUST NOT PLACE/DUMP** any of the following items in the garbage bins/rooms:
- All items of furniture, including TVs, computers and all computer equipment, stereo systems, microwave ovens, appliances.
 - Carpeting, carpet underlay, laminate flooring.
 - Paint cans and/or buckets, propane tanks, flammable items (i.e. thinners)
 - Automobile tires, batteries, oil/oil cans, etc.
 - Construction material, gyproc, 2 x 4s, etc.

ALL OF THE AFOREMENTIONED ITEMS ARE TO BE REMOVED FROM THE COMPLEX BY THE OWNER/RESIDENT AND DISPOSED OF AT THE CITY LANDFILL. ANY OWNER/RESIDENT SEEN DUMPING ANY PROHIBITED ITEMS

INTO THE GARBAGE BINS/ROOMS WILL BE SUBJECT TO A FINE AND WILL BE BILLED FOR ANY COSTS INCURRED BY THE STRATA CORPORATION.

ONLY HOUSEHOLD GARBAGE IS TO BE PLACED IN THE GARBAGE BINS/ ROOMS.

(Amended June 25, 2007 – BB524596)

46.16 A resident contravening any of bylaws 46.1 to 46.17 (inclusive) shall be subject to a fine of \$100.00.

(Amended June 25, 2007 – BB524596)

46.17 A resident or visitor must not use a briquette/coal barbeque on the balcony or other part of a strata lot or common property.

(Amended October 29, 2013 – CA3427766)

47. Key-fob Access System and Video Surveillance

47.1 This Bylaw authorizes the Strata council of the Boulevard Club to use both the Key-fob access system and the Video Surveillance system to record and monitor the movement of the key fobs and the movement of all individuals entering the premises of the Boulevard Club. Both the key fob entry system recordings and Video surveillance recordings, generated by cameras located on the above mentioned areas of the Boulevard Club's properties, are used to enhance the security of the facilities, as well as for the individuals and assets present in the facilities. Such recordings may capture entry and exit times from facilities and may also be used to investigate thefts, security incidents, emergency situations and bylaw and rules infractions. In such cases, this information may be shared with appropriate law enforcement agencies and emergency workers. Bylaw and rules infractions will be investigated upon the strata corporation receiving a complaint from a resident or to investigate possible security breaches. Furthermore, where video information reveals evidence of illegal activity, employee misconduct or accidents, or bylaw and rule infractions, the recordings may be disclosed to Strata Council members, enforcement or investigative bodies for further investigations, charges or disciplinary actions. (Amended July 13, 2011 – BB1971496)

47.2.1 The information maintained in this bylaw is protected in accordance with the provisions of the Personal Information Protection Act ("PIPA"). Under PIPA, residents have a right to access personal information about themselves that may be contained in fob and video surveillance recordings, if a resident believes such information exists. Requests for access must be made in writing and delivered to the strata corporation. Access to the specific individual's personal information will be made available in the presence of an elected member of the strata council or the Strata Corporation's strata manager, in accordance with the time requirements provided for in PIPA. (Amended July 13, 2011 – BB1971496)

48. Smoking Prohibition Bylaw

48.1 Owners, occupants, tenants, visitors and guests are strictly prohibited from smoking in or on:

- a) Interior common property areas including but not limited to hallways, elevators, the lobby area, the parking garage and the locker rooms and stairwells;
- b) Within 3 meters of the entranceways to the building, open windows and air intakes.

48.2 A fine of up to \$200.00 may be imposed by the strata council on an owner or on the tenant for

each contravention of this bylaw and should the contravention of this bylaw continue, without interruption, for longer than 7 days, a fine of up to \$200.00 may be imposed by the strata council every 7 days.