

#28; MAUREEN LINDBLAD.

RULES & REGULATIONS

1. Late/non-payment of Strata Fees (including NSF cheques)
Strata fees are due on the 1st of each month. If received after the 7th of the month, a late penalty of \$15.00 plus costs (i.e. postage, management time etc.) per month on any unpaid amounts, will be imposed, such penalties being accumulative.
2. Speed Limits: A maximum speed limit of 5 km/hr shall apply to all roadways and parking areas within the Strata property.
3. Parking: Residents to park in garage, in driveway or in front of own garage only. There will be no parking on the roadway verges. Visitor parking areas are located in upper area across from unit 7, and below between units 24 and 25).
4. Pet Control: Pet owners must keep any pets under reasonable control and be present (within visual range) at all times whenever the pet is on strata property outside of the owner's strata unit. All pet feces must be cleaned up immediately. Pet owners are responsible for repair of any damage to common areas caused by their pets (e.g. digging, lawn damage due to feces or urine, spraying etc.).
5. Noise: Quiet hours 23:00 to 07:00 daily.
Owners, tenants and guests must avoid any noise from any strata unit or common area which interferes with the reasonable enjoyment of any other owner, tenant or guest.
6. Security and Enjoyment: Owners, tenants and guests must avoid any activity in or on any strata unit or common area which interferes with the reasonable enjoyment of any other owner, tenant or guest or cause reasonable fear for safety or violation of reasonable privacy.
7. The discipline procedure to be followed for infraction of by-laws, rules and regulations shall be as follows:
 - i) 1st offence (complaint) – a warning letter outlining the nature of the complaint and specifying the discipline structure will be sent to the offending owner.
 - ii) 2nd offence – a warning letter stating "Final Warning" and indicating that fines may be imposed upon next complaint.;
 - iii) 3rd offence – a letter to advise that a \$50.00 fine has been assessed.
 - iv) 4th offence – a letter to advise that a \$100.00 fine has been assessed.
 - v) 5th offence – a letter to advise that a \$200.00 fine has been assessed.
 - vi) Subsequent offences – additional fine of \$200.00 per complaint is assessed and advised by letter.

Unpaid fines to be considered as outstanding strata fees, resulting in suspension of voting privileges, and possible court action to collect fees/fines and any and all costs required to collect.



THE OWNERS' STRATA PLAN KAS 1638
(BAYVIEW PLACE TOWNHOMES)

**BYLAWS &
RULES & REGULATIONS**

THE OWNERS' STRATA PLAN KAS 1638

BY-LAWS

BY-LAW 1: DUTIES OF AN OWNER

1.1 An Owner Shall permit the strata corporation and it's agents, at all reasonable times on notice, except in case of emergency, when no notice is required, to enter their strata lot for the purpose of inspecting the same and maintaining, repairing or renewing pipes, wires cables and ducts for the time being existing in the strata lot and capable of being used in connection with the enjoyment of any other strata lot or common property, or for the purpose of maintaining, repairing or renewing common property, common facilities or other assets of the strata corporation, or for the purpose of ensuring that the bylaws are being observed.

1.2 An Owner Shall promptly carry out all work that may be ordered by any competent public or local authority in respect of their strata lot other than work for the benefit of the building generally, and pay all rates, taxes, charges outgoings and assessments that may be payable in respect of their strata lot.

1.3 An Owner Shall repair and maintain their strata lot, including windows and doors, and areas allocated to their exclusive use, and keep them in a state of good repair, reasonable wear and tear and damage by fire, storm, tempest or act of God excepted.

1.4 An Owner Shall use and enjoy the common property, common facilities or other assets of the strata corporation in a manner that will not unreasonably interfere with their use and enjoyment by other owners, their families or visitors.

1.5 An Owner Shall not use their lot, or permit the same to used, in a manner or for a purpose that will cause a nuisance or hazard to any occupier of a lot, whether an owner or not, or their family.

1.6 An Owner Shall notify the strata corporation promptly on any change of ownership or of any mortgage or dealing in connection with their strata lot.

1.7 An Owner Shall comply strictly with these bylaws, and all other bylaws of the strata corporation, and with rules and regulations adopted from time to time.

1.8 An Owner Shall receive the written permission of the strata council before undertaking alterations to the exterior or structure of the strata lot, but permission shall not be unreasonably withheld.



BY-LAW 2: DUTIES OF STRATA CORPORATION

2.1 The Strata Corporation Shall control, manage and administer the common property, common facilities or other assets of the corporation for the benefit of all owners.

2.2 The Strata Corporation Shall keep in a state of good and serviceable repair and properly maintain the fixtures and fittings, including recreational facilities, if any, and other apparatus and equipment used in connection with the common property, common facilities and other assets of the corporation.

2.3 The Strata Corporation Shall maintain all common areas, both internal and external, including lawns, gardens, parking and storage areas, public halls and lobbies.

2.4 The Strata Corporation Shall maintain and repair, including renewal where reasonably necessary, pipes, wires, cables, shutters and ducts for the time being existing in the parcel and capable of being used in connection with the enjoyment of more than one strata lot or common property.

2.5 The Strata Corporation Shall, on the written request of an owner or mortgagee of a strata lot, produce to him/her or a person authorized in writing by him/her, the insurance policies effected by the corporation and the receipts for the last premiums.

2.6 The Strata Corporation Shall maintain and repair the exterior of the buildings, excluding windows, doors, balconies and patios included in a strata lot, including the decoration of the whole of the exterior of the buildings.

2.7 The Strata Corporation Shall collect and receive all contributions toward the common expenses paid by the owners and deposit the same with a savings institution.

2.8 The Strata Corporation Shall pay all sums of money properly required to be paid on account of all services, supplies and assessments pertaining to, or for the benefit of, the corporation.

BY-LAW 3: POWERS OF STRATA CORPORATION

3.1 The Strata Corporation May purchase, hire or otherwise acquire personal property for use by owners in connection with their enjoyment of common property, common facilities or other assets of the corporation.

3.2 The Strata Corporation May borrow money required by it in the performance of its duties or the exercise of its powers.

3.3 The Strata Corporation May secure the repayment of money borrowed by it, and the payment of interest, by negotiable instrument or mortgage of unpaid contributions, whether levied or not, or mortgage of any property vested in it, or by combination of those means.

3.4 The Strata Corporation May invest, as it may determine, in separate accounts, money in a fund for administrative expenses, or in the contingency fund.

3.5 The Strata Corporation May make an agreement with an owner or occupier of a strata lot for the provision of amenities or services by it to the strata lot or to the owner or occupier.

3.6 The Strata Corporation May grant an owner the right to exclusive use and enjoyment of common property, or special privileges for them, the grant to be determinable on reasonable notice, unless the strata corporation, by unanimous resolution, otherwise resolves.

3.7 The Strata Corporation May designate an area as limited common property and specify the strata lots that are to have the use of the limited common property.

3.8 The Strata Corporation May make rules and regulations it considers necessary or desirable from time to time in relation to the enjoyment, safety and cleanliness of the common property, common facilities or other assets of the corporation.

3.9 The Strata Corporation May do all things necessary for the enforcement of the bylaws and the rules and regulations of the strata corporation, and for the control, management and administration of the common property, common facilities or other assets of the strata corporation, generally, including removing privileges in the use of certain facilities, or fixing and collecting fines for contravention of the bylaws, rules or regulations.

3.10 The Strata Corporation May, subject to this Act, determine the levy for the contingency reserve fund which shall be not less than 5% of the total annual budget, until the reserve reaches an amount that the strata council considers sufficient having regard to the type of building in the strata plan, and thereafter raise further amounts of replacements of funds from time to time and over a period of time as the strata council thinks fit.

3.11 The Strata Corporation May join any organization servicing the interests of strata corporations and assess the membership fee in the organization as part of the common expenses.

BY-LAW 4: DUTIES OF STRATA COUNCIL

4.1 The powers and duties of the strata corporation shall, subject to any restriction imposed or direction given at a general meeting, be exercised and performed by the council of the strata corporation.

4.2 The council shall be elected by and from among the owners and shall consist of not less than 3 or more than 7 members.

4.3 Where a strata lot is owned by more than one person, only one owner of the strata lot shall be a member of the council at any one time.

4.4 At each annual general meeting of the strata corporation all members of the council shall retire from office and the strata corporation shall elect a new council. A retiring member of the council is eligible for re-election.

BY-LAW 5: VACANCIES, QUORUM, ETC.

5.1 Except where the council consists of all owners, the strata corporation may, by resolution at an extraordinary general meeting, remove for cause a member of the council before expiry of his/her term of office and appoint another owner in his/her place, to hold office until the next annual general meeting.

5.2 A vacancy on the council may be filled by the remaining members of the council.

5.3 Except where there is only one owner, a quorum of the council is 2 where the council consists of 4 or less members, 3 where it consists of 5 or 6 members and 4 where it consists of 7 members.

BY-LAW 6: OFFICERS AND MEETINGS

6.1 At the first meeting of the council held after each annual general meeting of the strata corporation, the council shall elect from among its members a chairperson and vice chairperson, who shall hold office until the conclusion of the next annual general meeting of the strata corporation or until their successors are elected or appointed.

6.2 The chairperson of the council shall have a casting vote in addition to his/her original vote.

6.3 Where the chairperson is absent from any meeting of the council, or vacates the chair during the course of a meeting, the vice chairperson shall act as the chairperson and have all the duties and powers of the chairperson while so acting.

6.4 In the absence of both the chairperson and the vice chairperson, the members present shall, from among themselves, appoint a chairperson for that meeting, who shall have all the duties and powers while so acting.

6.5 At meetings of the council all matters shall be determined by simple majority vote.

BY-LAW 7: COUNCIL POWERS

7.1 The Council May meet together for the conduct of business, adjourn and otherwise regulate its meetings as it thinks fit, and it shall meet when any member gives the other members not less than 7 days notice of a meeting proposed by him, specifying the reason for calling the meeting, unless the other members agree to waive the notice.


7.2 The Council May employ for and on behalf of the strata corporation agents and employees as it thinks proper for the control, management and administration of the common property, common facilities or other assets of the corporation, and the exercise and performance of the powers and duties of the corporation.

7.3 The Council May, subject to any restriction imposed or direction given at a general meeting, delegate to one or more of its members, or to a member or committee of members of the strata corporation, or to its manager, those of its powers and duties it thinks proper, and at any time revoke a delegation.

7.4 The Council May appoint a person to act on their behalf to enforce any and all By-Laws and Rules & Regulations outlined herein.

BY-LAW 8: COUNCIL DUTIES

8.1 The Council Shall keep, in one location, or in the possession of one person, and shall make available on request to any owner or a person authorized by him/her,

- (a) a copy of the Condominium Act and of changes in the By-laws;
 - (b) a copy of special or unanimous resolutions;
 - (c) a copy of all the legal agreements to which the corporation is a party, including management contracts, insurance policies, insurance trustee agreements, deeds, agreements for sale, leases, licences, easements or rights of way;
 - (d) a register of the members of the council;
 - (e) a register of the strata lot owners, setting out the strata lot number, the name of the owner, the unit entitlement, the name and address of any mortgagee who has notified the strata corporation, the name of any tenant or lessee, and a notation of any assignment by the owner to the lessee;
 - (f) the annual budget for each year; and
 - (g) minutes of all general meetings and of all council meetings.
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8.2 The Council Shall keep minutes of its proceedings;

8.3 The Council Shall cause minutes to be kept of general meetings.

8.4 The Council Shall cause proper books of account to be kept in respect of all sums of money received and expended by it and the matters in respect of which receipt and expenditure take place.

8.5 The Council Shall prepare proper accounts relating to all money of the corporation, and the income and expenditure of it, for each annual general meeting.

8.6 The Council Shall, on application of an owner or mortgagee, or a person authorized in writing by him/her, make the books of account available for inspection at all reasonable times.

8.7 All acts done in good faith by the council are, notwithstanding it is afterwards discovered that there was some defect in the appointment or continuance in office of a member of the council, as valid as if the member had been duly appointed or had duly continued in office.

8.8 A member of a strata council is not personally liable for an act done in good faith in carrying out his/her duties as a member of the council.

BY-LAW 9: GENERAL MEETINGS

9.1 Annual general meetings shall be held once in each year, and not more than 13 months shall elapse between one annual general meeting and the next.

9.2 General meetings other than the annual general meetings shall be called extraordinary general meetings.

9.3 The strata council may, whenever it thinks proper, and shall on a requisition in writing by owners or mortgagees of 25% of the strata lots, within 2 weeks after the requisition, convene an extraordinary general meeting.

9.4 Seven days notice of every general meeting specifying the place, date and hour of the meeting, and in case of special business the general nature of that business, shall be given to all owners and first mortgagees who have notified their interest to the strata corporation. Accidental omission to give notice to an owner or to a first mortgagee or failure to receive the notice by an owner does not invalidate proceedings at the meeting.

BY-LAW 10: PROCEEDURE

10.1 All business shall be deemed special that is transacted at an annual general meeting, with the exception of the consideration of accounts and election of members to the strata council, or at an extraordinary general meeting.

10.2 Save as in these bylaws otherwise provided, business shall not be transacted at a general meeting unless a quorum of persons entitled to vote is present at the time when the meeting proceeds to business.

10.3 One third of the persons entitled to vote present in person or by proxy constitutes a quorum.

10.4 If within 1/2 hour from the time appointed for a general meeting a quorum is not present, the meeting stands adjourned to the same day in the next week at the same place and time. If at the adjourned meeting a quorum is not present within 1/2 hour from the time appointed for the meeting, the persons entitled to vote present constitute a quorum.

10.5 The chairperson of the council shall be the chairperson of all general meetings. In his/her absence from the meeting or in case he/she vacates the chair, the vice chairperson of the council shall act as chairperson. In other cases, the meeting shall appoint a chairperson.

10.6 The order of business at general meetings, and as far as is appropriate for extraordinary general meetings, shall be

- (a) electing the chairperson of the meeting, if necessary;
- (b) calling the roll, certifying proxies and issuing a voting card for each strata lot represented at the meeting;
- (c) filing proof of notice of meeting or waiver of notice;
- (d) reading and disposing of any unapproved minutes;
- (e) receiving reports of committees;
- (f) considering the accounts;
- (g) electing a strata council, if necessary;
- (h) unfinished business
- (i) new business; and
- (j) adjournment

Schedule of Standard Bylaws

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

Payment of strata fees

1 An owner must pay strata fees on or before the first day of the month to which the strata fees relate.

Repair and maintenance of property by owner

2 (1) An owner must repair and maintain the owner's strata lot, except for repair and maintenance that is the responsibility of the strata corporation under these bylaws.

(2) An owner who has the use of limited common property must repair and maintain it, except for repair and maintenance that is the responsibility of the strata corporation under these bylaws.

Use of property

3 (1) An owner, tenant, occupant or visitor must not use a strata lot, the common property or common assets in a way that

(a) causes a nuisance or hazard to another person,

(b) causes unreasonable noise,

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

(d) is illegal, or

(e) is contrary to a purpose for which the strata lot or common property is intended as shown expressly or by necessary implication on or by the strata plan.

(2) An owner, tenant, occupant or visitor must not cause damage, other than reasonable wear and tear, to the common property, common assets or those parts of a strata lot which the strata corporation must repair and maintain under these bylaws or insure under section 149 of the Act.

(3) An owner, tenant, occupant or visitor must ensure that all animals are leashed or otherwise secured when on the common property or on land that is a common asset.

(4) An owner, tenant or occupant must not keep any pets on a strata lot other than one or more of the following:

(a) a reasonable number of fish or other small aquarium animals;

(b) a reasonable number of small caged mammals;



(c) up to 2 caged birds;

(d) one dog or one cat.

Inform strata corporation

4 (1) Within 2 weeks of becoming an owner, an owner must inform the strata corporation of the owner's name, strata lot number and mailing address outside the strata plan, if any.

(2) On request by the strata corporation, a tenant must inform the strata corporation of his or her name.

Obtain approval before altering a strata lot

5 (1) An owner must obtain the written approval of the strata corporation before making an alteration to a strata lot that involves any of the following:

(a) the structure of a building;

(b) the exterior of a building;

(c) chimneys, stairs, balconies or other things attached to the exterior of a building;

(d) doors, windows or skylights, on the exterior of a building, or that front on the common property;

(e) fences, railings or similar structures that enclose a patio, balcony or yard;

(f) common property located within the boundaries of a strata lot;

(g) those parts of the strata lot which the strata corporation must insure under section 149 of the Act.

(2) The strata corporation must not unreasonably withhold its approval under subsection (1), but may require as a condition of its approval that the owner agree, in writing, to take responsibility for any expenses relating to the alteration.

(3) This section does not apply to a strata lot in a bare land strata plan.

Obtain approval before altering common property

6 (1) An owner must obtain the written approval of the strata corporation before making an alteration to common property, including limited common property, or common assets.

(2) The strata corporation may require as a condition of its approval that the owner agree, in writing, to take responsibility for any expenses relating to the alteration.

Permit entry to strata lot

7 (1) An owner, tenant, occupant or visitor must allow a person authorized by the strata

corporation to enter the strata lot

(a) in an emergency, without notice, to ensure safety or prevent significant loss or damage, and

(b) at a reasonable time, on 48 hours' written notice, to inspect, repair or maintain common property, common assets and any portions of a strata lot that are the responsibility of the strata corporation to repair and maintain under these bylaws or insure under section 149 of the Act.

(2) The notice referred to in subsection (1) (b) must include the date and approximate time of entry, and the reason for entry.

Division 2 -- Powers and Duties of Strata Corporation

Repair and maintenance of property by strata corporation

8 The strata corporation must repair and maintain all of the following:

(a) common assets of the strata corporation;

(b) common property that has not been designated as limited common property;

(c) limited common property, but the duty to repair and maintain it is restricted to

(i) repair and maintenance that in the ordinary course of events occurs less often than once a year, and

(ii) the following, no matter how often the repair or maintenance ordinarily occurs:

(A) the structure of a building;

(B) the exterior of a building;

(C) chimneys, stairs, balconies and other things attached to the exterior of a building;

(D) doors, windows or skylights, on the exterior of a building or that front on the common property;

(E) fences, railings and similar structures that enclose patios, balconies and yards;

(d) a strata lot in a strata plan that is not a bare land strata plan, but the duty to repair and maintain it is restricted to

(i) the structure of a building,

(ii) the exterior of a building,

(iii) chimneys, stairs, balconies and other things attached to the exterior of a building,

(iv) doors and windows on the exterior of a building or that front on the common property,

and

(v) fences, railings and similar structures that enclose patios, balconies and yards.

Division 3 -- Council

Council size

9 (1) Subject to subsection (2), the council must have at least 3 and not more than 7 members.

(2) If the strata plan has fewer than 4 strata lots or the strata corporation has fewer than 4 owners, all the owners are on the council.

Council members' terms

10 (1) The term of office of a council member ends at the end of the annual general meeting at which the new council is elected.

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

Removing council member

11 (1) Unless all the owners are on the council, the strata corporation may, by a resolution passed by a majority vote at an annual or special general meeting, remove one or more council members.

(2) After removing a council member, the strata corporation must hold an election at the same annual or special general meeting to replace the council member for the remainder of the term.

Replacing council member

12 (1) If a council member resigns or is unwilling or unable to act for a period of 2 or more months, the remaining members of the council may appoint a replacement council member for the remainder of the term.

(2) A replacement council member may be appointed from any person eligible to sit on the council.

(3) The council may appoint a council member under this section even if the absence of the member being replaced leaves the council without a quorum.

(4) If all the members of the council resign or are unwilling or unable to act for a period of 2 or more months, persons holding at least 25% of the strata corporation's votes may hold a special general meeting to elect a new council by complying with the provisions of the Act, the regulations and the bylaws respecting the calling and holding of meetings.

Officers



13 (1) At the first meeting of the council held after each annual general meeting of the strata corporation, the council must elect, from among its members, a president, a vice president, a secretary and a treasurer.

(2) A person may hold more than one office at a time, other than the offices of president and vice president.

(3) The vice president has the powers and duties of the president

(a) while the president is absent or is unwilling or unable to act, or

(b) for the remainder of the president's term if the president ceases to hold office.

(4) If an officer other than the president is unwilling or unable to act for a period of 2 or more months, the council members may appoint a replacement officer from among themselves for the remainder of the term.

Calling council meetings

14 (1) Any council member may call a council meeting by giving the other council members at least one week's notice of the meeting, specifying the reason for calling the meeting.

(2) The notice does not have to be in writing.

(3) A council meeting may be held on less than one week's notice if

(a) all council members consent in advance of the meeting, or

(b) the meeting is required to deal with an emergency situation, and all council members either

(i) consent in advance of the meeting, or

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

(4) The council must inform owners about a council meeting as soon as feasible after the meeting has been called.

Requisition of council hearing

15 (1) By application in writing, stating the reason for the request, an owner or tenant may request a hearing at a council meeting.

(2) If a hearing is requested under subsection (1), the council must hold a meeting to hear the applicant within one month of the request.

(3) If the purpose of the hearing is to seek a decision of the council, the council must give the applicant a written decision within one week of the hearing.

Quorum of council

16 (1) A quorum of the council is

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

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

Council meetings

17 (1) At the option of the council, council meetings may be held by electronic means, so long as all council members and other participants can communicate with each other.

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

(3) Owners may attend council meetings as observers.

(4) Despite subsection (3), no observers may attend those portions of council meetings that deal with any of the following:

- (a) bylaw contravention hearings under section 135 of the Act;
- (b) rental restriction bylaw exemption hearings under section 144 of the Act;
- (c) any other matters if the presence of observers would, in the council's opinion, unreasonably interfere with an individual's privacy.

Voting at council meetings

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

(2) Unless there are only 2 strata lots in the strata plan, if there is a tie vote at a council meeting, the president may break the tie by casting a second, deciding vote.

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

Council to inform owners of minutes

19 The council must inform owners of the minutes of all council meetings within 2 weeks of the meeting, whether or not the minutes have been approved.



Delegation of council's powers and duties

20 (1) Subject to subsections (2) to (4), the council may delegate some or all of its powers and duties to one or more council members or persons who are not members of the council, and may revoke the delegation.

(2) The council may delegate its spending powers or duties, but only by a resolution that

(a) delegates the authority to make an expenditure of a specific amount for a specific purpose, or

(b) delegates the general authority to make expenditures in accordance with subsection (3).

(3) A delegation of a general authority to make expenditures must

(a) set a maximum amount that may be spent, and

(b) indicate the purposes for which, or the conditions under which, the money may be spent.

(4) The council may not delegate its powers to determine, based on the facts of a particular case,

(a) whether a person has contravened a bylaw or rule,

(b) whether a person should be fined, and the amount of the fine, or

(c) whether a person should be denied access to a recreational facility.

Spending restrictions

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

(2) Despite subsection (1), a council member may spend the strata corporation's money to repair or replace common property or common assets if the repair or replacement is immediately required to ensure safety or prevent significant loss or damage.

Limitation on liability of council member

22 (1) A council member who acts honestly and in good faith is not personally liable because of anything done or omitted in the exercise or intended exercise of any power or the performance or intended performance of any duty of the council.

(2) Subsection (1) does not affect a council member's liability, as an owner, for a judgment against the strata corporation.

Division 4 -- Enforcement of Bylaws and Rules

Maximum fine

23 The strata corporation may fine an owner or tenant a maximum of

(a) \$50 for each contravention of a bylaw, and

(b) \$10 for each contravention of a rule.

Continuing contravention

24 If an activity or lack of activity that constitutes a contravention of a bylaw or rule continues, without interruption, for longer than 7 days, a fine may be imposed every 7 days.

Division 5 -- Annual and Special General Meetings

Person to chair meeting

25 (1) Annual and special general meetings must be chaired by the president of the council.

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

(3) If neither the president nor the vice president of the council chairs the meeting, a chair must be elected by the eligible voters present in person or by proxy from among those persons who are present at the meeting.

Participation by other than eligible voters

26 (1) Tenants and occupants may attend annual and special general meetings, whether or not they are eligible to vote.

(2) Persons who are not eligible to vote, including tenants and occupants, may participate in the discussion at the meeting, but only if permitted to do so by the chair of the meeting.

(3) Persons who are not eligible to vote, including tenants and occupants, must leave the meeting if requested to do so by a resolution passed by a majority vote at the meeting.

Voting

27 (1) At an annual or special general meeting, voting cards must be issued to eligible voters.

(2) At an annual or special general meeting a vote is decided on a show of voting cards, unless an eligible voter requests a precise count.

(3) If a precise count is requested, the chair must decide whether it will be by show of voting cards or by roll call, secret ballot or some other method.

(4) The outcome of each vote, including the number of votes for and against the resolution if a precise count is requested, must be announced by the chair and recorded in the minutes of the meeting.

(5) If there is a tie vote at an annual or special general meeting, the president, or, if the president is absent or unable or unwilling to vote, the vice president, may break the tie by casting a second, deciding vote.

(6) If there are only 2 strata lots in the strata plan, subsection (5) does not apply.

(7) Despite anything in this section, an election of council or any other vote must be held by secret ballot, if the secret ballot is requested by an eligible voter.

Order of business

28 The order of business at annual and special general meetings is as follows:

- (a) certify proxies and corporate representatives and issue voting cards;
- (b) determine that there is a quorum;
- (c) elect a person to chair the meeting, if necessary;
- (d) present to the meeting proof of notice of meeting or waiver of notice;
- (e) approve the agenda;
- (f) approve minutes from the last annual or special general meeting;
- (g) deal with unfinished business;
- (h) receive reports of council activities and decisions since the previous annual general meeting, including reports of committees, if the meeting is an annual general meeting;
- (i) ratify any new rules made by the strata corporation under section 125 of the Act;
- (j) report on insurance coverage in accordance with section 154 of the Act, if the meeting is an annual general meeting;
- (k) approve the budget for the coming year in accordance with section 103 of the Act, if the meeting is an annual general meeting;
- (l) deal with new business, including any matters about which notice has been given under section 45 of the Act;
- (m) elect a council, if the meeting is an annual general meeting;
- (n) terminate the meeting.

Division 6 -- Voluntary Dispute Resolution

Voluntary dispute resolution

29 (1) A dispute among owners, tenants, the strata corporation or any combination of them



may be referred to a dispute resolution committee by a party to the dispute if

- (a) all the parties to the dispute consent, and
 - (b) the dispute involves the Act, the regulations, the bylaws or the rules.
- (2) A dispute resolution committee consists of
- (a) one owner or tenant of the strata corporation nominated by each of the disputing parties and one owner or tenant chosen to chair the committee by the persons nominated by the disputing parties, or
 - (b) any number of persons consented to, or chosen by a method that is consented to, by all the disputing parties.
- (3) The dispute resolution committee must attempt to help the disputing parties to voluntarily end the dispute.

Division 7 -- Marketing Activities by Owner Developer

Display lot

- 30 (1) An owner developer who has an unsold strata lot may carry on sales functions that relate to its sale, including the posting of signs.
- (2) An owner developer may use a strata lot, that the owner developer owns or rents, as a display lot for the sale of other strata lots in the strata plan.