

Schedule "A"

STRATA PROPERTY ACT

THE OWNERS, STRATA PLAN EPS5107

Unless otherwise stated, all terms have the meanings prescribed in the *Strata Property Act*, S.B.C. 1998,c. 43 (the "Act").

Duties of Owners, Tenants, Occupants and Visitors

1. Compliance with bylaws and rules

- 1.1 All owners, tenants, occupants and visitors must comply strictly with these bylaws and rules of strata corporation adopted from time to time.

2. Payment of strata fees and special levies

- 2.1 An owner must pay strata fees on or before the first day of the month to which the strata fees relate.
- 2.2 Where an owner fails to pay strata fees in accordance with bylaw 2.1, outstanding strata fees will be subject to an interest charge of 10%, per annum, compounded annually. In addition to interest, failure to pay strata fees on the due date will result in a fine of \$50.00 for each contravention of bylaw 2.1.
- 2.3 An owner must provide the strata corporation or its agent with twelve (12) consecutive, monthly post-dated cheques for strata fees for the fiscal year of the strata corporation, dated as of the first day of each month or, if applicable, authorization for monthly automatic debit from the owner's bank account.
- 2.4 Failure by an owner to submit twelve (12) monthly, post-dated strata fee cheques or written authorization for automatic debit in accordance with bylaw 2.3 is a contravention of bylaw 2.3 and the strata corporation will levy a fine of \$200 for each contravention. Each dishonoured cheque or dishonoured automatic debit will be subject to a fine of \$200 and an administration charge of \$200.
- 2.5 A special levy is due and payable on the date or dates noted in the resolution authorizing the special levy.
- 2.6 Failure to pay a special levy on the due date will result in a fine of \$200 for each contravention of bylaw 2.5.
- 2.7 Where an owner fails to pay a special levy in accordance with bylaw 2.5, outstanding special levies will be subject to an interest charge of 10% per annum, compounded annually.

3. Repair and maintenance of property by owner

- 3.1 An owner must repair and maintain the owner's strata lot, except for repair and maintenance that is the responsibility of the strata corporation under these bylaws.
- 3.2 An owner who has the use of limited common property must repair and maintain it, except for repair and maintenance that is the responsibility of the strata corporation under these bylaws.

4. Use of property

- 4.1 An owner, tenant, occupant or visitor must not use a strata lot, the common property or common assets in any 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 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.

- 4.3 An owner is responsible for any damage caused to the owner's strata lot by occupants, tenants or visitors.
- 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 family members, visitors, occupants, guests, employees, agents, tenants or contractors, but only to the extent that such expense is not reimbursed from the proceeds received by operation of any insurance policy. 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 Despite anything to the contrary contained in these bylaws as may be replaced or amended from time to time, an owner, tenant or occupant of a strata lot shall be entitled to conduct from and/or on a strata lot any business or activity which is a permitted use in accordance with applicable CVRD zoning bylaws relating to the strata lot. Any activity of an owner, tenant, occupant or visitor in, on or upon a strata lot, and the emission of any noise or odour from a strata lot to the common property or another strata lot, which is not in violation of any applicable governmental laws or any CVRD bylaws having jurisdiction over the strata lot and common property shall not be deemed to be in contravention of bylaws 4.1(a), (b), or (c). Bylaw 4.5 shall not be amended or repealed unless approved by a resolution passed by a unanimous vote at an annual or special general meeting of the strata corporation.
5. **Obtain approval before altering a strata lot**
- 5.1 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 (including the construction of any mezzanine within a strata lot);
 - (b) fences, railings or similar structures;
 - (c) those parts of the strata lot which the strata corporation must insure under section 149 of the Act; and
 - (d) wiring, plumbing, piping, heating, air conditioning and other services.
- 5.2 The strata corporation must not unreasonably withhold its approval under bylaw 5.1, but may require as a condition of its approval that the owner agree, in writing, to take responsibility for any expenses relating to the alteration and to indemnify and hold harmless the strata corporation for any claims or future costs in connection with the alteration.
- 5.3 An owner intending to apply to the strata corporation for permission to alter a strata lot must submit, in writing, detailed plans and written description of the intended alteration.
6. **Obtain approval before altering common property and exterior of strata lot**
- 6.1 An owner must obtain the written approval of the strata corporation before making or authorizing an alteration to:
- (a) common property, including limited common property or condominium assets;
 - (b) the exterior of a building, including a strata lot;
 - (c) things attached to the exterior of a building, including a strata lot; and
 - (d) doors, windows or skylights on the exterior of a building, including a strata lot, or that front on the common property.
- 6.2 An owner, as part of its application to the strata corporation for permission to alter any property referred to at bylaw 6.1, 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) if council, by majority vote, determines that the alteration is a significant change, pursuant to section 71 of the Act, the owner must obtain the prior approval of the strata corporation by 3/4 vote at a general meeting.
- 6.3 The strata corporation may require, as a condition of its approval, that the owner agree, in writing, to certain terms and conditions, including, the following:
- (a) that alterations be done in accordance with the design or plans approved by the strata council or its duly authorized representatives;
 - (b) that the standard of work and materials be not less than that of the existing structures;

- (c) that all work and materials necessary for the alteration be at the sole expense of the owner;
 - (d) that the owner who benefits from an alteration to any property referred to in bylaw 6.1 be responsible for all present and future maintenance, repairs and replacements, increases in insurance, and any damage suffered or cost incurred by the strata corporation as a result, directly or indirectly, of the alterations to common property, limited common property or common assets; and
 - (e) that the owner who benefits from an alteration must 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 benefited from the alteration and the said costs, or expenses incurred must be charged to that owner and will become due and payable on the due date of payment of monthly strata fees.
- 6.4 An owner who alters any property referred to in bylaw 6.1 without adhering strictly to the bylaws, must restore, at the owner's sole expense, the property referred to in bylaw 6.1, as the case may be, to its condition prior to the alteration. If the owner refuses or neglects to restore the alteration, the strata corporation may conduct the restoration, at the expense of the owner. The cost of such restoration will be due and payable by the owner on the due date of the next following payment of monthly strata fees.
7. Permit entry to strata lot
- 7.1 An owner, tenant or occupant 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 bylaws and rules.
- 7.2 If forced entry to a strata lot is required due to required emergency access and the inability to contact the owner or other person named by the owner as the emergency contact person, the owner shall be responsible for all costs of forced entry incurred by the strata corporation.
- 7.3 The notice referred to in bylaw 7.1 (b) must include the date and approximate time of entry, and the reason for entry.

Powers and Duties of Strata Corporation

8. Repair and maintenance of property by strata corporation
- 8.1 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. 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; and
 - E. fences, railings and similar structures;
 - (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) 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.

Council

9. Council size

9.1 The council must have 3 members.

10. Council eligibility

10.1 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

11. Council members' terms

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

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

12. Removing council member

12.1 The strata corporation may, by a resolution passed by a majority vote at an annual or special general meeting, remove one or more council members. The strata corporation must pass a separate resolution for each council member to be removed.

12.2 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.

12.3 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 bylaws of the strata corporation for the remainder of the term.

12.4 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.

12.5 A replacement council member appointed pursuant to bylaws 12.2 and 12.4 may be appointed from any person eligible to sit on the council.

13.1 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.

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

13.3 The council may appoint a council member under bylaw 13.2 even if the absence of the member being replaced leaves the council without a quorum.

13.4 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.

14. Officers

14.1 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 who shall be the only officer of the strata corporation.

15. Calling council meetings

15.1 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.

15.2 The notice in bylaw 15.1 does not have to be in writing.

15.3 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:
consent in advance of the meeting; or
- (c) are unavailable to provide consent after reasonable attempts to contact them.

16. **Requisition of council hearing**

- 16.1 By application in writing, an owner or tenant may request a hearing at a council meeting stating the reasons for the request.
- 16.2 If a hearing is requested under bylaw 16.1, 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,
- 16.3 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 month of the date of the hearing.

17. **Quorum of council**

- 17.1 A quorum of the council is 2 members.
- 17.2 Council members must be present in person at the council meeting to be counted in establishing quorum,

18. **Council meetings**

- 18.1 The council may meet together for the conduct of business, adjourn and otherwise regulate its meetings as it thinks fit
- 18.1 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.
- 18.2 If a council meeting is held by electronic means, council members are deemed to be present in person.
- 18.3 Owners may attend council meetings as observers.
- 18.4 Despite bylaw 18.3, 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; and
 - (b) any other matters if the presence of observers would, in the council's opinion, unreasonably interfere with an individual's privacy.

19. **Voting at council meetings**

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

20. **Council to inform owners of minutes**

- 20.1 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.

21. **Delegation of council's powers and duties**

- 21.1 Subject to bylaws 21.2, 21.3 and 21.4, 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.
- 21.2 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 21.3.
- 21.3 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.
- 21.4 The council may not delegate its powers to based on the facts of a particular case:
- (a) whether a person has contravened a bylaw or rule; or
 - (b) whether a person should be fined, and the amount of the fine.

Spending restrictions

- 21.5 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.
22. **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.
- 22.2 Bylaw 23.1 does not affect a council member's liability, as an owner, for a judgment against the strata corporation.
- 22.3 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

23. Fines

- 23.1 Except where specifically stated to be otherwise in these bylaws, the strata corporation may fine an owner or tenant:
- (a) \$200 for each contravention of a bylaw; and
 - (b) \$50 for each contravention of a rule.
- 23.2 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 on a weekly or daily basis, at council's discretion, 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.

24. Continuing Contravention

- 24.1 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

25. Quorum of meeting

- 25.1 If within 1/2 hour from the time appointed for an annual or special general meeting, a quorum is not present, the meeting stands adjourned for a further 1/2 hour on the same day and at the same place. If within a further 1/2 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 26.1 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.

26. Person to chair meeting

- 26.1 Annual and special general meetings must be chaired by the president of the council.
- 26.2 If the president of the council is not available to chair 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.

27. Participation by other than eligible voters

- 27.1 Tenants and occupants may attend annual and special general meetings, whether or not they are eligible to vote.
- 27.2 Persons who are not eligible to vote may participate in the discussion at a meeting, but only if permitted to do so by the chair of the meeting.
- 27.3 Tenants and occupants 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.

28. **Voting**

- 28.1 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.
- 28.2 At an annual or special general meeting, voting cards must be issued to eligible voters.
- 28.3 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.
- 28.4 If a precise count is requested, the chair must decide whether it will be by a show of voting cards or roll call, secret ballot or some other method.
- 28.5 The outcome 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.
- 28.6 If there is a tie vote at an annual or special general meeting, the president, or, if the president absent or unable or unwilling to vote, the chair of the meeting, may break the tie by casting a second, deciding vote.
- 28.7 Despite anything in bylaws 29.1 to 29.6 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.

29. **Electronic attendance at meetings**

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

30. **Order of business**

- 30.1 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.

Small Claims Court Proceedings

31. **Authorization to proceed**

- 31.1 The strata corporation may proceed under the *Small Claims Act*, without further authorization by the owners, to recover from an owner or other person, by an action in debt in Small Claims Court, money owing to the strata corporation, including money owing as administration fees, bank charges, fines, penalties, interest or the costs,

including legal costs, of remedying a contravention of the bylaws or rules and to recover money which the strata corporation is required to expend as a result of the owner's act, omission, negligence or carelessness or by that of an owner's visitors, occupants, guests, employees, agents, tenants or a member of the owner's family.

Marketing Activities by Owner Developer

32. Sales by owner developer

- 32.1 An owner developer who has an unsold strata lot may carry on sales functions that relate to its sale, including the posting of signs on the exterior of the unsold strata lot and on any part of the common property.

Marketing Activities by Owners and Occupants

33. Sale of a strata lot by owner

- 33.1 Subject to the rights of the owner developer regarding the sale of any unsold strata lot, other 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.

Parking

34. Parking

- 34.1 An owner, tenant or occupant must not permit any oversized or recreational vehicles including, but not exhaustively, boats, trailers and campers to enter or be parked or stored on common property, limited common property or land that is a common asset.
- 34.2 An owner, tenant or occupant must not store any vehicle on the common property or on land that is a common asset.
- 34.3 An owner, tenant or occupant parking a vehicle must provide proof of valid insurance to the strata corporation on request.
- 34.4 An owner, tenant or occupant 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.
- 34.5 A vehicle parked in violation of bylaws 35.1 to 35.4 inclusive, will be subject to removal by a towing company authorized by council, and all costs associated with such removal will be charged to the owner of the strata lot.
- 34.6 An owner, tenant, occupant or visitor must not use any parking 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.
- 34.7 An owner, tenant or occupant must park in the strata lot's assigned parking spaces save and except for private arrangements with other owners for the use of parking spaces assigned their strata lot. Assigned spaces must not be leased to a person who is not an owner, tenant or occupant.
- 34.8 An owner, tenant or occupant must not change its use of a strata lot if the change in use increases the number of parking stalls required by the Cowichan Valley Regional District's zoning bylaws as a condition of such use, from the number of parking stalls required for the use then in effect, without the prior, written consent of the strata corporation and, during the time the owner developer is the owner of any strata lots, the owner developer.
- 34.9 After receiving the consent required in bylaw 35.8, the owner, tenant or occupant must obtain the appropriate approvals from the Cowichan Valley Regional District.
- 34.10 An owner must not sell, lease or licence parking stalls to any person other than an owner or occupant.
- 34.11 An owner, tenant or occupant or visitor operating a vehicle in the parking areas must not exceed 20 km/hour.
- 34.12 An owner, tenant or occupant must not park or store any vehicle that drips oil or gasoline. An owner, tenant or occupant must remove any dripped oil, gasoline or other automotive residue.
- 34.13 An owner, tenant or occupant must not use any parking area designated for visitor parking except for short term vehicle parking for use by customer and visitors to the building. Visitor parking areas must not be used for overnight parking, and must otherwise be used in accordance with the strata council's visitor parking rules, if any.
- 34.14 An owner, tenant or occupant must not use parking stalls that are designated for use by disabled persons unless such person is disabled and such parking stalls must otherwise be used in accordance with the applicable Cowichan Valley Regional District bylaws and those other rules, if any, as adopted by the strata council.

Appearance of strata lots

35. Cleanliness

- 35.1 An owner, tenant or occupant 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 a strata lot or on common property. Any expenses incurred by the strata corporation to remove such refuse will be charged to the owner.
- 35.2 An owner, tenant or occupant must not display, place, erect, install or attach any signs, billboards, placards, banners, sandwich boards, advertising or notices of any kind on or to the common property or limited common property or in a strata lot if they are visible from the exterior of the strata lot, without prior written approval by the strata council.
- 35.3 An owner, tenant or occupant must not hang from or attach to the exterior of a strata lot any awning, shade screen, smoke stack, satellite dish, radio or television antenna without prior written approval of the strata council.

36. Signs

- 36.1 The buildings are designed to accommodate business name signage which forms an important part of the quality appearance of the buildings.
- 36.2 An owner, tenant or occupant must not alter the appearance of exterior surfaces of the building, including exterior walls and windows by attaching, fastening, connecting, securing, placing, affixing, installing any type of sign, except in accordance with these bylaws, any sign guidelines available from the strata council (and the municipal permit therefor has been issued).
- 36.3 An owner, tenant or occupant must not place a sign in a strata lot so that it is visible from the exterior of the strata lot except in accordance with these bylaws, any sign guidelines available from the strata council and the applicable Cowichan Valley Regional District sign bylaws (and the municipal permit therefor has been issued, if required).
- 36.4 An owner, tenant or occupant must not place, put, position, rest, install or situate any free standing signs on exterior common property including limited common property.
- 36.5 An owner, tenant or occupant must not display a backlit, flashing or handwritten sign or notice (i) in a strata lot if it is visible from the outside of the strata lot; or (ii) on the common property, including limited common property.
- 36.6 An owner, tenant or occupant must ensure that any authorized signage is maintained in a good state of repair and the owner, tenant or occupant, as the case may be, is solely responsible for the cost of such repair and maintenance.
- 36.7 An owner, tenant or occupant installing signs must not cause damage to common property, including limited common property.
- 36.8 An owner, tenant or occupant wishing to have a sign must apply in writing to the strata council for permission before attaching, fastening, connecting, securing, placing, affixing or installing a sign. Permitted signage must be a 3' high x 2' long non-illuminated channel letter sign.
- 36.9 An owner's, tenant's or occupant's application for a sign must include (i) drawings and specifications for each sign with precise measurements, colours, fonts and size of lettering and logos, if any; and (ii) the exact location requested for each sign.

37. Hazards and Obligations re Debris and Garbage

- 37.1 An owner, tenant or occupant must not bring onto or store in a strata lot or on the common property any item that:
- (a) may increase the risk of fire or the rate of any insurance policy held by the strata corporation; or
 - (b) invalidate any insurance policy.
- 37.2 If any apparatus or appliance used or installed by an owner, tenant or occupant requires a permit as a condition for its installation, a copy of such permit must be provided to the strata council upon receipt by the owner, tenant or occupant
- 37.3 An owner, tenant or occupant must not burn anything in a strata lot or on the common property.
- 37.4 An owner, tenant or occupant must not deposit at any time any material, debris or garbage on the common property.
- 37.5 An owner, tenant or occupant must not permit any employee, servant, contractor or invitee to leave or deposit at any time any material, debris or garbage on the common property.

38. Miscellaneous

- 38.1 An owner, tenant or occupant must not keep or display any merchandise on common property or obstruct any part of the common property, except as specifically permitted by the strata council.

- 38.2 An owner, tenant or occupant shall not keep merchandise, supplies, materials, garbage, refuse or other items on any loading area for more than 12 hours, or in any common area or facility for more than 30 minutes, including pallets, trailers, boxes, packing crates, etc.
- 38.3 An owner or occupant must not overload the floors of any building and, in any event, floor loading:
- (a) must not exceed 500 pounds per square foot evenly distributed for warehouse areas; and
 - (b) 100 pounds per square foot for all second floor areas.
- 38.4 The limits in bylaw 39.3 may be exceeded, if an owner, tenant or occupant reinforces the floor structure under the direction of a licenced structural engineer and after approval by the strata council.
- 38.5 An owner, tenant or occupant must not install flush valve operated plumbing fixtures in a strata lot as this will adversely affect the building plumbing system. Only tank operated fixtures, urinals, etc. are permitted.
- 38.6 In order to retain the fire rating of rear exit doors, the addition of locks or security hardware that require drilling holes in the door must be carried out by the door manufacturer.
- 38.7 An owner, tenant or occupant must place garbage or refuse in containers approved by the strata council or must remove such garbage or refuse directly from the common property.
- 38.8 An owner, tenant or occupant must not cause damage to trees, plants, bushes, flowers or lawns and must not place chairs, tables or other objects on lawns or grounds so as to damage them or prevent growth.
- 38.9 Where the strata corporation is required to enter a strata lot for the purpose of maintaining, repairing common property, the strata corporation and its agents shall carry out any work or repairs in a proper and workmanlike manner and shall make good any damage to the strata lot occasioned by such works and restore the strata to its former condition, leaving the strata lot clean and free from debris.
- 38.10 Emergency glass repairs may be carried out by the strata corporation or its agents at the expense of the owner of a strata lot.
- 38.11 Notwithstanding bylaw 39.2, an owner, tenant or occupant may maintain a garbage bin or container in the limited common property of its strata lot for the exclusive use of that owner's, tenant's or occupant's strata lot, provided that (a) such bin or container is painted to match the building colour or if the bin is provided by a third party service provider, then the bin may be of the standard colours used by such service provider; and (b) the size of such garbage bin or container has been approved in writing by the strata corporation.
- 38.12 An owner, tenant, or occupant must keep/store all garbage or refuse arising from their Strata Lot in containers within their strata lot or in containers contemplated pursuant to bylaw 39.11.
- 38.13 An owner, tenant or occupant is not permitted to have any pets upon the common property except dogs and provided that any such dogs are at all times on a leash and under control.
- 38.14 Owners, tenants or occupant are responsible to clean up all excrement deposited upon the common property by any pets introduced to the common property by such owner, tenant or occupant.