

Sommerset – Strata LMS 2932

Consolidated Bylaws

*(Approved at the Annual General Meeting of January 29, 2002
and the Annual General Meeting of February 5, 2004
and amended at the Annual General Meeting of February 16, 2006)*

Updated February 2018

1 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. A late payment of fifty (\$50.00) dollars per month will be assessed against the strata lot in arrears by more than 30 days and become part of the monthly assessment of that owner. If the arrears are not brought into good standing, an additional fifty (\$50.00) dollars per month will be assessed against the strata lot for every subsequent month thereafter. If the maintenance fees arrears exceed one thousand (\$1,000.00) dollars, a lien will be filed against the strata lot. The Strata Council reserves the right to publish the names of owners that are delinquent in their strata maintenance payments.
- (2) If an owner is late in paying his or her strata fees or a special levy the owner must pay to the strata corporation interest on the late payment in the amount of 10% per annum, compounded annually, and calculated on a monthly basis commencing from the date the payment was due and continuing until the last day of the month in which it is paid.

2 Repair and Maintenance of property by owner

- (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.

3 Use of property

- (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. No owner, tenant, occupant or visitor shall permit a condition to exist within a strata lot that may result in damage to any strata lot or common property without reporting the problem to the Strata Council and Property Manager. Any damage caused by the wrongful act or neglect of the owner, tenant, occupant or visitor of a strata lot shall be repaired at the expense of the owner.
- (3) An owner, tenant or occupant shall remove ordinary household refuse and garbage from his strata lot and deposit it in the containers provided by the strata corporation for that purpose; all garbage shall be bagged and tied before so depositing and the owner, tenant or occupant shall remove any materials other than ordinary household refuse and garbage from the strata plan property at his expense. Bags are not to be dragged through the common property.
- (4) 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.
- (5) 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 two caged birds; and
 - (d) One cat
 - (e) No dogs are permitted.
(BB043247, AGM, February 26, 2010)
- (6) Any owner, tenant or occupant who kept a dog prior to February 25, 1999, the day the Somerset bylaws were first enacted, is allowed to continue to keep that dog.
(BB043247, AGM, February 26, 2010)

- (7) An owner, tenant or occupant that keeps a pet in a strata lot, either permanently or temporarily, shall register that pet with the Strata Council by providing to the Strata Council a written notice, signed by the owner, tenant or occupant setting out the name, breed and colour of the pet, the strata lot number of the strata lot in which the pet is kept, the name and telephone number of the owner of the pet and the license number of the pet (when the pet is required to be licensed).
- (8) An owner of a dog or cat shall attach a collar to the pet with a tag identifying the owner.
- (9) An owner of a pet shall not permit the pet to urinate or defecate on the common property, and if any pet does urinate or defecate on the common property, the owner shall immediately and completely remove all of the pet's waste from the common property and dispose of it in a waste container or by some other sanitary means.
- (10) An owner, tenant or occupant whose guest or invitee brings an animal or pet onto the common property shall ensure that the guest or invitee complies with all requirements of these bylaws as they relate to animals and shall perform all of the duties and obligations with respect to that animal or pet as set out in these bylaws.
- (11) No owner, tenant or occupant shall permit its pet to interfere with any other person, pet or object, or permit its pet to disturb any other owner, tenant or occupant with uncontrolled barking or howling.
- (12) The Strata Council may, from time to time on behalf of the Strata Corporation, enact such rules with respect to the keeping of pets as the Strata Council, acting reasonably deems necessary or desirable, provided that, in the event of any conflict between these bylaws and any such rule, the provisions of these bylaws will prevail.
- (13) If any owner, tenant or occupant violates any provision of these bylaws or if the Strata Council on reasonable grounds considers a pet to be a nuisance the Strata Council may, by written notice to such owner, tenant or occupant to have the pet removed from the strata lot within thirty (30) days of receiving such notice.
- (14) An owner, tenant or occupant must not:
 - (a) Use a strata lot for any purpose which involves undue traffic or noise in or about the strata lot or common property between the hours of 10:30 p.m. and 7:00 a.m. or that encourages loitering by persons in or about the strata lot or common property;
 - (b) Make, cause or produce undue noise, smell, vibration or glare in or about any strata lot or common property or do anything which will interfere unreasonably with any other owner, tenant or occupant;

- (c) Use any musical instrument, amplifier, sound reproduction equipment or other device within or about any strata lot, the common property or any limited common property such that it causes a disturbance or interferes with the comfort of any other owner, tenant or occupant;
- (d) Obstruct or use the sidewalks, walkways, passages and driveways of the common property for any purpose other than ingress or egress from the strata lots or parking areas within the common property of the strata plan;
- (e) Leave or use on the common property or any limited common property, any commercial shopping cart or any other item designated from time to time by the strata council;
- (f) Use a barbecue, hibachi or other cooking device on a balcony, deck or patio unless such barbecue, hibachi or cooking device is powered by propane, natural gas or electricity and such propane, natural gas or electricity powered barbecues, hibachis and other light cooking devices shall not be used except in accordance with rules made by the strata corporation from time to time;
- (g) Shake any mops or dusters of any kind, nor throw any refuse, out of the windows or doors or from the balcony of a strata lot;
- (h) Allow water or cleaning agents to disturb the balcony/patio below when cleaning the balcony or watering plant(s);
- (i) Do anything that will increase the risk of fire or the rate of insurance on the building or any part thereof;
- (j) Permit a condition to exist within a strata lot which will result in the waste of excessive consumption of the building's domestic water supply or heated water;
- (k) Allow a strata lot to become unsanitary or a source of odor;
- (l) Feed pigeons, gulls or other birds, squirrels, rodents or other animals from the strata lot or anywhere on or in close proximity to the common property or any limited common property, but this shall not apply to a pet permitted to be kept in a strata lot pursuant to these bylaws and rules made hereunder, which pet shall be fed only in a strata lot;
- (m) Install any window coverings, visible from the exterior of his strata lot, which are different in size or colour from those of the original building specifications;
- (n) Hang or display any laundry, washing, clothing, bedding or other articles from windows, balconies or other parts of the complex so that they are visible from the outside of the building;

- (o) Use or install in or about a strata lot any shades, awnings, window or balcony guards or screens, ventilators, supplementary heating or air conditioning devices, except those installations approved in writing by the council;
 - (p) Erect on or fasten to the strata lot, the common property or any limited common property any television or radio antenna or similar structure or appurtenance thereto;
 - (q) Place any signs, billboards, notices or other advertising matter of any kind whatsoever on, or visible from, the exterior of a strata lot;
 - (r) Place any indoor-outdoor carpeting on any deck, patio or balcony, or place any items on any deck, patio or the balcony except free-standing, self-contained planter boxes, barbecues, summer furniture and accessories nor install any hanging plants or baskets or other hanging items that extend beyond the balcony railing;
 - (s) Place planters or other such items or equipment within any part of the limited common property designated on the strata plan exclusively for the use of such owner unless, in the opinion of the council, such planters, items or equipment are in keeping with the balance of the developments in terms of design, quality, proportion and colour. Any such planters, items or equipment will be maintained in good and tidy condition on an ongoing basis and the responsibility for such maintenance will be solely for the account of the owner, tenant or occupant entitled to the use of the limited common property on which they are placed; and
 - (t) Give any keys, combinations, security cards or other means of access to the building, the parking garage or common areas to any person other than an employee, contractor, occupant or guest of the strata lot permitted by these bylaws.
- (15) Cycling, rollerblading and skateboarding on common property is strictly prohibited.
- (16) Recycled materials must be put in proper bins. Cardboard must be broken/knocked down and all refuse/garbage must be bagged and placed in refuse bins. Any discarded items not appropriate for the recycling bins or refuse bins shall not be left anywhere on the common property.
(Amendment February 5, 2004)

4 Bicycles, Storage and Parking

- (1) Bicycles are not to be kept on balconies or patios. Instead, they shall be stored within the owner's designated storage locker, bicycle lock-up area or strata lot. Bicycles are not to be ridden within the interior common property of the buildings.
- (2) Any owner, tenant or occupant that leaves any item anywhere on or in the common property or on any limited common property does so at his own risk, subject to claim that

may properly be made under any insurance policy maintained by the strata corporation by anyone that is insured under that policy.

- (3) No owner, tenant or occupant shall keep, or permit to be kept, on the common property, unless otherwise approved in writing by the council:
- (a) a utility trailer;
 - (b) a trailer-borne boat;
 - (c) a travel trailer, camper or motorhome;
 - (d) a vehicle that exceeds 3700 kg;
 - (e) a vehicle that does not fit within a parking space;
 - (f) a vehicle that is not registered and insured with a minimum of \$1,000,000 third party liability insurance;
 - (g) a vehicle that is not roadworthy by the standards of the Motor Vehicle Act R.S.B.C. 1996, Chapter 318.

The definition of a vehicle is as found in the BC Motor Vehicle Act.

(Amendment February 5, 2004)

- (4) An owner, tenant or occupant shall not:
- (a) use any parking space in the building or on the common property or on any limited common property, except the parking space which has been specifically assigned to his strata lot, a parking space leased by the owner or, when specifically agreed with another owner, the parking space assigned to the strata lot of that other owner.
 - (b) carry out any oil changes, major repairs or adjustments to motor vehicles or other mechanical equipment on common property or on any limited common property, except in the case of emergency; rent or lease the parking space assigned by the strata corporation to his strata lot to or otherwise permit that parking space to be regularly used by anyone that is not a resident of the building;
 - (c) park any vehicle in a manner which will reduce the width of the garage roadway or ramp or any roadway on the common property or on any limited common property; and
 - (d) use any part of the common property (other than established storage rooms or lockers) for storage, without the written consent of the council.
- (5) An owner, tenant or occupant must promptly and at its own expense clean up any oil or other substance which spills or leaks onto the common property.
- (6) No hazardous items are allowed to be stored in the lockers.

- (7) The underground 'Visitor Parking' is to be used for visitors parking only. For parking purposes only, a visitor is someone who does not stay overnight more than four times in a four week period, unless a parking permit is obtained at the discretion of the Strata Council. Violation of this bylaw may result in towing of the vehicle, without warning, at the strata lot owner's expense.
(Amendment February 5, 2004)
- (8) No vehicle shall park at any time in the turnaround area, fire lanes, parkade roadways, neighbouring parking spaces or walkways.
- (9) Cars shall be washed in the designated area located next to the mechanical/BC Te l Rooms of Building 10186 in the underground parking area. The use of the corrosive products when washing vehicles is strictly prohibited.
- (10) The use of vehicle horns in the pick-up and drop off area is prohibited, except where the horn is required to prevent a collision.
- (11) All parking areas are limited common property and may not be altered or defaced in any manner without written consent from the Strata Council.
- (12) After entering or exiting the underground parking area through the two overhead doors, residents must then stop their vehicle and wait for both of the doors to close entirely before proceeding. Residents are encouraged to question anyone who attempts to enter the building through these open doors and to contact the RCMP if appropriate.
- (13) No resident's vehicle may follow another vehicle into the parking area while the overhead doors are in the fully open position. When entering, the vehicle that is following must wait until both overhead doors begin to close before they are permitted to activate the doors to go up again. When exiting the parkade, the last vehicle in line exiting is required to wait for both doors to fully close before leaving.
- (14) Underground parking electronic gate door openers are never to be left inside vehicles. If an electronic gate door opener is lost or stolen from the vehicle, the owner will be responsible for any and all costs incurred to replace the electronic gate door opener.

5 Inform strata corporation

- (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.

- (3) An owner who leases their strata lot shall provide the Strata Council a “Form K, Tenants Undertaking”. Failure to provide the “Form K” within ten (10) days of commencement of a tenancy shall be cause for a fifty (\$50.00) dollar per month fine against the strata lot owner and shall become due and payable on the date of the payment of the monthly assessment.

6 Obtain approval before altering a strata lot

- (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 the building;
 - (b) the exterior of the building;
 - (c) the electrical of the building;
 - (d) the plumbing of the building;
 - (e) chimneys, stairs, balconies or other things attached to the exterior of a building;
 - (f) doors, windows or skylights (including the casings, the frames and the sills of such doors, windows and skylights) on the exterior of a building, or that front on the common property (i.e. Including, for example, adding security devices to the entrance door to a strata lot);
 - (g) fences, railings or similar structures that enclose a patio, balcony or yard;
 - (h) common property located within the boundaries of a strata lot;
 - (i) 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) An owner, tenant or occupant must not do any act, nor alter a strata lot, in any manner, which in the opinion of the council will alter the exterior appearance of the building.

7 Obtain approval before altering common property

- (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.

8 Permit entry to the strata lot

- (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 to prevent significant loss or damage; and
 - (b) At a reasonable time, on 48 hours' written notice,
 - (i) to inspect, repair or maintain common property, common assets and any portions of a strata lot that are the responsibility of the strata corporation to repair and maintain under these bylaws or insure under section 149 of the Act; and
 - (ii) to ensure compliance with the Act and these bylaws.
- (2) The notice referred to in subsection (1) (b) must include the date and approximate time of entry, and the reason for entry.

9 Repair and maintenance of property by strata corporation

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

(D) doors, windows and skylights (including the casings, the frame and the sills of such doors, windows and skylights) on the exterior of the building or that front on the common property;

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

(2) No person shall be entitled to claim any compensation from the Strata Corporation for any loss of or damage to property or person arising from any defect of the common property.

(3) The Strata Corporation shall not be responsible to any person for any loss, damage or expense caused to personal property by an overflow or leakage of water from any adjoining buildings or by the breaking or busting of any pipes or plumbing fixtures, or in any manner whatsoever.

10 Council size

(1) The council must have at least 3 and not more than 7 members.

11 Council members' terms

(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 re-election.

12 Removing council member

(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.

(3) 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 the Act.

13 Replacing council member

(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 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 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.

14 Officers

- (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 power 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.

15 Calling council meetings

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

16 Requisition of council hearing

- (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.

17 Quorum of council

- (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.

18 Council meetings

- (1) At the option of the council, council meetings may be held by conference telephone call or other 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.

19 Voting at council meetings

- (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.

20 Council to inform owners of minutes

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.

21 Delegation of council's powers and duties

- (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.

22 Spending restrictions

- (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.

23 Limitation on liability of council member

- (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.

24 Fines

- (1) Except where specifically stated to be otherwise in these bylaws, the strata corporation may fine an owner or tenant:
 - (a) \$50.00 (up to \$200.00) for each contravention of a bylaw, and
 - (b) \$25.00 (up to \$50.00) for each contravention of a rule.

(CA6661838, AGM, February 28, 2018)

(2) Continuing contravention

- (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.

(3) Person to chair meeting

- (1) Annual and special general meetings must be chaired by the president of the council.
- (2) If the president of the council is unwilling or unable to act, the meeting must be chaired by the vice president of the council.

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

(4) Participation by other than eligible voters

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

(5) Voting

- (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) 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.
- (7) An owner who is otherwise an eligible voter may not exercise his or her vote for a strata lot, except on matters requiring a unanimous vote, if the strata corporation is entitled to register a lien against that strata lot.
- (8) Attendance by persons at an annual or special general meeting may be by telephone or other electronic methods if such method permits all persons participating in the meeting to communicate with each other during the meeting.

(6) Order of business

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 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; and
- (n) terminate the meeting.

(7) Voluntary dispute resolution

- (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.

(8) Small Claims Action

- (1) Notwithstanding any provision of the Act, the strata corporation may proceed under the Small Claims Act (British Columbia) against an owner or other person to collect money owing to the strata corporation, including money owing as a fine, without requiring authorization by a resolution passed by a $\frac{3}{4}$ vote.
- (2) A member of the Strata Corporation who is appointed by the Strata Council to represent the Strata Corporation in a proceeding against an owner, occupant or lessee of a lease strata lot, shall be compensated at the rate of one hundred (\$100.00) dollars for each necessary appearance before a governmental or judicial authority ruling on the matter. When an authority rules against the owner, occupant or lessee of a strata lot, such compensation shall be charged to the owner of the strata lot and shall form part of the monthly assessment. When the authority rules against the Strata Corporation, the Strata Corporation shall pay such compensation to its representative within one month of the date the ruling was made.
- (3) In all cases the owner shall indemnify the Strata Corporation for the full amount of costs paid to or to be paid to the solicitors for the Strata Corporation in respect of any proceedings or actions, including the solicitor's fees as presented and accepted by the Strata Corporation.

(9) Move In/Move Out

- (1) The Strata Corporation may regulate the times and manner in which any person moves into or out of strata lots and may require that such moves be coordinated with the manager of the building at least 7 days in advance of such moves, or such lesser period as the council may, in its sole discretion, permit, provided that if an owner or tenant carries out any move into or out of a strata lot otherwise than in accordance with such prior arrangements made with the manager of the building, the owner or tenant will be subject to a fine of \$100.00, such fine to be paid on or before the due date of the next monthly strata fees.

- (2) An owner or tenant must notify a member of the Strata Council or the Property Manager in advance of the date and time that the owner or tenant will be moving into or out of the strata lot.
- (3) An owner must pay a non-refundable \$100.00 move in and \$100.00 move out fee for each change of an owner, occupier, or tenant. These monies to be accounted for separately, to be used to repair damage to common areas.
(BB043247, AGM, February 26, 2010)
- (4) No furniture or other goods are to be put in the hallways, stairways or in the front main lobbies that limits access for owners to their suites.
- (5) The elevators shall be used for the purpose of moving furniture in or out of the buildings within the hours of 8:00 a.m. and 8:00 p.m.
- (6) The owner shall be responsible for any damage caused or any necessary cleanings to common areas or equipment, due to the move-in or move-out of the buildings. It is the owner's responsibility to inspect the common areas prior to moving-in/out for signs of damage (wall marks, carpet cuts, etc.) and advise the Property Manager of such damage. The Strata Council reserves the right to levy a fee, charged to the strata lot owner whose occupants have caused the damage or uncleanliness, to recover the costs of the damage or uncleanliness.
- (7) An owner or their agent must be in attendance during each move in and move out of the strata lot to ensure that the building security is maintained.
- (8) A \$250.00 holdback for storage locker clean out will be withheld at the time of sale, until the storage locker is cleaned out. Owners, occupiers and tenants moving in or out are not permitted to dispose of furniture, electronics, etc. in the strata corporations refuse containers. \$250.00 will be deducted from the holdback for any disposal of non-household items in the refuse containers.
(BB043247, AGM, February 26, 2010)

(10) Selling of Strata Lots

- (1) In the event of resale of an individual strata lot, the owner shall ensure that the purchasers receive a copy of these bylaws prior to the completion of the sale.
- (2) An owner of a strata lot, when selling his strata lot, will not permit "For Sale" signs to be placed on or about the common property, except on the signage board located adjacent to the entrance of the building which is designated for such purpose.
- (3) An owner of a strata lot, when selling a strata lot, will not hold or permit to be held, any public open house except in the matter prescribed by the council. For security reasons and

non-disturbance of other owners, the strata lot owner or real estate agent must meet prospective purchasers at the front entry door and personally escort them to and from the strata lot that is being sold. One open house for agents will be allowed per listing. Unless the council otherwise prescribes, all showings must be by appointment only.

(4) No lock boxes are permitted anywhere on the common property.

(11) Acquisition or Disposition of Personal Property

(1) The strata corporation may purchase, lease or otherwise acquire personal property for the use or benefit of the owners and may sell or otherwise dispose of such personal property for any amount approved in the annual budget for the strata corporation, but otherwise only if approved by resolution passed by a $\frac{3}{4}$ vote at an annual special general meeting if the personal property has a market value of more than \$1,000.

(12) Rental Restrictions

(1) No strata lots may be rented.

(BB043247, AGM, February 26, 2010)

(2) If an owner is exempt from a rental restriction bylaw pursuant to the Act, prior to possession of a strata lot by a tenant, an owner must deliver to the tenant the current bylaws and rules of the strata corporation and a Notice of Tenant's Responsibility in Form K.

(BB043247, AGM, February 26, 2010)

(3) Within two weeks of renting a strata lot, the landlord must give the strata corporation a copy of the Form K – Notice of Tenant's Responsibilities signed by the tenant, in accordance with section 146 of the Act.

(BB043247, AGM, February 26, 2010)

(4) Where an owner leases a strata lot in contravention of bylaw 35.1, the owner shall be subject to a fine of \$500.00 and the strata corporation shall take all necessary steps to terminate the lease or tenancy, including, but not limited to, seeking a declaration or Court injunction to enforce the bylaw. Any legal costs incurred by the strata corporation in enforcing the rental restrictions 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.

(BB043247, AGM, February 26, 2010)

(13) Hardwood Floors

(1) An owner of a strata lot who has or installs hard floor surfaces such as hardwood floors or tile in a strata lot must take all reasonable steps to satisfy noise complaints from neighbours, including without limitation, installing a commercial quality underlay, ensuring that no less

than 60% of such hard floor surfaces, excepting only kitchens, bathrooms and entry areas, are covered with areas rugs or carpet and avoiding walking on such flooring with hard shoes. Nails/screws are not permitted in the installation of hard floor surfaces, adhesive compounds must be used as water pipes are located within the flooring of each unit and the owner will be responsible for the repair and resultant damage should a water pipe be punctured during the installation of hard floor surfaces.

(BB043247, AGM, February 26, 2010)

(14) Security

- (1) Admission to the building(s) shall not be permitted to any person unless known to the owner or occupant. Persons delivering goods or other articles are to be met at the front entrance. In the event that such persons require entry to the building, they are required to be escorted by the owner/occupant until they have left the premises.
- (2) All common area doors must be closed and locked at all times. No entry or exit door may be propped open without notification and authorization of the Property Manager or member of the Strata Council.
- (3) All theft from automobiles and/or individual strata lots or common property must be reported to the Strata Council and Property Manager with Forty Eight (48) hours of discovery of the occurrence.
- (4) No soliciting will be permitted within the Strata Corporation, except on designated bulletin boards.

(15) Insurance

- (1) An owner shall be responsible to ensure that they have sufficient content and liability insurance coverage for their individual strata lot.
- (2) The Strata Council shall determine whether the Strata Corporation or an owner shall pay for the total cost of the insurance deductible in each instance when the insurance claim is based upon the insurance policy of the Strata Corporation. This determination by the Strata Corporation shall be binding upon the owner.
- (3) It shall be the policy of the Strata Corporation that if the Strata Council determines that an owner, their family, visitors employee or agent has any degree of control over events which led to damage being sustained to the strata lot or common property whether negligent or not, the owner shall be responsible for payment, in full, of the insurance deductible.

- (4) Subject to the above paragraphs, and upon the request of the Strata Council, an owner shall pay their proportionate share of any insurance deductible required to be paid in regard to any claim made upon the insurance of the Strata Corporation.

(16) Quorum

- (1) If within ¼ hour from the time appointed for an annual or special general meeting, a quorum is not present, the eligible voters, present in person or by proxy, constitute a quorum.
(CA3108205, AGM, May 2, 2013)

End of Bylaws

CP4286031

**Strata Property Act
Form I
AMENDMENT TO BYLAWS**

The Owners, Strata Plan **LMS 2932** certify that the following bylaw number 40, 41 and 3.17 be added to the Strata Corporation LMS 2932 – The Sommerset Bylaws and was approved by a special resolution passed in accordance with Section 128 of the *Strata Property Act* at a Annual General Meeting held on **February 23, 2015** :

40 Controlled Substances

An owner, tenant, occupant or visitor must not use a strata lot, in whole or in part, to grow, produce, harvest, store, market, sell or distribute marijuana or another other “controlled substances” as that term is defined in the Controlled Drugs and Substances Act, S.C. 1996, c. 19.

41 Home Owners Insurance

An Owner/Resident is responsible for obtaining insurance coverage to cover risks that are not covered by the strata insurance. Without limiting the foregoing, an Owner is responsible for obtaining insurance coverage to pay any deductibles payable under the strata insurance, for which the Owner is responsible, as well as Betterments and improvements to their strata lot.

Owners must provide the Strata Corporation with proof of the above required insurance each year.

Responsibility of Owners:

If an Owner is responsible for any loss or damage to a strata lot, common property, limited common property, or common assets, that owner must indemnify and save harmless the strata corporation from the expense of any maintenance, repair or replacement rendered necessary to the strata lot, common property, limited common property or common assets but only to the extent that such expense is not reimbursed from the proceeds received by operation of any strata insurance policy. Without limiting the generality of the word “responsible”, an Owner is responsible for the Owner’s own acts or omissions, as well as those of any of the tenants, occupants, visitors, agents, contractors or employees of the strata lot or the Owner.

For the purposes of this bylaw any insurance deductible paid or payable by the Strata Corporation will be considered an expense not covered by the strata insurance proceeds received by the strata corporation and will be charged to the owner

3.17

External Christmas lights are only permitted from December 1 until January 15.

Signature of Council Member

Signature of Second Council Member



Dye & Durham Corporation

Information & Legal Support Services

#10 - 620 Royal Avenue
New Westminster, BC V3M 1J2

Vancouver: (604) 257-1850
New West: (604) 257-1800
Victoria: (250) 953-1700
Pr. George: (250) 564 0616
Facsimile: (604) 257-1888
Toll Free: 1-800-661-1811

Invoice Date: 03/17/15 13:41

Order Date: 03/16/15 11:33

Completed by: SC/JC TNT
Team : NW - LAND REG.

INVOICE

6257493

ORDER

8177146-2

www.dyedurhambc.com

Client Reference:	Solicitor:
LMS 2932 AGM Feb 23 2015Form I	N/A

Account No.: 312500

CAMPBELL STRATA MANAGEMENT LTD
306 - 2777 GLADWIN ROAD
ABBOTSFORD, BC V2T 4V1

Attention: Sharon Knapp

TELEPHONE: (778)574-3454
LOCAL:
FAX PHONE: () -

Service	E-REG	Qty	Non-Taxble Disb.	Taxable Disb.	Taxable Fees
MISC DOCUMENT FILING	# OF REG. NUMBERS 1 NUMBER OF DOCUMENTS 1		25.37		36.75
<i>LMS2932 CA4286031</i>					
COMPLETE APPLICATION		1		.00	8.75
MY LTSA SERVICE CHARGE		1		1.50	.00
JURICERT FEE		1		2.50	.00
ELECTRONIC FACILITATION FILING		1		.00	.00
AFFIX SIGNATURE - GG		1		15.00	.00
FULLY REGISTERED					
Sub Totals:			25.37	19.00	45.50
GST/HST Registration #: 81426 3745			Total Taxable:		64.50
VISIT OUR NEW WEBSITE: WWW.DYEDURHAMBC.COM			GST/HST:		3.23
ORDER ONLINE SEARCH & REGISTRATION SERVICES - VISA/MASTERCARD			P.S.T.:		.00
E-TRAY PORTAL AVAILABLE 24/7			Total Non-Taxable:		25.37
			INVOICE TOTAL:		93.10

THANK YOU - WE APPRECIATE YOUR BUSINESS