

TRI CITY BUSINESS PARK

NW. 3194

BYLAWS

2008

Strata Property Act

FORM I

AMENDMENT TO BYLAWS

(Section 128)

The Owners, Strata Plan NW. 3194 (the registration number of the strata plan) certify that the following or attached amended bylaws of the strata corporation were approved by a resolution passed in accordance with section 128 of the Strata Property Act at an annual held on June 18th, 2008. These bylaws replace all bylaws previously registered in the Land Titles Office.

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Signature of Council Member

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Signature of Second Council Member (not required if council consists of only one member)

TRI-CITY BUSINESS PARK NW-3194 BY-LAWS

SCHEDULE OF STANDARD BYLAWS

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

Payment of strata fees

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

(2) Monthly strata fees are due and payable on or before the first day of each month. Strata fees not received by the 10th day of the month may be subject to a fine of \$50.00 for each month or portion thereof which is outstanding.

(3) When arrears of strata fees total an amount equal to two monthly strata fees, a lien for the total amount due, including all legal and other expenses, may be placed on the subject strata lot at the owner's expense.

(4) Fines are due and payable by the first day of the month following the month in which they are charged. Any fines not paid and collected by the due date will be charged a late charge of \$25.00 for each fine. Any fines in arrears at the time this bylaw is passed will be charged \$25.00 per month per fine commencing on the first day of the month which is no less than 30 days after the date this bylaw is passed at a General Meeting.

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.

(3) An owner is permitted to keep one "approved" garbage container outside their premises. Approval is to come from council

Use of property

- 3** (1) An owner, tenant, occupant or visitor ***must not use a strata lot as a Crematory, a Body Shop or a Recycling Facility***, 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 or Tenant will not be permitted to place signs or merchandise in the Common Areas unless agreed by the Strata Council.
- (5) No Owner nor any of his employees, agents, invitees or tenants shall park or store inoperable or unlicensed or uninsured vehicles nor place or permit to accumulate any material or substance, including waste not in containers, in the common property.
- (6) Signs, logo and lettering shall be on the concrete panel immediately above the ground floor windows. Lettering and/or logo should be centered on the length of the signband area and no closer than 10" to the end, top or bottom of the panel. They must be non-illuminated individual letters. No plastic or plywood backing sheets permitted.
- (7) The Tenant may choose their own sign colours.
- (8) Signage will be limited to one sign per display panel and one company per sign.
- (9) Variations to style and creative signage which exceed this criteria will be considered on an individual basis for owners who submit a professional graphic proposal for review by the Strata Council.
- (10) Repairs and maintenance to lettering will be each owner's responsibility. When any signs are removed due to change in name, ownership/tenancy, the entire surface of the sign area shall be made good and the building standard colour restored to new within 30 days.
- (11) All signage must be fabricated and installed by a professional sign manufacturer.
- (12) Signage can only be glued to the concrete surface, no bolts, nails or screws are permitted.
- (13) All signage shall meet the requirements of the City of Port Coquitlam sign regulations and bylaws regardless of this criteria and appropriate permits obtained by the owner prior to installation.
- (14) Any signage installed without conforming to these guidelines shall be removed upon order by Strata Council and costs related to such removal shall be charged to the owner.

- (15) Awnings must be repaired and maintained by the unit Owner. All awnings must maintain the shape, colour, and dimensions as provided by the Developer. Any lettering must be placed only on the front vertical apron of the awning. If Owners or Tenants change, the Owner is responsible for removing all old lettering.
- (16) Sandwich Boards are not allowed on common property.
- (17) Signs installed as of February 1, 2001 that are non-conforming to these regulations will be permitted.

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) common utilities and services located in or near the Strata Lot;
 - (d) doors or windows on the exterior of a building, or that front on the common property;
 - (e) common property located within the boundaries of a strata lot;
 - (f) 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.

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 under the following conditions:
- (a) in an emergency, without notice, to ensure safety or prevent significant loss or damage, and
 - (b) at a reasonable time, on 4 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
 - (d) a strata lot in a 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) doors and windows on the exterior of a building or that front on the common property, and

Division 3 - Council

Council size

- 9** The council must have at least 3 and not more than 7 members.

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 re-election.

Removing council member

- 11** (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.
- (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.

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 and a vice president.
- (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 are unavailable to provide consent.

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 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) 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) 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 file minutes of all council meetings.

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.

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) \$200.00 for each contravention of a bylaw, and
 - (b) \$50.00 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, for longer than 7 days, a fine may be imposed every 7 days.

Division 5 - Annual and Special General Meetings

Voting

- 25**
- (1) At an annual or special general meeting a vote is decided on a show of voting cards.
 - (2) 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.
 - (3) 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.
 - (4) 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

- 26** The issues of business at annual and special general meetings may be as follows:
- (a) certify proxies 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) ratify any new rules made by the strata corporation under section 125 of the Act;

- (h) report on insurance coverage in accordance with section 154 of the Act, if the meeting is an annual general meeting;
- (i) approve the budget for the coming year in accordance with section 103 of the Act, if the meeting is an annual general meeting;
- (j) deal with new business, including any matters about which notice has been given under section 45 of the Act;
- (k) elect a council, if the meeting is an annual general meeting;

Division 6 - Voluntary Dispute Resolution

Voluntary dispute resolution

- 27** (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) 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 – Omnex

Omnex Licence

- 28** Strata Lot 66 is to pay a fee of \$600.00 every Jan. 1st to the strata corporation for using the common property pursuant to the licence granted in the Agreement and filed in the Land Titles Office August 3rd 2001 (Reg # BR 198331).

**Tri-City Business Park
Strata Corporation NW3194
Schedule of Additional By-Laws**

Bylaw 101:

10 Common Areas

No owner or any of his employees, agents, invitees or tenants shall, unless approved in advance in writing, by the Strata Council:

- (a) Change the appearance of the building, either by way of addition to, alteration, or cutting, changing, or closing up of walls, wall openings, doors or windows;
- (b) Place or install any sign on the common property, except on such area or areas designed for such purpose by the Strata Corporation;
- (c) Place or install any appurtenance or other object on or through the roof of the building;
- (d) Park or store inoperable vehicles or unlicensed or uninsured vehicles nor place or permit to accumulate any material or substance including waste not in approved containers in the common or limited common property.**
- (e) Carry on or permit to be carried on any activity in the building or on the common property that poses a threat to the safety and health of persons in the building or common property; or
- (f) Carry on or maintain any activity that create, in the sole discretion of the Strata Council an unacceptable level of noise or noxious odours

Replaces bylaw 1, Registered March 16 1999

Bylaw 102:

Fines

- a) An owner must pay strata fees on or before the first day of the month to which the strata fees relate.
- b) If an owner is late in paying his or her strata fees, 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.

- c) The strata corporation may fine an owner or tenant a maximum of:
 - i. \$200 for each contravention of a bylaw; and
 - ii. \$50 for each contravention of a rule.
- d) The strata corporation may impose a fine on an owner or tenant for a continuing contravention of a bylaw or rule every 7 days
- e) Each owner and tenant is responsible for payment, without invoice, of any money including strata fees and special levies owing to the strata corporation as provided for in the Act or these bylaws, and if the owner or tenant fails to pay any money so owing within 15 days after the date such money become due, the owner or tenant will, after having been given written notice of the default and been provided with a reasonable opportunity to answer the complaint (including a hearing if requested), be assessed and pay a fine of \$25.00, and for each additional month such default continues, an additional fine of \$25.00 will be levied against and paid by the owner to tenant.
- f) Additional assessments, fines authorized by these bylaws, banking charges, filing costs, legal expenses, interest charges and any other expenses incurred by the strata corporation to enforce these bylaws, as they may be amended from time to time, or any rule which may be established from time to time by the council pursuant to the Act or these bylaws, shall become part of the assessment of the owner responsible and shall become due and payable on the first day of the month next following, except that any amount owing in respect of a fine or the cost of remedying the contravention of a bylaw will be calculated as a separate component of such assessment and the strata corporation may not register a lien against such separate component..

Bylaw 103:

Parking

The Strata Corporation Shall:

- a) Designate and post parking areas for use by the owners and parking areas for customers of occupiers of strata lots;
- b) Prohibit parking of vehicles of any kind on the common property, except in such designated spaces;
- c) Prohibit parking of vehicles under repair or vehicles incapable of being driven under their own power anywhere on the common property;
- d) Cause the Strata Council to employ an employee or agent to enforce the bylaws and the Strata Council's employees and agents shall enforce the bylaws strictly and typically on a 24 hour notice basis on any violator of the bylaws, and at the expense of the owner of the vehicle, material or substance in violation of those bylaws;

- e) Post the property, indicating it is private, that parking is restricted and that cars improperly parked will be towed at the expense of the owner;
- f) Designate areas on the common property for the temporary erection of for sale and for lease signs;
- g) Maintain the common property and the exterior of the building in a first class state of repair and condition at all times and in particular schedule and arrange for:
 - 1. regular cleaning, sweeping of blacktop areas;
 - 2. regular washing of awnings;
 - 3. regular maintenance of landscaped areas;
 - 4. regular painting of exterior of building and parking lines;
 - 5. repairs to awnings, blacktop and building exterior.

Bylaw 104:

Parking

The Strata Corporation Shall:

- a) Designate all of the parking areas within all phases of Strata Plan NW3194 as Limited Common Property in accordance with Section 53(1) of the Act;
- b) Outline all parking areas as described in the drawing attached hereto as Schedule "A";
- c) Designate for the exclusive use of owners those parking areas situated directly adjacent to their strata lots;
- d) Cause the Strata Council to retain an employee or agent to enforce the bylaws of the Strata Corporation;
- e) Post signs indicating that all parking areas are private and restricted and that vehicles improperly parked will be towed at the expense of the vehicle owner; and
- f) Maintain responsibility for the maintenance of the parking areas.

Bylaw 105:

Signs

No owner shall place any identification signage anywhere on the common property, except on the fascia of the awning fronting his strata lot. Any such sign shall be designed and installed in a professional manner so as not to detract from the building.

Bylaw 501:
Form D (Form K) – Tenants

An Owner who leases or rents his Strata Lot must provide to the Strata Council a Form D Tenant's Undertaking in accordance with sections 46 and 47 of the Condominium Act **(form K – strata Property Act)**. Failure to provide a Form within ten days after the commencement of tenancy shall be cause for a fine of \$300.00 per month, or any part thereof, against the Strata Owner

Bylaw 601:
Damages

Where an Owner or Tenant causes damage to the Common Property or Limited Common Property or permits storage or waste to be left in the Common or Limited Common Property then the Owner will be given one written notice to correct by a representative of the Strata Council. If breach continues then the Owner will be charged all expenses, plus 15% if the Strata Council decides to correct the breach.

Bylaw 701:
Phase VI

BE IT RESOLVED that the Owners, Strata Plan NW3194, subject to Section 77 of the Condominium Act of British Columbia, incorporate Phase VI into Strata Corporation NW3194 to be wholly part of the Strata Corporation property and that the Strata Corporation By-Laws be amended to reflect the incorporation of Phase VI into the strata Corporation. The sum total of the unit entitlement shall be the sum of all the strata lots encompassing Phase I, Phase II, Phase III, Phase IV, Phase V and Phase VI. The unit entitlement shall be based upon the calculations submitted to the Land Titles Office pursuant to all regulations affecting the Strata Corporation and the registration of Land Titles.