

BYLAW AMENDMENTS – LMS 1328

PASSED AT THE ANNUAL GENERAL MEETING ON MARCH 21, 2013

PLEASE ADD THESE TWO AMENDMENTS TO YOUR BYLAWS PLEASE

AND KEEP THEM FOR REFERENCE

To Amend Bylaw 30 – Rental - PASSED MARCH 21, 2013

BE IT RESOLVED BY a $\frac{3}{4}$ vote of The Owners, Strata Plan LMS 1328 (the “Strata Corporation”) that the bylaws of the Strata Corporation be amended by repealing bylaw 30 and adopting the following:

30. Rental

- (1) No strata lots may be rented.
- (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 Responsibilities in Form K.
- (3) If an owner is exempt from a rental restriction bylaw pursuant to the Act, within four days after the start of a tenancy, the owner must provide to the council, the following information:
 - (a) The name of the tenant(s);
 - (b) Telephone number of the tenant(s);
 - (c) Term of the tenancy; and
 - (d) Completed General Contact Information Sheet.
- (4) Upon request, an owner that rents their strata lot pursuant to an exemption under section 142 of the Act (family member exemption) must provide proof of the relationship with the tenant within 72 hours.
- (5) In order to comply with its duties to set out the total number of rentals in the strata corporation in a Form B – Information Certificate, an owner that rents a strata lot on the basis of an exemption under sections 142 or 143 of the Act must report, in writing, to the council:
 - (a) The owner’s intention to rent out the strata lot;
 - (b) Confirmation that the strata lot has been rented out within two weeks of renting the strata lot; and
 - (c) The date the tenancy ends within two weeks following the end of the tenancy.
- (6) Where an owner rents a strata lot in contravention of bylaws 30(1), the owner is subject to a fine of \$500.00 and the strata corporation shall take all necessary steps to terminate the tenancy, including, but not limited to, seeking a declaration or court injunction to enforce the bylaw. Any legal costs incurred by the strata corporation to enforce the rental restriction bylaws shall be the responsibility of the contravening owner and recoverable from the owner on a solicitor and own client basis by the strata corporation.

To Amend Bylaw 35 – Pets – PASSED MARCH 21, 2013

BE IT RESOLVED BY a ¾ vote of The Owners, Strata Plan LMS 1328 (the “Strata Corporation”) that the bylaws of the Strata Corporation be amended by repealing bylaw 35 and adopting the following:

35 - PETS – (*Guide dogs or assistant dogs are excluded from the pet restrictions*)

- (1) A resident or visitor must not keep any pets in a strata lot or on common property or on land that is a common asset except in accordance with these bylaws and any rules of the Strata Corporation.
- (2) Prior to obtaining any animal as a pet, a resident must obtain the written approval of the council and in addition to the following restrictions and/or conditions:
 - (a) a maximum of two cats OR two dogs OR one cat and one dog will be permitted to be kept in in a strata lot.
 - (b) an aquarium in a strata lot must not exceed 10 gallons in size;
 - (c) animals other than cats or dogs or small fish kept are prohibited;
 - (d) the following breeds or cross-breeds of dogs are prohibited:
 - i. Akita
 - ii. Pit Bull Terrier
 - iii. American Pit Bull Terrier
 - iv. Staffordshire Terrier
 - v. Rottweiler
 - vi. Full size Doberman-Pincher
 - vii. any other dog that the council deems to be vicious.
- (3) A resident, as part of its application to the strata council for permission to keep a dog or cat, must provide proof it has been spayed or neutered, as the case may be.
- (4) A resident or visitor must ensure that all animals are leashed or otherwise secured when on common property or on land that is common asset.
- (5) A resident or visitor must not allow a pet to urinate or defecate on common or limited common property. If any pet does urinate or defecate on the common property or on limited common property, the pet owner shall immediately and completely remove all of the pet’s waste from the common or limited common property and dispose of it in a waste container or by some other sanitary means;
- (6) If a resident violates any provision of Bylaw 35 or if, on reasonable grounds, the strata council considers a pet to be a nuisance, the strata council may, by written notice to the owner of the pet require such resident to have the pet removed from the strata lot within thirty days of receipt such notice;
- (7) A resident must ensure that a pet does not unreasonably interfere with any other resident, pet or object, or does not disturb any other resident with unreasonable barking or howling.
- (8) A pet owner must assume all liability for all actions of a pet, regardless of whether the owner had knowledge, notice or forewarning of the likelihood of such action.