

**EXHIBIT "C"**

**STRATA CORPORATION BYLAWS**

## EXHIBIT "C"

### Strata Corporation Bylaws

#### Division 1 – Duties of Owners, Tenants, Occupants and Visitors

The following Bylaws of the Strata Corporation are in addition or in substitution to the Schedule of Standard Bylaws contained in the *Strata Property Act*.

##### Repair and maintenance of property by owner

Notwithstanding Bylaw 2, so long as any owner's strata lot or limited common property is included in the hotel business (the "Hotel Business") conducted from or within all or part of the improvements within the strata plan, the owner's obligation pursuant to this bylaw may be delegated by the owner to the manager (the "Hotel Manager") of the Hotel Business, in which case the owner's obligations pursuant to this bylaw will be limited to utilizing all commercially reasonable efforts to cause the Hotel Manager to comply with the owner's obligations hereunder.

##### Use of property

Bylaw 3 is deleted and substituted with the following:

- (1) An owner, tenant, occupant or visitor must not use a strata lot, the common property or common assets in a way that
  - (a) causes a nuisance or hazard to another person,
  - (b) causes unreasonable noise,
  - (c) unreasonably interferes with the rights of other persons to use and enjoy the common property, common assets or another strata lot,
  - (d) is illegal, or
  - (e) is contrary to a purpose for which the strata lot or common property is intended as shown expressly or by necessary implication on or by the strata plan.
- (2) An owner, tenant, occupant or visitor must not cause damage, other than reasonable wear and tear, to the common property, common assets or those parts of a strata lot which the strata corporation must repair and maintain under these bylaws or insure under section 149 of the Act.
- (3) An owner, tenant, occupant or visitor must not keep any pets on a strata lot or permit any pets or other animals on the common property or land that is a common asset.
- (4) An owner, tenant or occupant must not smoke in the strata lot unless specifically authorized by the Hotel Manager.

### **Obtain approval before altering a strata lot**

Bylaws 5 and 6 are deleted and substituted with the following:

- (1) An owner must obtain the written approval of the strata corporation before making an alteration to a strata lot or common property that involves any of the following:
  - (a) the structure of a building;
  - (b) the exterior of a building;
  - (c) chimneys, stairs, balconies or other things attached to the exterior of a building;
  - (d) doors, windows or skylights on the exterior of a building, or that front on the common property;
  - (e) fences, railings or similar structures that enclose a patio, balcony or yard;
  - (f) common property located within the boundaries of a strata lot;
  - (g) those parts of the strata lot which the strata corporation must insure under section 149 of the Act.
- (2) The strata corporation may withhold its approval under subsection (1) if the Hotel Manager is of the opinion that such change is not in the best interest of the Hotel Business and may require as a condition of its approval that the owner agree, in writing, to take responsibility for all expenses relating to the alteration.
- (3) The ability of an owner to make any of the alterations described in subsection (1) above is also subject to any restrictions contained in any agreement or arrangement entered into between such owner and the Hotel Manager.

### **Permit entry to strata lot**

Bylaw 7 is deleted and substituted with the following:

- (1) An owner, tenant, occupant or visitor must allow a person authorized by the strata corporation to enter the strata lot
  - (a) in an emergency, without notice, to ensure safety or prevent significant loss or damage, and
  - (b) at a reasonable time, 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

Bylaw 8 is deleted and substituted with the following:

The strata corporation must repair and maintain all of the following to, if applicable, and subject to any higher standard imposed by the Act, the standard required by the franchisor of any Hotel Business utilizing such assets or property;

- (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 on the exterior of a building or that front on the common property;
    - (E) fences, railings and similar structures that enclose patios, balconies and yards;
- (d) a strata lot in a strata plan that is not a bare land strata plan, but the duty to repair and maintain it is restricted to
  - (i) the structure of a building,
  - (ii) the exterior of a building,
  - (iii) chimneys, stairs, balconies and other things attached to the exterior of a building,
  - (iv) doors, windows and skylights on the exterior of a building or that front on the common property, and
  - (v) fences, railings and similar structures that enclose patios, balconies and yards.

The strata corporation may delegate its obligation to maintain the above assets and common property to the Hotel Manager of any Hotel Business utilizing such assets or property.

**Division 3 – Enforcement of Bylaws and Rules**

**Maximum fine**

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

- (a) \$200 for each contravention of a bylaw, and
- (b) \$50 for each contravention of a rule.

**Continuing contravention**

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