

Condominium Home Owners' Association

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Condo Smarts

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Dear Condo Smarts: Thank you for your timely column on election signage a few weeks ago. Our strata is unclear on one issue. Can we create a bylaw or rule that prohibits the size of signs that are placed on a strata lot or common property? Michelle Martin, Abbotsford.

Dear Michelle: Our offices province-wide have been inundated with the same question. Yes, section 228.1 of the Election Act permits a landlord, a person or a strata corporation to limit the size of a sign by setting reasonable conditions; however, what a strata corporation has to remember is that to set conditions on a strata lot would require a duly ratified bylaw at a general meeting that has been registered in the Land Title Registry. A strata corporation may prohibit signs on common property including common areas of a building, and that may be either through a proper

bylaw amendment or through the creation of a Rule by council. The new Rule must be properly ratified by council and the strata must inform owners and tenants of any new rules as soon as feasible. A similar strata corporation in White Rock has a bylaw that limits the placement of election signage to only the display from strata lots, and in signage no larger than 1m x 1m, which is still significant. In a bare land strata in most circumstances it will require a bylaw to limit or restrict signage. Most signs are displayed on the property adjacent to the buildings on a bare land strata, which is almost always part of the strata lot. Don't make the mistake of assuming the Act gives you the authority to limit or restrict signs. The Strata Property Act is silent on election signage, and only gives you the ability to create the appropriate bylaws or rules permitted by the Election Act.

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