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## Strata Living

Headline: Barbecue time, and the complaints are rolling in!

Topics: Balconies & Decks; Barbecues

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**Dear Tony:** Is there any way to convince our strata corporation to adopt a bylaw that prohibits barbecues? We live on the 3<sup>rd</sup> floor of a 4 floor wood frame building, and the people below us on the ground floor are constantly using their barbecue. It usually starts up around 8pm and finishes somewhere around 9. By then everyone has run to shut their doors and windows and we all patiently wait for them to shut down so we can get some fresh air back into our building. Several of the seniors on our floor complain about the heat as our bylaws do not permit air conditioners and yet we permit barbecues! In addition, the side of the building is stained with bbq smoke and this person happens to be the brother of the council president, so complaints are ignored. We did a quick poll and almost 80% of our owners are fed up with bbqs. How to we fix this?

*John A. Coquitlam*

**Dear John:** If owners want to change their bylaws, and the council is unwilling to voluntarily put this in front of the owners, start a petition. You will require 20% of the owners of strata lots to submit a petition to the strata council, demanding a special general meeting be called and on the petition include the proposed wording of the  $\frac{3}{4}$  vote resolution to amend the bylaws and adopt a new bylaw that prohibits barbecues. No one is grandfathered from the use of barbecues as it is a democratic decision of the strata corporation, and bylaws apply to all strata lots, common and limited common property. If the council does not hold the meeting within 28 days of having received the petition, the petitioners can issue notice and hold the meeting. Perhaps you may want to have owners first request a hearing with the strata council and see if there are other options. While many strata corporations have

prohibited the use of barbecues on decks patios and balconies, they have installed a secure common area barbecue that still allows for outdoor cooking, but moves the barbecue away from the buildings. Talking and trying to work out solutions will contribute to better harmony in your community. Barbecues are a constant problem for many communities. If they are not meticulously maintained they will attract rats, bears, raccoons, and pose a high fire risk especially to combustible construction. Barbecues adjacent to high rise glass railings have also resulted in exploding glass when exposed to extreme heat. If all else fails and the council do not enforce the bylaws such as nuisance and damages, owners can file a claim with the Civil Resolution Tribunal to order the council to enforce the bylaws.