

Condo Smarts

Headline: Avoid the explosive problem of fireworks

Topic: Fireworks

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The all-too-explosive disasters that can occur as a result of Halloween celebrations were revisited this year as a number of strata properties sustained fire damage once more.

Apartment buildings, townhouse complexes and bare land strata communities all experienced significant losses and threats to safety as a result of raining debris of fireworks.

Parking lots in apartment buildings and townhouse complexes are ideal locations for launching fireworks, so many strata corporations have adopted bylaws that strictly prohibit the use or discharge of fireworks of any type on the strata property, including strata lots and limited common property.

Hoping to de-fuse the problem, one Kamloops strata actually took the opposite approach, and budgeted \$500 this year to pay for a fireworks party for their complex to have a party on Sunday night. Nice try, but ultimately not the best solution. This strata contacted our office, which recommended they contact their insurer, who advised that they would not be covered in the event of any accident or damages caused by the fireworks because the building locations were too close to the discharge area. The insurer reminded them their duty was to protect the

strata, not burn it. In addition, well-intentioned though this idea may have been, it was ultimately an inappropriate use of strata funds.

Strata Law: The strata must maintain and repair common property, act honestly and in good faith in the best interests of the strata, exercise care, diligence, and skill of a reasonably prudent person. The insurance agreement requires that the strata must take reasonable steps to prevent claims and not knowingly take risks that may place people or property at risk.

Tips: Strata common expenses are for the operations, maintenance and repair of the strata. The owners' money is not intended for the personal benefit of council members, donations to political campaigns, religious organizations, extravagant council parties, family weddings, vacations or personal investments, to name a few of the complaints we have received. Owners may want to consider being more specific when approving the annual budget, and limiting how the strata will spend their money.

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