

Condominium Home Owners Association

A non-profit association serving strata owners since 1976

Bulletin: 300-153

Condo Smarts

Headline: Enforcing bylaws councils job

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Written by: Tony Gioventu

Dear Condo Smarts: I have always considered myself an intelligent, common sense person. A few weeks ago I purchased a new SUV which is substantially larger than my previous car. To my horror, after hitting the entry bar, I discovered my new car would not fit in our underground parking garage. Since our strata corporation has eight visitor parking spaces I thought the easiest solution would be switch my parking spot. Unfortunately, my strata council refused my request, citing the strata's bylaws that identify the parking spots as visitor parking only and limit visitor parking to a maximum of two hours. Is there no way they can grant me a special privilege?

- Dave T. in Vancouver.

Dear Dave: While the council may grant short term use of common property, they do not have the authority to negotiate the enforcement of bylaws. It is the strata council's obligation to enforce the bylaws and ensure there is visitor parking for all of the owners. The strata council could consider presenting a resolution to the owners at a special general meeting that would amend the bylaw and create a parking space for your strata lot; however, it will require a 3/4 vote of the corporation. Unlike another strata owner, you realized your error before entering the parkade, preventing damage to the underground fire system and your vehicle. A tip for all strata councils is to closely measure their entry bars to

ensure they meet the standard minimum height for parking and confirm the entry bar heights are clearly visible using reflective decals.

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