

Condominium Home Owners Association

A non-profit association serving strata owners since 1976

Bulletin: 400-010

March 10, 2005

Rules versus Bylaws

Rules

- Adopted by council
- Must be ratified by majority vote at AGM/SGM
- Must be distributed to all strata lots
- Maximum fine - \$50
- User fees must first be ratified at a general meeting before they are enforceable
- Fines must be set out in the bylaws
- Only for the use and enjoyment of common facilities and common property
- Must enforce in accordance with section 135 of the Act
- Section 125 of the Strata Property Act
- Enforcement Section 129-138 SPA
- Must be included with any Form B

Bylaws

- Ratified only by ownership at general meeting
- Must be adopted by 3/4 vote at AGM/SGM
- Must be filed at Land Titles Office within 60 days
- Maximum fine - \$200
- \$500.00 rental restriction
- User fees must first be ratified at a general meeting before they are enforceable
- Fines must be set out in the bylaws
- For the regulation of all property, business activities and procedures of the strata corporation, owners and council including strata lots
- Must enforce in accordance with section 135 of the Act
- Section 119-124/126-128 of the Act
- Enforcement Section 129-138 SPA
- Must be included with any Form B

Rules are generally adopted in circumstances where occasional changes are made without the need for re-filing for common facilities and common property. Examples: swimming pool use and hours of operation, club house use and rental fees, garden plantings and maintenance, parking rules and use for common property.

Bylaws are for the long term use of property, the operations of the corporation and the strata lots. Examples: pet restrictions, rentals, noise and musical instruments, payment of strata fees, use of limited common property on balconies and decks, parking regulations as limited common property, procedures at meetings, minutes, regulating financial reports, long term planning, court actions.

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