

## Strata Living

Headline: Election Signs & Campaigning

Topic: Elections; signs

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**Dear Tony:** Our strata corporation has a bylaw that prohibits signs. When I put up my election sign Tuesday night, I was told by council to remove it from my window or I would be fined \$200 per week. How can the strata corporation prohibit my rights to express my political affiliations? I see election signs in many of the buildings in our neighbourhood. Do they not have the same bylaws?

*Jennifer Douglas*

**Dear Jennifer:** The Provincial Election Act applies to both provincial and municipal elections in BC, and the provisions of the Act over ride the Strata Property Act and Bylaws of a strata corporation. Strata corporations may adopt bylaws that limit or prohibit election signs on common property, and that may restrict the size of election signs that are displayed on strata lots; however, the strata corporation cannot prohibit signs being displayed from a strata lot. A reasonable limitation may be enforced by the strata corporation, for example, a sign that fits within the size of a window or that is a reasonable size on the lawn of a bare land strata lot. Remember that in most apartment, high rise and townhouse complexes, the outdoor areas are common or limited common property and the strata corporation through a bylaw may either prohibit signs, or limit the size and location of the signs. If owners have posted signs in their windows, they will be required to

comply with the limitations under the bylaws and the requirements to remove the signage once the election is over on May 15, 2013. Your strata corporation and council should also contemplate their policy on canvassing in the strata common areas, or door to door canvassing of strata lots within the buildings. Remember that the strata council obtain their authority from the decisions of the owners and that is generally created through the bylaws adopted by the corporation. When you review your bylaws to address issues such as signage under the Election Act, your bylaws cannot over ride other enactments of law that apply.

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