

## Bulletin #2

The new *Strata Property Act* is overwhelming. Each month we attempt to inform and educate you on different provisions and we hope this process is helpful. If you need a copy of previous bulletins please feel free to ask your property manager. If you have joined your strata council in recent months you should obtain a copy of previous bulletins as they are most useful. The content of these bulletins does not purport to offer legal opinions or advice. You should retain and consult with legal professionals.

## BY-LAWS

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All your strata corporation's bylaws will remain in force and effect on July 1, 2000 when the new Strata Property Act becomes law.

Note:

- The portion of your existing bylaws which are the standard (Part V) by-laws of the Condominium Act will automatically expire on December 31, 2001. You will automatically inherit the standard by-laws of the new Strata Property Act as of January 1, 2002.
- The portion of your existing bylaws which are not the standard bylaws, i.e. the ones that you have added over the years, will remain in force and effect after January 1, 2002 provided that they do not conflict with any part of the new Act. (More on this in a later bulletin.) If your "add-on" bylaws conflict with the bylaws of the new Strata Property Act you need not worry since that is permissible. Your bylaws will be valid.

## HERE ARE NEW RULES ABOUT RULES

### Rules

125 (1) The strata corporation may make rules governing the use, safety and condition of the common property and common assets.

(2) A rule is not enforceable to the same extent that a bylaw is not enforceable under section 121(1).

(3) All rules, including those posted on signs, must be set out in a written document that is capable of being photocopied.

(4) The strata corporation must inform owners and tenants of any new rules as soon as feasible.

(5) If a rule conflicts with a bylaw of the strata corporation, the bylaw prevails.

(6) A rule ceases to have effect at the first annual general meeting held after it is made, unless the rule is ratified by a resolution passed by a majority vote.

(a) at that annual general meeting, or

(b) at a special general meeting held before that annual general meeting.

(7) Once a rule has been ratified under subsection (6), it is effective until it is repealed, replaced or altered, without the need for further ratification.