

Bylaws

DIVISION 3 — COUNCIL

10. Council Size

- (1) Council must have at least 3 and not more than 7 members.
- (2) The spouse, son, or daughter who is the age of majority of an owner may stand for election to the Council, provided that the owner on title renews written consent annually.

29. Voting

- (1) At an Annual or Special General Meeting, voting cards must be issued to eligible voters at an Annual or Special General Meeting, a vote is decided on a show of voting cards, unless an eligible voter requests a precise count.
- (2) If a precise count is requested, the Chair must decide whether it will be by show of voting cards or by roll call, secret ballot or some other method.
- (3) The outcome of each vote, including the number of votes for and against the Resolution, if a precise count is requested, must be announced by the Chair and recorded in the Minutes of the meeting.
- (4) If there is a tie vote at an Annual or Special General Meeting, the President, or, if the President is absent or unable or unwilling to vote, the Vice-President, may break the tie by casting a second, deciding vote.
- (5) Despite anything in this section, an election of Council or any other vote must be held by secret ballot, if the secret ballot is requested by an eligible voter.
- (6) An Owner who is otherwise an eligible voter may not exercise his or her vote for a strata lot, except on matters requiring a unanimous vote, if the Strata Corporation is entitled to register a lien against that strata lot. **(Amended at AGM-2019-06-18, CA7668310).**

SPA

Part 4 — Strata Corporation Governance

Division 1 — The Council

Election of council

- 25 At each annual general meeting the eligible voters who are present in person or by proxy at the meeting must elect a council.

Council exercises powers and performs duties of strata corporation

- 26 Subject to this Act, the regulations and the bylaws, the council must exercise the powers and perform the duties of the strata corporation, including the enforcement of bylaws and rules.

Control of council

- 27 (1) The strata corporation may direct or restrict the council in its exercise of powers and performance of duties by a resolution passed by a majority vote at an annual or special general meeting.
- (2) The strata corporation may not direct or restrict the council under subsection (1) if the direction or restriction
- (a) is contrary to this Act, the regulations or the bylaws, or
 - (b) interferes with the council's discretion to determine, based on the facts of a particular case,
 - (i) whether a person has contravened a bylaw or rule,
 - (ii) whether a person should be fined, and the amount of the fine,
 - (iii) whether a person should be denied access to a recreational facility, or
 - (iv) whether a person should be required under section 133 (2) to pay the reasonable costs of remedying a contravention of the bylaws or rules.
 - (v) [Repealed 2022-41-8.]

SPA

Eligibility for council

- 28 (1) The only persons who may be council members are the following:
- (a) owners;
 - (b) individuals representing corporate owners;
 - (c) tenants who, under section 147 or 148, have been assigned a landlord's right to stand for council.
- (2) Despite subsection (1), the strata corporation may, by a bylaw passed at an annual or special general meeting held after the first annual general meeting, allow classes of persons, other than those referred to in subsection (1), to be council members.
- (3) Despite this section, a strata corporation may, by bylaw, provide that no person may stand for council or continue to be on council with respect to a strata lot if the strata corporation is entitled to register a lien against that strata lot under section 116 (1).