

## Strata Living

Headline: Fur flies over pets at strata council

Topic: Bylaws, Pets

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Our strata corporation passed a pet bylaw that prohibits dogs and cats on January 10<sup>th</sup>, 2012. The strata council advised everyone at the meeting that they should get a cat or dog if they want one now, because once the bylaw is filed there are no more pets allowed. This claim by council was not part of the bylaw that we voted on, and an owner asked council if this was legal. The council advised that the bylaws are not enforceable until they are filed and the council will delay the filing to give everyone a chance. I find this a difficult rationale to understand. If this was the case doesn't it mean that council could essentially never file the bylaw and everyone could continue to have pets? This doesn't make sense.

*JB, West Van*

**Dear JB:** You are correct, the strata council have given incorrect information to the owners. Basically, bylaws that apply to pet, age and rental restrictions do not apply to those persons or pets who reside in the strata lot at the time the bylaw is passed. In your case, when the pet bylaw was passed on the 10<sup>th</sup>, only those pets that resided in the building were exempt from the bylaw. Once those pets move or pass, the exemption for that pet expires, and the owner of the strata lot cannot replace that pet if it is contrary to the pet bylaw. The same applies to an age restriction or rental restriction. If an occupancy bylaw is passed that limits the age of occupants, any occupants under that age at the time the bylaw is passed, are exempt from the age restriction bylaw. When they no longer live in the strata lot, their exemption expires as well. This existing condition exemption also relies on the strata corporation maintaining a record in the minutes of the council meetings, of the exempt pets and residents at the time these bylaws are passed.

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