



## Instruction Guide 17

# What to Know about Pet Bylaws

**Caution and Disclaimer:** Please note that this Guide has not been updated to take into account legislative amendments and court decisions that have occurred since it was prepared in 2000. For example, certain legislative amendments came into force on January 1, 2010 and the Guides have not been updated to reflect those amendments. The reader should review the current legislation or seek professional advice in order to obtain a full understanding of the current provisions of the *Strata Property Act*. Neither the Superintendent of Real Estate, nor any other authority of the government of the Province of British Columbia, is liable for any inaccurate or incomplete information in this Guide.

**Important Notice:** This Instruction Guide has been prepared by the Superintendent of Real Estate to provide information about the *Strata Property Act* (the “Act”). This is only a guide to certain parts of the Act and Regulations. Please consult the Act and Regulations to determine the complete and precise requirements of the Act and Regulations. In addition, please remember when reviewing statements about the Standard Bylaws that they may not apply until January 1, 2002, and even when they do apply, they may have been amended or removed if the strata corporation has filed bylaw amendments in the Land Title Office. Please check all filed bylaw amendments to determine whether and how the Standard Bylaws may have been amended.

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### 1. Pet Restrictions

Strata corporations can restrict owners, tenants and other occupants from keeping pets or certain kinds of pets through the bylaws of the strata corporation. The bylaws might do any of the following:

- limit the number of pets that can be kept;
- provide restrictions on keeping pets, such as leashing them in common areas;
- limit the kind of pets that can be kept, such as no dogs, or no dogs over 40 pounds; and
- require pets to be registered with the strata council.

### 2. Pet Restrictions Under the Standard Bylaws

Standard Bylaw 3(4) provides that:

- an owner, tenant or occupant must not keep any pets on a strata lot other than one or more of the following:
  - a reasonable number of fish or other small aquarium animals;
  - a reasonable number of small caged mammals;
  - up to two caged birds;
  - one dog or one cat

The Standard Bylaws also require owners, tenants, occupants or visitors to ensure that all animals are leashed or otherwise secured when on the common property or on land that is a common asset.

Strata corporations created before July 1, 2000 will automatically adopt Standard Bylaw 3(4) on January 1, 2002, if by that date, they do not already have their own bylaw filed in the Land Title Office which deals with pets.

Strata corporations created after July 1, 2000 will automatically adopt Standard Bylaw 3(4), unless the Owner Developer has filed a bylaw dealing with pets in the Land Title Office concurrently with the strata plan.

### 3. **Strata Corporations that Do Not Wish to adopt Standard Bylaw 3(4)**

Strata corporations can disapply Standard Bylaw 3(4) at any time by filing their own bylaw which deals with pets in the Land Title Office.

Strata corporations created before July 1, 2000 that do not have their own pet bylaw, may want to consider filing their own pet bylaw before January 1, 2002, in order to avoid the automatic adoption of Standard Bylaw 3(4).

### 4. **Grandfathering Pets when Bylaws Change**

If a strata corporation created before July 1, 2000, has no pet bylaw it automatically adopts Standard Bylaw 3(4) on January 1, 2002. However, pets that are living in a strata unit prior to January 1, 2002, may continue to live in the strata unit.

If a strata corporation creates a new pet bylaw that restricts the keeping of pets, pets that are legitimately living in a strata unit prior to the filing of the pet bylaw in the Land Title Office, may continue to live in that strata unit.

#### **References:**

Sections of the Act: 123

Sections of the Regulations: 17.11, 17.12

Standard Bylaws: 3(3), 3(4)

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