

# Guide 17

## What to Know about Pet Bylaws

### **IMPORTANT NOTICE**

This guide was prepared by the Superintendent of Real Estate and updated by the Ministry of Housing and Social Development. This guide, along with other guides in the series, provides basic information about certain parts of the British Columbia *Strata Property Act* (the "Act") and its Regulations.

### **Readers cannot rely on the guides for legal advice**

The guides do not:

- provide a legal interpretation of provisions of the *Act* or Regulations. Please consult the *Act* and Regulations and court judgments to determine the complete and precise requirements of the legislation.
- include information about how the courts may have interpreted provisions of the *Act* or Regulations.

Readers should seek professional advice if they need to determine specific legal rights and duties which may apply in their particular situations.

The Province of British Columbia may periodically update the guides. Nevertheless, neither the Superintendent of Real Estate, nor any other authority of the Province of British Columbia, is liable for any inaccurate or incomplete information in any guide. For the convenience of readers, **updated information has been flagged in bold italic** in the guides and will remain marked this way for approximately one year from their noted revision dates.

In addition, the Standard Bylaws referred to in the guide do not necessarily apply to every strata corporation. Strata corporation bylaws can be enacted, amended or repealed by the developer or the strata corporation. Please conduct a search at the Land Title Office to obtain a copy of all filed bylaws and bylaw amendments for a specific strata corporation to determine which bylaws are applicable.

### 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 20 kilograms; 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.

**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.

**4. “Grandfathering “ (i.e. Exempting) Pets Living in Strata Lots when Pet Bylaws Change**

If a strata corporation creates a new pet bylaw that restricts the keeping of pets, pets, that are living in a strata lot with an owner, tenant or occupant at the time that the bylaw is passed (i.e. not the date when the bylaw is filed in the Land Title Office) then those pets 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)