

Sunset Waterfront Resort

Strata Corporation KAS 2849

RULES

1. **Visitor Parking** - Visitor parking stalls may only be used once in a 72 hour period by the same vehicle and for a period of no longer than 24 hours. Visitor parking stalls are to be used only by guests of full time residents.
2. **Parking** - Cars and trucks can only park in designated parking stalls. The cars and trucks must fit completely into the parking stall.
3. **Parking- Motorcycles** - Common areas available to be used for motorcycle parking be available for \$50.00.
4. **Pets** - Pets are not permitted on third floor courtyard/pool plaza unless by written permission of Council.
5. **Strata Amenities** - Non-resident guests must be accompanied by their host resident when using the common amenities of the Strata.
6. **Use of Pool and Hot Tubs**
 - a) The indoor pool and hot tub are available from 6:00 a.m. to 11:00 p.m. and the outdoor pool is available 8:00 a.m. to 11:00 p.m. Quiet times are from 6:00 a.m. to 8:00 a.m. and from 9:00 p.m. to 11:00 p.m. No loud or boisterous activity is permitted during quiet times.
 - b) Children under the age of 14 years must be accompanied by an adult when using the pool or hot tub.
 - c) All persons must use the pool shower to remove sand and grass before entering the pool or hot tub.
 - d) No diving is permitted in the pool.
 - e) No glass of any kind is allowed in the pool area.
 - f) Smoking is not permitted in the pool, hot tub change rooms or washroom areas.
 - g) Running, playing ball or otherwise throwing of objects is not permitted in the pool area.
 - h) Air mattresses, floatation devices, beach balls, scuba and snorkeling equipment are not permitted in the pool area. Simple goggles face masks and small floating safety devices are permitted.
 - i) Use of the pool equipment is not permitted except for the use it was designed.
 - j) Pets are not permitted within the pool or hot tub deck areas.
7. **Use of Fitness Center**
 - a) The Fitness Centre is available from 5:00 am to 11:00 pm.
 - b) Proper gym shoes must be worn at all times in the fitness centre. Bare feet, sandals, or outside shoes are not permitted in the fitness centre.
 - c) Persons using the fitness centre equipment must carry a towel with them at all

- times and clean off equipment when finished.
- d) All weights must be placed on the proper racks when persons are finished using the equipment.
 - e) Persons using the fitness centre must be courteous to others.
 - f) The use of profanity in the fitness centre is not permitted.
 - h) Building management is to be contacted if the equipment in the fitness centre requires maintenance.
 - i) Pets are not permitted in the fitness centre.
 - j) Violation of rules will result in termination of gym privileges.

8. Tenants

- 8.1 Owners, or their representative, shall personally meet prospective tenants and obtain a completed Form K, indicating the names of all tenants occupying the strata lot, and present entrance keys, at the time of the tenant taking possession of the strata lot.
- 8.2 Owners, or their representative, shall respond and attend at the strata lot when requested by Security or the Building Manager to address a Bylaw or Rule Violation.

9. Boat Berths

- 9.1 Boat berth remains in the name of the current boat berth holder until such time as that holder sells his last residence in the Sunset Waterfront Resort (SWR) complex but must reconfirm his intention to renew annually by March 31st with a cheque made out to "KAS 2849 in Trust" and post-dated May 1st.
- 9.2 It is the owner's responsibility to notify the corporation, committee and management of their renewal before March 31. If post-dated cheque has not been received by Baywest by March 31st, it will be presumed that the current holder does not wish to keep the berth and that berth will be released into the boat berth pool.
- 9.3 If boat berth owner transfers ownership or sells property at SWR the boat slip automatically goes back into the general pool of unclaimed berths. Boat berth holder may move to different units within the complex, however, when said owner sells out of SWR, his berth automatically returns to the general pool of unclaimed boat berths.
- 9.4 Residents of SWR may not sell their boat slips as a package with their condo unit.
- 9.5 Any residents wishing to submit their application for a boat berth must provide their desire to do so in writing to the strata management company by March 31st, accompanied by a cheque for the current annual fee of \$2200.00, post-dated to May 1st, One application per strata lot allowed.
- 9.6 Those wishing to retain their boat berth must forward the current annual fee of \$2200.00 to the strata management company no later than March 31st by cheque postdated to May 1st.
- 9.7 Those not wishing to retain their boat slips should advise the strata management company at the earliest possible date, in writing, each spring. If there is joint ownership of a boat berth, the same rules apply as above.
- 9.8 Assignment of unclaimed boat berths to residents in SWR wishing to attain a slip:

- a) All residents wishing to attain a boat berth must submit their name on an annual basis by March 31st, for a general public lottery draw that will take place May 1st, at the strata management company. Anyone wishing to attend the draw may contact the strata management company for time of draw.
 - b) Additional draws may take place throughout the year as additional boat berths become available.
 - c) If two boat slip holders are willing to exchange boat slips for reasons of convenience, they may do so - provided that they inform the strata management company in writing of their agreed upon exchange.
 - d) There will be no pro-rated refunds provided if a boat berth holder leaves SWR midway through the year,
 - e) All boat berth holders and lagoon users must abide by the regulations of the City of Kelowna and Delta Grand Hotel.
- 9.9 The Lagoon operator (The Delta Grand Hotel) and the City of Kelowna reserves the right to close the lagoon locks for any special occasion, events or maintenance at any time.
- 9.10 Boat berth holders must provide in writing, by special K-form: their vessel number, slip number and condo number to the strata management company. If their vessel, slip or condo number changes that information must be provided to the strata management company in a timely manner.
- 9.11 If someone should park their boat in a berth that is not theirs, it is necessary for strata Management Company to have the appropriate contact information. Boat berth holders may choose to first contact the strata management company to have the boat owner remove the wrongly moored boat. Recourse is also available by contacting the Delta Grand Hotel and having the boat towed away at the owner's expense.
- 9.12 Boat berth holders are responsible for attaining and displaying the necessary registration documentation and sticker from The Delta Grand Hotel.
- 9.13 There will be no usage of fuel cans to fuel boats in the lagoon due to safety and environmental reasons.
- 9.14 Cleats or bumpers may be permanently attached to the boards in each boat berth. However, these items must be attached directly to the wood, not the cement or bricks. Bumpers must be white in color to maintain a unified look for the complex, and must remain at the boat berth when owners leave, as the constant removal and reattachment of such items will cause undue wear and tear to the boards.
- 9.15 It is the responsibility of each boat berth holder to ensure that his berth area is kept clean and obstruction free. No items (storage lockers, water toys, etc.) can be left on the walkway. Any such items left will be subject to a fine covered in the SWR bylaws and/or removed at the owner's expense.
- 9.16 If boat berth holders who are willing to 'sub-lease' or lend their slips on a short-term, non-permanent basis, the use of K-Forms for their boat berth will be necessary for information to the strata management company and should be delivered or emailed in a timely manner.
- 9.17 Should renters or short term visitors have access to the lagoon with their boats, it is the owner of the condo unit who has responsibility to ensure that the boat berth policy is adhered to.

9.18 Rental of a boat berth MUST be to a resident of Sunset Waterfront Resort. If any boat found in a berth does not belong to a Resident, the boat in question will be removed at the Owner's expense.

10.0 Construction

10.1 Construction or renovations within strata lots that may cause noise that would disturb neighboring strata lots shall be limited weekdays between the hours of 8:00 a.m. and 6:00 p.m. and on Saturdays between the hours of 10:00 a.m. and 6:00 p.m. No construction or renovations shall take place on Sundays or statutory holidays.

11.0 Garbage Chute

11.1 All garbage is to be bagged before it is put down the garbage chute and any oversize bags MUST be taken to the garbage room. Recycle items are to be taken to the garbage room and put in the appropriate recycle bins. Fines will be implemented for non-compliance.

12.0 – Uses of Amenities

12.1 A maximum of 4 guests per Strata Lot to use amenities at any one given time, and the owner must be present.