



## SPAGNUOLO & COMPANY REAL ESTATE LAWYERS

Head Office:  
#300-906 Roderick Avenue  
Coquitlam, B.C. V3K 1R1

info@bcrealestatelawyers.com  
www.bcrealestatelawyers.com

Phone: (604) 527-4242  
Fax: (604) 527-8976  
Toll Free Phone: 1-888-873-2829

### INFORMATION ON PET BYLAWS

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Pets are quite often controversial issues when living in a strata complex. The Strata Property Act leaves the regulation of pets to the Standard Bylaws found in the Act.

Owners have the right, through a properly passed bylaw, to regulate pets that may reside in a strata unit. The only restriction to this is found in section 123(1) of the Strata Property Act which states that a bylaw which prohibits pets will not apply to a pet living with an owner (or a tenant or occupant) at the time the bylaw is passed.

The Standard Bylaws of the Strata Property Act also sets a standard of reasonableness for the number and kind of pet. Section 3 of the Standard Bylaws states that an owner must not use the strata lot in a way that causes a nuisance or hazard, or causes unreasonable noise, or unreasonably interferes with the rights of other persons to use and enjoy the common property. Further, an owner, tenant, occupant or visitor must ensure that all animals are leashed or otherwise secured when on the common property or on land that is a common asset.

Finally, even in the absence of a bylaw prohibiting pets, an owner tenant or occupant must not keep any pets on a strata lot other than one or more of the following:

- (a) a reasonable number of fish or other small aquarium animals;
- (b) a reasonable number of small caged mammals;
- (c) up to 2 caged birds;
- (d) one dog or one cat.

Please remember that the Strata Property Act may frequently change. While we try to keep our website up to date as much as possible, please do not rely upon the information without talking to one of our lawyers.

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