

Strata Bylaws to Address Smoking

Strata corporations (or sections) can create a **bylaw**, by a 3/4 vote of owners, or create a **rule** to limit or ban smoking. A non-smoking bylaw can ban smoking in the strata lot as well as common property and limited common property. A rule can only limit or prohibit smoking on common property.

Even if a strata doesn't have a bylaw which specifically addresses smoking, almost all stratas have bylaws ensuring owners and strata residents cannot cause a nuisance or hazard to another person or unreasonably interfere with the rights of other persons to use and enjoy the common property, common assets or another strata lot. These bylaws can be used to address second-hand smoke issues.

Many strata corporations use the Standard Bylaws in the Strata Property Act. Standard Bylaw 3 addresses owners, tenants, occupants or visitors creating a nuisance or unreasonably interfering with the rights of other persons to use and enjoy the common property, common assets or another strata lot.