

CONDUCT RULES

Section 10(2) (b) of the Sectional Titles Schemes Management Act, No 8 of 2011

For the Control, Management, Administration,
Use and Enjoyment of Sections and the Common Property of



SWIMMING POOL RULES

1. The swimming pool and swimming pool area (the area around, and including, the swimming pool, as enclosed and separated from other common property) are primarily for the use of the owners and occupiers. A maximum of four visitors per section will be allowed within the enclosure on condition that the owner or occupier of such section, who must be over the age of 18 years, shall accompany such visitor or visitors.
2. The use of the pool and enclosure shall be at the sole risk of each of the owners, occupiers or lessees, their visitors and family members.
3. Children may use the swimming pool with the consent of and at the risk of their parents or of the adult responsible for them and the body corporate accepts no responsibility for them. Children under the age of 12 (twelve) years may only use the swimming pool under the supervision of an adult who accepts responsibility for them.
4. Owners and occupiers and their visitors shall use and enjoy the swimming pool and enclosure in such a manner as not unreasonably to interfere with the use and enjoyment thereof by other owners or other persons on the premises.
5. **NO BRAAIING AT THE POOL.**
6. **NO ALCOHOL MAY BE CONSUMED IN THE POOL OR BY THE POOL AREA.**
7. Owners or occupiers of any section when leaving the swimming pool area must ensure that the gate closes and latches behind them.
8. Any noise at the swimming pool enclosure must be contained and owners and occupiers must ensure that no disturbance is caused to other owners or occupiers of sections. No person is allowed to enter the enclosure and/or swim in the pool between **22h00 and 07h00**, or at any such other time or for such period in the discretion of the trustees.
9. The owners or occupiers of a section are the only permitted persons that may access the pool and pool area. Friends/ family/ Visitors may not enter the pool and the pool area without being accompanied by the owner/ occupier of that section. Owners/ occupiers of a section take full responsibility for their visitors utilizing the pool and pool area.
10. No owners or residents are permitted to remove any of the pool equipment from the swimming pool and / or handle any of the swimming pool equipment, apparatus, switch gear or machinery.

11. None of the following activities or items are allowed in the swimming pool or within the swimming pool enclosure without the consent of the trustees:

11.1 Radio, tape recorders, compact disk players or other appliances emitting sound, including musical instruments;

11.2 Stones, sticks or similar items;

12. Litter and refuse must be deposited in the containers reserved for this purpose

13. No breakable items or objects may be brought into the pool, or used or placed on the paved surroundings of the swimming pool.

14. No owner or occupier, other than a person authorized by the Trustees, shall tamper with any pool equipment or remove such equipment from the pool.

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APPLICABILITY

1. It is the duty of an owner of a section to ensure his family members, visitors, customers, clients, employees and contractors and the lessee or occupier of his section, and his family members, visitors, customers, clients, employees and contractors comply with the Conduct Rules.
2. Should any damages be caused by or any penalties (fines) be imposed on any of the persons referred to in sub-rule (1) above, the owner shall be liable to pay damages and/ or to pay the penalties (fines) imposed.
3. The Trustees shall recover from the owner all damages, penalties (fines) and costs incurred, including administrative expenses and all legal costs. Damages, penalties (fines) and costs and administration fees shall bear interest as a levy debt, and shall be recovered as a levy.
4. Should an owner fail to pay his levies monthly in advance, the owner shall be liable to pay the said fees and additional charges incurred by the Body Corporate and Managing Agents for reminder notices, and detailed ledger provided to the attorneys to recover the outstanding debt.

DIRECTIVES

1. REFUSE DISPOSAL

1.1 An owner or occupier of a section shall: -

- a) if so directed by the Trustees in terms of sub-rule (g), maintain in a hygienic and dry condition, a receptacle for refuse (refuse bin) within his section, his exclusive use area or on such part of the common property as may be authorized by the Trustees in writing;
- b) ensure that before refuse is placed in a receptacle it is securely wrapped in a suitable strong plastic bag (refuse bag} and in the case of tins or other containers, it is completely drained, before it is placed in a refuse bag;
- c) ensure that a refuse bin is not over-filled, and that no refuse is left on top of a refuse bin;
- d) not leave refuse or other materials on the common property in a way or place likely to interfere with the enjoyment of the common property by another owner or occupier;
- e) ensure that the owner or occupier does not, in disposing of refuse, adversely affect the health, hygiene or comfort of the owners or occupiers of other sections;
- f) for the purpose of having the refuse collected, place such refuse bags within the area and at the times designated by the Trustees in their directives issued in terms of sub-rule (e);
- g) comply with any directives issued from time to time by the Trustees in pursuance of the Rule, and not dispose of or allow the disposal of any refuse, waste or rubbish in any other manner than as provided in this Rule and such directives;
- h) An owner or occupier shall not dispose any refuse that the Municipality will not remove;
- i) An owner or occupier shall not allow any refuse of whatever nature to remain or being disposed of in the lobby, passage, walkway, staircase, balcony or any other part of the common property, except in

designated areas.

2. PARKING AND DRIVING OF VEHICLES

- 2.1 An owner or occupier of a residential section shall park or stand his vehicle and may permit or allow his visitor, employee or contractor to park or stand a vehicle on the parking area allocated to the residential section he owns or occupies. Vehicles may only be parked in designated allocated parking bays and garages.
- 2.2 No owner or occupier of a section shall, without prior written consent of the Trustees, park or stand or permit or allow any vehicle to be parked or stood upon the common property contrary to sub-rules 2.1 and 2.2.
- 2.3 In this Rule "vehicle" means a motorcar or light vehicle or motorcycle, including a kombi and a station wagon. Boats, caravans and trailers and the like are not allowed on the premises.
- 2.4 No person shall park a vehicle on more than one parking bay, or park a vehicle in front of any parking area or park a vehicle in such a way that the flow of traffic and access to and egress from any parking area is obstructed. No parking in front of any fire hydrants will be allowed.
- 2.5 No person may reside or sleep in any vehicle
- 2.6 Owners and occupiers shall comply with the normal traffic rules and regulations and adhere to the road signs when driving their vehicles on the common property, and shall not drive their vehicles in any manner, which is considered by the Trustees not to be in the interest of safety. **The speed limit of 30 km/h should be adhered to.**
- 2.7 Owners or occupiers of sections shall not drive their vehicles in such a way that creates a nuisance to other owners or occupiers of sections.
- 2.8 No owner or occupier may sound the horns of their vehicles at any time on the premises, except as a warning of imminent danger in the case of an emergency. No loud music may at any time be played from inside the vehicle on the premises.
- 2.9 Owners and occupiers of sections shall ensure that their vehicles, and the vehicles of their visitors and guests, do not drip oil or brake fluid on the common property, including the parking bays and areas, or in any other way deface the common property.
- 2.10 No owner or occupier shall be permitted to dismantle or affect major repairs to any vehicle on any portion of the common property, a parking bay or in a section. No severely damaged or un-roadworthy vehicles may be parked on the common property, including parking bays and areas.
- 2.11 The parking of vehicles upon the common property, parking bays and other parking areas is subject to the express condition that every vehicle is parked at the owner's risk and responsibility and that no liability shall attach to the Body Corporate or its agents or any of their

employees for any loss or damage of whatever nature which the owner, or any person claiming through or under him, may suffer in consequence of his vehicle having been parked on the common property, including the parking areas.

- 2.12 The Trustees may from time to time issue further directives pertaining to this Rule.
- 2.13 The Trustees may cause to be removed or towed away, or its wheels to be clamped, at the risk and expense of the owner and/or driver of the vehicle, including payment of a release penalty to be determined by the Trustees from time to time, any vehicle parked, stood or abandoned in contravention of these Rules.
- 2.14 Limited parking bays are available. Residents are only allowed to park on their allocated parking bays. Residents to refrain from parking on the parking bays for visitors. The allocation of parking bays will be done by the developer and may not be changes / swapped.

3. APPEARANCE FROM OUTSIDE

- 3.1 The owner or occupier of a section for residential purposes shall not place, store or do anything on any part of the common property, exclusive use areas, sections, including balconies/patios/stoops and encroachments, which in the opinion of the Trustees is aesthetically displeasing or undesirable when viewed from the outside of the section. No washing may be placed on any balconies / patios / stoeps / walkways, or any part of the common property. Should the owner or occupier contravene the above, a fine may be imposed.
- 3.2 No owner or occupier of a section may, without prior written consent of the trustees, place, store or leave any object on any part of the common property or allow or permit it to be placed, stored or left.
- 3.3 If this rule (3.2) is contravened, the trustees may request an owner to immediately remove an object from the common property at his own cost and to restore the common property. Should an owner fail to remove such object and to restore the common property and any such failure persists for a period of 14 (fourteen) days after written notice, the trustees may effect such removal and restoration or restitution of the property at the risk and expense of the owner, who shall have no recourse against the Body Corporate or its trustees, employees or contractors for any

damage resulting therefrom.

4. LITTERING

- 4.1 Subject to Conduct Rule 1, an owner or occupier of a section shall not deposit, throw or permit or allow to be deposited or thrown on the common property any rubbish, including dirt, cigarette butts, food scraps or any other litter whatsoever. In particular, an owner or occupier of a section may not throw any material or object out of windows or over balcony walls.

5. LAUNDRY

- 5.1 No owner or occupier of a section shall erect his own washing lines or place or hang any washing or laundry or any other items on any part of the buildings or on the common property where it is visible from outside the buildings or from any other section. No owner or occupier of a section shall place or hang any washing or laundry on any balcony, steep or railings. The hanging of washing and laundry on/ through windows and doors is also not permitted. Should the owner or occupier contravene the above, a fine may be imposed.

Should laundry dry-yards be made available by the developer, this will be the only facility where washing may be hung. The developer and later, when trustees are chosen at the annual general meeting, reserve the right to issue directives/ rules regarding the using of this facility.

6. NOISE, NUISANCE OR DISTURBANCE

- 6.1 The owner or occupier of a section shall not create noise likely to interfere with the peaceful enjoyment of another section or another person's peaceful enjoyment of the common property.
- 6.2 The owner or occupier of a section must not obstruct the lawful use of the common property by any other person.
- 6.3 The owner or occupier of a section shall take reasonable steps to ensure that the owner or occupier's contractors, employees, guests and

visitors do not behave in a way likely to interfere with the peaceful enjoyment of another section or another person's peaceful enjoyment of the common property.

- 6.4 An owner or occupier of a section may not at any time create an excessive noise on the premises. Silent hours between 23h00 to 07h00 from Monday to Sunday, must be maintained. All normal Municipal by-laws also apply within the complex
- 6.5 All television, radio and other appliances emitting sound, including musical instruments, must be kept at audio levels which may not be heard by other owners or occupiers in other sections.
- 6.6 No explosives, crackers, fireworks or items of similar nature may at any time be exploded, lit or operated in sections or any part of the common property.
- 6.7 No firearms may be discharged in a section or any part of the common property.
- 6.8 Ball and any other games are prohibited on the common property. Playing between cars by owners/ tenants/ visitors/ children is prohibited.
- 6.9 No stones or solid objects may be thrown or propelled on the common property.
- 6.10 No owner or occupier of a section may permit anything to be done in his section, exclusive use area or on common property, which constitutes a nuisance or any unreasonable invasion of the privacy of the other occupiers of the buildings, or permit or cause any disturbance or allow any visitors or children to cause any disturbance which in the opinion of the trustees would constitute a nuisance or an invasion of the right of privacy of another occupier.

7. IMPOSING OF PENALTIES

The breach of Conduct Rules can lead to fines imposed on such owners. The trustees have the right to decide on the amounts of such fines. They may delegate this power to the managing agents. Transgression of rules by tenants/ visitors, can also lead to penalty fines imposed against the owner of such unit. The amount of the fine, may not exceed the amount of the monthly levy. Owners take full responsibility for the actions of their tenants and visitors.

