

# **CONDUCT RULES**

## **VICTORIA COURT BODY CORPORATE**

**SS 47/1985**

## **SCHEDULE**

### **PRELIMINARY**

The rules contained in this schedule shall not be added to, amended or repealed except by special resolution of the members of the Body Corporate in accordance with the Act.

#### **1) INTERPRETATION**

In the interpretation of these rules, unless the context otherwise indicated

- a) "Act" means the Sectional Titles Act No. 95 of 1986, as amended from time to time and any regulations made and in force there under
- b) The words used shall bear the meanings assigned to them in the Act
- c) Words importing –  
The singular number only shall include the plural, and the converse shall also apply,  
Gender, are interchangeable
- d) "Trustee" includes an alternate trustee
- e) "the buildings" shall mean the buildings to which these rules apply
- f) the headings to the respective rules are provided for convenience of reference only and are not to be taken into account in the interpretation of the rules
- g) "owner" shall be deemed to include the resident / tenant / occupier and any of their guests / employees / contractors / invitees from time to time, except for purposes of the following rules where the owner or his representative duly appointed in writing is specifically referred to: 2)d), f),

#### **2) PROCEDURE IN CONNECTION WITH COMPLAINTS**

The trustees shall be entitled to impose financial penalties for the breach of any Conduct Rule, in accordance with the following provisions:

- a) The penalty system shall be applied for all offences after two written warnings by the trustees have been delivered to the section concerned except in the case of the following serious offences where the penalty system shall be applied without prior written warning:
  - i) Abusive behaviour.
  - ii) Dangerous behaviour.
  - iii) Rowdy behaviour
  - iv) Vandalism
- b) Repeat offences by the same offender within a calendar year will not require a written warning. Records will be kept by managing agents.
- c) The trustees, body corporate employees, managing agents, owners and residents are permitted to lodge complaints.
- d) Complainants shall be required to lodge a written complaint to the trustees care of the managing agent. A copy of the written complaint shall be delivered by the managing agent to the section concerned with a notice advising that the complaint will be considered by the trustees, that a penalty may be imposed, that the trustees will take into account any representations received or made by the owner and that the owner may be present at the trustee meeting.
- e) The trustees will only consider the complaints and implementation of a penalty when the next meeting of trustees is held, except in the case of a serious offence when said notice to be delivered 72 hours before a special Trustees meeting to be held within 7 days of the occurrence of the offence.
- f) Penalties will be imposed, after careful consideration of the complaint and any input received from the owner or appointee of the section concerned, at the sole discretion of the trustees present, who shall not be less than three in number; their decision will be final and no correspondence will be entered into.



- g) The trustees shall record all decisions on complaints considered and forward such to the managing agents who will only respond to correspondence in writing from the complainants and/or offenders on payment of a fee of R100.00 or such higher amount as the trustees may from time to time decide to cover the managing agents' costs.
- h) Where an incident is ongoing, this should not be treated as a single incident, but will be penalized on a daily basis, and as long as the offence continues, the penalty will be imposed for each day that the offence is repeated.

### **3) PENALTY SYSTEM**

The following scale of penalties shall be applied until amended by owners in general meeting:

- a) R1000 for dangerous behaviour or vandalism per incident
- b) R500 for rowdy or abusive behaviour per incident
- c) R200 for all other offences per incident
- d) R3,000 for illegal alterations

### **4) INDEMNITY**

- a) The body corporate or its agents shall not be liable for any injury or loss or damage of any description which any owner or occupier of a section or any member of his family, his employee or servant or his relative, friend, acquaintance, visitor, invitee or guest may sustain, physically or to his or their property directly or indirectly, in or about the common property, its amenities or in the individual sections or for any act done or for any neglect on the part of the body corporate or any of the body corporate's employees, domestic employees, agents or contractors.
- b) The body corporate and/or its agents shall not be or responsible in any manner whatsoever for the receipt or the non-receipt and delivery or non-delivery of goods, postal matter or any other property.
- c) The owner of a section is deemed to have indemnified the body corporate, its agents or any of their employees from any liability in terms of this rule.

### **5) ADVANCE PROVISION OF INFORMATION ABOUT TENANTS**

- a) No owner shall allow any tenant access to the scheme until a form in a format to be prescribed by the Trustees from time to time has been completed and delivered to the offices of the Managing Agent. The form shall require disclosure of the identity of every person who is to be permitted access to the scheme in accordance with the tenancy agreement, a description of the residence which the person will be entitled to occupy and the period for which such occupational rights will endure as well as such other information and confirmations as the Trustees may reasonably require.
- b) Any security staff employed by the Body Corporate and/or Trustee will be entitled to enquire from any prospective visitor to the scheme the purpose of their visit and to refuse access to any person who, in their opinion, appears to be a short or long term tenant whose details have not been provided on the prescribed form.

### **6) ANIMALS, REPTILES OR BIRDS**

No animals, reptiles or birds shall be kept or harboured in the buildings with the exception of one 10 year old Ginger Cat in Section 43, which particular cat shall be exempted from this prohibition but which may not be replaced on its demise.

### **7) APPEARANCE FROM OUTSIDE**

An owner or occupier of a section which is used for residential purposes shall not -

- a) place or do anything on any part of the common property, including balconies, patios, passageways, corridors, stairs courts, stoeps and gardens which, in the discretion of the trustees is aesthetically displeasing or undesirable when viewed from other sections.
- b) erect any tent or other structure or alter or remove any shrub, tree or plant in the garden or elsewhere in the grounds

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## **8) AUCTIONS/JUMBLE SALES**

An owner or occupier of a section shall not permit an auction of movables or jumble sale to be held on the property. However the joint Body Corporate and Trustees are not subject to this restriction on such matters pertaining to common property management and administration.

## **9) ANTI-SOCIAL BEHAVIOUR/NOISE**

- a) No occupant shall cause a level of noise which is excessive or which gives other occupants cause for complaint
- b) All owners and occupants of sections shall ensure that their respective activities in and use of the common property and of the section or any part thereof with all services, facilities and amenities available on the common property shall at all times be conducted and carried out with reasonable and diligent care and with due and proper consideration for the remaining owners and occupants of the building and in accordance with the rules and any house rules made in terms of the rules, and of the provisions of the Act. This rule shall likewise apply to guests and employees of the owners and/or occupants of sections whilst they are in the buildings and/or the common property
- c) An owner shall not cause or permit any disorderly conduct of whatsoever nature upon the section or any part of the common property or do or permit any act, matter or thing in or about the same which shall constitute or cause a nuisance or disturbance or any inconvenience to any other owner or occupant of the buildings or member of the Body Corporate, in the quiet enjoyment of their own premises or which is likely to or in any way tend to affect detrimentally the benefit, enjoyment, rights of occupation or the interest of any other owner or occupants the buildings or member of the body corporate.
- d) The use of radio, television sets, sound equipment, recording equipment and the like or the playing of musical instruments to the extent that others are disturbed, is prohibited.
- e) All complaints regarding to the behaviour of any occupant shall be directed by the trustees or managing agent to the owner of that section.
- f) Drinking of any alcoholic beverages whatsoever on the passageways or any other part of the common property is prohibited, except should the body corporate meet on common property in terms of a directive given to trustees in accordance to a resolution and subject to all other rules.
- g) Partying on passageways or any other part of the common property is prohibited, except should the body corporate meet on common property in terms of a directive given to trustees in accordance to a resolution and subject to all other rules.
- h) No noise audible within other sections or on the common property may be made during the following "quiet time" periods:
  - i) Sundays 13h00 until 16h00 and 22h00 until 07h00
  - ii) Mondays to Thursday 22h00 until 07h00
  - iii) Fridays and Saturdays 23h00 until 07h00

## **10) BODY CORPORATE EMPLOYEES**

An owner or occupier of a section shall not -

- a) instruct any employee of the Body Corporate which includes any contractor or the managing agent.
- b) display rude or aggressive behaviour to such employees.
- c) request personal duties to be performed by any member of staff employed by the body corporate during normal working hours.

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### **11) BUSINESS OR TRADE USE OF SECTIONS**

- a) No section, other than the two shops in the scheme, shall be used for anything other than strictly residential purposes.
- b) No owner or occupier of a section may invite or allow any person who is not a permanent resident of that section to the scheme or onto any part of the common property without the prior permission of the Trustees if that owner or occupier has received written notice from the Trustees that they are of the opinion that:
  - i) There have been repeated breaches or that there is a continuous breach of any provision of the scheme's management or conduct rules, of any provision of the Sectional Titles Act or of any other law applicable to the scheme; and
  - ii) Non-resident visitors to such sections have been directly or indirectly involved in the commission of such breaches; and
  - iii) The breach is continuing or is likely to be repeated.
- c) After the Trustees have given such a notice in respect of any particular section they, their agents and employees, shall not allow any non-resident visitor access to the scheme without first establishing that the purpose of the visit is not connected to any alleged breach referred to in the notice.

### **12) COMMON AREAS**

An owner or occupier of a section shall not –

- a) Leave items of any description on any portion of the common property (e.g. ornaments, braais, windsurfers, etc.).
- b) Place any pot plants on ledges which, in the discretion of the trustees, is aesthetically displeasing or undesirable when viewed from other sections.

### **13) DAMAGE ALTERATIONS OR ADDITIONS TO THE COMMON PROPERTY**

- a) An owner or occupier of a section shall not mark, paint, drive nails or screws or the like into, or otherwise damage, or alter any part of the common property without first obtaining the written consent of the Trustees.
- b) Notwithstanding sub-rule a), an owner or person authorised by him, may install –
  - i) Any locking device, safety gate, burglar bars or other safety device for the protection of his section; or
  - ii) Any screen or other device to prevent the entry of animals or insects;

provided that the trustees have first approved in writing the colour of the device and the manner of its installation. Any such installation to ensure that no obstruction is caused in the event of fire to any escape route determined by the local authority, when left ajar or a self closing device to be installed to prevent obstructions.

### **14) DOMESTIC EMPLOYEES/CONTRACTORS OR PERSONS/ENTITIES UNDER DIRECTION/DIRECTIVES**

An owner or occupier of a section shall –

- a) be responsible for the activities and conduct of his domestic employees and contractors shall ensure that they understand and that they do not breach any rules, law or any local authority by-law applicable to the scheme.
- b) ensure that their domestic employers and contractors do not loiter on the common property; and
- c) ensure that their domestic employees and their visitors or guests do not cause undue noise within their sections or on the common property or elsewhere

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## 15) PARKING AREAS

No owner or occupier of a section shall park any vehicle (bicycles, scooters, motorbikes, cars, etc.) without written authorisation other than in such a place designated for such purpose. Owners and occupiers of sections shall ensure that they and their visitors and guests –

- a) observe this rule and any road signs on the common property
- b) do not drive or park their vehicles within the common property in any manner which creates a nuisance, is considered by the trustees to be dangerous or breach any rules, law or any local authority by-law applicable to the scheme
- c) do not allow any unlicensed person to drive any vehicle on the common property
- d) do not sound hooters on the common property other than in emergencies
- e) do not occupy two bays with one vehicle
- f) do not park more than one vehicle in a parking bay
- g) do not use an exclusive use area for parking purposes unless that owner or occupier is entitled to use such exclusive use area.

## 16) ERADICATION OF PESTS

An owner or occupier of a section shall keep his section free of pests, vermin, white ants, borer and other wood destroying insects and to this end shall permit the trustees, the managing agents, and their duly authorised agents or employees, to enter his section from time to time for the purpose of inspecting the section and taking such action as may be reasonably necessary to eradicate any such pests. The costs of the inspection, eradication of any such pests as may be found within the section, and replacement of any woodwork or other material forming part of such section which may have been damaged by any such pests shall be borne by the owner of the section concerned.

## 17) EXTERIOR OF BUILDINGS

- a) An owner or occupier of a section shall not -
  - i) make alterations, additions or decorations to the exterior of the sections or to any portion of the common property without the prior written consent of the trustees and then only upon the terms and conditions contained in such consent.
  - ii) attach to the exterior of the buildings any radio/television aerials without the written consent of the trustees.
- b) Requests for consent shall be made in writing to the trustees and shall be accompanied by plans and specifications showing the nature, kind, shape, height, material, colour and location of the proposed alteration, addition or decoration and the decision of the trustees shall be final.
- c) Notwithstanding any approval granted by the trustees, no alteration, addition or decoration to the exterior of a section may be undertaken until any permit or approval required from any authority has been obtained and a certified copy has been submitted in writing to the trustees care of managing agent. It is the duty and responsibility of the owner or occupiers of the section concerned to obtain any such necessary permit or approval.
- d) If an owner or occupier of a section fails to comply with the provisions of this rule and such failure persists for a period of 30 days after written notice to repair or maintain given by the trustees or the managing agents, the body corporate shall be entitled to remedy the failure in question in such manner as it deems fit and to recover the costs of so doing from such owner or occupier
- e) An owner or occupier of a section shall be obliged to maintain all alterations, additions or decorations made by him to the exterior of his section in a state of good order and repair and to take all reasonable steps to keep them in a clean, hygienic, neat and attractive condition.
- f) Should any alteration, addition or decoration obstruct any employee or contractor of the body corporate in performing any work on the common property or common services the owner or occupier concerned shall be liable for any additional costs incurred by the body corporate in the performance of such work.

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#### **18) FIREARMS/PELLET GUNS/FIRE WORKS**

An owner or occupier of a section shall not discharge a firearm, fire works, explosive agents or pellet gun on the property.

#### **19) FIRE HOSES/EXTINGUISHERS**

No person may use the fire hoses/extinguishers for any other purposes than for the purpose intended.

#### **20) GARDENS**

- a) No plant or flower may be picked from nor any damage caused to the garden areas on the common property which are for gardening purposes and the natural flora and fauna shall not be destroyed, removed or damaged in any way without the prior written consent of the trustees.
- b) No garden tools or any other equipment to be kept in any place where there will be visible from any other units or any portion of the common property.

#### **21) GARAGES**

- a) Garages may only be used for storing or parking a motor vehicle or the occupants personal effects.
- b) No perishable or hazardous items may be stored in a garage.

#### **22) GATES/POINTS OF ACCESS**

An owner or occupier of a section shall not tamper with the common property gates, access controlling or any security device and when this rule is breached the trustees may arrange for criminal as well as civil charges to be instituted.

#### **23) ILLEGAL SUBSTANCES**

An owner or occupier of a section shall not bring on to or use any illegal substance on the property.

#### **24) INTERIOR OF SECTIONS**

- a) Any structural alterations, which affects more than one section and/or common property, including any alterations to plumbing and electrical installations to the interior of units may not be carried out without the prior written consent of the trustees who are authorised at their discretion to impose reasonable conditions in granting permission; no alteration shall be effected until any permit or approval required from any authority has been obtained and a certified copy has been submitted in writing to the trustees care of managing agent. It is the duty and responsibility of the owner or occupiers of the section concerned to obtain any such necessary permit or approval.
- b) Any interior alterations shall be carried out at reasonable hours stipulated by the trustees and may not cause any undue disturbance to owners or occupiers of neighbouring sections.
- c) An owner or occupier of a section shall ensure that any work on an electrical installations or plug point is carried out by a qualified electrician and that thereafter it is certified that the work done is in accordance with requirements of authorities.
- d) All interior repairs and maintenance of a section are the responsibility of the owner or occupier of that section and neither the superintendent, the managing agents, nor any employee of the body corporate may be requested to attend to such matters

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## 25) LAUNDRY/WASHING

- a) An owner or occupier of a section shall not
  - i) without the written consent of the trustees hang any washing or laundry or any other items on any part of the building or the common property so as to be visible from outside the buildings or from any other sections.
  - ii) leave the wash line area gate unlocked should such be installed
- b) No owner or occupier of a section shall allow a person who is not an occupant of a section access to the washing area.

## 26) LETTING OF UNITS

- a) All tenants of units and other persons granted rights of occupancy by any owner of the relevant unit are obliged to comply with these conduct rules, notwithstanding any provision to the contrary contained in any lease or any grant of rights of occupancy.
- b) If an owner lets his section or otherwise allows it to be occupied during his absence, then the owner must deposit an amount equal to the levies for that section for six months with the Body Corporate in respect of and to be used to repair any damage to the common property caused by such tenant or occupant and/or arising from breach of these rules or house rules, including defraying penalties that may become due
- c) An owner of a section shall -
  - i) be responsible for all levies, electricity, fees, penalties, fines or cost of damage caused by the occupant, tenant or the tenant's guests, invitees, employees and contractors
  - ii) be responsible for the conduct of any tenant or the tenant's guests, invitees, employees and contractors.
  - iii) ensure that the tenants, tenant's guests and invitees and employees and contractors adhere to the rules.
  - iv) include in any lease or other occupational agreement a provision that if the tenant or other occupants of the section persist in breaking the rules the owner may cancel the agreement and the occupier will be obliged to vacate on the last day of the month following such cancellation.
  - v) notify the trustees care of the managing agent in writing within 14 days of the date of conclusion of a lease of his unit of:
    - (1) the full names of his tenant and of the period of the lease
    - (2) the full names and contact details of any letting agent.
  - vi) notify the trustees care of the managing agent in writing within 14 days of the date of conclusion of a lease of his unit that the tenant has been handed a copy of the Management and Conduct Rules and been advised that he and all other occupants is/are bound by their provisions.
- d) Copies of the Rules for the Control and Management of the Building are available from the Managing Agent at a cost to be determined by the trustees from time to time, being R115,00 per copy until otherwise determined by the trustees. If an occupier of a section indicates that she/he does not have a copy of either set of rules, the trustees may arrange for the Managing Agent to supply a copy to the section at the cost of the owner.
- e) Copies of the Conduct Rules are available from the Managing Agent at a cost to be determined by the trustees from time to time, being R35,00 per copy until otherwise determined by the trustees. If an occupier of a section indicates that she/he does not have a copy of either set of rules, the trustees may arrange for the Managing Agent to supply a copy to the section at the cost of the owner.

## 27) LITTERING

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.

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## 28) NUMBER OF OCCUPANTS

An owner or occupier of a section shall not permit a section to be occupied by more than the following number of occupants:

- a) Original one bedroom sections – two;
- b) Original two bedroom sections – four; and
- c) Original three bedroom sections – six;

Original is as per plan annexed to these rules.

## 29) RECREATION

- a) Persons not permanently resident at the scheme may only use the common property courts and gardens apart from any circulation area if they are accompanied by an owner or occupier and they comply with these rules.
- b) Owners or occupiers shall be responsible for the behaviour of their visitors or guests and shall ensure that their number at any one time is not such so as to prejudice the comfort, enjoyment or convenience of other owners or occupiers wishing to make use of the same.
- c) All body corporate equipment is entrusted to its employees and trustees. No owner or occupier of a section or his visitor shall remove or damage any such equipment.
- d) Radios, compact disc players, tape recorders and other sound equipment may not be used on any common property area.
- e) Musical instruments may not be played in any common property area or in sections in any manner which disturbs any other persons.
- f) Rowdy and boisterous behaviour and/or excessive noise are not permitted in any part of the common property.
- g) Ball games are not permitted anywhere on the common property.
- h) All persons in any common property area must be suitably dressed so as not to cause offence to others.
- i) The trustees may prohibit any owner, occupier or their visitor from utilizing the above should the same be of the opinion that their conduct constitutes a breach of the rules.
- j) No animal shall be permitted in any common property area unless in compliance to preceding rule 6.
- k) Common property gates shall be kept closed at all times.
- l) The body corporate, the trustees, the managing agent or any other employee of the body corporate shall not be liable to any extent whatsoever for the safety of anyone in any common property area.
- m) Children under 7 years of age must be accompanied by the occupant of a section who supervises them to ensure their safety.
- n) No noise may be made in any common property area during the following "quiet time" periods:
  - i) Sundays 12h00 until 16h00 and 21h00 until 07h00
  - ii) Mondays to Thursday 21h00 until 07h00
  - iii) Fridays and Saturdays 23h00 until 08h00

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### 30) REFUSE DISPOSAL

An owner and/or occupier of a section shall

- a) maintain in a hygienic and dry condition, a receptacle for refuse within his section, or on such part of the common property as may be authorised by the trustees in writing.
- b) ensure that before refuse is placed in such receptacle, it is securely wrapped, or in the case of tins or other containers, completely drained.
- c) not place refuse outside the door of a section or in any other area of the common property except such area designated for refuse.

### 31) RENOVATIONS & ALTERATIONS

No owner or occupier of a section may make any alteration to that section other than those specifically permitted below without the prior written consent of the trustees. When such consent is given:

- a) The Trustees shall have the right to request a refundable damage deposit for renovations and alterations which deposit shall be held in the Body Corporate bank account.
- b) The amount of the deposit will be determined by the Trustees and shall be no less than 10% of the value of the building works, quotes, valuations or estimates provided by owners for determination of deposit may be revised to the sole discretion of Trustees.
- c) The deposit will only be released by the managing agent after the written instructions from the trustees that all damage caused by the said alterations and renovations has been repaired at the cost of the applicant to the satisfaction of the trustees.
- d) The owner will have 30 days to rectify any damage falling which the trustees may arrange for the necessary remedial work at the cost of the owner, which amount may be deducted from the damage deposit.
- e) The owner shall be responsible for any cost over and above the amount of the deposit held by the body corporate and the owner of the section concerned, from time to time, shall be responsible for all costs that arise from time to time in consequence of the alteration or renovation and shall be deemed to have indemnified the body corporate against such costs.
- f) An owner need not make application for permission for any of the following works:
  - i) Replacement of carpets
  - ii) Repair of wooden floors
  - iii) Plumbing repairs for leaks and tap washers
  - iv) Electrical repairs not requiring total re-wiring
  - v) Repairs to or replacement of Hot water cylinders
  - vi) Repairs to windows, glass and doors and gates
  - vii) Repairs to existing fixtures and fittings
- g) The following broad definitions will apply in granting permission:
  - i) Alterations shall mean any work involving structural alterations or additions to a section or unit including the removal, creation or modification of a wall or any structural part of the building and shall include any alterations, modifications or decorative work which affects the exterior appearance of a section or unit.
  - ii) Renovations shall mean any internal redecoration or refurbishment or the existing interior of a unit or section including the replacement removal or creation of internal fitting such as kitchen and other cupboards, sanitary ware, floor coverings, etc.
- h) The procedure for obtaining approval is as follows:
  - i) The application with a sketch or plan of the proposed alterations must be submitted to the trustees c/o the managing agents for agreement to be obtained.
  - ii) After approval by the trustees via the managing agents it is the responsibility of the owner to see that, if necessary, professionally prepared plans (which may not deviate from the sketch plan) are duly approved by the City of Cape Town Municipality.

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- iii) A copy of the plans as approved by the City of Cape Town must be submitted to the managing agents or alternatively the managing agent must be supplied with evidence satisfactory to them that Council approval is not required.
- iv) If the managing agents/trustees consider it necessary they shall be entitled, prior to granting permission, to request the applicant to provide a professional report from an Architect or Engineer at the cost of the applicant.
- v) Confirmation that the work may proceed will be conveyed to the applicant by the Managing Agents with whom a date for the commencement of the work shall be arranged.
- vi) The managing agents on behalf of the trustees will supply information as to access by contractor's workmen and the maintenance of security within the building
- vii) No work may commence until approval has been conveyed by the Managing Agents and the deposit requested has been paid to the body corporate c/o the managing agents.
- viii) The owner shall be responsible for any damage caused by him or his contractors to common property or to other unit in the block and indemnifies other owners against such damage.
- ix) No work may be carried out on Saturdays, Sundays, Public Holidays or outside normal working hours i.e. 08h00 to 17h00.
- x) Contractors must clean up common property each afternoon before leaving the site. If this is not done the trustees or managing agent may arrange for such work at overtime rates and the owner shall be responsible for and refund to the body corporate such costs.
- xi) No rubble is to be left in the grounds of the complex overnight.
- xii) Body Corporate electricity i.e. passage plugs are not to be used except with the written permission of the Managing Agents/Trustees in which latter case a charge will be assessed for the electricity consumed for the account of the owners.
- xiii) All doors and windows installed must conform in outward appearance with other doors and windows installed in similar positions elsewhere in the building.
- xiv) The owner who makes any alterations to his section or any part of the common property is deemed to have indemnified the Body Corporate against all costs and expenses arising from any damage caused to its common property and other sections either inside or outside the building and shall pay the cost of repairs and/or restoration required in consequence of any alterations or renovations to his flat.
- xv) It is the responsibility of the owner to ensure that their contractors and workmen comply with the Conduct Rules.
- xvi) Any and all charges, expenses or costs due by an owner due in terms the Conduct Rules shall be payable on demand.
- xvii) The owner shall be responsible to reimburse the Body Corporate any fee charged for time spent by the managing agent on any breach of these regulations, which amount may be charged on the levy account. This fee shall be at a rate of R250.00 per hour or part thereof including travelling time until amended by resolution of the trustees.

### **32) RESPONSIBILITIES OF THE MANAGING AGENT**

- a) An owner or occupier of a section shall not request assistance from the Managing Agent for any matter not relating to the common property
- b) The owner shall be responsible to reimburse the Body Corporate any fee charged for time spent by the Managing Agent on calls regarding their sections not relating to the common property, which amount may be charged as a levy. This fee shall be at a rate of R250.00 per hour or part thereof including travelling time, or as amended by the Managing Agent from time to time.

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### **33) RITUAL SLAUGHTERING/DISMEMBERING OF CARCASSES**

An owner or occupier of a section shall not, for any reason whatsoever permit

- a) slaughtering of animals on or outside the common property or in the buildings.
- b) dismembering of any dead animal on or outside the common property or in the buildings.

### **34) SIGNS AND NOTICES**

An owner or occupier of a section shall not -

- a) place any sign, notice, billboard, or advertisement of any kind whatsoever on any part of the common property or of a section, so as to be visible from outside the section without the prior written consent of the trustees first having been obtained.
- b) erect a security, a 'to let' or a 'for sale' sign unless such sign is limited to 400mm by 400mm and placed inside a window of the section without the prior written consent of the trustees first having been obtained.

### **35) STONES & SOLID OBJECTS**

An owner or occupier of a section shall not drop, throw or propel stones or solid objects on the common property.

### **36) STORAGE OF INFLAMMATORY MATERIAL AND OTHER DANGEROUS ACTS**

An owner or occupier of a section shall not store any material, or do or permit or allow to be done, any other dangerous act in the building or on the common property which will or may increase the rate of the premium payable by the body corporate on any insurance policy.

### **37) SUPERVISION OF POTENTIALLY DANGEROUS BEHAVIOUR**

- a) Owners and occupiers of sections shall ensure their children under the age of fourteen years are reasonably supervised when playing on the common property and that they do not engage in any potentially dangerous activities.
- b) No skateboarding, roller skating/blading or any similar activities are allowed on any part of the common property.

### **38) VEHICLES**

- a) The right to park vehicles upon the common property 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
- b) No owner/occupier shall park or stand any vehicle upon the common property, or permit or allow any vehicle to be parked or stood upon the common property, other than in a designated parking bay or exclusive use parking area without the prior consent of the trustees in writing.
- c) The trustees may cause to be removed or towed away, at the risk and expense of the owner of the vehicle, any vehicle parked, and standing or abandoned in the common property including parking bay in contravention of these rules.
- d) Owners and occupiers of let parking bays shall ensure that their vehicles, and the vehicles of their visitors and guests, do not drip oil or brake fluid on to the common property or in any other way deface the common property.
- e) No owner or occupier shall be permitted to dismantle or affect repeatedly major repairs to any vehicle on any portion of the common property, an exclusive use area or in a section.
- f) No trucks, caravans, trailers, boats or other heavy vehicles are to be parked on the common property without the prior written consent of the trustees.
- g) No vehicles may be parked in any parking bay which will detract from the general aesthetics of the common property

*Handwritten signature and initials*  
JAS  
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- h) Vehicles are to be parked on such exclusive use areas of the common property as are specifically indicated or approved by the body corporate for that purpose and in such a way that the flow of traffic and access to and ingress from garages or parking bays or any thoroughfare is not obstructed.
- i) The trustees and their agents are entitled, in addition to imposing penalties, to remove or to wheel clamp any vehicle which is parked on the common property in breach of these rules. Such action shall be at the risk and expense of the owner or controller of the vehicle and the owner of the section connected with such visitor shall be deemed to have indemnified the body corporate and trustees against any damages in this regard. The penalty and / or cost shall be paid before the vehicle is released. Until otherwise determined by the owners in general meeting, a release fee of R200.00 shall be payable prior to release of a wheel clamp.
- j) The trustees shall not be responsible for illegal parking in let bays.

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