

BODY CORPORATE OF OAKLANDS

CONDUCT RULES

(Section 35 (2) (b) of the Sectional Titles Act 1986)

1 ANIMALS, REPTILES AND BIRDS

- 1.1 An owner or occupier of a section shall not, without the consent in writing of the Trustees, which approval may not be unreasonably withheld, keep any animal, reptile or bird in a section or on common property.
- 1.2 When granting such approval, the Trustees may prescribe any reasonable condition.
- 1.3 The Trustees may withdraw such approval in the event of any breach of any condition prescribed in terms of sub-rule 1.2.
- 1.4 In the event of approval being withdrawn in terms of (1.3) the Trustees shall have the right to require any such animal, reptile or bird to be removed from the property.
- 1.5 In no event shall animals be permitted in any public portions of the building or any other part of the common property unless carried or controlled on a leash.

2 REFUSE DISPOSAL

- 2.1 An owner or occupier of a section shall:-
 - (a) maintain in an hygienic and dry condition, a receptacle for refuse within his section, his exclusive use area 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) for the purpose of having the refuse collected, place such receptacle outside his unit and at the times designated by the Trustees;
 - (d) when the refuse has be collected, promptly return such receptacle to his section or other area referred in paragraph (a);
 - (e) make his own arrangements for the removal of refuse on Sundays and Public Holidays;

3 VEHICLES

- 3.1 No owner or 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, without the consent of the Trustees in writing.
- 3.2 The Trustees may cause to be removed or towed away at the risk and expense of the owner of the vehicle, any vehicle parked, standing or abandoned on the common property without the Trustees consent.

- 3.3 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 or in any other way deface the common property.
- 3.4 No owner or occupier shall be permitted to dismantle or effect major repairs to any vehicle on any portion of the common property, an exclusive use area or in a section.
- 3.5 Motor vehicles of owners and their visitors may only be parked on such areas as are specifically demarcated by the Trustees for that purpose.
- 3.6 Motor vehicles may be washed only on that portion of the property which has been designated for the purpose by the Trustees. Fire hydrants may not be used for this purpose.
- 3.7 Save for the purpose of gaining access to the factories parking bays, bicycles, motorcycles, caravans and trailers may not be left on any portion of the common property.
- 3.8 Visitors are not allowed to park on the common property except in areas demarcated for that purpose.

4 DAMAGE, ALTERATIONS OR ADDITIONS TO THE COMMON PROPERTY

- 4.1 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.
- 4.2 Notwithstanding sub-rule 4.1, an owner or person authorised by him, may install:
 - (a) any locking device, safety gate, burglar bars or other safety gate, burglar bars or other safety device for the protection of his section, or
 - (b) any screen or other device to prevent the entry of animals or insects provided that the Trustees have first approved in writing the nature and design of the device and the manner of its installation.
 - (c) an owner may make alterations to the interior of his section, but no structural alterations, no alterations to the water piping, electrical wiring, conduits or plumbing may be effected without the prior written consent of the Trustees and then subject to such conditions as the Trustees may impose.
 - (d) repairs or alterations to electrical wiring and plumbing shall only be effected by a person qualified to do so and such work shall comply with the standards and by-laws of the relevant local authority.

5 APPEARANCE FROM OUTSIDE

The owner or occupier of a section shall not place or do anything on any part of the common property, including balconies, patios, stoeps and gardens which, in the discretion of the Trustees is aesthetically displeasing or undesirable when viewed from the outside of the section.

No air-conditioning unit shall be installed without the prior consent of the Trustees and where applicable, the local authority.

6 SIGN AND NOTICES

No owner or occupier of a section shall place any sign, notice, billboard or advertisement of any kind whatsoever on any part of the common property without the written consent of the Trustees first having been obtained.

7 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.

8 LAUNDRY

An owner or occupier of a section shall not, without the consent in writing of the Trustees, erect his own washing lines, nor hang any washing or laundry or any items on any part of the building or the common property.

9 STORAGE OF INFLAMMABLE MATERIAL AND OTHER DANGEROUS ACTS

An owner or occupier 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.

10 LETTING OF UNITS

All tenants or 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.

An owner may let or part with occupation of his section provided:

- (a) that no such letting and / or parting with occupation shall in any way release the owner from any of his obligations to the Body Corporate hereunder or in terms thereof, or in terms of the Act.
- (b) that he obtained the prior written approval of the Trustees, as to the type of business to be conducted, which approval shall not be unreasonably withheld.
- (c) that as a condition precedent to any such letting and / or parting with occupation, the owner shall secure from the lessee or the person to whom occupation is given, as the case may be, an undertaking in favour of the Body Corporate that such lessee or person is aware of the provisions of these Rules and shall duly observe all the regulations and conditions as are contained in the Rules and the Conduct Rules and in the Act. Such undertaking shall be in such terms as the Trustees shall from time to time require and it shall be lodged in writing with the Trustees prior to such lessee or person being given occupation of the section.

11 ERADICATION OF PESTS

An owner shall keep his section free of white ants, borer and other wood destroying insects and to this end shall permit the Trustees, the Managing Agent and their duly

authorised agents or employees to enter upon 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 cost of the inspection, eradicating any such pests as may be found within the section, replacement of any woodwork or other material forming part of such section which may be damaged by any such pests shall be borne by the owner of the section concerned.

12 NUISANCE

An owner shall not cause or permit any disorderly conduct of whatsoever nature in a section or upon any part of the common property nor do or permit any act, matter or thing in or about the same which shall constitute or cause a nuisance or any inconvenience to any other owner or occupier of the building or member of the Body Corporate.

13 USE

- 13.1 All owners and occupiers of sections shall ensure that their respective activities on, and uses of, the common property and of a section or any part thereof, with all services, facilities and amenities available in 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 occupiers of the building, and in accordance with the rules and any conduct rules made in terms of the rules, and with the provision of the Act.
- 13.2 An owner shall not store or leave or allow to be stored or left any article or thing in any part of the common property except with the written consent of the Trustees first having been obtained.
- 13.3 No person may be housed on the property without the prior written permission of the Trustees having been obtained. The granting of such permission shall be at the sole discretion of the Trustees and permission may be withdrawn at any time by the Trustees upon giving the owner or occupier seven days written notice of such withdrawal. In such event the owner or occupier shall ensure that the person in question is permanently removed from the property or the section within the stipulated period.
- 13.4 The Trustees may, at their sole discretion, require any person housed on the property or in a section to be registered with the Body Corporate and may require such person to carry or display documents of identification.
- 13.5 Owners must apply in writing to the Trustees to install a compressor / gas cylinders outside the unit in a parking bay. The compressor / gas cylinders are to be kept in good state of repair and must not cause damage to the common property if damage does occur, the owner is liable for the repair.
- 13.6 No owner or occupier shall employ and / or house any person on the property or in a section illegally contrary to any law, by-law, the Sectional Titles Act or the Conduct Rules of the Body Corporate.
- 13.7 Owners and occupiers are responsible for the behaviour of their staff and must at all times ensure that they adhere strictly to the Management and Conduct Rules of the Body Corporate. In particular, the owners and occupiers shall ensure that their staff do not loiter on the common property; or store liquor on the property or in a section in excessive quantities, or behave in a

drunken or disorderly manner, or allow the section to be overcrowded with visitors, contravene any law, by-law or the Rules of the Body Corporate.

- 13.8 An owner or occupier of a section is liable for the conduct of his visitors and he must ensure their adherence to all requirements of the Act, and the rules.

All sections shall be used only for such purposes and activities that are:-

- in accordance with the local and / or other administrative authorities requirements.
- in compliance with the applicable Town Planning Scheme in operation from time to time.
- approved by the Trustees which approval shall be at the sole discretion of the Trustees.

Should at any time it be in the opinion of the Trustees that a section is being used in such a manner or for such activity that is resulting in or may in the future result in:-

- structural and / or other damage to the section and / or any other portion of the property.
- the endangering of the safety and / or health of the members of the section, or the occupants of any other section on the property, or any servant or employee of the Body Corporate, or any person lawfully entitled to be on the property.
- excessive noise, vibration, smell, fumes, smoke, soot, ash, dust or grit being emitted from the section.
- then immediately upon written notice from the Trustees calling upon the owner or occupier to cease such activities, he shall be obliged to forthwith comply with such notice.

14 LOSS OR DAMAGE

The Body Corporate shall not be responsible for any loss or damage suffered by an owner or occupier or by any servant or agent of the Body Corporate from any cause whatsoever, and it shall be the responsibility of an owner / occupier to effect his own insurances in respect of the contents contained in his section, or in any part of the common property.

15 OWNERS DEFAULT

- 15.1 If an owner (whether by himself or by his lessee, invitee, guest, agent, servant or employee) commits a breach of any of the rules and fails to remedy any breach within a period of seven days after the giving of written notice to remedy such breach by the Trustees or by the Managing Agents, if so authorised by the Trustees, the Body Corporate shall be entitled to take such action as may be available to it in terms of the Act or by law.

15.2 If the Conduct Rules are transgressed, a written warning will be served on the tenant / owner. 15.3 If an owner fails to repair or maintain his section in a state of good repair as required by Section 44 (1) (b) or (c) of the Act or fails to maintain adequately any area of the common property allocated for his exclusive use and enjoyment and such failure persists for fourteen days after the giving of written notice to repair or maintain, given by the Trustees, or the Managing Agent, the Body Corporate shall be entitled to remedy the owner's failure and to recover the cost of doing so from such owner.