

CONDUCT RULES IN TERMS OF SECTION 535(2)(6) OF THE
SECTIONAL TITLES ACT NO 95/1986

SECTIONAL PLAN NO
NAME OF BUILDING : PRIMROSE HILL

1. INTRODUCTION

1.1 The Conduct Rules which are set out below are binding on all owners and persons occupying any section who, in turn, are responsible for ensuring that members of their families and their tenants, invitees and servants comply with them.

1.2 Happy and satisfying community living is achieved when owners and residents use and enjoy their sections and the common property in such a manner that they show respect and consideration for the rights of other persons lawfully on the property. Compliance with the Conduct Rules and general consideration by owners and residents for each person lawfully on the property, will greatly assist in achieving a happy community.

1.3 In the event of annoyance, aggravation or complaints occurring between owners or occupants an attempt should be made by the parties concerned to settle the matter between themselves. This should be done with consideration and tolerance. If, however, such problems cannot be resolved between the parties only then should they be brought to the notice of the trustees in writing. The trustees may require that a complaint is submitted to them in the form of an affidavit before they consider it.

1.4 In the event of any conflict between the Conduct Rules and the Management Rules shall prevail.

2. MOTOR VEHICLES, USE OF DRIVEWAYS AND PARKING AREAS

2.1 Owners or occupiers of sections shall observe and shall ensure that their visitors and guests:

2.1.1 observe any road signs on the common property;

2.1.2 do not drive their vehicles within the common property in any manner which creates a nuisance or is considered by the trustees not to be in the interest of safety; and

2.1.3 do not allow any unlicensed person to drive any vehicle within the common property.

- 2.2 Hooters shall not be sounded within the common property other than in emergencies.No Hooting at the gate.
- 2.3 Owners or occupiers of sections may only park in their specific exclusive use areas.Each owner has the use of One parking space per unit under the shade awning running in numerical order.
- 2.4 Visitors are not to park in Owners parkings and if the owners are having a function it is their responsibility to ensure that their visitors do not park in such a way that it interferes with other residents and the access to their units.
- 2.5 The use of the owners and occupiers exclusive areas for parking is limited to the parking of light motor vehicles and light trailers,provided that all of the aforesaid are accomodated at all times within the demarcations of the respective parking bays.No Boats or Caravans are to be parked on the common property.
- 2.6 Damaged vehicles and vehicles that are not in general use,drip oil or brake fluid on to the common property or that are not roadworthy may not be parked on the common property other than for such short periods as may be approved by the trustees.
- 2.7 No person may effect major repairs to any vehicle on any portion of the common property.
- 2.9 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 in contravention of these rules.
- 2.10 An owner or occupier of a section shall ensure that an exclusive use area for parking purposes is not used by him,his visitors or his guests unless that owner or occupier is entitled to use such exclusive use area.
- 2.11 Parking of 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.

3. LAUNDRY

3.1 An owner or occupier of a section shall not, without the prior consent of the trustees, erect his own washing lines nor place or hang any washing or laundry or any other items on any part of the buildings or the common property where it is visible from outside the buildings or from any other section.

3.2 Any washing hung out to dry is at the sole risk of the owner thereof.

3.3 Washing areas, if any, shall be kept locked, if possible, at all times and must be kept litter free and tidy.

4. REFUSE DISPOSAL IN BIN AREA

4.1 An owner or occupier of a section shall:

4.1.1 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.

4.1.2 ensure that before refuse is placed in such receptacle it is securely wrapped, or in the case of tins or other containers, completely drained. Please note only the Black Municipal bags are to be used.

4.1.3 for the purpose of having the refuse collected, place such receptacle within the area and at the times designated by the trustees in writing;

4.1.4 when the refuse has been collected, promptly return such receptacle to his section or to other area referred to in rule 4.1.1.

5. NOISE

5.1 An owner or occupier of a section shall ensure that he and his visitors or guests do not make or create undue noise.

5.2 Noise to be contained at all times and is restricted to 10.00 P.M Weekdays and 12.00 Midnight on Weekends. Owners and occupiers are to show respect and to be courteous and are to advise neighbours if they are having a function which could result in noise.

6. GARDENING

- 6.1 No plant or flower may be picked from nor any damage caused to the garden areas on the common property and the natural flora and fauna (If applicable) shall not be destroyed, removed or damaged in any way without the prior written consent of the trustees.

7. SWIMMING POOL

- 7.1 The swimming pool is primarily for use by owners or occupiers of sections but it may be used by their visitors or guests provided that they are accompanied by an owner or occupier and that they comply with these rules. Owners or occupiers are 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 swimming pool.
- 7.2 Radios, compact disc players, tape recorders and the like, unless used only with earphones, and musical instruments are not permitted to be played within the pool area.
- 7.3 Rowdy and boisterous behaviour and excessive noise are not permitted in the pool area. Quiet shall be especially observed between 14h00 and 16h00 daily and between 23h00 and 07h00.
- 7.4 No animal shall be permitted in the pool area.
- 7.5 The pool gate shall be kept closed at all times.
- 7.6 Persons who have taken vigorous exercise are required to wash or shower before entering the pool water.
- 7.7 The body corporate, the trustees, the managing agent and any other employee of the body corporate shall not be liable to any extent whatsoever for the safety of anyone in the pool area. Non swimmers and children must be accompanied by a person who is able to accept responsibility for them. No children under the age of 12 are to enter the pool area or pool unaccompanied.
- 7.8 No litter is to be left in the pool area.

8. PETS

- 8.1 Permission to house pets within a section or on the common property may be obtained from the trustees only upon written request. The trustees are empowered to consider such request on its own merits and with due regard for any Municipal bye-laws and the interest of other owners. Permission to house a pet may only be given by the trustees in writing and in doing so they can prescribe any reasonable condition. Any permission given by the trustees to house pets may be revoked at any stage by the trustees in their discretion.
- 8.2 No Dogs or Cats allowed. In the situation where owners or occupiers had animals before the formation of a body corporate these animals will be allowed to remain on the property but in the event of their deaths are not to be replaced. The following conditions will apply:
- 8.2.1 Pets must not cause a disturbance at any time and owners or occupiers shall be responsible for the removal of their animal's excrements within the common property or the individual sections.
- 8.2.2 Dogs shall be leashed or properly controlled when on the common property.
- 8.2.3 Bitches on heat are not allowed anywhere on the common property at any time.
- 8.2.4 Cats which have not been spayed or neutered may not be kept on the property.
- 8.2.5 No vicious animals of any nature may be kept in the Complex.
- 8.2.6 Aviaries are not permitted without the prior written consent of the trustees.
- 8.2.7 An owner or occupier shall ensure that his animals when making use of the common property, wear collars bearing tags showing name of the animal and telephone numbers of the owner.

8.2.8 Any pet found unaccompanied or unidentified on the common property or otherwise in contravention of these rules may be removed by the trustees. Costs incurred as a result of such removal, such as capture and pound fees, shall be borne by the owner or occupier of the section where the pet was accommodated or by the owner of the pet concerned. The body corporate and the trustees shall not be liable for any injury to any pet thus removed or for any other loss so incurred by the owner or occupier or any other person.

9. DOMESTIC HELPERS

9.1 An owner or occupier of a section shall:

9.1.1 be responsible for the activities and conduct of his domestic helper and shall ensure that they understand and that they do not breach any rules, national legislation or local authority bye-law which may affect the scheme;

9.1.2 ensure that his domestic does not loiter on the common property; and

9.1.3 ensure that his domestic does not cause any undue noise within their sections or on the common property or elsewhere.

9.1.4 ensure that his domestic has no visitors entering the common property.

9.1.5 ensure that the domestic carries an Identification badge at all times which must be visible. Should the domestic not carry this identification entrance to the common property will be denied.

9.2 No Domestic helper is permitted to reside on the common property but in exceptional circumstances, i.e. nursing care, permission can be obtained from the trustees for such person to be on the property as long as it in no way affects other owners or occupiers and these people will be subject to the abovementioned rules.

9.3 Any owner or occupier of a section whose domestic consistently fails to abide by the Conduct Rules may be required to remove such servant from the property if so instructed by the trustees.

9.4 No owner or occupier of a section may request personal duties to be performed by any member of the staff employed by the body corporate unless this falls outside of that persons arranged working schedule.

10 EXTERIOR OF BUILDINGS

- 10.1 Subject to rule 12.1 alterations, additions or decorations to the exterior of the sections or to exclusive use areas or to any other portion of the common property may not be made without the prior written consent of the trustees and then only upon the terms and conditions contained in such consent.
- 10.2 No radio/television aerials may be attached to the exterior of the buildings without the prior written consent of the trustees and then only upon the terms and conditions contained in such consent.
- 10.3 Requests for consent in terms of Rules 10.1 and 10.2 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 or installation of the radio/television aerial, as the case may be.
- 10.4 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.
- 10.5 If an owner or occupier of a section fails to comply with the provisions of Rule 10.4 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 cost of doing so from such owner or occupier.
- 10.6 Notwithstanding any approval granted by the trustees, no alteration, addition or decoration to the exterior of section may be undertaken until any permit or approval required from any authority has been obtained. It is the duty and responsibility of the owner or occupier of the section concerned to obtain any such necessary permit or approval.
- 10.7 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.

11. INTERIOR OF SECTIONS

- 11.1 Any structural alterations, which serve more than one section and/or the 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 under signature of the chairman after approval has been obtained by the owner or occupier of the section from the Municipal authorities.
- 11.2 Any interior alterations should be carried out at reasonable hours and shall not cause any undue disturbances to owners or occupiers of neighbouring sections. An owner or occupier of a section shall not however be entitled to interfere with electrical installations and plug points.
- 11.3 Interior repairs and maintenance of a section of whatever nature are the responsibility of the owner or occupier of that section and neither the superintendent, if any, nor the managing agents, nor any employee of the body corporate are liable or may be requested to attend to such matters.

12. APPEARANCE FROM OUTSIDE

- 12.1 The owner or occupier of a section used for residential purposes 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. This is particularly relevant to washing and items of clothing being left out on patios to dry.

13. SIGNS AND NOTICES

- 13.1 No owner or occupier of a section, used for residential purposes, shall 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.

14. LITTERING

- 14.1 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.
- 14.2 Owners or occupiers of upstairs units are not permitted to throw or to sweep litter or dirt on to lower units.

15. STORAGE OF INFLAMMATORY MATERIAL AND OTHER DANGEROUS ACTS

- 15.1 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.

16. LETTING OF UNITS

- 16.1 The owner of a section shall be obliged to ensure that any tenant of his section or other person granted rights of occupancy by him is obliged to comply with these conduct rules, notwithstanding any provision to the contrary contained in any lease or any grant of rights of occupancy.
- 16.2 An owner of a section shall be obliged to notify the trustees in writing within 14 days of the date of conclusion of a lease of his unit of the full names of his tenant and the period of the lease.

17. ERADICATION OF PESTS

- 17.1 An owner or occupier of a section shall keep his section free of 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 or occupier of section concerned.

18. GENERAL

- 18.1 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 domestic help 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 neglect on the part of the body corporate or any of the body corporate employees, servants, agents or contractors.
- 18.2 The body corporate or its agents' representatives and domestic helpers shall not be liable 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.
- 18.3 No Business or trade to be conducted on the common property or in the sections.
- 18.4 No auctions, jumble sales or garage sales may be held on the common property or in the sections.
- 18.5 No firearms or pellet guns may be discharged on the common property.
- 18.6 No stones or other solid objects may be thrown or propelled on the common property.
- 18.7 Owners or occupiers will be held responsible for any damage caused to the common property by furniture trucks or the staff thereof whilst moving furniture on to the common property.
- 18.8 Any reference to exclusive use areas herein shall mean any such exclusive use areas which may after registration herof be delineated on the Sectional Plan of this scheme and registered and allocated in accordance with such delineation.
- 18.9 Owners or occupiers will ensure that their children when playing on common property do so in such a way that the children are in no way placed at risk of injury and that they do not disturb fellow residents. The Body Corporate accept no responsibility for injuries and the parents of the children will be responsible for the actions of their children.
- 18.10 Children are not to throw balls or any similar toys against walls or in such a way that they disturb other residents. Parents will be held responsible for any repairs necessitated by these activities.

- 18.11 No person other than those appointed by the body corporate may attend to common property machinery i,e pool pump
- 18.12 No glass bottles or glasses permitted in pool area
- 18.13 Braaivleis' or open fires are not permitted on upstairs units balconies and caution must be exercised when braaing around the pool area.
- 18.14 Gardens are to be kept neat and weed free at all times.
- 18.15 Ablution areas must be kept clean by the staff utilising them at all times.

19. LIMITATION ON NUMBER OF OCCUPANTS

19.1 The maximum number of persons residing in a flat, at any one time, shall be restricted to the following:

1 Bedroom Flats	: 3 ² Persons
2 Bedroom Flats	: 4 Persons