

# **CONDUCT RULES FOR THE CONTROL AND MANAGEMENT OF OLIVE BODY CORPORATE**

## **1. PRELIMINARY**

The rules contained in this schedule shall not be added to, amended or repealed except in accordance with Section 25(2)(b) and subject to the conditions of Article 35(3) of the Sectional Title Act, no 95 of 1986. These rules are effective immediately.

## **2. INTERPRETATION**

In the interpretation of these rules, unless the context otherwise indicates:

- 2.1 "Act" means the Sectional Title Act no 95 of 1986, as amended from time to time, and any Regulation made and in force there under;
- 2.2 Words and expressions used shall bear the meaning assigned to them in the Act;
- 2.3 "Trustee" includes an alternate trustee;
- 2.4 "Trustees" and "board" mean the Board of Trustees;
- 2.5 Words importing:
  - The singular number only shall include the plural, and the converse shall also apply;
  - The masculine gender shall include the feminine and neuter genders, and the neuter gender shall include the masculine and feminine genders.
- 2.6 The headings to the respective rules are provided for convenience and reference only, and are not to be taken into account in the interpretation of the rules;
- 2.7 Common property means all areas, except those that are for the exclusive use of the residents;
- 2.8 "Residents" also means owners and tenants and their guests and visitors.

## **3. PURPOSE**

- 3.1 The purpose of these rules is to permit the residents of Olive to have full enjoyment of their sections and of the Common Property, as defined and dealt with in the Act, without interfering with the rights of other residents, and to contribute towards the efficient management of the complex.
- 3.2 These rules are enforceable by law and must be observed by all residents.
- 3.3 Owners wishing to sell their units must notify estate agents and/or new owners of these rules.

- 3.4 An owner who lets a unit must advise the Trustees, in writing, of the name of the tenant, and must make sure that the tenant has a copy of these rules.
- 3.5 Residents are responsible for the conduct of their visitors and guests, and they must ensure that these rules and all the regulations in terms of the Act are observed.
- 3.6 Nobody is exempted from the rules contained.

#### **4. LEVY AND ELECTRICITY PAYMENTS**

- 4.1 Levy must be paid on or before 12:00 on the 1<sup>st</sup> of each month, latest preferably be debit order. Levies not paid by the 7<sup>th</sup> will result in legal action. Services will be suspended by the 7<sup>th</sup> of the month if payment has not been received. A fee and any legal costs incurred will be borne by the owner of the unit concerned.

#### **5. VEHICLES (INCLUDING ALL MOTOR VEHICLES, TRAILERS, CARAVANS OR MOTOR CYCLES)**

- 5.1 Where there is sufficient space, vehicles may be parked on the paving in driveways outside residential units for a maximum of one hour per day, provided they do not obstruct or pose a danger to the safe flow of traffic. Disregard of the parking rules exposes the owner of an offending vehicle to a maximum fine of R 200-00 per occasion.
- 5.2 Trailers must be parked in garages.
- 5.3 No caravans/boats are allowed on the property.
- 5.4 The demarcated parking bays are meant for visitors' use and may not be used by residents except for brief periods when circumstances make this necessary. Where insufficient visitor parking space is available, occasional visitors may park on the paving in lanes outside garages or residential units, provided they do not obstruct or pose a danger to the safe flow of traffic. This does not apply to longer-term visitors. Residents must apply to the Trustees in writing if they have visitors requiring parking for longer than three (3) days.
- 5.5 Garages are primarily intended for housing vehicles, and residents' vehicles must always be parked inside their garages. Garage doors must be kept closed. Residents who have more vehicles than garages must apply in writing for consent to park the extra vehicle(s) outside.
- 5.6 Residents who park their vehicles outside at night without the approval from the Trustees, will receive two warning letters, after which they will be fined up to R 500-00 per occasion.
- 5.7 When vehicles of residents drip oil or brake fluid on the Common Property, or in any way deface the Common Property, the resident shall, without delay, clean the Common Property to the satisfaction of the Trustees.
- 5.8 No commercial vehicles or trucks may be parked within the boundaries of Olive except for purposes of loading and unloading, performing repairs and maintenance, or doing installations
- 5.9 Repairing or rebuilding of a vehicle is not allowed within the boundaries of Olive.

- 5.10 Vehicles may not travel in excess of 15km per hour anywhere on the Common Property. Residents are cautioned to drive carefully and sensibly, especially in the narrower lanes.
- 5.11 All residents must observe standard road safety rules.
- 5.12 No vehicles are to be washed on the lawn.
- 5.13 The Trustees may remove, or tow away, at the risk and expense of the owner, any vehicle parked unlawfully or left abandoned on the Common Property.

## **6. BICYCLES, SKATEBOARDS, TRICYCLES AND ROLLER SKATES**

- 6.1 Bicycles, skateboards, tricycles and roller skates may not be left lying around on the Common Property, nor should they be left lying around in areas for exclusive use of residents where they may be visible from the Common Property.
- 6.2 In view of the traffic, narrow lanes and steep inclines, considerable care should be exercised by those using bicycles, skateboards, tricycles and roller skates.
- 6.3 Parents are requested to ensure that children do not ride their bicycles in the common garden area.

## **7. BALL GAMES**

- 7.1 No hard ball games such as cricket, hockey or golf may be played within the boundaries of Olive.
- 7.2 Ball games other than the above may only be played in the central garden area of the Common Property, next to the swimming pool

## **8. CHILDREN**

- 8.1 Toys left lying around the complex will be disposed of.
- 8.2 No BB guns, ketties, pellet guns are allowed to be used in the complex.
- 8.3 Children may not play ball games against walls.
- 8.4 Children may not play in communal driveways.
- 8.5 Residents must supervise their children and their visitors' children to avoid damages to the Common Property and inconvenience to the other residents.

## **9. LAUNDRY**

- 9.1 Laundry may only be hung out to dry in the courtyard provided at each unit.
- 9.2 Laundry is hung out at the residents' own risk

- 9.3 A resident shall not erect his own washing lines, nor hang any washing or laundry or any other items on any part of the building or Common Property so as to be visible from outside the building or from any other units including the patios.

## **10. REFUSE REMOVAL**

- 10.1 Rubbish bins or containers are to be kept inside the courtyard or garage of each unit, where they cannot be seen from the common property.
- 10.2 Refuse holders must be taken to the entrance before 07:30 on the refuse removal day that will be communicated to the residents from time to time.
- 10.3 Refuse must be handled in accordance with the municipal regulation e.g. broken glass must be wrapped in a double layer of newspaper.
- 10.4 Refuse may not be left anywhere on the common property except on refuse removal days.
- 10.5 Surplus garden refuse, refundant furniture, garden furniture, garden equipment, washing machines, toys, medium and large boxes and wooden crates must be removed from the property by resident themselves or they may arrange with the complex manager for the removal thereof at their expense. Such items may not be left on the common property or in the courtyards.
- 10.6 The communal courtyard is not meant for household refuse.

## **11. GARDENING AND PLANTS**

- 11.1 Residents may not plant anything on the common property or remove/damage any plants on the common property without the approval of the Trustees.
- 11.2 Trees and shrubs with root systems that may endanger the foundations of building e.g. rubber plants, may not be planted within five (5) meters form any wall.
- 11.3 Every resident is responsible for maintaining the neat appearance of his or her exclusive garden area.
- 11.4 Water taps situated on the common property may only be used by the Trustees and their employees and not by the residents. The water taps situated in the gardens for the exclusive use of residents may also be used by the employees of the Trustees for maintaining the gardens in the common property. Water taps in courtyards, however, is for residents' exclusive use, and may not be used by employees of the Trustees.

## **12. GARDEN FURNITURE**

- 12.1 Garden furniture must at all times be neatly arranged and well maintained, especially when visible to the public and other residents.
- 12.2 Portable barbeque equipment and umbrellas, as well as wind or sunshades may only be used outside on occasion. When not in use, these items must be stored in such a way that they are not visible from the common property.

12.3 To facilitate the mowing of lawns, no swings, bench swings, garden furniture, jungle gyms, and similar playground equipment may be placed in the gardens for residents' exclusive use unless such equipment is placed out of sight of other residents and the residents undertake to mow his own lawn regularly.

### **13. SECURITY**

13.1 Security and the safety of residents must at all times enjoy the highest priority. Residents who compromise the security of the complex through negligence or disregard of the rules will not only be fined, but will also be held financially responsible for any costs or damage arising from such action of negligence.

13.2 A resident shall not open the gate to strangers.

13.3 All vehicles entering or leaving the complex must wait until the security gate has closed behind them before driving on.

13.4 Remote controls for the gates must be kept safe at all times, and may under no circumstances be left in vehicles parked outside garages or locked parking area during the day or night.

13.5 No person from outside Olive will be allowed to go from door to door for whatever purpose without a letter of consent from the Trustees. Residents have the right to demand to see a letter, without which the unauthorized person may be summarily evicted from the premises. Residents must report the presence of any suspicious persons to the Trustees.

13.6 Residents must provide their domestics as well as any casual employees with letters authorizing their admission to the premises, and these must be produced on request. Letters must reflect the unit number and name of the employer and, in the case of casual employees, their dates of admission.

13.7 All residents must register their vehicle/s with the Trustees, failure to do so will result in signing the visitors book.

13.8 The security guard reserves the right to search any non-resident's vehicle entering or exiting the premises.

13.9 No goods/furniture may be removed from the premises without the relevant written approval by the residents.

13.10 A resident who damages the gates and equipment by accident or misuse will be responsible for all repairs.

13.11 Residents are requested to report break-ins or damage to the main gate to the Trustees.

### **14. SILENCE**

14.1 Complete silence must be maintained during the following times:

- Weekdays: between 22:00 and 08:00 the following day
- Saturdays: between 23:00 and 08:00 the following day
- Sundays and public holidays: between 22:00 and 08:00 the following day

- 14.2 Car hooters may not be used within the boundaries of Olive, except in an emergency when trying to prevent an accident.
- 14.3 Radios, musical instruments, television, etc, must be used in such a way that they are inaudible from the common property, and that residents in surrounding units are not disturbed.
- 14.4 Any gathering held in the complex should be contained within the unit at all times. You are to notify your surrounding neighbors seven (7) days in advance of any social gathering that could cause an inconvenience to them.
- 14.5 No fireworks or crackers are allowed within the complex.

## **15. PETS**

- 15.1 Pets may only be kept in the area for exclusive use of a resident or inside a unit with the approval of the Trustees. Pets may not be kept on the common property.
- 15.2 Applications for permission to keep pets must be made in writing, using the official form, of which a copy will be distributed to residents from time to time.
- 15.3 Permission to keep a pet will only be granted subject to the following conditions
- All pets must be sterilized
  - No more than two pets will be allowed per unit unless prior written approval were obtained from the Trustees. When selecting a pet, please take into consideration your pets' needs i.e. are required for size of pet. Should complaints be received regarding your pet's needs not being taken into consideration, it will be reported to the SPCA.
  - As from 22 September 2005 permission will not be granted in respect of new applications for pets exceeding 50cm in height.
  - Applications for keeping of pets must be accompanied by sterilization certificates issued by a veterinary surgeon and certificate of immunization against rabies, distemper and cat flu, any other disease the Trustees may stipulate from time to time.
  - The certificates must be renewed and resubmitted upon expiry.
- 15.4 Pets may not roam on the common property. Dogs should be kept on a leash. Cats must wear collars with bells and all pets must wear a collar with the telephone number of the owner, without which they will be considered feral and removed from the property.
- 15.5 The owner of a pet must immediately remove pet droppings.
- 15.6 The Trustees may instruct that any pet which is a nuisance or a source of annoyance to other residents, or which is kept without permission, must be removed from the premises within 24 hours. If the owner fails to obey the instruction, the Trustees has the right to have the animal removed at its owners' expense.
- 15.7 Kennels must be placed so that they are not visible from the common property.

## **16. DAMAGE, ALTERATIONS OR ADDITIONS TO THE COMMON PROPERTY OF UNITS**

- 16.1 No air-conditioning units, which are visible from the common property may be installed without the prior approval by the Trustees
- 16.2 Residents shall not mark, paint, drive nails or screws into, or otherwise damage or alter any part of the common property without first obtaining written consent from the Trustees.
- 16.3 Notwithstanding rule 17.2, a resident or person authorized by the Trustees may install –
- Any locking device, safety gate, burglar bars or safety device for the protection of his unit or
  - Any screen or other device to prevent entry by animals or insects
  - Television antennae, satellite dishes or awnings.
- 16.4 Burglar alarms may be installed at any unit. The Trustees must be informed of such an installation for record purposes

Only two alarms warning signs may be displayed outside the unit. These signs may not be larger than 40 x 30 cm and may only be placed in the following positions:

- On the wall at the front door / court yard
- At the back of the unit

Residents should seek advise from the Trustees in this regard.

- 16.5 No permanent decorations or attachments may be affixed to the outside of the unit, neither may the outside of a unit be painted or otherwise treated without prior approval of the Trustees.
- 16.6 A resident may not make any alteration whatsoever that is likely to impair the stability of the building.
- 16.7 A resident may not do anything to his exclusive use area, which is likely to prejudice the harmonious appearance of the building.
- 16.8 Residents shall not place anything on any part of the common property which in the discretion of the Trustees, is aesthetically displeasing or undesirable. This includes balconies, patios, stoops and gardens for residents' own use.
- 16.9 Courtyards / patios are not storage areas and must be kept neat and presentable at all times.

## **17. BUSINESS ACTIVITIES AND HOBBIES**

- 17.1 No profession or trade, which causes any inconvenience or nuisance to other residents may be conducted on the common property or within a unit.
- 17.2 Business activities which requires regular visits to Olive by clients or employees are strictly prohibited.
- 17.3 No auctions or jumble sales may be held on the common property or inside a unit.

17.4 Hobbies, which cause a nuisance to the residents may not be conducted inside a unit or within the area for the exclusive use of a resident.

## **18. DOMESTIC WORKERS**

18.1 Residents must ensure that their domestic workers do not cause undue noise on the common property or elsewhere.

18.2 Toilet paper must be supplied by residents for use by their servants in the communal toilet.

18.3 Domestic servants must gain access to the complex as indicated in rule 14.6.

18.4 Domestic servants are not permitted to receive visitors on premises during working hours.

18.5 Domestic servants are not permitted to sleep in, as facilities are not provided.

## **19. SIGNS AND NOTICES**

19.1 Residents shall not place any sign, notice, billboard or advertisement of any kind whatsoever on any part of the common property, outside a unit or outside the complex without applying in writing for consent from the Trustees.

19.2 No advertising boards may be displayed against the fencing or building, and no advertising material, business cards or brochures may be distributed on the premises. This rule also applies to estate agents.

19.3 Traffic signs and road markings on the common property must be obeyed. Traffic must follow entrance and exit signs.

19.4 The owner may "show" his unit of weekends, with the consent of the Trustees, and the show boards will only be allowed on Saturdays and Sundays between 08:00 and 18:00.

## **20. NUMBER OF PERSONS RESIDING IN EACH UNIT**

20.1 A maximum of four (4) people only, may resident permanently in any one two (2) bedroomed unit at any one time and a maximum of six (6) people in a three (3)-bedroomed unit at any one time.

## **21. SUGGESTIONS / COMPLAINTS**

21.1 Suggestions and complaints must be placed in the post box of which the location will be communicated to residents from time to time.

21.2 Any complaints arising out of the application or lack of observance of the conduct rules must be directed to the Trustees. Full details (time, date, names, nature of complaint) must be supplied.

## **22. SUNDRY PROVISIONS**

- 22.1 Cigarette butts, paper and other objects may not be thrown from verandas, windows or vehicles.
- 22.2 The common property and garden areas must be kept tidy at all times.
- 22.3 Flammable or other dangerous materials, including fireworks, may not be brought onto the property. Residents shall not store dangerous material or commit, permit or ignore any other dangerous act in the buildings or on the common property, which may result in an increase of the premium paid by the Body Corporate on the insurance policy.
- 22.4 No firearms and air guns may be fired on the common property. The use of catapults and crossbows is also prohibited.
- 22.5 In the event of damage of whatever nature being caused to the common property by a resident, his family, his visitors or his pets or the pets of his family or visitors, the owner shall be liable to compensate the Body Corporate for the repair of such damage.
- 22.6 It is the duty of all residents to bring the rules to the attention of fellow residents who are not complying with the rules.
- 22.7 Fire extinguishers, fire hoses and fire hose points may not be used for any purpose other than that of fighting fires. Any person found using these for any other purpose that fire fighting will be liable for prosecution by the fire department, but will also be made to pay for any damages as well as incur a fine of R 500-00, which will be included with the monthly levy.
- 22.8 A resident must keep his exclusive use area free of pests. The owner must allow the Trustees to inspect his unit from time to time and take such action reasonable necessary to eradicate such pests. The owner of the unit concerned is obliged to bear the costs of the eradication, inspections and replacement of material, which forms part of sections and has been damaged by such pests.
- 22.9 All window and glass doors should have curtains or blinds.

## **23. NON-ADHERENCE TO RULES**

- 25.1 Non-adherence to the rules will result in a first reminder by the Trustees in writing, thereafter a R 250-00 administration fee will be payable on demand and thereafter all legal fees.
- 25.2 Except for any limitations imposed at the General Meeting the Trustees will be responsible to enforce the rules of conduct.