

SECTIONAL TITLES ACT (95/1986)

CONDUCT RULES

THE TERRACES BODY CORPORATE

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

As amended in terms of section 11(3) of Act of 1986 on 15 January 2003

1. ANIMALS, REPTILES AND BIRDS

An owner or occupier of a section shall not be entitled to keep animal(s), reptile(s) and/or bird(s) in a section nor on the common property.

2. REFUSE DISPOSAL

A refuse room (bin store) will be erected by the developer on the common property.

An owner or occupier of a section shall:

- (a) deposit all his/her/its refuse in this refuse room in bins provided therefore and ensure that before such refuse is placed in these bins that such refuse is securely wrapped or in the case of tins or other containers, completely drained; and
- (b) maintain this refuse room in a hygienic condition.

The trustees shall be responsible for making arrangements as they see fit to give the employees of the Local Authority refuse collection service access to the refuse room to collect and remove the refuse.

3. VEHICLES

- (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.
- (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) 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 to the common property or in any other way deface the common property.
- (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.
- (5) An owner or occupier of a section or his/her/its visitors, shall only park or stand vehicles in exclusive use parking bay areas to which the owner or occupier is entitled.
- (6) The washing of vehicles inside the buildings is strictly prohibited and shall only be allowed in a wash bay area provided for such purpose.
- (7) The trustees shall have the right to remove any vehicle/canopy/boat/container or caravan which is parked or placed by an owner or occupier in contravention of the said rules and recover the cost of such removal from the owner or occupier.

4. DAMAGE ALTERATIONS OR ADDITIONS TO THE COMMON PROPERTY

- (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.

(2) Notwithstanding sub-rule (1), an owner or person authorized by him may install any locking devices, security gates, burglar bars or other safety devices for the protection of his/her/its section, provided that the trustees have first approved in writing the nature and design of such devices and the manner of their installation and provided that such locking devices, security gates, burglar bars or other safety devices comply with all the provisions of Additional Rule 13.

(3) Should an owner or occupier fail to comply with sub-rules (1) and (2) above, the trustees shall have the right to rectify any damage or remove and make good any installation which has not received the prior approval of the trustees. The costs of rectification and/or removal shall be recovered from the owner or occupier.

(4) An owner or occupier of a section shall comply with the conditions set out in Annexure "A" (Conditions of Approval for Alteration and/or Renovations to any Section) attached hereto, in respect of any proposed alterations or renovations to a section.

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.

6. SIGNS AND NOTICES

(1) No owner or occupier of a section shall place any sign, notice, billboard or advertisement of any kind whatsoever on any part of the land and/or buildings composing the scheme, so as to be visible from outside the section, without the written consent of the trustees first having been obtained.

(2) The design, size and location of all signage shall be controlled by the trustees who shall have the authority to prepare standard guidelines.

(3) The developer shall have the right to display, in consultation with the trustees, signage, billboards etc. in order to effect the marketing of the scheme until such time as the last section is sold and transfer effected.

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 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 section.

9. 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.

10. LETTING OF UNITS

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.

11. ERADICATION OF PESTS

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, 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 or occupier of the section concerned.

12. AIR CONDITIONING UNITS, TELEVISION AERIALS AND SATELITE DISHES

No owner or occupier shall place or allow to be placed in a section or any part thereof (or any part of the common property which he/she/it is entitled to occupy) any air conditioning unit(s), television aerial(s) or satellite dish(es) which require(s) attachment to the exterior of the building without written consent of the trustees.

13. LOCKING DEVICES, SECURITY GATES, BURGLAR BARS AND OTHER SAFETY DEVICES

The trustees shall be responsible for deciding on the permissible design, location and colour of locking devices, security gates, burglar bars and other safety devices for the individual units and neither an owner nor his/her/its tenant shall be entitled to install locking devices, security gates, burglar bars or other safety devices without the written consent of the trustees.

14. FIRE REGULATIONS

The owner or occupier of a section shall ensure that the applicable fire regulations have been complied with, with regard to any occupancy of a section. The owner or occupier of a section shall submit a certificate confirming the inspection and servicing of all fire equipment located within a section to the trustees on an annual basis.

15. LANDSCAPING

No owner or occupier of a section shall be permitted to remove, place or plant any trees or shrubs on the common property or within an exclusive use area, without the written permission of the trustees.

16. SECURITY/ACCESS CONTROL

The trustees reserve the right of admission to the development. The trustees have the sole right to deny access to any person, should they deem such action to be necessary, to ensure the security and privacy of owners/occupiers of sections and compliance with the said rules.

17. CLEANING

- (1) No owner or occupier of a section shall be permitted to instruct the cleaning personnel employed by the trustees. The supervision and direction of the cleaning personnel shall be the responsibility of the trustees/managing agent.

- (2) No member of the cleaning personnel employed by the trustees shall be required to clean or undertake any work within a section unless authorized to do so by the trustees/managing agent.

(3) Notwithstanding the provision of Management Rule 70, an owner or occupier of a section, shall maintain his/her/its section in a clean and hygienic state at all times. Should an owner or occupier fail to do so, the trustees shall inform the owner or occupier in writing that the section is to be cleaned within 24 hours of the date of the letter; should the owner or occupier fail to take the corrective action the trustees shall have the right to gain access and carry out the necessary cleaning on behalf of the owner or occupier. The trustees shall have the right to recover the costs of the same from the owner or occupier.

18. CARETAKING DUTIES

- (1) The trustees and/or managing agent shall have the right to employ and delegate responsibility to a person or persons in order to carry out caretaking duties. Such person or persons shall be referred to as the caretaker(s) and shall take instructions from and report to the trustees and/or managing agent as required. The caretaker shall have the authority to carry out all tasks as directed by the trustees.
- (2) No owner or occupier of a section shall be permitted to instruct the caretaker(s) employed by the trustees. The supervision and direction of the caretaker(s) shall be the responsibility of the trustees/managing agent.