

DE CINGEL BODY CORPORATE

CONDUCT RULES

Prescribed in terms of section 10(2) (b) of the Sectional Titles Schemes Management Act, 2011 (Act No. 8 of 2011).

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A. Keeping of animals, reptiles and birds

1. The owner or occupier of a section must not, without the trustees' written consent, which must not be unreasonably withheld, keep an animal, reptile or bird in a section or on the common property.
2. An owner or occupier suffering from a disability and who reasonably requires a guide, hearing or assistance dog must be considered to have the trustees' consent to keep that animal in a section and to accompany it on the common property.
3. The trustees may provide for any reasonable condition in regard to the keeping of an animal, reptile or bird in a section or on the common property.
4. The trustees may withdraw any consent if the owner or occupier of a section breaches any condition imposed in terms of sub-rule (3).

B. Refuse and waste disposal

1. The owner or occupier of a section must not leave refuse or other materials including cigarette butts, left over food on the common property in a way or place likely to interfere with the enjoyment of the common property by another owner or occupier.
2. Unless the body corporate provides some other way to dispose of refuse, the owner or occupier of a section must keep a receptacle for refuse of a type specified by the trustees in a clean and dry condition and adequately covered in the section, or on a part of the common property designated by the trustees for the purpose.
3. The owner or occupier of a section must—
 - 3.1. move the refuse receptacle referred to in sub-rule (2) to places designated by the trustees for collection purposes at the times designated by the trustees and promptly retrieve it from these places; and
 - 3.2. ensure that the owner or occupier does not, in disposing of refuse, adversely affect the health, hygiene or comfort of the owners or occupiers of other sections.

C. Vehicles

1. The owner or occupier of a section must not, except in a case of emergency, without the written consent of the trustees, park a vehicle, allow a vehicle to stand or permit a visitor to park or stand a vehicle on any part of the common property other than a parking bay allocated to that section or a parking bay allocated for visitors' parking.
2. A consent under sub-rule (1) must state the period for which it is given.
3. The trustees may remove or tow an abandoned vehicle parked without their consent on common property on the costs and risk of the owner.

4. Owners and tenants of units or their visitors must ensure that their vehicles do not drip brake fluid or oil on the common property or damage the property with their vehicles.
5. No owner or tenant are allowed to take apart or repair a vehicle on the common and exclusive use property.

D. Damage to common property

1. The owner or occupier of a section must not, without the trustees' written consent, mark, paint, drive nails, screws or other objects into, or otherwise damage or deface a structure that forms part of the common property.(2) An owner or occupier of a section must be considered to have the trustees' consent to install a locking or safety device to protect the section against intruders, or a screen to prevent entry of animals or insects, if the device or screen is soundly built and is consistent with a design, colour, style and materials approved in writing by the trustees.
2. The owner or occupier of a section must keep a device installed under sub-rule (2) in good order and repair.
3. An owner or person authorized by him may;

(a) any lock device, security door, security bars or other safety measure for the safekeeping of his unit; or

(b) Any bar or other device to keep animals or insects out, install:

without the written consent of the trustees after they were supplied with the design and installation method.

E. Appearance of section and exclusive use area

1. The owner or occupier of a section must not, without the trustees' written consent, make a change to the external appearance of the section or any exclusive use area allocated to it unless the change is minor and does not detract from the appearance of the section or the common property.
2. The owner or occupier of a section must not, without the trustees' written consent—
 - 2.1. erect washing lines on the common property;
 - 2.2. hang washing, laundry or other items in a section or any exclusive use area allocated to it if the articles are visible from another section or the common property, or from outside the scheme; or
 - 2.3. display a sign, notice, billboard or advertisement if the article is visible from another section or the common property, or from outside the scheme.

F. Storage of flammable materials

1. Subject to sub-rule (2), the owner or occupier of a section must not, without the trustees' written consent, store a flammable substance in a section or on the common property unless the substance is used or intended for use for domestic purposes.
2. This rule does not apply to the storage of fuel or gas in—
 - 2.1. the fuel tank of a vehicle, boat, generator or engine; or
 - 2.2. a fuel tank or gas cylinder kept for domestic purposes
3. An owner or tenant may not commit, allow or condone any dangerous act which will result in the increase of the tariff of the insured premium payable by the Body Corporate on any insurance policy.

G. Behaviour of occupiers and visitors in sections and on common property

1. The owner or occupier of a section must not create noise likely to interfere with the peaceful enjoyment of another section or another person's peaceful enjoyment of the common property and not between 22h00 and 09h00.
2. The owner or occupier of a section must not obstruct the lawful use of the common property by any other person.
3. The owner or occupier of a section must take reasonable steps to ensure that the owner or occupier's visitors do not behave in a way likely to interfere with the peaceful enjoyment of another section or another person's peaceful enjoyment of the common property.
4. The owner or occupier of a section is obliged to comply with these conduct rules, notwithstanding any provision to the contrary contained in any lease or any other grant of rights of occupancy.

H. Eradication of pests

1. The owner of a section must keep the section free of wood destroying insects, including white ants and borer beetles.
2. The owner or occupier of a section must allow the trustees, the managing agent, or their duly authorised representatives to enter the section on reasonable notice to inspect it and take any action reasonably necessary to eradicate any such pests and replace damaged woodwork and other materials.
3. The body corporate must recover the costs of the inspection and replacement referred to in sub-rule (2) from the owner of the section.

I. Occupation of flats

The owners of units will at all times be responsible to ensure that the following units not be occupied by more tenants as below:

1. **Bachelors flat**
Not more than two (two) persons
2. **One bedroom flat**
Not more than 3 (three) persons
3. **Two bedroom flat**
Not more than 4 (four) persons
4. **Three bedroom flat**
Not more than 5 (five) persons.

J. Transgression of rules

1. Any transgression of these rules may only be reported in writing by the owner or person authorized by the owner to the trustees and must be accompanied by written proof of such transgression.
2. The trustees will investigate the complaint en if there is grounds for the complaint, will:
 - i. Give written warning for first offence;
 - ii. With regards to the second similar complaint, can but will not be obliged to impose a fine of R250.00 against the owner of the unit where the culprit is staying. The offender can appeal in writing the fine, but the decision of the trustees after duly considering, will be final and binding.
 - iii. With regards to the third similar complaint, a fine of R500.00 can be imposed against the owner of the unit.
 - iv. With regards to the fourth similar complaint, can the trustees as representative of the owner of the unit, terminate the lease agreement of the culprit and take legal actions which might be necessary to remove the culprit from the unit.
3. After a period of 6 months, should there be no further similar transgressions as per 2.i and 2.ii, previous similar transgression lapse and will not be taken into account with the hearing of future or further complaints against this culprit.
4. All owners are required to include the above rules as per 1 to 3 in the lease agreements with their tenants.