

**BODY CORPORATE CONDUCT RULES FOR THE USE OF THE SECTIONAL TITLE PREMISES:
KINGSWOOD ESTATE**
(DRAFTED 16.08.19)

1. LETTING OF UNITS

1.1 All tenants of units and other persons granted rights of occupancy by any owner to the relevant units 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.

1.2 No units are to be let as Air B&B's, nor short-term letting, with the minimum period that a unit may be let, being for 6 months

2. USE OF PREMISES

An owner or occupier of a section shall not, without the prior consent in writing of the trustees, which approval may not be unreasonably withheld, use any section, common property or exclusive use area for other than private residential purposes.

3. VEHICLES AND PARKING

1. No owner or occupier shall park or stand any vehicle upon the common property, or permit to allow any vehicle to be parked or stood upon the common property, without the consent of the trustees in writing, save that the vehicles of visitor's may be permitted in the designated visitor's parking area and not for any continuous period exceeding 6 (six) hours, or aggregate period of more than 10 (ten) hours in any 24-hour period, without the consent of the trustees being obtained.
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, and 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 onto 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. All vehicles belonging to an owner shall be kept in such owner's garage or exclusive use area for parking at all times so as to ensure maximum parking on the common property to be left available for visitors and owners of a garage or the right to the exclusive use of a garage shall keep the doors of such garages closed at all times except when same is opened temporarily to park or remove a vehicle, for the usual duration of time taken to park or remove a vehicle.
6. Parking on the verge or grass is not permitted. Vehicles must be parked in such a way that they do not obstruct other vehicles from going past.
7. Visitors must park in the parking provided in the estate or behind the Garages of the owner/tenant that they visit only, (Row 1 parking provided per unit number) and not in between the unit's spaces or anywhere else.
8. Visitors shall only be permitted to use the parking bays specifically allocated for visitors and no residents shall be permitted to use these parking bays.

4. APPEARANCE FROM OUTSIDE

1. The owner or occupier of a section shall not place or do anything on any part of the common property, or any section or exclusive use area, including balconies, patios, or gardens, without the prior consent of and which, in the discretion of the trustees, may be aesthetically displeasing or undesirable when viewed from the outside of the section.

2. Alterations to any unit awnings / windows / sliding doors must be in accordance with the trustees approved specifications. (Refer to unit 1 for guideline)
3. No owner shall be entitled to change the colour paint on the exterior of windows, door frames, balustrades or other exposed woodwork or painted surface without the prior approval of the Body Corporate;
4. All Gas installations must be carried out by an approved installer, and a copy of the Certificate of Compliance sent to the trustees for filing. All gas cylinders must be enclosed in a suitable secure cage.
5. It is the owner's responsibility to replace any globes on the exterior of their property. Should the owner not replace the globe within 5 days of it being reported the Body Corporate may do so and add the cost to the monthly statement.

5. 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, alter, improve or affix any structure, awning or the like to any part of the common property or section or exclusive use area where visible from the exterior without first obtaining the written consent of the trustees on such conditions as they deem suitable.
2. Notwithstanding sub-rule (1) an owner or person authorised by him, may install:-
 - a. Any locking device, safety gate, burglar bars or other safety device for the protection of his section, save that the style, colour and design of same shall be in conformity with others in the development having had the prior approval of the Body Corporate; or
 - b. Any screen or other device or prevent the entry of animals or insects, Provided that the trustees have first approved the nature, design and colour of the device and the manner of its installation.
3. No Residents are permitted to tamper with electrical switches, locks, taps, post boxes, name plates, trees, plants, adornments and other fittings which may not belong to them. Access to residents into the electricity room (next to Unit 9), or the meter box area is forbidden. It is illegal for residents to reinstate the electrical power supply to their unit, should their unit have been switched off by the Council for non-payment reasons. Only accredited personnel from the Council have the right to do so. Transgressing this rule will result in a fine levied by the Body Corporate as well as a fine levied by the municipality.
4. The owner shall in respect of all alterations or maintenance, including internal works, inform the Body Corporate of the date for the commencement of the work and the duration of the relative work to be undertaken. Contractor names, copies of contractor Identity Documents and vehicle registrations must be provided prior to access being permitted. Contractors to confirm prior to accessing the premises that his employees will not wander around the complex.
5. The owner must engage suitably qualified or experienced contractors, especially in respect of plumbing, electrical and waterproofing work, and/or suitably qualified or experienced architects, builders and/or structural engineers in respect of the structural alterations.
6. The owner must obtain an acknowledgement from the body corporate's insurers that they are aware of the alterations that will be taking place.
7. The owner or his contractors must take out a 'Contractors All Risk' policy and/or other appropriate insurance for the duration of construction of the alterations.
8. The provisions of the Occupational Health and Safety Act, the National Building Regulations and Building Standards Act, any the by-laws of the Municipality and any other applicable legislation or regulations, inclusive of fire prevention, shall be adhered to and the safety of other owners or occupiers shall not be compromised.
9. The owner must ensure that the structural integrity of the building is not compromised during construction.
10. All drilling, breaking and removal of existing brickwork must take place under supervision during working hours only.

11. The body corporate will hold the owner liable should any of the alterations affect the structural integrity of the building or cause damage to the building or to any of its components.
12. The owner must comply with the relevant provisions of the Act, the management rules, and the conduct rules and the conditions imposed by the trustees and/or by the members of the body corporate. The owner must keep the trustees informed of the progress of the activities.
13. Should any work commence before the trustees have granted their consent or prior to approval of the building plans by the Municipality where applicable, or should the scope of work be materially changed, the trustees may instruct the owner or his contractors to stop with construction, until permission to continue with construction has been granted by the trustees.
14. All doors, windows and other external fittings to be installed must conform in outward appearance to, or be of a similar standard and appearance as, such items generally installed elsewhere in the building/s, but subject to the discretion of the trustees. The external colour scheme of the building/s must be retained.
15. The work must be completed timeously within the timeframe specified, if any and with the minimum of discomfort, disturbance, obstruction or nuisance to other owners or occupiers.
16. The owner must ensure that for the duration of construction, all deliveries and collections and related parking by contractors are coordinated prior thereto with the Trustees/managing agent.
17. The owner must ensure that his contractors adhere to the security arrangements in respect of the building.
18. All work must be performed between 07h00 to 17h00 on Mondays to Fridays, and between 08h00 and 13h00 on Saturdays, but not on Sundays or on public holidays. No work may be performed outside these hours and no contractors are permitted to be present on the common property outside these hours, except in the event of emergency repairs or if specifically authorised by the Trustees in writing.
19. At least 72 hours' notice must be given to the Trustees/Managing Agent, if any noisy works that may be construed as a nuisance, is to be carried out.
20. The owner must not cause or allow any over-loading of the property's electricity installations. The owner must not make any changes that may prejudice the flow of water, stormwater, waste water, sewerage or the property's electrical supply. Electricity is not to be drawn from common property power points without the written approval of the trustees.
21. The common property must be kept clean, tidy and free of building rubble, which must be removed as work proceeds. The owner must ensure that his contractors clean the common property every afternoon before leaving the premises. No rubble, refuse or building material may be left on the common property. The refuse bins of the body corporate may not be used to deposit building rubble. No rubble, cement or other damaging substances may be flushed down toilets or other waste pipes.

6. SOLAR PANELS

1. The owner of the section remains fully responsible for the maintenance of the solar system. Should the roof need to be maintained (e.g. painted or repaired) the section owner may be requested to remove and replace the solar panels at the owner's expense. Any damages caused as a result of the panels, either internally or externally, will be for the section owners' cost.
2. The installation is to be conducted by a registered professional, panels are to be mounted on the roof, and need to be placed flat on the roof so as not to constitute an aesthetically inharmonious appearance.
3. A certificate of compliance is to be issued, and passed on to the managing agent, for insurance purposes.

7. WATER TANKS

1. The owner of the section remains fully responsible for the maintenance of a watertank.
2. The tank is to be out of sight of public view, and is to be either cream, brown or beige in colour.

3. If the tank is in excess of 5,000 litres, a concrete base is to be cast to house the tank and prevent subsidence.

8. SIGNS AND NOTICES

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 written consent of the trustees first having been obtained.
2. Notwithstanding the above, no sign advertising a section or interest in any section or entity owning a section which is for sale, to let or on show shall be permitted at all, save for a sign designed and approved by the trustees, and containing no agent's advertisement, name or logo, and same shall only be permitted to be displayed in a space designated for such purpose by the trustees. An owner or occupier shall also ensure that no sign of the nature described above shall be placed on any area outside the development within a radius of 30 metres.

9. SWIMMING POOL AREA / RECREATIONAL AREA

1. The recreational facilities are for the exclusive user of the residents. Guests must be accompanied by a resident while using these facilities. Discretion must be used by residents with respect to the number of guests to avoid monopolizing the pool area. The Trustees reserve the right to restrict the use of the facilities by visitors.
2. Common courtesy and regard for the rights of others are essential for the full enjoyment of these facilities by all. Residents are responsible for the behavior of their guests. It is expected that everyone will use common sense regarding water safety and cleanliness.
3. Children under 12 years of age must be actively supervised by a person over 18 years of age.
4. No glass objects or bottles are permitted in the pool area.
5. No bicycles, tricycles, go-karts, roller skates etc., are permitted in the pool area.
6. The only entrance to the pool area is through the gate provided.
7. Undue noise, including radios and DVD players, and use of profane language is not permitted.
8. No ball games are permitted in the pool area.
9. Residents are permitted to use the designated braai facilities located in the pool area; when used, they are responsible for leaving the area in a clean and tidy condition.
10. No private parties may be held in the swimming pool area without the prior written permission of the Trustees.
11. No person with any infectious diseases or with open wounds of any type shall be permitted to use the pool.
12. No pets are permitted in the pool area.
13. The swings and jungle gym are for the use of children under the age of 12 ONLY. This equipment is age specific so please adhere to the signage
14. The use of the pool area is at the users own risk
15. Pool equipment is not to be tampered with.

10. CHILDREN

1. Any children found to be transgressing rules, causing excessive noise or damage to private or Common Property are to be reported to their respective parents or trustees, so that appropriate action can be taken. Residents are requested to refrain from disciplining other residents' children.
2. No Climbing on the retaining walls and stairwells is permitted.
3. No skateboarding is permitted on common property.
4. No bikes, bats, balls or the like to be left outside on the common property area unattended.

5. Any children riding bikes or scooters and the like on common property roads, the Body Corporate will not be held liable for loss/damage or injury incurred on the common property. Children under the age of 6 years old riding bikes, scooters and the like on common property roads are to be supervised by an adult at all times.
6. The front entrance and exit gates of Kingswood Estate serve as vehicle thoroughfares only. No playing is allowed in this area.
7. No ball games / soccer / cricket / hockey is permitted to be played where cars are parked in their parking area or visitors' cars in the visitor's parking bays. Any damage caused to private property as a result of ball games, will be levied to the respective owner/s.
8. Children's Playing times have been allocated as follows:
 - a. Monday to Fridays 8-6pm
 - b. Saturdays 8-6pm
 - c. Sundays 9-3pm.
9. Reasonable silence should be observed on Sundays. No playing outside the unit on common property before or after the above times.

11. ANIMALS, REPTILES AND BIRDS

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 the common property. In the case of approval being granted, such animal, reptile or bird shall not be permitted to cause any nuisance, noise or other disturbance to the remaining owners.
2. When granting such approval, the trustees may prescribe any reasonable condition.
3. The trustees may withdraw such approval in the event of any breach of any condition prescribed in terms of sub-rule (2), whereupon the owner/occupier shall be obliged to remove such animal, reptile or bird as the case may be. The housing of cats is not permitted.
4. Any owner or occupant is to ensure that their dog is to remain within the confines of their unit and exclusive use area and not to roam the common property or neighbouring unit.
5. An owner or occupier who is housing dog is to have a name tag with a contact number on their collar, engraving their unit number.
6. An owner or occupier is to ensure that should their dog mess on the common property or a neighbouring exclusive use area that they attend to the cleaning of same.
7. All pets should be confined to their respective property, unless taken for a walk, where they must be on a lead. It is understood that pets will on occasion "get out". Should this be the case, please notify the owner of the animal. The owner is to immediately collect the animal and take it home. Pets roaming the estate aimlessly will not be permitted, and owners may get fined.
8. When walking your dog within the estate, a lead is to be attached to the dog and this lead is at all times to be firmly held by the owner.
9. Owners walking their pets on the common property are to ensure that they carry a packet (or alternative) to pick up and remove soiling.
10. All animals must have their vaccinations done, which includes rabies inoculation. If a trustee requests the proof of the standard vaccinations, and the animal has not had them done, the animal will be requested to be removed immediately until such time as proof can be shown.
11. No dogs larger than 40cm permitted up to a maximum of 2(two) per unit.

12. NOISE

1. Any noisy activity, including without limitation thereto lawn mowing, may only be performed between the hours of 08h00 – 18h00 (Monday to Friday); Saturdays 09h00-17h00 and Sundays 09h00-15h00; and provided no unreasonable noises are made. Electric lawn mowers are preferred. Reasonable silence should be observed on Sundays. Noise should be contained to the respective unit on this day. The Staff are excluded from the above times.

2. The sound volume of music and/or electronic instruments shall be maintained at a level so as not to be heard on adjoining properties and no person may allow noise levels on their property to be a nuisance to adjoining or surrounding property owners, without prior consent from the trustees, and adjoining neighbours.
3. Residents entertaining people at their homes are to ensure that the noise levels are maintained so as not to be heard by other residents. No loud noise or music is allowed after 10pm. Fines will be imposed if disturbances are caused. If residents would like to extend the time, permission from the trustees must be granted at least 48 hours prior, with your neighbours consent in advance.
4. No loud music or entertaining will take place on Sunday evenings.

13. LAUNDRY

1. 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 sections, save and unless same are placed in areas designated for such purpose as determined by the developer.
2. No washing to be hung up unless on a clothes horse, washing line, no cloths to be left out overnight. Washing should be screened from public view.

14. REFUSE DISPOSAL

1. An owner or occupier of a section shall:
 - a. maintain in a 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 sealed in bags approved for such purpose;
 - c. for the purpose of having the refuse collected, place such sealed bags on the road verge for collection and at the times designated by the trustees;
 - d. ensure that any other refuse or waste is disposed of promptly at the owner's own expense and ensure that same is not placed on the common property.

15. 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.

16. STORAGE OF INFLAMMATORY 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.

17. ERADICATION OF PESTS

An owner shall keep his section free of white ants, borer and other wood destroying insects, cockroaches, rats or other pests and rodents 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.

16. PENALTIES

1. If the conduct of an owner or an occupier of a section or his or her visitors constitutes a nuisance in the opinion of the Trustees, or if an owner, occupier or visitor contravenes a Management or Conduct rule, the Trustees may furnish the owner or occupier with a written notice which may at the discretion of the Trustees be delivered by hand or registered post. In the notice the particular conduct which constitutes the nuisance must be adequately described or the rule that has been allegedly contravened must be clearly indicated, and the recipient must be warned that if he or she persists in such conduct or contravention, a fine will be imposed on the owner of the section.
2. Should the owner or occupier nevertheless persist in that particular conduct or in the contravention of that rule, the Trustees may convene a meeting of Trustees to discuss the matter.
 - a. A written notice must be sent by which the owner to inform him/her of the purpose of the meeting and be invited to attend. The owner must be given at least 7 days' notice of such meeting. At the meeting, the owner must be given the opportunity to present his/her case but except insofar as he/she is permitted by the chairperson, he/she may not participate in the affairs or vote at the meeting.
 - b. After the owner has been given the opportunity to present his/her case, the Trustees may by resolve to impose a fine (provided that 75% of the Trustees are present at the meeting with a minimum of 3 Trustees being present) of R 500.00 for the first offence and R 1000.00 for every identical offence thereafter. The Trustees may adjust the amounts of those fines from time to time.
 - c. Any fine imposed in terms of sub-rule (4), may if it is not paid within 14 days after the offender has been notified of the imposition of the fine, be added to the contribution which an owner is obliged to pay in terms of Section 37(1) of the Act and claimed by the Trustees as part of the monthly installments payable by the owner.
 - d. However, if anyone is found destroying or causing destruction to property, i.e.: graffiti, defacing signs, vomiting, urinating on common property or children smoking in the club house or pool area, these are a few of the more major offences, the owner will be fined with an immediate fine of R1000, if anyone see's any of these type of offences and report same, they will be paid R500 for reporting the offence.

Transgression	1st Offence	2nd and 3rd Offence	4th and onward Offence
Illegal Parking/Obstruction of entrances	Written warning	R500.00	Legal
Tampering/Illegal use of Fire extinguishers / equipment	R500.00	R500.00	Legal
Noise / Disturbance / Hooting	Written warning	R500.00	Legal
External Building changes without proper procedure as per the Act.	Legal	Legal	Legal
Tampering with electrical fittings, cabinets or illegal connection	R1000.00	R1000.00	Legal
Illegal Refuse dumping or Littering	Written warning	R500.00	Legal
Stray Pets	Written warning	R500.00	Legal

Misuse of the swimming pool	Written warning	R500.00	Legal
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17. COMPLAINT AND REQUESTS

Any complaints or requests must be put in writing to the trustee or managing agents and must be signed by the complainant and unit number declared.

THESE RULES, DRAFTED 16/08/2019, HAVE BEEN APPROVED BY SPECIAL RESOLUTION OF THE MEMBERS AT AN ANNUAL GENERAL MEETING HELD ON 16/09/2019.

SIGNED:

Trustee

Date: _____

Trustee

Date: _____