

BOTANIC VIEWS

CONDUCT AND HOUSE RULES (Section 35 (2) (b) of the Sectional Titles Act, 1986)

Animal, Reptiles and Birds

1. 1.1 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.
- 1.2 When granting such approval, the trustees may prescribe any reasonable condition.
- 1.3 The trustees may withdraw such approval in the event of any breach of any condition prescribed in terms of sub-rule (2).

Refuse

2. 2.1 An owner or occupier of a section shall-
 - 2.1.1 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 authorized by the trustees in writing;
 - 2.1.2 ensure that before refuse is placed in such receptacle it is securely wrapped, or in the case of tins or other containers, completely drained;
 - 2.1.3 for the purpose of having the refuse collected, place such receptacle within the area and at the times designated by the trustees;
 - 2.1.4 when the refuse has been collected, promptly return such receptacle to his section or other area referred to in paragraph 2.1.1.

Vehicles

3. 3.1 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.
- 3.2 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.
- 3.3 Owners and occupiers of sections shall ensure that their vehicles, and the vehicles of their visitors and guest, do not drip oil or brake fluid on to the common property or in any other way deface the common property.
- 3.4 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.

Damage alterations or additions to the common property

- 4. 4.1 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.
- 4.2 Notwithstanding sub-rule (1), an owner or person authorized by him, may install-
 - 4.2.1 any locking device, safety gate, burglar bars or other safety device for the protection of his section; or
 - 4.2.2 any screen or other device or prevent the entry of animals or insects:
 - 4.2.3 any awnings, aerals, satellite dishes, fences *refer addendum to rules, boundary walls, external alterations etc.
- 4.3 Provided that the trustees have first approved the nature and design of the device and the manner of its installation.

Appearance from outside

- 5. 5.1 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 rule shall include such practices as the hanging of washing, towels, clothing, linen etc over balcony railings, windows or railings. Not throw, discard or deposit any waste, rubbish, including cigarette butts, food scraps or any litter of any nature on the common property.
- 5.2 Not store any material or substance, or do or allow any other dangerous act in the building or on the common property, which will or may increase the rate of premium payable by the Body Corporate on any insurance policy, or make or render any such policy void.
- 5.3 The colour of the exterior of the building must remain the same.

Gardens

- 6. 6.1 Whoever has exclusive use of any area, maintain the garden and must ensure the trimming of edges and weeding.
- 6.2 Whoever does not maintain their exclusive use area in an acceptable condition as required by the Trustees; the Trustees will have the right to carry out the necessary maintenance and any costs incurred will be debited to the owner's levy account. Indigenous trees only to be planted.

Signs & Notices

7. 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.

Disturbance and Noise

- 8.1 An owner and occupier shall:
 - 8.1.1 At all times respect the right and privacy of any other owner and occupier of the property.
 - 8.1.2 Ensure that any noise is kept to a minimum and that any noise after 22H00 each and every day does not infringe on the rights of another.
 - 8.1.3 Ensure that any noise is kept to a minimum on Sundays before 9H00 as well as between 14H00 to 16H00.
 - 8.1.4 Motor bikes and quads may not be used in the complex other than from the residence to the gate and back when entering and leaving the complex.
 - 8.1.5 No hooting is permitted other than to avoid an accident.

Laundry

9. 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. Washing must be placed in the courtyard only. Extractable washing lines only to be used in courtyard.

Letting of Units

10. All tenants of units and other persons granted rights of occupancy by any owner or 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.

Eradication of pests

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11.1 An owner shall keep his section free of white ants, borer and other wood destroying insects and to this end shall permit the trustees, the managing agent, and their duly authorized 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.

11.2 The costs 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.

Penalty

12.

12.1 An owner and occupier who breaches any one of the Conduct Rules contained herein and who has received written notice to this effect from the trustees, shall be liable for a fine in the first instance of R 1000.00 per incident .A further R1000.00 per day per incident shall be charged until the offence ceases.

12.2 An owner or tenant so fined may request a meeting with no fewer than three of the trustees, to offer a plea in mitigation of the said fine imposed. The panel of trustees hearing such a plea as referred to in 12(1) above shall consist of the chairperson, secretary and one other trustee, and an owner or tenant shall accept the panels decision as final.

12.3 The trustees of the Body Corporate or the Managing Agent shall be entitled to raise the fine in addition to the levy and shall be entitled to take whatever steps they deem necessary to recover the fine including the refusal to issue a levy clearance certificate on the sale or disposal of a unit, issuing summons in a court of law or whatever steps they deem necessary.