



SUMMERWOOD ESTATE



CONDUCT RULES



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

Keeping of animals, reptiles and birds

1. (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).

Refuse and waste disposal

2. (1) The owner or occupier of a section must not leave refuse or other materials 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:-

(a) 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

(b) 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.

Vehicles

3. (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) Owners & Occupiers of a unit must:-

(a) Operate their vehicle with the utmost care within the Scheme and not drive their motor vehicles in any manner that creates a nuisance or danger;

(b) Adhere to the speed limit of 25 kilometres per hour and must keep proper lookout for other motor vehicles and pedestrians when driving their Motor Vehicles on the Common Property.

- (c) Ensure not to allow any unlicensed person to drive any motor vehicle within the Scheme.
- (d) 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. The cleaning cost, should it happen, will be charged to the Owner.
- (4)(a) No person may reside or sleep in a motor vehicle anywhere in the Scheme.
- (b) The Trustees may prohibit the use within the Scheme of any vehicle which in their opinion causes an unacceptable amount of noise or air pollution
- (c) Quad bikes', carts, scooters or motorbikes may not be driven or used on the Common Property other than for normal ingress to, and egress from, the Scheme.
- (d) The horns of motor vehicles may not be sounded at any time on the Common Property, except as a warning of imminent danger or in the case of an emergency.
- (e) No Owner or Resident or Tenant shall be permitted to dismantle or affect major repairs to any vehicle on any portion of the Common Property, an Exclusive Use Area or in a Section and vehicles producing excessive noise will be prohibited from entering the Scheme.
- (f) No derelict, unsightly, abandoned, badly dented, crashed or broken motor vehicle is permitted within the boundaries of the Scheme, including any motor vehicle that has deflated tyres or has been involved in an accident, without the prior written consent of the Trustees or Managing Agent which consent may not be given for a period exceeding 7 (seven) days.
- (g) The Trustees may issue an Owner or Resident with a written notice, requesting him to remove any vehicle which in the opinion of the Trustees is parked or left on the Common Property in contravention of the above provisions. At the same time the wheels may be clamped in which case a notice will be placed on the driver side window indicating the contravention and contact numbers to have the wheel clamps removed. Failure to comply with such notice within seven (7) days will result in the Trustees or Managing Agent having the vehicle removed from the Scheme at the expense of the Owner thereof.
- (h) No vehicles exceeding 3.5 tons, excluding firefighting trucks or similar emergency vehicles are permitted in the Scheme without the prior written consent of the Trustees. This prohibition does not apply to vehicles entering the Scheme on instruction or request of the Trustees or Office in the discharge of their duties.
- (i) It is the duty of Owners and Residents to ensure that their visitors adhere to these provisions.

Parking

5. (1) Vehicles of Residents must be parked in their designated exclusive use parking bays only, and visitors may only park in such areas as specifically demarcated for that purpose.
- (2) An Owner or Resident may not park or permit or allow their visitors to park in the driveway, exclusive use parking bay area of any other Owner or Resident without the express written permission of such Owner or Resident.
- (3) Residents are responsible to ensure that their visitors park in the correct place, and do not cause any obstruction either in relation to carports, or otherwise.
- (4) The driving or parking of motor vehicles or bicycles on the lawns and or foot pathways of the Scheme is prohibited, and any damage incurred to the common property by the owner or his guests will be for the account of the owner.

(5) The Trustees or Managing Agents may cause to be removed or towed away, at the risk and expense of the Owner of the Unit, any vehicle parked, standing or abandoned on the Common Property without the Trustees' consent.

(6) No caravans, motorboats, trailers or any other watercraft may be parked on the Common Property without the prior written consent of the Trustees.

Damage to common property

6. (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.

(3) The owner or occupier of a section must keep a device installed under sub-rule (2) in good order and repair.

Appearance of section and exclusive use area

7. (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:-

(a) erect washing lines on the common property;

(b) 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

(c) display a sign, notice, billboard or advertisement if the article is visible from another section or the common property, or from outside the scheme.

Storage of flammable materials

8. (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:-

(a) the fuel tank of a vehicle, boat, generator or engine; or

(b) a fuel tank or gas cylinder kept for domestic purposes.

Behaviour of occupiers and visitors in sections and on common property

9. (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.

(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.

Eradication of pests

10. (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.

Directives and guidelines

11. (1) The Trustees may issue directives or guidelines in respect of any Conduct Rule.

(2) A directive or guidelines must provide direction and clarity as to the practical application of an existing Conduct Rule and shall form part of the said Conduct Rule for the purposes of interpretation.

(3) The Trustees must from time to time prepare and revise directives or guidelines and specifications to control all aspects of the design and appearance of the buildings and structures within the Scheme, including any alterations or additions.

(4) The directives or guidelines may contain specifications and sketch plans as to the nature, design, materials, colours, and manner of installation required in respect of alterations or additions to ensure uniformity of construction and appearance.

(5) The directives or guidelines can contain directives or guidelines and specifications in connection with the layout of gardens on the property, parking allocations and the aesthetic appearance.

(6) The directives or guidelines shall not be in conflict with any Act, Management or Conduct Rule.