

CONDUCT RULES

THE NICOL BODY CORPORATE

INTRODUCTION

In terms of Section 35 (2) (b) of the Sectional Titles Act No 95 of 1986, the Trustees hereby publish the following Schedule of Conduct Rules, which may be amended from time to time by special Resolution passed by 75% of the owners voting to meet the changing needs of the community. These rules are in addition to the Management Rules (Annexure 9 of the Sectional Title Act).

The purpose of these rules is the maintenance of common courtesy and regard for the rights of all residents, to sustain the use of common amenities and ensure the maintenance of high standards of living for the mutual benefits of all residents.

We request your co-operation in abiding by the rules and would point out that, should it be necessary, the Trustees will take legal action to uphold these rules in terms of the Sectional Title Act, or impose fines in terms of these rules to uphold these rules in the best interest of all owners.

The following serves as a general guideline to occupants:

- a) It must be each occupant's declared intent to live as harmoniously as possible with all other residents and to respect each others rights of privacy and lifestyle.
- b) Common courtesy and consideration for others must be the basis for all aspects of behaviour.

It is the responsibility and duty of owners to ensure that their tenants, visitors and domestic workers are familiar with and abide by these rules.

It is hoped that parties in conflict will try to resolve matters amicably between themselves before involving trustees.

DEFINITIONS

The term "occupant/ resident" shall mean:

- a) The owner of any unit, and
- b) The lessee of any unit, and
- c) All persons residing in any unit.

1. SECURITY

- a) Residents, their visitors and employees are required to adhere to the security processes and procedures at all times and respect the authority of the security company and their guards.
- b) Tenants may not obtain an additional remote control for the unit without the written permission from the owner or the estate agents so that the owner or estate agents can



ensure that the correct number of remote controls and keys are returned to them when tenant vacates premises;

- c) Residents must ensure that their guests are correctly registered with the guards at the main gates and their entry into the estate approved by the resident.

2. **ANIMALS, REPTILES and BIRDS**

- a) No Animals, Reptiles or Birds may be kept without the written consent of the trustees. Application forms for the attention of estate management may be obtained from the security or estate manager's office.
- b) When granting such approval, the trustees may prescribe any reasonable conditions which include: excessive barking, hindrance to occupants, aggressive behaviour and/or damage to any property.
- c) Only pets that are kept in a portable cage or aquarium may be kept, except in the case of a dog or cat to which the following applies:

All dogs and cats must be:

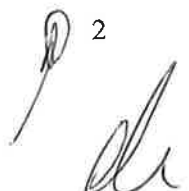
- * Neutered / sprayed and vaccinated with all relevant documentation supplied to the estate office on request.
 - * Must be identifiable by collar and identity tag with the unit number and contact telephone number or the pet must be Micro Chipped by the SPCA.
- d) No dog may exceed the maximum shoulder height of 30cm fully grown.
- e) Dogs are permitted in ground level units only.
- f) Dogs to be leashed or carried and properly controlled at all times on the common property.
- g) ONLY 2 pets per unit/ section is allowed.
- h) Occupants shall ensure that their pets do not foul the common property. Should any pet foul the common property, the occupant of the unit to which the pet belongs shall remove all excrement or other mess left by such pet forthwith failing which the resident shall be charged a fee to clean up each time. The fee shall reasonably reflect the cost of cleaning up and will be determined by the trustees from time to time. Residents must ensure that all excrement is removed from the walled garden lawns on the days that the garden service cut the lawns.
- i) Pets may only be fed within your unit/ section and not on the common property.
- j) The trustees may withdraw such approval in the event of any breach of any condition prescribed above.

3. **SANITARY SERVICES / REFUSE DISPOSAL**

- a) All refuse shall be placed in garbage receptacles in the areas provided therefore by the occupant of the unit.



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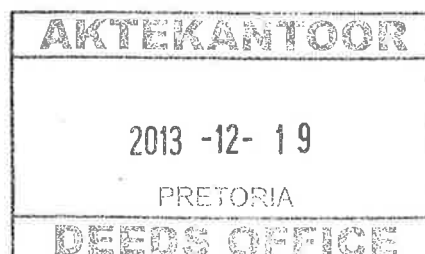
- b) The occupant of a section shall maintain in a hygienic and dry condition, a receptacle for refuse within his/her section, or exclusive use areas.
- c) No garbage receptacles may be placed where visible to any other part of the common property or any other section.

4. VEHICLES

- a) Vehicles of occupants and their visitors shall only be parked in such areas as are specifically provided. ***Residents may not park any 'excess' vehicles of any type in spaces allocated for visitors under any circumstances.***
- b) All carports numbered with a unit number are specifically provided for the use of the occupant of that particular unit. The number of carports allocated to a given unit generally determines the number of vehicles that a resident of that unit may keep within the complex.
- c) It is prohibited to park in front of any carport/garage or along any access road at any time.
- d) Vehicles of employees may not be parked within the complex.
- e) Major repairs and reconditioning of vehicles on the common property is not permitted.
- f) Vehicles may not travel at speeds in excess of 10 kilometres per hour on any portion of the common property and access driveways.
- g) Trucks, caravans, trailers and boats may only be parked at the discretion of and in areas as may specifically be approved by the trustees if these cannot be fitted into the carport(s) allocated to the resident's specific use.
- h) 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 the common property or in any other way deface the common property, the onus is on the occupant to restore any spoilt area, to its original condition.
- i) Any vehicle parked in contravention of the foregoing may be towed away at the owner of the vehicles expense, without any liability for any damage claim to the trustees whatsoever.
- j) The normal road rules still apply within the complex.
- k) No reckless driving will be tolerated!

5. DAMAGE TO COMMON PROPERTY

- a) Should any damage of whatsoever nature be caused to the common property by an occupant, and/or any member of his/her family, and/or any of his/her visitors, and/or any of his/her employees, their children or visitors and/or pets, of such occupant, or should such persons cause the body corporate to suffer any loss or incur any expense, such occupant shall be liable to properly repair such damage forthwith, and to forthwith reimburse the body corporate in full in respect of such loss or expense.



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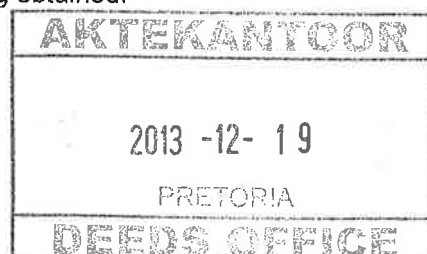
- b) If the trustees instruct a firm of attorneys in connection with or arising out of an infringement by an occupant, the occupant shall be liable to reimburse the body corporate on demand for all legal costs incurred in respect thereof.

6. ALTERATIONS

- a) Any alteration or addition to the permanent or semi permanent fixtures of the common property must be applied for first, in writing to the trustees and has to be approved in writing.
- b) Alterations to all exterior, carports, and any deviation from the standard currently in existence require the prior written consent of the trustees.
- c) No extensions, alterations or improvements to the exterior, or any unit, balcony, patio, stoep, garden or carport, including awnings and security gates shall be affixed or made unless the trustees have first been given full particulars thereof including where necessary, plans approved by the municipality, and have given permission in writing thereto. If such written permission is granted, it shall apply only to the plans submitted and any variations will also require the permission of the trustees in writing. All extensions, alterations or improvements must comply with the Sectional Title Act. Tenants may not do anything to the outside of the unit without owner's written consent.
- d) Improvements fitted by occupants/owners shall be maintained by the owner. If these are allowed to deteriorate, they will be maintained or removed by the body corporate at the sole cost of the owner.
- e) Tampering with the Television/ Satellite aerals/ Cables is not permitted.
- f) No additional outside Television aerals/ Satellite dishes or internet aerals may be erected without prior written permission from the Body Corporate.
- g) All refuse, debris etc resulting from extensions, alterations or improvements shall be removed by the occupant concerned within 5 days. If such refuse, debris etc is not removed, the trustees may cause it to be removed, and all charges in connection therewith shall be for the account of the occupant concerned.
- h) 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, at the discretion of the trustees, is aesthetically displeasing or undesirable when viewed from the outside of the section.

7. BUSINESS ACTIVITIES / SIGNS and NOTICES

- a) No business, profession or trade may be conducted in any unit or on the common property except by permission of the trustees.
- b) No auctions or jumble sales may be held unless the consent, in writing, of the trustees is first obtained.
- c) No owner or occupier of a section, shall exhibit, distribute or place any sign, notice, billboard, advertisement or publicity 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 being obtained.



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- d) Estate Agent signs are allowed at the discretion of the trustees and in line with the Estate Agent Accreditation approval process.

8. LITTERING

- a) 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.
- b) No garbage bins may be placed where visible to any other part of the common property or any other section. No garbage may be left outside any section, all residents must deposit their garbage inside the bins in the refuse area. The trustees reserve the right to fine any resident who breach this rule. This rule, along with the others, help prevent the infestation of vermin etc on the estate.

9. LAUNDRY

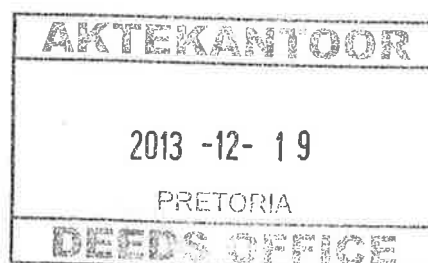
- a) Washing and other articles may not be hung out on the common property, balconies, patios, stoeps, laid on the grass in any gardens or placed in any position where it is visible from the common property. A laundry facility is specifically provided for this purpose as well as drying areas, for the sole use of the residents of the estate.
- b) An owner or occupier of a section shall not, without the consent in writing of the trustees, erect his/her own washing line on any part of the building or the common property.
- c) Washing may be hung on a mobile clothes horse between 08h00- 17h00 daily. No clothes horse may protrude above any balcony wall.
- d) No washing may be hung over balcony railings at any time whatsoever.

10. STORAGE OR INFLAMMATORY MATERIAL & OTHER DANGEROUS ACTS

- a) 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.
- b) No firearms, pellet guns, catapults or bows and arrows may be discharged on or over the common property.
- c) Inflammable or other dangerous material or articles may not be brought onto the common property or elsewhere except in such limited quantities as are allowed under the Insurance Policy.
- d) No fireworks of any kind are allowed to be set off within the bounds of the complex.

11. LETTING OF UNITS

- a) Owners who let their units to tenants must advise the Managing Agent of the name and full details of the tenant.



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- b) Owners who let their units to tenants must ensure that their tenants are introduced to the Estate Manager and that they sign a copy of The Body Corporate Conduct Rules which form part of their lease agreement.
- c) 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.
- d) The maximum number of persons residing in a section shall be two persons per bedroom.

12. ERADICATION OF PESTS

- a) 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 his section from time to time, with the permission for the purpose of inspecting the section and taking such action as 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.

13. CYCLES

- a) Bicycles, tricycles, roller skates, skateboards, etc may not be left on the common property.
- b) The use of soapbox carts, skate boards, roller skates, etc on the common property is prohibited.

14. GARDENING and PLANTS

- a) Gardens and plants on the common property are for the enjoyment of all residents and no willful damage will be tolerated. Removal of plants is not permitted unless authorised by the trustees.
- b) Occupants are encouraged to improve the gardens outside their units, with written consent from the trustees.
- c) Garden tools must not be visible from outside the building or from any other sections.
- d) Occupants shall not request any employee of the body corporate to perform work on their behalf during working hours.
- e) No gardens may be altered in such a manner as to restrict the thoroughfare of any part of the common property.

15. SUPERVISION OF CHILDREN

- a) Occupants shall properly supervise their children, their children's friends and children of their visitors so that no provision of these rules is infringed, that no nuisance is caused to any occupant, and that no damage is caused to the property of any occupant or to the common property or any unoccupied unit.



16. **EMPLOYEES**

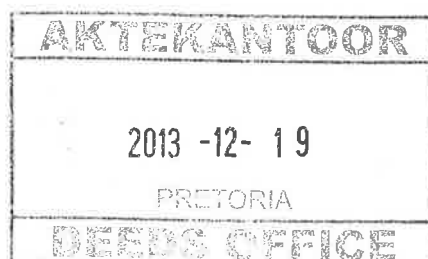
- a) Occupants shall ensure that their domestic employees do not loiter on the common property.
- b) All employees must be registered with estate management. Only registered employees for whom a photo I.D. has been issued will be allowed on to the premises, this **excludes** family, friends and visitors of employees. Application forms for the attention of estate management are available from the security office or Estate Manager's office.

17. **ENTERTAINMENT AREAS**

- a) The entertainment areas are for the exclusive use of occupants. Guests must be accompanied by an occupant. A maximum of 6 guests per unit is allowed unless written consent is given by the trustees so as not to monopolise the entertainment areas.
- b) Occupants must leave the entertainment areas clean and tidy after use.
- c) Children under 10 years of age must be supervised by a person over 18 years of age at all times at the entertainment areas, unless written permission has been granted by the trustees.
- d) No glass objects or bottles are permitted in the pools.
- e) The entertainment areas are used at each occupants own risk.
- f) The gates to the pool areas must be kept closed at all times. No private parties are permitted in the pool area at any time, which area shall remain for the use of any resident without hindrance or at the discretion of the trustees.
- g) No animals or pets are allowed in the entertainment areas.
- h) No ball games are permitted in the entertainment areas with the exception of those ball games that have been specifically provided for.
- i) No music is permitted at the entertainment areas.

18. **PAYMENT OF LEVY**

- a) Payment in full of levies (including additional levies), and electricity must be received by the managing agent by the 01st of each and every month.
- b) Interest is payable on late payments at a rate determined by the trustees from time to time.
- c) Owners failing to pay their levies and electricity timeously may at the discretion of the trustees be handed over to the body corporate attorneys, the cost of which will be borne by the owner concerned as per the Sectional Titles Act.



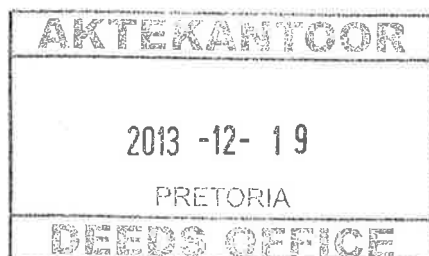
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19. **NOISE**

- a) Radios, tape decks, televisions, musical instruments and other sound producing devices shall not be played or used in such a manner as to interfere with any occupant's enjoyment of his/her unit / section or the common property at any time. No music-emitting devices may be used within any portion of the common property at any time, including car hi-fi systems.
- b) Automobile hooters and alarms shall not be tested or sounded on the common property at any time by an occupant, and/of any member of his/her family, and/or of his/her visitors, and/or of his/her employees, their children or visitors.
- c) Silence must be maintained between 22h00 and 07h00 weekdays and between 00h00 and 07h00 on weekends and public holidays.
- d) All motor vehicles must be maintained in such a manner as not to exceed the Automobile Association permissible noise level, this includes all working parts.

20. **GENERAL**

- a) The trustees shall have the right to take any action deemed fit to prevent any infringement of these rules.
- b) Common property and garden areas must at all times be kept tidy.
- c) No stones or other solid objects may be thrown on the common property.
- d) An occupant shall not do or permit to be done in his unit or on the common property anything which will or may increase the rate of premiums payable by the body corporate or any insurance policy.
- e) All complaints must be lodged in writing and sent to the trustees via the Estate Manager. A sincere endeavour will be made to meet such complaints as long as such complaints are not willfully malicious and the rights of other residents are not affected.
- f) An occupant shall not place or do anything on any part of the common property (including balconies, patios, stoeps and gardens) which when viewed from the outside of the unit is, at the discretion of the trustees, aesthetically displeasing or undesirable.
- g) The trustees reserve the right to impose fines, on any occupant who continues to be in breach of the rules, after having received written notice thereof from the trustees or their agent.
- h) No equipment on the common property may be tampered with or removed.
- i) No persons may enter the fountains on the common property.
- j) The fire hydrants and extinguishers are to be exclusively used for fire fighting purposes.
- k) Only agents who are registered with the body corporate may display, "for sale" or "to let" boards outside the gate.



21. INTERPRETATION

- a) In the event of any dispute concerning the interpretation of these rules and/or the enforcement thereof and/or any breach thereof, the decision of the majority of the trustees shall be final and binding on all parties concerned in such dispute.
- b) The headings contained in these rules are for convenience only and shall not affect the interpretation thereof.
- c) Should any provision of these rules be invalid and/or unenforceable, such provision is severable from the rest of these rules and shall not affect the validity and enforceability thereof.

Any enquiries relating to the clarification or interpretation of these conduct rules may be referred to the Estate Manager.

