

## CONDUCT RULES

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## 1 Introduction

- 1.1 These Conduct Rules must be read in conjunction with the Capricorn Beach Home Owners Association's Constitution and Regulations.
- 1.2 The intention of these rules is to preserve and enhance the security, aesthetics and environment and promote a comfortable and secure living and working environment and lifestyle for residents. General consideration of all residents for each other will assist in ensuring harmonious relations.
- 1.3 These rules are binding upon all owners. All tenants of units, family members, employees, visitors, contractors and other persons granted rights of occupancy by an 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.
- 1.4 The registered owners of properties are responsible for THE ACTIONS OF THE TENANTS ensuring that members of their families, tenants, employees' visitors and friends abide by these rules. Common sense, good neighbourliness and overall consideration must prevail in any decision taken by the unit owner or occupier. Whilst the Trustees will ensure that responsible policy and procedures are formulated, a successful environment can only be achieved through the co-operation of everyone.

## 2 Pets

- 2.1 The local authority by-law, relating to pets will be strictly enforced.
- 2.2 An owner or occupier of a unit shall not, without the written consent of the trustees, which consent may not unreasonably be withheld, keep any animal, reptile or bird in a unit or on the common property except in relation to the provisions of 2.4 below.
- 2.3 When granting approval, the trustees may prescribe any reasonable conditions.
- 2.4 Notwithstanding the provisions of section 2.2 Residents are permitted to keep up to two dogs and two cats on their property without the written permission of the Trustees.
- 2.5 The owner or occupier of a unit shall ensure that any animal, reptile or bird is kept within secure borders of a unit and shall be under the strict control of the owner or occupier at all times and shall not infringe in any way on the remaining owners or occupiers in the complex. Dogs must be kept on a leash when outside the unit.
- 2.6 Dogs must wear a collar with a tag indicating the name, telephone number and address of its owner. Stray pets without identification tags will be apprehended and handed to the SPCA.
- 2.7 Notwithstanding the above, the owner or occupier shall be responsible for cleaning up any excrement or other mess in any area caused by their animal, reptile or bird.
- 2.8 The trustees may request the owner to remove his/her pet in the event of any breach of any condition prescribed in these Rules.

### 3 Noise levels

- 3.1 The Local authority by-laws relating to noise levels will be strictly enforced.
- 3.2 The volume of music, electronic instruments or partying to be kept at a level that is not disturbing/intruding to owners of adjoining/other properties.
- 3.3 For maintenance and repairs to the immovable property, the use of powered tools and powered equipment or otherwise loud work such as chopping bricks may only take place during the following hours:
- 3.3.1 Monday to Friday: 08h:00 to 18h:00 (except to prevent imminent damage)
- 3.3.2 Saturday: 08h:00 to 17h:00 (except to prevent imminent damage). Where a property is still under general construction or a property is altered (e.g. walls broken out or down) or a property is extended (e.g. a room, pergola, carport) any work in connection with that shall cease at 14h:00.
- Sundays and Public Holidays: Any noisy repairs and maintenance to the immovable property may only take place if it may not be reasonably delayed e.g. to prevent imminent damage

### 4 Refuse Disposal

- 4.1 An owner or occupier of a unit shall ensure the following:
- 4.1.1 Before refuse is placed in the refuse bin in the Bin rooms, the refuse shall be securely wrapped or in the case of tins or other containers, completely drained;
- 4.1.2 Refuse is to be placed in one of the refuse bins, which are located in the complex's Bin rooms.
- 4.1.3 Local authority bylaws regarding garden refuse disposal applies and issue of disposal of chemicals etc.
- 4.2 All refuse bins are the property of the Home Owners Association except where owners or occupiers have applied directly to the Local Authority for their own refuse bin.
- 4.3 Trustees may request proof of ownership of the refuse bins from time to time.
- 4.4 Refuse bins located on the unit's property must not be placed on the common areas and measures must be taken to ensure that it is not visible from the common areas. In the event that a Resident has no other option but to place the refuse bin where it is visible it must be kept in a neat and orderly condition.
- 4.5 Trustees may request the relocation of refuse bins that are visible from the common areas within reason and where necessary.

### 5 Use of the Roads and Vehicles

- 5.1 The speed limit within the complex is restricted to 15km/h.
- 5.2 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. Vehicles may only be parked in designated parking bays or garages. Any tenants or resident owners may park one vehicle per household (Unit) in any designated parking bay including any parking bay marked as visitor bay.
- 5.3 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' written consent.

- 5.4 Owners and occupiers of units 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. Those areas visible from common areas must also be kept clear.
- 5.5 No owner or occupier 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 unit.

## 6 Use of the Swimming Pools

- 6.1 No glass is allowed to be brought into the swimming pool area.
- 6.2 When being used by guests, a resident must always be present in the swimming pool area.
- 6.3 Any person under the age of 12 must be accompanied by a responsible person who is at least 18 years old.
- 6.4 Appropriate apparel must be worn at all times.
- 6.5 Residents must undertake to ensure that the pool gates are left closed at all times.

## 7 Littering and Damage, Alterations or Additions to Common Property

- 7.1 An owner or occupier of a unit 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.
- 7.2 Pool equipment and access gates must not be tampered with.
- 7.3 Parents of the children who play on fences, gates or pool pumps will be liable for any damage caused due to the actions of the children. Parents are encouraged to inform children of this rule.
- 7.4 An owner or occupier of a unit shall not deposit, throw, or permit or allow to be deposited or thrown, on the common property any rubbish, including dirt, cigarette ends, food scraps or any other litter whatsoever.

## 8 Alterations or Additions to Private Property/Units

- 8.1 An owner or occupier of a Unit Erf shall not mark, paint, drive nails or screws or the like into, or otherwise damage, or alter, any part of the exterior of same without first obtaining the written consent of the trustees which consent they may not unreasonably withhold and must produce in writing without undue delay. The main factors to be considered in this regard by the trustees are the applicable restrictive conditions of the CBHOA Constitution and the aesthetic and ergonomic impact on other properties.
- 8.2 An owner or occupier of a property is to be considered to have the trustees' consent for the below installations if they have been soundly built and are consistent with designs, colours and styles in line with any written and applicable CBHOA Architectural/Installation Guidelines or any other applicable governing documentation:

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- 8.2.1 locking devices, safety gates, burglar bars or other safety devices for the protection of the property;  
or
- 8.2.2 any screens or other devices to prevent the entry of animals or insects or any device such as screens, shutters, doors and windows etc. to insulate a property against heat/cold/noise or to prevent water ingress or any other damage due to weather extremes.
- 8.3 The requirements of the Local Authority and the Constitution of CBHOA apply to all building and alterations to the Unit Erven.

### 9 Appearance of units from Common Areas

The owner or occupier of a unit shall not place or do anything on any part of the unit or to the common property, including balconies, patios, steps and gardens which, in the discretion of the trustees, is aesthetically displeasing or undesirable when viewed from the outside of the unit.

### 10 Laundry

An owner or occupier of a unit shall not hang 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 units without the consent of the trustees, which consent shall only be granted where it is impossible for a washing line to be placed so as not to be visible due to the design of the unit.

### 11 Signs and Notices

- 11.1 No owner or occupier of a unit shall place any sign, notice, billboard or advertisement of any kind whatsoever on any part of the common property or of a unit, so as to be visible from outside the unit, without the written consent of the trustees first having been obtained.
- 11.2 The only exception to the above will be:
  - 11.2.1 Alarm or Armed Response signage but such signage may not exceed 50cm x 40cm in size.
  - 11.2.2 To Let or For Sale signs, which must be positioned in such a way so as to not detract from the overall appearance of the Complex, not damage any Property and be removed at the end of the day in the case of a show house.
- 11.3 All signage must be professional in appearance and design.

### 12 Maintenance of the units and gardens

- 12.1 The owner shall ensure that his/her unit is maintained in all aspects.
- 12.2 The owner shall be responsible for the maintenance of their own gardens as demarcated by the rear and side fences/physical borders or site plan.
- 12.3 No alien plants may be planted in the unit gardens or common areas.

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### 13 Storage of Inflammatory Material and other Dangerous Acts

An owner or occupier of a unit shall not store any material, or do or permit or allow to be done, any other dangerous act in the unit or on the common property, which will or may increase the rate of the premium payable by the CBHOA on any insurance policy.

### 14 Eradication of Pests

- 14.1 Any owner shall keep his unit free of white ants, borer and other wood destroying insects and to this end shall permit the trustees, the managing agent, and their duly authorised agents or employees, to enter upon his unit from time to time for the purpose of inspecting the unit and taking such action as may be reasonably necessary to eradicate any such pests.
- 14.2 The costs of the inspection, eradicating any such pests as may be found within the unit, replacement of any woodwork or other material forming part of such unit, which may be damaged by any such pests, shall be borne by the owner of the unit concerned.

### 15 Fines and Penalties

- 15.1 The Trustees will have the power to impose a monetary fine on any member who, in the opinion of the trustees, has disregarded or any provision/s of these Conduct Rules.
- 15.2 Any fine imposed by the trustees in accordance with the provisions of this paragraph will be due and payable on due date of the next payment of the levy contribution after the date on which the fine was issued and will constitute a debt due by the member to The Association.

The maximum amount of any fine, in respect of any one transgression of these Rules and imposed on a member in accordance with the provisions of this clause will be equal to the monthly levy contribution due by that member multiplied by a factor of 5 (five).

- 15.3 In the event of a breach by members of the Owner's household, employees, guests and tenants, and the members of the tenant's household and the tenant's employees, invitees and guests, the Owner shall be liable for the payment of any fines imposed in accordance with the provisions of this clause.

### 16 Commercial Activities

- 16.1 No commercial activity of any nature will be permitted at Capricorn Beach without the written approval of the Trustees.
- 16.2 No door-to-door canvassing or selling is permitted.

**CHANGE AUTHORIZATION AND SUMMARY:**

DATE	TYPE	SUMMARY
16 MAY 2018	AGM	Clause 3: Noise levels Clause 8: Alterations or Additions to Private Property/Units

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**DOCUMENT APPROVAL:**

	NAME	SIGNATURE	DATE
EDITED:	Claus Tobin (Trustee)		
	Sanet Booysen (Trustee)		