

## **ANNEXURE D**

### **Body Corporate Conduct Rules : Oaklands at the Knoll – D 51/2005**

The main objective of the development of Oaklands at The Knoll is to provide a high quality lifestyle for residents, and the purpose of these Regulations is to protect this lifestyle.

The Regulations have been established for the Body Corporate as described in the Sectional Title Act 95 of 1986. They are binding on all occupants of the estate, as is any decision taken by the Trustees in the interpretation of these Regulations.

The registered owners of the properties are responsible of ensuring those members of their families, tenants, visitors, friends and their employees abide by these Regulations.

Harmonious community living is achieved when residents use and enjoy their private property as well as the common areas and amenities of the Estate, whilst being generally considerate to all occupants of the Estate.

In the event of annoyances or complaints, the parties involved should attempt to settle the matter between themselves, exercising tolerance and consideration. In instances where problems cannot be resolved, the matter should be brought to the attention of the Trustees for arbitration and settlement.

These Regulations are subject to change from time to time.

The Estate Manager, as the appointed representative of the Trustees, has the authority of the Trustees in applying these Regulations. Any instructions issued by the Estate Manager regarding the application of the Regulations will carry the authority of the Trustees.

#### **1. CONDUCT REGULATIONS**

##### **1.1 USING THE STREETS**

- 1.1.1 The streets of Oaklands on the Knoll are for the movement of all the residents whether by foot, bicycle, motorcycle, delivery van or car.
- 1.1.2 The speed limit is 10km per hour.
- 1.1.3 Besides the above, the Cape Road Traffic Ordinance is enforced and applicable.
- 1.1.4 Parents are responsible for ensuring that their children do not play in the streets.
- 1.1.5 Engine-powered vehicles are not to be driven anywhere except in the streets of the Estate. All private open space is off-limits.

- 1.1.6 Parking on sidewalks and lawns is prohibited.
- 1.1.7 Residents must remember that pedestrians cross streets in the Development, and motorists should drive with caution at all times.
- 1.1.8 The use of motorcycles or other vehicles with noisy exhaust systems is prohibited. Security will enforce this Regulation where necessary.

## **1.2 GOOD NEIGHBOURLINESS**

- 1.2.1 No business activity or hobby which causes aggravation or nuisance to fellow residents may be conducted. Auctions and jumble sales are prohibited.
- 1.2.2 The volume of music or electronic instruments, parties or other activities of residents should be kept to an generally acceptable level.
- 1.2.3 Mechanical maintenance and the use of power-saws, lawn mowers and the like (electrical mowers are preferred), should only be undertaken between the following hours:
  - Mondays – Fridays:

May – August	07h30 – 18h00
September – April	07h00 – 19h00
Saturdays	08h30 – 18h00
- 1.2.4 Washing may only be hung on lines and in your own yard.
- 1.2.5 Refuse, garden refuse and refuse bags may not be placed on the sidewalk. A time schedule for refuse collection will be supplied prior to acceptance.
- 1.2.6 No advertisements or publicity materials may be exhibited or distributed without the consent of the Body Corporate.

## **1.3 ENSURING A PLEASING STREETSCAPE**

The collective pride of Oaklands on the Knoll depends to a great extent on all owners contributing towards the creation and maintenance of a neat and pleasing streetscape.

- 1.3.1 Every owner has a responsibility to the Estate community and must maintain the area between the road curb and the boundary of his/her property.
- 1.3.2 Garden fences, walls and pergolas which form part of the streetscape or public open spaces should be properly finished and

maintained. Failure to comply will result in the repairs or maintenance being done at the owners expense.

- 1.3.3 Caravans, trailers, boats, wendy-houses, tool sheds, equipment, tools, engines and vehicle parts will not be allowed on site. Accommodation for pets should be situated out of view in your yard and screened from neighbouring properties.
- 1.3.4 Household refuse may not be dumped on the sidewalks under any circumstances.
- 1.3.5 No trees, plants or sidewalk lawn may be removed without permission of the Homeowners Association. Planting should not interfere with pedestrian traffic or obscure the vision of motorists.
- 1.3.6 Gardens situated next to parks/open space must be neat and tidy at all times. Failure to comply will result in the Body Corporate maintaining the garden at the owners expense.

#### **1.4 ADHERING TO ARCHITECTURAL STANDARDS**

Building according to approved standards will make it unnecessary to make costly changes at a later stage in order to meet the Body Corporate requirements.

- 1.4.1 The consulting Architects nominated by the Developer or by the Body Corporate as set out in its constitution will have to approve all building plans. This also applies to future additions or alterations to existing structures which will also have to fit in with the architectural style of the development.
- 1.4.2 All yard fencing must be designed in accordance with the provisions of the Regulations and be approved by the Body Corporate with regard to both material and dimensions.
- 1.4.3 The position, size and location of aerials and/or satellite dishes must take into account the effect on the view from the neighboring properties. No ham radio aerials are permitted.

#### **1.5 ENVIRONMENTAL MANAGEMENT**

Dogs must be kept under strict control at all times.

#### **1.6 SECURITY**

Every time you break security protocol and regulations, you are making it easier for criminals to do the same.

- 1.6.1 The Estate will be manned 24 hours a day. All residents, visitors and contractors are required to adhere to the access control

procedures. Details of the access control procedures can be obtained from the Security Committee of the Body Corporate.

- 1.6.2 The security guards have a difficult job to perform. Residents are requested to treat security personnel with co-operation and courtesy.
- 1.6.3 Every owner must strictly adhere to the permit system for permanent or temporary employees, contractors and their employees.
- 1.6.4 When applying for permits all employees and visitors to the Estate are required to sign acceptance of the security Regulations of the Estate. The property owner remains responsible for the conduct of visitors to his/her property. An express condition of admittance to the Estate is that should a visitor/employee be found to be in contravention of the Regulations of the Estate, the Developer or Body Corporate reserve the right to refuse access to such a person.
- 1.6.5 Every owner must ensure that contractors and their employees adhere in all respects to the security stipulations of the Contractors Code of Conduct.
- 1.6.6 All attempts at burglary or instances of fence jumping must be reported to a member of the security staff and/or Security Committee.
- 1.6.7 **SECURITY IS AN ATTITUDE:** be aware that you need to enforce and apply security regulations to make them work. Do not hesitate to question suspicious persons not displaying normal permits.
- 1.6.8 Should residents purchase burglar alarms linked to a monitoring system, they are requested to advise the monitoring service to contact the Estate Security in the event of an alarm.
- 1.6.9 In all cases vehicle registration numbers and the property to be visited will be recorded at the entrance to the Estate. No visitor will be granted access after 10pm without prior arrangements having been made. Unexpected visitors arriving after 10pm will be granted access only after telephonic confirmation is received from the resident to be visited. Whenever possible the Security Centre at the gatehouse should be advised in advance of the pending arrival of visitors.

## 1.7 TENANTS, VISITORS, CONTRACTORS AND EMPLOYEES

**(PLEASE TAKE NOTE: THE RESPONSIBILITY FOR ENFORCING THE REGULATIONS RESTS WITH THE HOMEOWNER)**

- 1.7.1 Should any owner let his property he must advise the Body Corporate in writing in advance of occupation of the name of the Lessee and the period of such lease. The owner must inform the Lessee of all Regulations and bind the Lessee to adhere to such Regulations. A lessee's acceptance form is included
- 1.7.2 The occupiers of any property within the Estate are liable for the conduct of their visitors, contractors and employees and must ensure that such parties abide by the Regulations.

## **1.8 LETTING AND RE-SELLING PROPERTY**

The Body Corporate imposes certain Regulations to be followed by Estate Agents. In order to ensure that the Regulations are made known to new residents, the following Regulations relating to the re-selling or letting of property apply:

- 1.8.1 Should an owner want to sell or lease his property any real estate agency may be used for resale or letting.
- 1.8.2 The accredited agent must ensure that the buyer/tenant is informed about and receives a copy of the Regulations and any other administrative regulations applicable at the time.
- 1.8.3 A Clearance Certificate must be obtained from the Body Corporate prior to any transfer. The cost of this certificate will be for the account of the Purchaser. The Clearance Certificate will only be issued to a member whose levy is fully paid, and not in breach of any Regulations of the Body Corporate.
- 1.8.4 Any concession granted to a Seller (in case of a re-sale) or Lessor prior to the time of sale or lease must be communicated to the buyer or lessee at the time of sale or lease.
- 1.8.5 The Seller or Lessor of a property in the Estate must ensure that the sale/lease agreement contains the following clauses:

## **1.9 SALE**

- 1.9.1 **Body Corporate**  
The Purchaser acknowledges that he or she, upon registration of the property into his/her name, becomes a Member of the Body Corporate and is subject to the Regulations of the Body Corporate.
- 1.9.2 The owner of an erf or any subdivision thereof or any interest therein or any unit thereon as defined in the Sectional Title Act, will not be entitled to transfer the erf or any subdivision thereof or any interest therein or any unit thereon without a Clearance Certificate from the Body Corporate.

- 1.9.3 The Seller and/or accredited Estate Agency must ensure that the buyer is informed about and receives a copy of the Body Corporate Constitution, Conduct Regulations, and any other administrative Regulations applicable at the time. The Clearance Certificate is a prerequisite of the registration of transfer at the Deeds Office and will be issued only if the owner is in good standing as regards levies and all other Regulations of the Homeowners Association.

## **1.10 LEASE**

- 1.10.1 Upon occupation of the premises, the Lessee acknowledges that his family, visitors and employees are compelled to comply with the Regulations as contained in this document.
- 1.10.2 The Lessor must personally ensure that the Lessee
- (a) receives a copy of the Regulations and any other administrative regulations applicable.
  - (b) is bound by the Regulations in the lease.

## **1.11 ACCREDITATION OF ESTATE AGENTS**

- 1.11.1 An Estate Agent is accredited after
- (a) signing an agreement with the Body Corporate which binds such agent to comply with the stipulated procedures applicable to the sale and/or lease of a property on the Estate, and
  - (b) after having been instructed with respect to the concepts, Regulations and conditions under which a buyer and/or lessee purchases and/or leases a property in Estate. Any Estate Agent wishing to be accredited may be required to provide written proof of their registration and good standing with the relevant authority.
- 1.11.2 Agents may operate on an appointment basis only and must personally accompany a prospective buyer. Owners may allow one "For Sale" sign to be erected per property within the Estate. No "Sold" or directional boards are permitted within the Estate.
- 1.11.3 The Homeowners Association may review the accreditation policy for Estate Agents from time to time. An updated list of accredited agents will be available on request by the Body Corporate.
- 1.11.4 An accredited letting consultant/company is to be mandated to manage lettings and letting issues on behalf of the Body Corporate

## **1.12 PETS**

Do not let your pet become a bone of contention between you and your neighbours.

- 1.12.1 The Local Authority by-laws relating to pets will be strictly enforced.
- 1.12.2 Without the written approval of the Body Corporate, no person may keep more than one dog and one cat on their property.
- 1.12.3 No poultry, pigeons, aviaries, wild animals or livestock may be kept on the Estate.
- 1.12.4 No pets are permitted to roam.
- 1.12.5 Pets must be walked on a leash at all times.
- 1.12.6 Should any excrement be deposited on any private open space the immediate removal thereof is the sole responsibility of the owner of the pet.
- 1.12.7 Every pet must wear a collar with a tag indicating the name, telephone number and address of its owner. Stray pets without identification tags will be caught and handed to the Municipal Pound.
- 1.12.8 The Body Corporate reserves the right to request an owner to remove his/her pet should it become a nuisance within the Estate or to impose a fine on the owner in terms of its powers as laid down in the Constitution.

## **1.13 ADMINISTRATION**

- 1.13.1 All levies are due and payable in advance on the 7<sup>th</sup> day of each month.
- 1.13.2 Interest as determined by the Trustees will be raised on all overdue accounts.
- 1.13.3 Any account 21 days overdue will automatically be handed over to legal process.
- 1.13.4 The Body Corporate may amend or add to the Conduct Regulations from time to time as may be deemed necessary to ensure the happy and orderly co-existence of residents.
- 1.13.5 The Body Corporate has the right to fine transgressors where any of the Regulations stipulated by the Body Corporate have been broken. Such fines will be debited from the levy account and be payable immediately.

1.13.6 Levies will be fixed at R400 per unit until the first Body Corporate meeting has taken place.

**1.14 YARDS**

1.14.1 All yards (kitchen, drying, courtyards) should be plain, SA Pine picket fencing. Minimum height – 1,8m

1.14.2 Dustbins, washing lines and gas bottle storage areas must not be visible from roads or public open space.

**1.15 AERIALS AND SOLAR PANELS**

The positioning of TV aerials and satellite dishes is subject to approval by the Body Corporate. Solar panels must be flush with the roof and piping concealed.

**1.16 CANOPIES AND AWNINGS**

Will be accepted but must be approved by the Body Corporate.

**1.17 SIGNAGE AND POST BOXES**

Signs and Post boxes must conform to the street furniture design.

**1.18 BOUNDARY WALLS AND FENCES**

Planting as a screen element between properties is encouraged.