

## **CONDUCT RULES FOR IZRA TOWERS BODY CORPORATE, DURBANVILLE EFFECTIVE FROM 1 MAY 2021**

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

### **1. 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.
- 1.2 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.
- 1.3 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.
- 1.4 The trustees may withdraw any consent if the owner or occupier of a section breaches any condition imposed in terms of sub-rule (1.3). In the event of a withdrawn consent, the trustees may arrange, at the cost of the owner, to remove such animal, reptile or bird.

### **2. 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.
- 2.2 Every unit has an area for exclusive usage to keep a refuse receptacle . Refuse receptacles must be kept in these areas and not on the common property. 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.
- 2.3 The owner or occupier of a section must—
  - (a) move the refuse receptacle referred to in sub-rule (2.2) to places designated by the trustees for collection purposes at the times designated by the trustees and promptly retrieve it from these places the same day of collection.
  - (b) ensure that the owner or occupier does not, in disposing of refuse (including building rubble, soil, or heavy garden refuse), adversely affect the health, hygiene or comfort, of the owners or occupiers of other sections.

### **3. 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, (including boats, motorcycles, caravans and trailers of any kind), 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.
- 3.2 Consent under sub-rule (3.1) must state the period for which it is given.
- 3.3 Owners and occupiers shall ensure that their vehicles do not drip oil or deface the common property in any matter. Vehicles with excessive oil leaks will not be allowed on the premises. The owner of that particular unit will be responsible for the cleaning of the oil.

- 3.4 No owner or occupier shall be permitted to dismantle or affect any major repairs to a vehicle on the common property.
- 3.5 A resident or the guest of such a resident must ensure that they drive in such a way that may not cause harm or damage or excessive noise.
- 3.6 If an owner or occupier has two or more vehicles, the owner or resident must get special permission from trustees to make use of a second open parking space. As there are limited visitor parking areas, the Trustees reserve the right to charge a fee for the extra parking space and it will be limited to the demand and availability of extra parking spaces.

#### **4. Damage to common property**

- 4.1 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.

#### **5. Appearance of section and exclusive use area**

- 5.1 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.
- 5.2 At Izra Towers complex, each unit has exclusive use for their open parking,
- 5.3 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.
- 5.4 TV antennas may not be installed or removed without the consent of the Trustees .
- 5.5 Under no circumstances will it be allowed to erect a fence or any other type of partition on any part of the common property.
- 5.6 No rubble of any kind may be stored in any area
- 5.7 Pot plants must be kept tidy and no containers or shelves for plants may be fixed to the walls.

#### **6. Storage of flammable materials**

- 6.1. 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.
- 6.2 This rule does not apply to the storage of fuel or gas in—
  - (a) the fuel tank of a vehicle, generator or engine; or
  - (b) a fuel tank or gas cylinder kept for domestic purposes.

#### **7. Behaviour of occupiers and visitors in sections and on common property**

- 7.1 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.

- 7.2 The owner or occupier of a section must not obstruct the lawful use of the common property by any other person.
- 7.3 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.
- 7.4 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.

## **8. Eradication of pests**

- 8.1 The owner of a section must keep the section free of wood destroying insects, including white ants and borer beetles.
- 8.2 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.
- 8.3 The body corporate must recover the costs of the inspection and replacement referred to in sub-rule (8.2) from the owner of the section.

## **9. Letting of Units**

- 9.1 Any person granted rights of occupancy of a unit are obliged to comply with the terms of these rules.
- 9.2 An owner shall notify the Managing Agent of any change of residential address, postal address, and contact details in writing or via e-mail
- 9.3 An owner who concludes a lease agreement in respect of his unit shall within 30 days inform the managing agent of the names and contact details of the lessee.
- 9.4 No lease agreement in respect of a unit may be less than six months.

## **10. Alienation and use of Garages and Occupation of Units**

No more than two persons per bedroom shall be allowed to occupy the Units at any one time and if there are more occupants, the Trustees will be entitled, in their discretion, to sue for the eviction of the excess occupants, in which event the owner or occupier, as the case may be, will be liable for costs on the scale of attorney and own client, as well as imposing a fine.

## **11. Supervision of children and damage to common property**

- 11.1 Owners and occupiers shall, at all times be personally responsible to supervise the behaviour of their children at the Scheme and shall be personally liable for any damage to common property or the property of other owners or occupiers as a result of the conduct of such children. Children shall not be allowed anywhere on the common property or anywhere else where the lives of such children or anyone else would be in danger or where they could suffer injury as a result of their presence there. The Trustees shall in their discretion, be entitled to take steps for removal of children or others who violate this Rule and the relevant owner or occupier shall be liable for all costs on the scale of attorney and own client. The Trustees may also, in their discretion, impose a fine.

- 11.2 Owners and occupiers shall take all reasonable steps to prevent damage to the common property and the property of other owners by vandals or anyone else and owners or occupiers or their children who are responsible for such damage shall be personally liable for the repairs as well as any costs incurred and, in the discretion of the Trustees, to a fine.

## **12. Related matters**

- 12.1 No owner or occupier of a unit shall be allowed or be involved in illicit activities such as soliciting, drugs, sale of liquor or running a business from the unit or on the common property.
- 12.2 The slaughtering of animals in a section or on the common property is prohibited.
- 12.3 No open fires may be made nearer than 2 meters from any building. All open fires should be made in a suitable container (i.e. Weber, building braai)
- 12.4 There is a 24 hour security access control system and any person on the premises will abide by the rules as set from time to time regarding access and security regulations and measures.

## **13. Insurance**

- 13.1 Any first loss that amounts to a Body Corporate insurance claim, on behalf of the owner of a section concerned, shall be for the account of the owner of that section.

## **14. Employees**

- 14.1 No person may request any employee of contractor of the body corporate to perform any task for them during their working hours.
- 14.2 Any employee or contractor appointed by a resident shall abide by the rules and not be allowed to loiter on the property.

## **15. Fire Fighting Equipment**

- 15.1 No person shall be permitted to tamper with any firefighting equipment or signage

## **16. Gardens**

- 16.1 No person shall plant creepers, plants, shrubs or trees on the common property without the consent of the trustees.
- 16.2 The garden services will maintain the gardens at the common area of the complex.
- 16.3 If an owner or resident has permission to make flower beds or to plant shrubs and trees on the common property adjacent to his unit, the resident or owner is responsible to maintain it. If not, the owner must, at his/her own cost, see that the area be restored to lawn and trees and shrubs removed at the owner's cost. If not, the Body Corporate will arrange for it and subsequently bill the owner.

## **17. Complaints**

- 17.1 All complaints must be made in writing to the Managing Agent, which must reflect dates and times of incidents reported together with a detailed description of the complaint and the unit number from where the complaint originated from.

## **18. Contravention of rules**

- 18.1 Should any of the conduct or management rules be contravened, the trustees or managing agent may furnish the owner and occupier with a written notice which may be delivered by hand or per e-mail.
- 18.2 If an owner or occupier nevertheless persists with that particular conduct or in the contravention of the rule a minimum penalty as per below will be imposed.
- Second contravention – R 500
  - Third contravention– R 750
  - Fourth contravention– R 1000
- 18.3 The owner of the unit will be liable to pay the penalties.
- 18.4 The trustees may from time to time determine the amount of the penalties.