

MONTANA PARK X 130

Erf 2954 VEDA AVENUE

Montana Park

PRETORIA

Reg. 1999/01441/07

17 Catherine Street

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RULES OF CONDUCT LAID DOWN FOR THE BATELEUR DEVELOPMENT IN TERMS OF SECTION 35(2)(b) OF THE SECTIONAL TITLES ACT NO 95 OF 1986 (AS AMENDED)

1. INTRODUCTION

- 1.1** These rules were compiled in order to ensure orderly and peaceful living circumstances for the community made up by the to be established **MONTANA PARK X 130 BODY CORPORATE (herein after referred to as the DEVELOPER)**, to create a sense of unity contributing to the common interests of all residents and to see to it that these are properly protected.

2. DUTIES OF OWNERS

The attention of all owners, whether they are the occupants of their unit or not, is focused on the conditions contained in subsections (d), (e) and (f) of Section 44(1) of the Sectional Titles Act.& section 68 (1)(vii) of annex 8 of the Act.

Section 44(1) An owner or his tenant shall-

- (d) use and enjoy the common property in such a manner as not unreasonably to interfere with the use and enjoyment thereof by other owners or other persons lawfully on the premises;
- (e) not use his section or exclusive use area (car ports), or permit it to be used, in such a manner or for such purpose as shall cause a nuisance to any occupier of a section;
- (f) notify the DEVELOPER forthwith of any change of ownership in his section and of any mortgage or other dealing in connection with his section; and Section 68 (1) (vii) – maintain (or replace if necessary) the hot water installation which serves his section, notwithstanding that such appliance is situated in part of the common property and is insured in terms of the policy taken out by the DEVELOPER. (the Owner is also liable for any excess payable for this) (Owners are advised to acquire their own copy of the Sectional Titles Act, Act 95 of 1986)

3. OCCUPANTS AND GUESTS

- 3.1** Owners and tenants are responsible for the conduct of themselves and their guests on the common property and have to ensure that the applicable rules in terms of the Act, agreement or these provisions are adhered to.
- 3.2** Non-resident owners / letting agents are responsible for the conduct of their tenants, or any other persons occupying the unit, as well as the guests of such occupants.
- 3.3** Non-resident owners/letting agents have to ensure that their tenants or any other persons occupying their unit are provided with a copy of these rules and have to see to it that they understand and comply with it.
- 3.4** In addition, such owners/letting agents have in their own interest to procure written undertakings from their tenants or other occupants of their unit stating the latter's intention to comply with these rules.
- 3.5** The maximum number of inhabitants of any unit is three persons (two above 18 years old and one under 18 years old) per registered bedroom per unit Written permission to sleep more adults per bedroom per unit must be obtained from the Developer at last 48 hours before the occasion. No permission will be granted for a period longer than 72 hours. Transgression of this rule will be penalised with a penalty up to twice the monthly levy.
- 3.6** The maximum number of guests is also limited to number allowed in item 3.5 above.

4. REPAIRS AND OTHER ACTIONS OR ACTIVITIES

- 4.1 If repairs to the property in or at a unit are deemed necessary in terms of Section 28(2)(b) of the Sectional Titles Act, Act 95 of 1986 to prevent damage to the rest of the property or any other unit or units, the Developer or Managing Agent may enter such unit in the absence of the owner, tenant or any other person occupying the unit concerned. However, they have to ensure that reasonable care is taken to protect the property of the occupant of the unit concerned. If possible, prior notice of any such repair work in or at a unit will be given to the occupant.
- 4.2 Except in cases of emergency, for example plumbing or electrical repairs, the owner/letting agent of a unit appointing an outsider to do repairs or any other work within his unit, has to notify the Developer timeously and in writing thereof. This has to be accompanied by a complete description of the work to be done. The Developer reserve the right to refuse entry to a unit if such notification is not received timeously.
- 4.3 Any work has to be done during reasonable hours with as little as possible disturbance and noise, as well as in accordance with these rules.
- 4.4 Occupants doing such work or having it done, have to ensure that the necessary measures are taken to protect the common property and its facilities.
- 4.5 Should any workers transgress these rules, their activities will be terminated by the Developer and access to the property will be refused.
- 4.6 Care has to be taken at all times that materials and tools will not damage or disfigure the property. These have to be stored neatly and out of sight in or at a place or space assigned by the Developer if not in use.
- 4.7 If the property is left untidy upon completion of any work, the cleaning and clearing thereof will be done at the expense of the person who originally ordered the work to be done.
- 4.8 These rules are *mutatis mutandis* applicable to any work authorized by the DEVELOPER in terms of rule 4.1.

5. FIRES, COMBUSTIBLE MATTER AND RELATED MATERIAL

- 5.1 No occupant may at any time keep or store combustible or other dangerous matter or related material which could increase the insurance risk pertaining to the property/common property, or which could increase the rate of the fire premium payable by the DEVELOPER on any insurance policy, on the common property or any part thereof.
- 5.2 Owners are strictly advised to equip their units with SABS approved domestic fire extinguishers, as the fire extinguishers available on the common property are not suitable for application to all types of fires, for example fires caused by electrical short-circuits within a unit.
- 5.3 Fire hose reels and fire hoses may not be used for domestic purposes. The seals may only be broken in case of a fire.
- 5.4 The use of fire hoses to wash vehicles or for any other purpose, except to extinguish a fire, is punishable with a fine of R300.00.

6. DISTURBANCES

- 6.1 No owner or occupant may cause any disturbance, or allow his guests or employees to create such a disturbance, in the section, or on the common property.
- 6.2 Hooters may not be used unnecessarily on the common property.
- 6.3 Radios, TV sets and musical instruments have to be used in such a way that they do not disturb the other occupants.
- 6.4 Silence must be maintained between 14:00 and 16:00 on Sundays and between 22:00 and 7:00 daily, with two exceptions: Fridays and Saturdays silence between 24:00 and 07:00.
- 6.5 No parties allowed in the section or on the common property.

7. CHILDREN

- 7.1 Occupants are requested to exercise supervision of their own children or the children of their guests to such a degree, that no nuisance or any damage is caused on the common property.
- 7.2 Occupants have in particular to ensure that their children specifically do not tamper with the following items or equipment on the common property: Electrical switchboards; Security lights; Fire hoses; Water taps; Name plates; Trees; Shrubs; Ornaments; Garden equipment; Irrigation systems etc.

- 7.3 No ball games or other games, push bikes and bicycles are allowed on the communal road surfaces.
- 7.4 Children have to be strictly warned by their parents against any unacceptable activities on the common property, any acts of vandalism or activities which may possibly lead to prosecution.
- 7.5 Occupants will **at all times be responsible** for the acts of their own or their guests' children on the common property.

8. VEHICLES

- 8.1 Vehicles of occupants and their guests may only be parked in the demarcated areas and not in drive ways lanes or in front of other units' car ports, or on the grass. Vehicles causing an obstruction will be removed at the risk and cost of the owner or the driver involved.
- 8.2 The dismantling or repair of any vehicle on the common property/car ports is strictly prohibited. Minor and emergency repairs or the changing of tires are allowed.
- 8.3 No car wreck/s will be allowed on the common property/ car ports or any part thereof and will be removed at the expense of the owner.
- 8.4 Persons transgressing against paragraphs 8.1, 8.2 and 8.3 of these rules will be held responsible for any damage or oil spills, paint marks, etc. Arising from such actions and which deface the common property/car port.
- 8.5 Vehicles may only be washed with a water bucket in the parking space of a specific unit/ open parking.
- 8.6 Should any heavy vehicles enter the common property to off-load heavy cargo, the owner concerned has to make timeous arrangements with the Developer to ensure that such vehicles do not cause obstruction, disturbance or damage to walls, paving etc.
- 8.7 Vehicles may not exceed a speed of 10 km/h on the common property.
- 8.8 Vehicles have to enter or leave the common property as quietly as possible. Motor cycles causing unnecessary noise will not be allowed.
- 8.9 No caravans (whether motorized or not), trailers, boats, motorcycles, bicycles, tricycles, scooters, skate boards, roller blades or similar items may not be left on the common property/car ports or any part thereof where these may detrimentally affect the aesthetic aspects of the complex or cause inconvenience or danger to the occupants.
- 8.10 Tricycles, skate boards or roller blades may not be used on the driving surfaces of the common property.
- 8.11 Residents shall ensure that their vehicles, and the vehicles of their visitors and guests, do not drip oil or brake fluid on the common property/car ports or in any way deface the common property/car ports.

9. LAUNDRY

- 9.1 Washing may only be hung on the designated laundry wires provided on each floor. (The DEVELOPER will not be held responsible for any laundry stolen or missing)
- 9.2 No washing or any other items may be hung out to dry outside the unit and in or outside any window
- 9.3 Carpets, any type of floor covering, dust cloths or vacuum cleaner bags may not be beaten against walls on the common property.

10. REFUSE DISPOSAL AND SEWERAGE SYSTEM

- 10.1 All kitchen and other refuse must be put in refuse bags (black bags) before it is put into dustbins
- 10.2 Safety measures: dispose of all broken glass, hazardous Medical equipment i.e. needles etc, in wrapping before placing in black bags.
- 10.3 Refuse and garden refuse may not be disposed of contrary to the regulations of the City Council.
- 10.4 Rubbish may not be left on any part of the common property. Occupants violating these rules risk prosecution by the Health Department of the Local Authority.
- 10.5 No kitchen or any other refuse (for example sanitary towels, disposable nappies, newspaper, etc.) may be put in or flushed down any toilet, outlet-pipe or draining pipe. Only toilet paper may be used in toilets and occupants are urgently requested to also advise their domestic workers in this regard.

10.6 Every owner is personally responsible for the opening or cleaning of blocked sewerage and draining pipes at any unit up to the point where it connects to the communal sewerage line linking a series of units. The costs thereof will also be paid by the owner or occupant.

11. ANIMALS

11.1 No pet(s) (dogs, cats etc) may be kept in a unit or on any part of the common property without written permission of the Developer.

11.2 Bird cages or any form of pet accommodation have to be kept tidy and be placed in such a way that these are not unsightly to the public.

11.3 The DEVELOPER reserves the right to request the guardian to remove any pet.

12. EXTERIOR VIEW OF UNITS

12.1 No alterations, improvements, additions or structural changes whatsoever to the exterior of a unit may be made.

12.2 No parking space/car port may be fenced in or provided with a roof.

12.3 No air conditioner, or solar heating systems visible from outside a unit and aesthetically displeasing to the view of the complex may be installed.

13. FITTINGS AND INSTALLATIONS

13.1 Occupants may under no circumstances tamper with or repair any electrical installations, municipal fittings and fire equipment, etc. on the common property. Defects to any of these items have to be reported to the Developer immediately

13.2 Occupants damaging, disfiguring or untidying the common property, will be responsible for the repair thereof.

14. GARDENS AND LAWNS

14.1 Occupants are welcome to recommend changes to the upkeep or planning of gardens on the common property to the Developer.

14.2 Water must be used sparingly.

14.3 No alterations to the garden & lawns is allowed, with out written approval of the Developer

14.4 No Wendy Houses or tool sheds may be erected.

15. ACTIVITIES ON THE COMMON PROPERTY

15.1 No electrical appliance causing a disturbance to radio or television sets may be installed or used in units or car ports. Welding may only be done subject to the conditions laid down by the Developer.

15.2 No industry, occupation, profession or commercial activities may be performed in units or on the common property with out the prior permission of the Developer.

15.3 No auctions or jumble sales may be held.

16. SLAUGHTERING OF ANIMALS FOR CULTURAL, RELIGIOUS OR OTHER PURPOSES

16.1 Slaughtering of animals for religious and cultural purposes **is not allowed**

17. SERVANTS / LODGERS

17.1 Non-resident owners of units or tenants may not allow lodgers, domestic workers or gardeners to live in their units, whether on payment or not.

17.2 Occupants have to ensure that their servant/s, lodgers or their visitors do not loiter, cause noise or sleepover on the common property, Lodges and domestics living on the premises are subject to the same rules as all other occupants. Such people therefore have to be informed and warned according to the rules.

17.3 The Developer reserve the right to take any steps against any employees of occupants trespassing these rules and, if necessary, and refuse them entry to the common property.

18. EMPLOYEES APPOINTED BY THE DEVELOPER

18.1 The DEVELOPER reserve the right to demand the employee/s' services at any time on behalf or to the advantage of the common property.

18.2 In addition to the above, no owner or occupant may interfere with the activities of employees in service of the DEVELOPER.

19. NOTICES

19.1 No occupant may remove or damage notices put up by the DEVELOPER or any other authorized body on the common property.

19.2 No owner or occupant may put up any sign, notice board, signboard or advertisement of any nature at all on any part of the common property or a part thereof if it is visible from any location outside the section concerned without prior written consent of the Developer.

19.3 Agents may erect notice boards to be used during weekends or on Friday at 18:00 and remove it by 8.00 the following Monday (notice boards not allowed in the drive way to the entrance.)

19.4 All agent notice boards must be removed within 24 hours after the property has been sold.

20. COMPLAINTS

20.1 All complaints have to be handed in to the Developer in writing as soon as possible in order to have the matter dealt with by the DEVELOPER if necessary.

20.2 The DEVELOPER has to determine the facts concerning any complaints as soon as possible to ensure that the matter is dealt effectively and timeously.

20.3 A complaints book is available at the security control office, for lodging of any complaints or suggestions.

21. SUGGESTIONS

The Developer would welcome any suggestions aimed at improving the control of the complex. Suggestions have to be directed to the Developer in writing to allow the DEVELOPER to keep proper record thereof, to ensure its consideration and to see to it that the proposer receives the necessary acknowledgement if the proposal is implemented.

22. TV/DSTV Communal Dish's

22.1 All units are fitted with a connection to the tv/dstv dish's.

22.2 Do not open or tamper with the wall fitting in the unit, a penalty will be levied if tampered with.

22.3 If you experience problems you can call-out the technicians from CLEAR SCREEN but the call-out fee is for your account.

22.4 NO own satellite dishes are allowed, without written permission from the Developer.

23. ACCESS TAGS

23.1 Two tags are issued, free of charge, per unit on occupation.

23.2 Additional tags or replacing lost tags are issued at a fee.

24. SECURITY & RECEPTION

24.1 There are security guards on duty 24 hrs a day 7 days per week.

24.2 The reception gate is manned 24/7 and there are guards patrolling the interior at night.

24.3 The main duties are:-

Reception staff - Access and departure control

Security staff - Implementing these rules and regulations

24.4 The guards are not there to sort out personal or household problems

24.5 The complex has an electrified fence on top of the boundary fences, this is on 24 hrs a day, please do not touch.

24.6 Attention all ground floor units, the burglar bars on the windows are not small enough to stop children from climbing through, either keep them closed or arrange for additional bars.

25. GEYSERS

Geysers not working or leaking and any related damages is covered by the insurance policy. Contact the DEVELOPER for details and any EXCESSES payable.

26. MUSIC & NOISE on common property

Music from car radio's or portable radio's is not allowed.(this includes while washing cars)

27. PEST CONTROL

The occupant of the unit must keep the unit free of all pests, failure to do so will result in the Developer arranging for fumigation etc and charging the owner/occupant for the costs involved.

28. ENFORCEMENT OF THE RULES

28.1 In terms of the Sectional Titles Act 95 of 1986 the DEVELOPER is *inter alia* charged with the task of fulfilling all laws, regulations and rules concerning the common property, and to see to it that these are complied with. Special attention is focused on the rules contained in Section 35, 36(4) and 37, as well as the amended attachments 1 and 2 of the Sectional Titles Act, Act 95 of 1986.

28.2 PLEASE NOTE! Disregard or transgression of any of these rules may in some cases lead to legal action or any other appropriate steps which might be lawfully taken by the DEVELOPER against transgressors.