

FYNBOS PARK

ANNEXURE 9

CONDUCT RULES

**[Section 35(2)(b) of the Sectional Titles Act,
1986]**

**NOTE: Please note that these Conduct Rules
which forms part of the above Act, is applicable
on all sectional title schemes who did not file
amended rules at the Deeds office.**

[Issued: 27/11/2012]

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CONDUCT RULES

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1. ANIMALS, REPTILES AND BIRDS

- (1) An owner or occupier of a section shall not, without the consent in writing of the trustees, which approval may not unreasonably be withheld, keep any animal, reptile or bird in a section or on the common property.
- (2) When granting such approval, the trustees may prescribe any reasonable condition.
- (3) The trustees may withdraw such approval in the event of any breach of any condition prescribed in terms of sub-rule (2).

2. REFUSE DISPOSAL

- (1) An owner or occupier of a section shall –
 - (a) maintain in an hygienic and dry condition, a receptacle for refuse within his section, his exclusive use area or on such part of the common property as may be authorized by the trustees in writing;
 - (b) ensure that before refuse is placed in such receptacle it is securely wrapped, or in the case of tins or other containers, completely drained;
 - (c) for the purpose of having the refuse collected, place such receptacle within the area and at the times designated by the trustees;
 - (d) when the refuse has been collected, promptly return such receptacle to his section or other area referred to in paragraph (a).

In terms of Conduct Rule 2(1) (a), (b) and (c) the Trustees determine as follows:

Kitchen Refuse – Put in plastic bags that do not leak. Put in front of your flat before 08h00 on weekdays (holidays excluded) from where the cleaners will remove it.

Recycling Room - (Below Staircase in front of Lifts.)

No Kitchen refuse may be placed or thrown into this room.

Only folded newspapers/magazines/cardboard boxes/glass and plastic bottles to be placed here.

Milk, cool drink and wine cartons may not be discarded here. These are manufactured from carton with a plastic lining. This combination cannot be recycled.

Municipal refuse drums – For the convenience of residents, drums are placed at: Phase 7 next to car wash; between G23 and G25 and in the corner between Church Street and the office.

3. VEHICLES

- (1) 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, without the consent of the trustees in writing.
- (2) 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' consent.
- (3) 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 to the common property or in any other way deface the common property.
- (4) No owner or occupier shall be permitted to dismantle or effect major repairs to any vehicle on any portion of the common property, an exclusive use or in a section.

4. DAMAGE, ALTERATIONS OR ADDITIONS TO THE COMMON PROPERTY

- (1) An owner or occupier of a section 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.
- (2) Notwithstanding sub-rule (1), an owner or person authorized by him may install –
 - (a) any locking device, safety gate, burglar bars or other safety device for the protection of his section; or
 - (b) any screen or other device to prevent the entry of animals or insects.

Provided that the trustees have first approved in writing the nature and design of the device and the manner of its installation.

5. APPEARANCE FROM OUTSIDE

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

In terms of Management Rule 5 the Trustees decided as follows:

1. The Board gave approval for the closure of balconies (part of flat) in order to allow residents more living space. These balconies may not be used as additional bedrooms. Maximum number of permanent residents per flat are as follows: single 2, double 4.
2. The following conditions for closure of Balconies apply

The owner must request the Specifications applicable to the closure of balconies from the Fynbos Park office.

The owner must submit a written request to the Board, accompanied by:

- Drawing and plan of the proposed alteration.
- Signed letter of approval for alteration by all adjacent owners.

The Board consider and provisionally approve/reject the proposal, with or without amendments and conditions.

The owner must submit the drawings and plans to the Municipality for their approval. The Municipal approval must then be submitted to the board, where-after the Board will give the final written approval. No construction may commence before the final written approval.

The maintenance of the balcony inside is for the cost of the owner and the outside is for Fynbos Park.

3. The following Sectional Title Act Articles and Management Rules describes this procedure:

3.1 Article 10.5 (e)

3.2 Article 44.1 (e)

3.3 Article 44.1 (g)

3.4 Article 44.2 (a)

3.5 Article 44.2 (b)

3.6 Management Rule 68 (1) (iii)

3.7 Management Rule 68 (1) ((iv)

6. SIGNS AND NOTICES

No owner or occupier of a section, used for residential purposes, shall place any sign, notice, billboard or advertisement 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.

7. LITTERING

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.

8. LAUNDRY

An owner or occupier of a section shall not, without the consent in writing of the trustees, erect his own washing lines, nor hang any 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 sections.

9. STORAGE OF INFLAMMATORY MATERIAL AND OTHER DANGEROUS ACTS

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.

10. LETTING OF UNITS

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.

11. ERADICATION OF PESTS

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 upon his section from time to time for the purpose of inspecting the section and taking such action as may be reasonably necessary to eradicate any such pests. The costs of the 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.

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1. Kindly refrain from tuning the volume of radio's / televisions too high or talking too loudly, as it creates a disturbance to other residents. The aforementioned is relevant between the hours of 22h00 in the evening and 07h00 in the morning.
2. Vehicles of owners are allowed to be washed ONLY on the cement strip between SOFCA and Fynbos Park – behind Phase 7.
3. SOFCA:
 - 3.1 Care-workers from SOFCA do daily visits to the flats to make sure that everybody is well. Should you not require this service (temporary or permanent), please place the green card on the inside of your door's window.
 - 3.2 Panic buttons: Use the panic button in your bedroom in the event that you should need assistance from SOFCA. They charge a nominal fee for this service.
 - 3.3 Frail Care at home: SOFCA provides frail care at home at a fee.
 - 3.4 A complete prize list from SOFCA is available in the office.
4. PARKING
 - 4.1 Garages, car ports and open parking are the private property of owners who pay the levies thereof. The legal users of these parking areas receive a permit with the Fynbos Park Logo on it and they are required to put it onto the right hand side of their vehicle's windscreen for identification purposes. Vehicles parked in open parking spaces and carports must take care to stay within the marked area and not obstruct other traffic.
 - 4.2 Rental parking: In case you have no parking area within the complex, make sure to put your name on the list in the office to qualify for renting a parking bay from Fynbos Park if and when one is available.
 - 4.3 Visitors: No person – resident, visitor, contractor, delivery service, etc. – may ever park on a parking space without prior arrangement with the owner/resident. Parking bays marked with a yellow cross as well as parking no 43 are drop off and collection zones and may also be used by contractors working on the premises.
 - 4.4 Visitor's parking: The parking area in Church Street is available for all visitors.
 - 4.5 The security guards will not grant any unauthorized vehicles access to the terrain if prior arrangements were not made by the specific owner/resident. Visitor's vehicles must either be parked outside, on your own parking space or on another owner's parking space provided that prior written permission was obtained from such an owner/resident. Such vehicles will be issued with a temporary permit by the guard and must be attached on the inside of the vehicles windscreen on the right hand side. Illegally parked vehicles may be removed by the Trustees for the account of the owner.
5. Fynbos Park Employees are not allowed to do any private work for residents during their working hours, which include tea-breaks. Residents are not allowed to interfere with their tasks. All requests and problems in this regard must be brought to the

attention of the Trustee who is responsible for the specific employee(s). The responsible Trustee's name is listed in the Fynbos Park internal telephone book. Lunch breaks are the employees' private time.

6. SECURITY:

- 6.1 No resident, visitor or private worker are permitted in the security office.
- 6.2 Nobody is allowed to interfere with the work of the security officers and they are not allowed to do any private work for residents while they are on duty.
- 6.3 Pedestrians must enter or exit the premises through the pedestrian gate only. They must complete the relevant register which include their name and telephone number. The resident of FREQUENT visitors may apply for a temporary permit at the office. These permits will only be valid for 6 months at a time after which it must be renewed. Carriers of these permits are not required to complete the register.
- 6.4 Domestic-, frail care- and other workers must complete the relevant register before they can enter or exit the premises.
- 6.5 There is a telephone in the security office to enable residents to make prior arrangement with the guards for admission of visitors, deliveries and contractors. The number is 028-312 2256.
- 6.6 Security officers will only grant access to vehicles that adhere to the prescriptions as described in Rule 4.
- 6.7 When entering or exiting the premises after dark by using the remote control, please wait until the gate closes properly.
- 6.8 No hawkers or beggars are allowed on the premises (door-to-door hawkers included). Please contact the security guard immediately if such a person knocks on your door.

7. LIFT

- 7.1 Children of visitors may not use the lift without adult supervision.
- 7.2 The maximum weight restriction is indicated on the inside of the lift. Residents must take care not to exceed this restriction when moving furniture.

INFORMATION

1. New residents: A single resident or the elder of a couple who stays together must be at least 55 years old. Complete the personal information form (available at the office) as soon as possible and submit it back to the office.
2. Duplicate keys of your flat must be handed in at the office for use in case of emergencies. New residents must receive their keys from the previous resident or owner of the unit. A duplicate key can also voluntarily be submitted to SOFCA for use in the event of an emergency.
3. Residents must be physically and/or mentally self-sufficient or get help from outside care workers.
4. Nobody is allowed to smoke in any enclosed areas i.e. atriums, corridors, foyers, lift, office or verandas outside the units. Smokers must please close doors leading to the atriums and enclosed balconies, when smoking.
5. When a unit is sold 5% of the selling price is payable to Fynbos Park and another 5% must be paid to SOFCA as prescribed by the amended Management Rules.
6. No structural changes in units are allowed without the written consent from the Board of Trustees. Applications must be in writing and be accompanied by the necessary plans. Some changes may also require Municipal approval. The outside of the buildings/units and garages are common property and therefore may not be changed or decorated without the written permission of the Trustees and/or Body Corporate.
7. If you want a DSTV-dish installed you must submit a written request to the Board. They will notify you in writing of their approval and the Trustee who is responsible for buildings will indicate where and if it can be installed. Where possible, existing dishes must be shared. Once installed a dish and bracket becomes a fixture and may not be removed.
8. When contractors work in your flat they must consider all the other residents and preferably not commence work before 08h00 in the morning and work later than 18h00 in the evening. Contractors are responsible for daily removal of all rubble and may not dump the rubble on the common property.
9. No visitors are allowed to stay in a flat in the absence of the owner/resident without the written consent of the Trustees.
10. Communal rooms may be used by all the residents. Residents can also use it for private functions if the Board approve your request to do so. The room must be tidied immediately after it had been used. Excess furniture may be placed in the communal room nearest to your flat with the written approval of the Trustees. Every item must be marked with your name and flat-number. The backdoors of the complex as well as those of the Blue-, Green- and Pink rooms may not be locked in the evenings as this creates a fire evacuation danger. Nothing that belongs to Fynbos Park such as curtains, decorations, etc. is to be removed from these rooms.
11. Gardens form part of the common property. No plants may be removed or planted without prior consultation with the Trustees. No pots/plants may be placed in such a manner as to obstruct the movement of other residents, entrances to flats or trolleys used by paramedics. Plants purchased by residents become the property of Fynbos Park when they are planted in the gardens. Plants hanging on the verandas must not be dangerous to or inconvenient for other people. Be careful of spilling water on the walkways when watering these plants.

12. Complaints and notifications of problems must be submitted to the office **in writing** and preferable be co-signed by two other residents. Trustees can be contacted after hours in cases of emergencies (telephone numbers are in the telephone booklet). Please remember that Trustees, like other residents, are also here to retire and must therefore only be contacted at home in case of **EMERGENCIES**.
13. Office-hours for residents are from 08h00 – 11h00 and 15h00 to 16h00. Only emergencies will be attended to outside of these hours.
14. All notices on the notice boards or in communal rooms must be stamped with the office stamp. Please do not damage or remove any notices or stick a notice on top of another one.
15. Laundry: There are three communal laundries situated at the back of the building. Only new R5 coins may be used in the machines. Two coins (R10) are needed for a washing cycle. Old coins can be exchanged for new ones at the office. Only clothes, towels, sheets and pillowcases may be washed in these machines – no floor-mats or items made of heavy fabrics, blankets etc. Please remove your washing from the lines as soon as possible as other residents also require to use them. Please latch or close doors when you are done.
16. Mail: Outgoing mail must be placed in the post-box situated near the lift in the lift foyer. Incoming mail is collected from the Post Office daily and placed in the private post boxes after 11 am. Postal address: Name, Flat no ... , Fynbos Park, Private Bag X 09, HERMANUS 7200.
17. Security: Remote controls for the main gate can be purchased from the office at R75 each.
18. Insurance: All geysers are individually shared by two flats. The Body Corporate's insurance covers the replacement of geysers as well as certain maintenance thereon. Water damage resulting from a claim is also covered by the insurance. Contact the office without delay should you experience a problem with your geyser. NOTE: All insurance excesses payable on claims are for the account of the owner. Disputes that result from claims that were not reported or reported too late and are subsequently rejected by the insurance, will result in the owner being liable for payment of all repairs that are needed.
19. SERVICES:

TRANSPORT:	SOFCA's bus transports residents to Pick 'n Pay on Tuesday's at 10h00. The departing point is at the lift foyer at Phase 3 & 4. A round trip bus ticket can be purchased at the office for this purpose and must be handed to the bus driver of the bus when making use of this service.
MEALS:	<p>SOFCA: Provides meals on order (breakfast, lunch and dinner) 7 days per week at a tariff. These meals are delivered by their staff to your unit and cutlery will be collected by them. You must place your order directly with them.</p> <p>SENIOR CENTRE: Provides lunch (week days only) at a tariff. Meals are delivered by Fynbos Park employees and cutlery collected by them. Orders must be placed at the Senior Centre.</p>

<p>WINDOW CLEANING:</p>	<p><u>Undercover windows:</u> are washed by Fynbos Park employees. <u>Outside windows of flats</u> are wash once a month by an external contractor. <u>Balcony windows:</u> Residents are responsible for cleaning these windows. The contractor will wash the balcony windows if <u>prior</u> payment was made at the office.</p>
<p>CLINIC SERVICES:</p>	<p>Thursdays 09h30 – 10h00 in the Green Room. Blood pressure and suger test can be done. A nominal fee will be charged for suger test.</p>
<p>OFFICE SERVICES: (for residents only)</p>	<p>Faxes can be sent and received at the office at a tarrif. Copying is also availabe at a tarrif. Proof of residence letter are also issued by the office. A price list for these services is available in the office. Private typing can be done at a tarrif <u>providing that the office workload allows it.</u></p> <p><u>NOTE:</u> The office staff may not render private services to residents. The employee was appointed to see to the overall management and administration of Fynbos Park in cooperation with the Trustees.</p>