

CONDUCT RULES
MADE IN TERMS OF THE CONSTITUTION OF THE
PONTAC PARC PROPERTY OWNERS' ASSOCIATION

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1. BINDING NATURE

- 1.1. The Conduct Rules are binding on all persons trading from or visiting the property, as are decisions taken by the trustees in administering them.
- 1.2. The registered owners of properties are responsible for ensuring that tenants, visitors, invitees, contractors and all their employees, any person affiliated with a specific erf, which includes trade persons and suppliers, are aware of and abide by the Conduct Rules.
- 1.3. Tenants have the same responsibility with respect to their visitors, invitees, contractors and employees.
- 1.4. If any person referred to in rule 1.2 above causes damage to the common areas, the member concerned shall be liable to the Association for damages caused.
- 1.5. In the event of nuisance or complaint, the parties involved should attempt to settle the issues between themselves, exercising tolerance and consideration. Where matters cannot be resolved it should be brought to the attention of the Trustees.

2. PROPERTY / BUILDING ALTERATIONS & GENERAL AESTHETICS

- 2.1. All plans for any and all building, building alterations, the placement of any attachment or upgrades to the buildings including but not limited to satellite dishes or air-conditioning units must be lodged with the trustees for approval and neighbouring erven where the trustees deem necessary or applicable, prior to the submission of the plans to the local authority for approval. Approval of the said plans will only be granted subject to the provisions of the constitution and the design manual.
- 2.2. The registered owner and his builder(s) must at all times comply fully with the construction rules as determined by the trustees from time to time.
- 2.3. Notwithstanding rule 2.2 above:
 - 2.3.1. The erection of gazebos, free standing garden or tool sheds and Wendy houses are strictly prohibited save with the express written permission of the Trustees.
 - 2.3.2. The use of any kind of shade netting is prohibited save with the express written permission of the Trustees.
- 2.4. All building work undertaken by a contractor or by the member must be done within the hours set out by the Trustees or a regulation made by the POA.
- 2.5. The colour scheme and facade of the buildings may not be changed save with the express written permission of the Trustees.
- 2.6. Members and/or their tenants may not place any pot plants or structures on top of the surrounding walls of their erven.
- 2.7. Members are responsible for the maintenance, neatness and cleanliness of their buildings and erven. The Association reserves the right to affect repairs or maintenance at the expense of the member.
- 2.8. Cracked / broken windows to be replaced within 10 days after the date of damage.

3. REFUSE

- 3.1. Each member and/or tenant shall keep the refuse container out of sight save on days which collections are done.
- 3.2. Members, their tenants, visitors, contractors or employees shall not deposit, throw or permit or allow to be deposited or thrown on common areas, any rubbish, including dirt, cigarette butts, food scraps or any other litter whatsoever.
- 3.3. Should provision be made for recycling, it will be the responsibility of the members/tenants to follow the prescribed procedures as may be communicated from time to time.

4. COMMON AREAS

- 4.1. When visiting the Common areas, the members, employees, tenants, invitees, guests, or any other person affiliated with a specific erf shall respect the privacy of members whose property front onto the common areas.
- 4.2. Lighting of fires, braaiing or camping on common areas is strictly prohibited.
- 4.3. Disturbing, collecting or destroying plant material is prohibited.
- 4.4. Any activity, sport or ball games are prohibited in common areas.
- 4.5. No tampering or adjusting of irrigation systems are permitted, unless in case of emergency.
- 4.6. It is the responsibility of all occupants within the association to report any malfunctioning equipment and damage within the common area to the Managing Agent.

5. TRAFFIC/PEDESTRIANS

- 5.1. Members and tenants must exercise proper care and keep a proper look out when driving on the property and observe the maximum speed limit of 20 kilometres per hour.
- 5.2. Only persons with valid driver's licences are allowed to drive a vehicle on the property.
- 5.3. No vehicle/pedestrian shall enter or leave the property at any point except at the entrance gate/pedestrian gate.
- 5.4. No vehicle that leaks oil or fuel is allowed within the property. Should such a vehicle enter the property and cause a mess, the mess will be cleaned by the Association and the cost will be recovered from the member responsible.
- 5.5. No person shall drive/ride any vehicle within the property in such a manner that would constitute an offence under the relevant traffic ordinance.
- 5.6. No person shall store or park any vehicle (including a boat or a caravan) or the like in a Common Area or a road within the property or on the pavement outside the property. Over and above the penalties in the PENALTIES section, the Association may have the vehicle (including the boat and the caravan) towed away at the expense of the member.
- 5.7. All vehicles, in particular motorcycles, must have efficient silencer systems.
- 5.8. No unnecessary hooting is allowed within the property.

- 5.9. No excessive revving of vehicles is allowed within the property
- 5.10. The paved walkways in the common areas are there for pedestrians only.

6. SECURITY MEASURES

- 6.1. Every member and tenant shall comply with the security measures implemented from time to time by the Trustees.
- 6.2. Every member and tenant shall ensure that their visitors, guests and employees comply with the measures implemented from time to time by the Trustees.
- 6.3. No person is allowed to interfere with any security system installed within the Association.
- 6.4. No person is allowed to interfere or place obstructions in front of the entrance gate/pedestrian gate to keep it open.
- 6.5. Every Member or Tenant is responsible for the security of his/her own Erf, and may install a security system of their choice at their own cost.

7. SIGNAGE

- 7.1. No advertising boards may be displayed anywhere within the Association without the prior written consent of the Trustees.

8. CONTRACTORS / CONTRACT WORKERS / PERMANENT EMPLOYEES

- 8.1. Members must supply contact details for any Contract Worker to the Managing Agent prior to any work being conducted within the Association. This excludes once off installations or deliveries.
- 8.2. Members must have the following details for all employees.
 - 8.2.1. Copy of valid ID Document.
 - 8.2.2. Personal contact details.

9. RISK

- 9.1. Members, employees, tenants, invitees, guests or any person affiliated with a specific erf, present on the common areas or using any of the services, land or water features do so at their own risk.
- 9.2. Members, employees, tenants, invitees, guests or any person affiliated with a specific erf, waives any right he may have against the Association to claim any damages by virtue of damages to or loss of property or personal injury occasioned whilst present on the property.
- 9.3. Every member indemnifies the Association against such claims made by the employees, invitees, guests or any person affiliated with a specific erf.

10. NOISE AND NUISANCE

- 10.1. No persons shall make or cause to make any unacceptable disturbance or excessive or undue noise which constitutes a nuisance to other persons.
- 10.2. Members must address complaints of disturbance to the person causing such disturbance. When failing to get a positive response, report it to the South African Police Services and the security office.

11. GENERAL

- 11.1. Members, employees, tenants, invitees, guests or any person affiliated with a specific erf shall:
 - 11.1.1. Refrain from the use of fireworks within the Property.
 - 11.1.2. Be personally responsible for their own safety.
 - 11.1.3. Not pose a threat to any other person on the Property.
- 11.2. Whenever the Association receives a written complaint from a member relating to the behaviour of any person on the property, the Association shall investigate and take the appropriate steps required to remedy the complaint within the scope of the Conduct Rules and the Constitution. The Association is not prevented by this clause from taking action on its own initiative.

12. STORAGE/USE OF DANGEROUS AND/OR FLAMMABLE SUBSTANCES

- 12.1. Any storage or use of dangerous or flammable substances must be done in compliance with the relevant Health and Safety Acts as well as the relevant Municipal bylaws and the property's Insurance policy.
- 12.2. The Association reserves the right to remove or prohibit any such substances at the Trustees' discretion.

13. FINES AND PENALTIES

- 13.1. Any person who contravenes any provision of the Conduct Rules or any conditions imposed by or directions given in terms of the Conduct Rules, shall be deemed to have breached the Conduct Rules and will be subjected to penalties imposed by the Association and which may include the imposition of penalties of R 1 000.00 (One Thousand Rand) for each separate offence.
 - 13.1.1. In the event of a breach by members, employees, tenants, invitees, guests or any person affiliated with a specific erf the member shall be liable for the payment of any penalties imposed.
 - 13.1.2. In the event of a breach by a tenant's invitees or guests of the tenant, the Association may in addition to the imposition of a penalty, request the Member to bar the abovementioned from access to the Association.
- 13.2. The following procedural steps may be taken against anyone that does not abide by the Conduct Rules:

13.2.1. Written warning.

13.2.2. Written warning plus appropriate fine.

13.2.3. Legal action.

13.3. In the event of a continuing offence, any person subject to the Conduct Rules who contravenes them shall be deemed to be guilty of a separate offence for every 24 Hours or part thereof during which such offence continues and shall be liable in respect of each separate offence.

13.4. Any penalty imposed on a member in terms of 13.1 and 13.2 shall be a debt due and payable to the Association by the Member on demand and/or be added to the monthly levy account.

13.5. Should a member fail to or refuse to comply with these Conduct Rules the Association may take whatever action necessary and appropriate in the circumstances and recover from the member any cost incurred in taking such action without prejudice to the Association's rights to recover any fines, other penalties imposed or legal action taken.

14. RELAXATION OF RULES

NO indulgence or relaxation in respect of these Conduct Rules shall constitute a waiver or consent, or prevent the enforcement thereof by the Trustee Committee at any time.