

SAHARA MEWS BODY CORPORATE RULES

Sectional Titles Act, 1986

Part VIII Rules and Bodies Corporate

35. Rules

- 1) A [scheme](#) shall as from the date of the establishment of the [body corporate](#) be controlled and managed, subject to the provisions of [this Act](#), by means of the [rules](#).
- 2) The rules shall provide for the control, management, administration, use and enjoyment of the sections and the [common property](#), and shall comprise--
 - a) management rules, [prescribed](#) by [regulation](#), which rules may be substituted, added to, amended or repealed by the developer when submitting an application for the opening of a [sectional title register](#), to the extent prescribed by regulation, and which rules may be substituted, added to, amended or repealed from time to time by [unanimous resolution](#) of the body corporate as prescribed by regulation;
 - b) conduct rules, prescribed by regulation, which rules may be substituted, added to, amended or repealed by the [developer](#) when submitting an application for the opening of a sectional title register, and which rules may be substituted, added to, amended or repealed from time to time by [special resolution](#) of the body corporate: Provided that any conduct rule substituted, added to or amended by the developer, or any substitution, addition to or amendment of the conduct rules by the body corporate, may not be irreconcilable with any prescribed management rule contemplated in paragraph (a).
- 3) Any management or conduct rule made by a developer or a body corporate shall be reasonable, and shall apply equally to all [owners](#) of [units](#) put to substantially the same purpose.
- 4) The rules referred to in subsection (2) shall as from the date of establishment of the body corporate be in force in respect of the [building](#) or buildings and land concerned, and shall bind the body corporate and the owners of the sections and any person occupying a [section](#).
- 5)
 - a) If the rules contemplated in subsection (2) are substituted, added to, amended or repealed, The body corporate shall lodge with the [registrar](#) a notification in the prescribed form of such substitution, addition to, amendment or repeal.
 - b) The registrar shall not be involved in the enforcement or application of the rules contemplated in subsection (2) and is not required to examine or note any substitution, addition, amendment or repeal thereof against any certificate or other document.
 - c) A substitution, addition, amendment or repeal contemplated in paragraph (a) shall come into operation on the date of filing of the notification referred to in that paragraph.
- 6) The body corporate shall, on the application of any owner or any person having a registered real right in or over a unit, or any person authorized in writing by such owner or person, make any rules then in force available for inspection to such owner, person or authorized person.

CONDUCT RULES

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).
- (4) The official form of application supplied by the Body Corporate must be used for all applications to keep pets and this will be the only recognized form of application. Copy attached.
- (5) The Terms and Conditions contained in the official application form will be strictly applied and all applicants shall bind themselves thereto on signing the application form. In addition the applicant will provide with the application a copy of the certificate confirming that the animal has been spayed/neutered and all inoculations are up to date.
- (6) A pet levy of R250.00 per month will be charged per pet Which amount may reasonably be increased by the trustees, from time to time, with due notice.

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 authorised 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).
 - (e) No cardboard/carton boxes may be placed in the refuse bins provided, or dumped on the common property at any time. The owner/occupant of a unit must either cut up the box/carton into small pieces and place these into the refuse bin or hold the containers in your unit until the caretaker can collect them at a suitable time.

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 affect major repairs to any vehicle on any portion of the common property, an exclusive use area or in a section.
- (5) Numbered bays are private and are allocated to each unit, please park in your own demarcated bay.
- (6) Respect other residents' bays; do not park in other residents' bays.
- (7) Privately parked trucks, trailers, boats and caravans are not permitted on the common property.
- (8) Extra vehicles/visitors vehicles are only to be parked in bays demarcated for visitors by "V", on a first-come-first-serve basis.
- (9) Two vehicles per parking bay are not permitted as it infringes on use of the common roadway.
- (10) The speed limit on the common property is 20km/h. Please exercise caution when turning blind corners in the complex.

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 authorised 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.

- (3) All additions, renovations and alterations must conform to the building guide plan available from the managing agent.
- (4) Prior permission of at least one Trustee to be obtained and the owner will be held responsible for installation repairs.
- (5) Alterations are to be done between 08h00 and 18h00 on weekdays, and between 10h00 and 16h00 on Saturdays, unless of an emergency nature.

- (6) No maintenance and alterations to be done on Sundays or public holidays .
- (7) The installation of television aerials, air conditioners, sun canopies, satellite dishes or any installation repairs of a similar nature is to be applied for and approved in writing by the Trustees before it is installed or it will be removed at the owner's risk and expense. The exact area allocated for installation will be indicated by the Trustees. Any item that has been installed will then become a permanent fixture and part of the common property. It may not be removed.

5. Appearance from Outside

- (1) 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, steps, and gardens which, at the discretion of the trustees, is aesthetically displeasing or undesirable when viewed from the outside of the section.
- (2) Balconies are only to be mopped down; no running water is to be used on upper units as this spills on units that are below you.
- (3) No washing may be hung out on balconies or in windows, or where visible from outside the unit.
- (4) No painting allowed on external walls, as these constitute part of the common property of the complex.
- (5) Occupants are responsible for the cleaning of windows and all broken windows must be repaired within 7 (seven) days.
- (6) All interior window coverings to be aesthetically presentable.

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

- (1) An owner or occupier of a section shall not, without the consent in writing of the trustees, erect his own washing line, 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.
- (2) The laundry room is for the use of the occupants of the complex only.
- (3) Ensure that the laundry room is kept neat and tidy.

- (4) The Body Corporate will not be responsible for the loss of any clothing.
- (5) Heavy blankets, car seat covers, carpets and other heavy items are not to be washed in the machines.
- (6) No smoking is permitted in the laundry.
- (7) Tampering and or vandalizing of the machines will not be tolerated. Strict action will be taken against any offenders.

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

- 1 All tenants/occupants 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.
2. No ' TO LET ' or ' FOR SALE ' signs may be erected in front of or anywhere else on the complex. Showing will only be allowed by appointment through the owner, who shall remain responsible for the conduct of the Selling or Letting Agents and their Clients and their observance of the Conduct Rules while viewing the property.
3. All owners must furnish to the managing agent a copy of the lease agreement that has been concluded.
4. All owners must furnish with the lease agreement a copy of the conduct rules which has been signed by the tenant.
5. The lease agreement is to stipulate how many persons will be residing in the unit.
6. The owner must furnish full particulars of the tenant to the managing agent.

11. Eradication of Pests

- 11.1 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 authorised 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.
- 11.2 Furthermore occupants must not feed birds, seagulls or any wild animal

12. Noise

- (1) Any level of noise that disturbs any other resident, including neighbours, is totally unacceptable. This includes radios, TV's, Hi-Fi's, musical instruments, fire works and parties. Strict action will be taken against offenders if deemed reasonable by the trustees.
- (2) Should there be any exceptional cases when there is a particular reason for loud noise, (e.g. celebrations, alterations, etc.) the Body Corporate and Trustees should be informed before hand, as well as neighbours likely to be affected.
- (3) Music for parties and other occasions with prior approval will be permitted until 22h00 from Monday to Thursday and until 01h 00 on Fridays and Saturdays. Sundays 20h00

13. Overcrowding

The maximum number of persons resident in a unit at any one time may not exceed two people per bedroom (i.e. four people per two-bedroom apartment).

14. Security:

- (1) Please ensure that security gates are shut after use as this is for your own protection and safety.
- (2) Burglar bars may be installed once written approval has been given from the trustees, and to be regularly maintained to keep the aesthetics of the complex to standard. These are to be painted colour to be confirmed.
- (3) Security gates are to be galvanized and colour to be confirmed.
- (4) Burglar Bars may only be fitted to the inside of window frames.
- (5) Absolutely NO public transport vehicle of any description may enter the complex, no matter the weather conditions
- (6) Pedestrians are to use the pedestrian gate for entry and exit only, and not the main gate.

15. Children

- (1) Children are welcome in the complex. They are not to be left unattended on the common property at any time.
- (2) Children are not permitted to run or play on the stairways and passages.
- (3) Please respect your fellow resident's privacy and quiet times, especially evenings and weekends.

16. Trustees:

- (1) The Trustees of the Body Corporate are appointed to look after the matters of the complex. Please avoid disturbing them with matters that should be addressed directly with Owners and Letting Agents (issues internal to your unit).
- (2) The Trustees are there to serve the Body Corporate.
- (3) A list of trustees can be obtained from the managing agent.

17. Complaints and Communication:

- (1) Tenants are to lodge any complaints with regards to internal matters to the owner or letting agent.
- (2) Owners can lodge their complaints, in writing only, to any Trustee or directly to the Managing Agent, Contact details at the entrance gate

18. Wash Bay

- (1) A wash bay is provided in order for occupants to wash their vehicles, please refrain from washing your vehicles outside your units.
- (2) Ensure that after you have washed your vehicle that the wash bay is left clean.
- (2) The fire hydrants may NOT be used to wash vehicles under any circumstances.
- (4) The wash bay is not a parking bay, and no vehicle may be parked there while not being washed.

19. Visitors

Visitors are your responsibility and may only park in the demarcated "V" Bays. It is your responsibility to ensure that your visitors do not park in a private parking bay.

20. Alcohol and Drugs

- (1) No drugs may be used on common property.
- (2) Should any residents wish to consume alcohol outside their units on the common property, this will only be allowed if prior permission has been granted by a trustee and that any permission given treated respectfully and there is no abuse. Any permission granted may be withdrawn at the discretion of the trustees at any time.

21. Business

No one is permitted to operate a business from a unit.

22. Property Attendant

The property attendant is employed by the Body Corporate. Under no circumstances may he/she be approached for any private tasks during the week, only on a Saturday or Sunday.

23. Pot Plants and Gardens

- (1) Pot plants are not allowed on passage ways
- (2) All pot plants on balconies and patios are to have drip trays to prevent spillage. These pot plants must be kept in white or terracotta pots, limited to 2 per unit and only on balconies not on the common property.
- (3) Litter or objects of any kind may not be thrown from balconies or windows onto the garden area.
- (4) Avoid fire hazards and do not throw cigarette ends over the balconies or put cigarettes out on common property,
- (5) Occupants or visitors are not permitted to remove or plant any plants on the common property.

24. Fire Hydrant

The fire hydrants outside each unit may NOT under any circumstances be used for anything but a fire emergency. Fines issued by the Fire Department amount to a minimum of R1 000, 00.

25. General

- (1) Please be aware that Trustees may take any reasonable steps to enforce the Conduct Rules, and recover the costs thereof, together with any interest charged, from the owner of a unit within the complex.
- (2) Trustees may enter any unit at any reasonable time for maintenance purposes.
- (3) No owner/occupier may use his section or any part of the common property for any activity, which may harm the reputation of the complex.
- (4) No owner or occupier may store any material or permit any dangerous act in the buildings or on common property.
- (5) All litter is to be disposed in a safe and healthy manner within dirt bins provided.

26. Barbeques

No barbeques will be allowed inside the section, nor outside, to include any balcony, garden or any part of the common property

28. Access to the complex

- (1) Any visitor or resident caught jumping over the walls or forcing their way through the gates will be charged a special levy of 20% of the annual levy and held liable for the cost of repairing any damage or re-painting.
- (2) Residents are requested not to allow access to anyone whom they don't know or cannot be identified.
- (3) Remote control units for the main gate and keys for the side gate are available from the Managing Agents.
- (4) All residents must supply the Managing agents with a telephone number to be programmed into the system.

29. Levies

Interest at the rate of 6 % above prime will be charged on all levies not paid by the 7th day of the month.

30. BREACH AND IMPOSITION OF PENALTIES

- (1) Any person who contravenes or fails to comply with any provision of these Conduct Rules, Management Rules, the Act, or any conditions imposed by or directions given in terms of the Conduct Rules, shall be deemed to have breached these Rules and will be subject to any penalties imposed by the Trustees having regard to the circumstances and which may include the imposition of penalties for each separate offence. The following standard procedural steps will be taken against owners/residents that do not abide by these Rules:
 1. Written warning;

2. Written warning, advising of a penalty;
3. Written warning, plus penalty;
4. Written warning, double penalty and invitation to Trustees meeting;
5. Legal action

In the event of a breach by members of the owner/tenants's household, employees, invitees, guests owner and or tenant, shall be liable for the payment of any penalty imposed.

In the event of a continuing offence, any person subject to these Conduct Rules who contravenes or fails to comply with any of the provisions, or any condition or direction given in terms thereof, 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 such separate offence.

Any penalty imposed on an owner / tenant, in terms of these rules, shall be a debt due and payable to the Body Corporate by the owner/tenant on demand and /or be added to the monthly levy account.

- (2) Penalty amounts are to be sent annually at the Annual General Meeting.

Should an owner fail or refuse to comply with these Conduct Rules, the Body Corporate may take whatever action necessary and appropriate in the circumstances and recover from the owner any cost incurred in taking such action without prejudice to its rights to recover any fines or other penalties imposed.