

THE BODY CORPORATE OF THE
PENTELBURY'S PLACE
SECTIONAL TITLE SCHEME

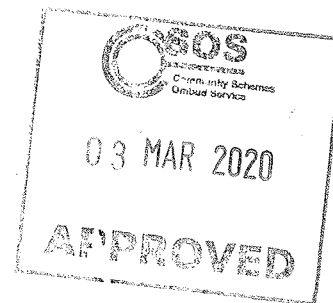
No. SS 519 / 2004

CONDUCT RULES

(Version 2.1)

in terms of section 10(2)(b) of the Sectional Titles Schemes Management

Act, 2011 (Act No. 8 of 2011)



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1. Definitions and Interpretation

- 1) In the interpretation of these rules, unless the context otherwise indicates:
- a) "Act" means the Sectional Titles Act, 1986 (Act 95 of 1986), as amended from time to time and any regulations made and in force thereunder, and subsequent to the date of its coming into effect, the Sectional Titles Schemes Management Act, 2011 (Act 8 of 2011) as amended from time to time, and any regulations made and in force thereunder. Any reference to a section of the Act herein shall, subsequent to said date, be deemed to be a reference to a corresponding section in the latter act;
 - b) "building" means any building in the scheme;
 - c) "contractor" means any artisan, builder, electrician, plumber or other person appointed by an owner or occupier;
 - d) "guidelines" means the design and building guidelines referred to in conduct rule 5;
 - e) "local authority" means the City of Cape Town or its successors in title;
 - f) "nuisance" means any act, omission or condition, which in the opinion of the trustees is offensive, injurious or dangerous to health, reasonably interferes with the ordinary comfort, convenience, peace or quiet of owners or occupiers of sections, or which adversely affects the safety of owners or occupiers of sections, having regard to the reasonableness of the activities in question in the section or on the exclusive use area concerned or on the common property, and the impact which result from these activities, and the noise related to these activities;
 - g) "occupier" means the occupant, lessee or resident of a section;
 - h) "owner" means the registered owner of a section, being a member of the body corporate;
 - i) "premises" means the land and buildings comprising the scheme;
 - j) "renovation" means an internal redecoration or refurbishment of the existing décor or interior of a section, including the replacement, removal or creation of internal fittings such as kitchen and other cupboards), sanitary ware, and floor coverings;
 - k) "structural alteration" means an alteration which is of a permanent nature and which alters the form, structure or essential framework of a building on the inside or the outside thereof, and for the purposes of these rules the following alterations shall be regarded as structural alterations:
 - i) the removal, reconstruction and/or construction of a wall or part thereof;
 - ii) the removal, reconstruction and/or the construction of a building or building improvement;
 - iii) the enclosing or partial enclosing of a balcony, patio, stoep, terrace or yard;
 - l) "these rules" mean these Conduct Rules;



- m) the annexures to these rules shall be deemed to be incorporated in, and form part of, these rules;
- n) the headings to the respective rules are provided for convenience of reference only and are not be taken into account in the interpretation of the rules;
- o) "visitor" means the person (family member, guest, visitor, worker or contractor), who visits an owner or occupier for a limited period;
- p) words and expressions to which a meaning has been assigned in the Act and the Management Rules shall bear the meaning so assigned to them;
- q) words importing:
 - (i) the singular number only shall include the plural, and the converse shall also apply;
 - (ii) the masculine gender shall include the feminine and neuter genders; and the neuter gender shall include the masculine and feminine genders;
- r) when any number of days is prescribed in these rules, the same shall be reckoned exclusively of the first and inclusively of the last day unless the last day falls on a Saturday, Sunday or proclaimed public holiday in the Republic of South Africa, in which event the last day shall be the next succeeding day which is not a Saturday, Sunday or public holiday;
- s) where figures are referred to in words and in numerals in these rules, if there is any conflict between the two, the words shall prevail;
- t) in the event of any conflict between these rules and the Management Rules, the Management Rules will prevail.

2. Directives

The trustees may issue Directives in connection with regard to the use of the common property. The trustees are not authorised to create new Conduct Rules through their issuing of Directives. A Directive shall not be in conflict with the Act, any Management Rule, or any Conduct Rule or with the Guidelines.

3. Guidelines

- 1) Owners of sections shall comply with the provisions of these rules and the Guidelines with regard to all alterations to their sections, exclusive use areas, the common property or the exterior of a building in terms of these rules.
- 2) The trustees shall be entitled to:
 - a) appoint an architect and such advisors as are necessary to scrutinize building plans on their behalf and to ensure compliance with the Guidelines;



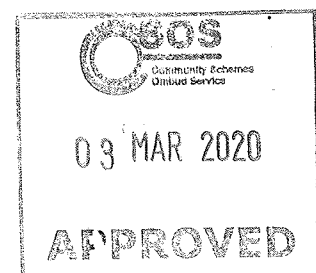
- b) impose a submission fee, scrutiny fee and such further charges as deemed necessary, to consider an application for structural alterations and to scrutinize the building plans;
- c) determine a deposit payable by owners, to proceed with structural alterations or renovations in terms of these rules, which deposit shall be retained by the trustees until completion of the work;
- d) enter the section with reasonable notice to the owner or occupier or contractor for the purpose of ensuring that the provisions of the Act, the Management Rules and Conduct Rules are being observed.

4. Animals, reptiles and birds

- 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.
- 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.
- 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.
- 4) The trustees may withdraw any consent if the owner or occupier of a section breaches any condition imposed in terms of sub-rule (3).

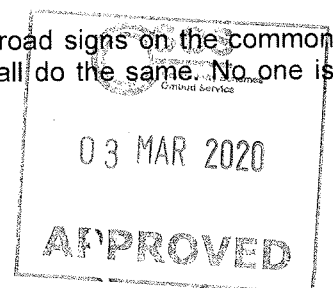
5. Refuse disposal

- 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 in their Directives;
 - b) deposit his refuse in refuse containers located in under cover parking area;
 - c) in compliance with the local authority regulations concerning refuse disposal, owners must separate dry refuse (bottles, tins, paper, plastics) for recycling and wet refuse for compost, before the disposal thereof;
- 2) Refuse or refuse bags may not be placed in the lifts or lobbies or on the common property contrary to these rules.



6. Vehicles

- 1) An owner or occupier of a section shall only park or stand his vehicle in the garage or undercover parking bay (section) or on the parking bay (exclusive use area) allocated to the unit.
- 2) The designated visitors" parking bays shall be solely for the use of visitors of owners and occupiers of sections.
- 3) Subject to sub-rules (1) and (2) above, no owner or occupier of a section 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 written consent of the trustees.
- 4) No person may park or stand a vehicle in a manner or a position, which obstructs the flow of traffic or access to or egress from doors, garages or parking bays. One vehicle may not occupy two parking bays, or protrude beyond the boundaries of a parking bay.
- 5) No caravans, trucks, trailers, boats, buses or similar heavy vehicles may be parked on the common property without the prior written consent of the trustees, which consent may be given subject to conditions which must be observed
- 6) No owner or occupier may use or allow the use by his visitor, of an exclusive use parking bay, unless such owner or occupier is entitled to the use thereof.
- 7) Owners and occupiers of sections shall ensure that their vehicles and the vehicles of their visitors do not drip fuel, oil or brake fluid onto any parking bay, the common property or in any other way deface the premises. Owners shall be held responsible for repairing such defacing, or alternatively be liable for the cost of cleaning and/or removing such spillage as may be deemed necessary by the trustees from time to time in the event of the body corporate repairing same.
- 8) Damaged vehicles, vehicles that are not in general use or that are not roadworthy may not be parked on an exclusive use area or on any portion of the common property, without the prior written consent of the trustees, and subject to the time period as may be approved by the trustees and subject to such conditions as may be imposed by the trustees.
- 9) No owner or occupier of a section shall be permitted to dismantle or affect major repairs to any vehicle or service any vehicle or part of a vehicle in his section, on his exclusive use area or on any portion of the common property. Only emergency repairs to vehicles may be done.
- 10) The trustees may cause a vehicle, which is parked, standing or abandoned on the common property without the trustees' consent or in contravention of these rules, to be removed or towed away, or it's wheels to be clamped at the risk and expense of the owner of the vehicle. The trustees may further determine a reasonable penalty, which is to be paid for the unclamping or release of a vehicle.
- 11) The parking or driving of a vehicle on the common property is at the risk of the owner or driver of the vehicle and no responsibility or liability shall attach to the body corporate or its agents or employees regarding any damage to a vehicle nor for anything which may befall any person in consequence of the use of a vehicle.
- 12) Owners and occupiers of sections shall observe and obey all road signs on the common property, whilst also ensuring that at all times their visitors shall do the same. No one is



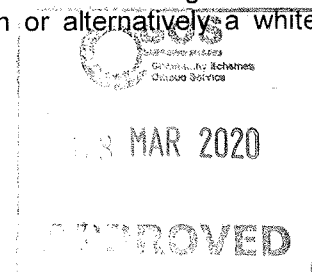
allowed to drive their vehicles on the common property in a manner which causes a risk or danger or constitutes a nuisance to persons or property.

- 13) No owner or occupier of a section or his visitor shall drive a vehicle or allow it to be driven without the driver being properly licensed, as required by law in respect of public roads.
- 14) Owners and occupiers of sections, or their visitors shall not create a noise or nuisance through use of their vehicles on the common property and in particular no excessive revving of vehicles is allowed, and no loud music may emanate from a vehicle, and the hooters of vehicles shall not be sounded on the common property or at the gate, other than in the event of an emergency.
- 15) No person may reside or sleep in a vehicle, trailer or caravan, or in a garage or on any part of the common property.
- 16) Owners or occupiers may not leave any obstructions to the free flow of pedestrian or vehicular traffic on any part of the common property. In particular access to staircases, passages, landings, and stairwells must be kept clear at all.

7. Damage, alterations, devices, additions and attachments to the common property or to the exterior of a building, renovations to sections, alterations to pipes, wires, cables and ducts in respect of a section, structural alterations, maintenance and access

Damage, alterations, devices, additions and attachments to the common property or to the exterior of a building

- 1) It is recorded that the exterior of sections, including windows and doors, are part of the common property and that as such, (as provided in the Act, Management Rules), no owner of a section or person authorised by him shall mark, paint, drive nails or screws or the like into, or otherwise damage, or alter, any part of the common property or the exterior of a building, including the exterior of doors and windows, without first obtaining the written consent of the trustees.
- 2) Notwithstanding sub-rule (1) an owner or person authorised by him, may install:
 - i) A locking device, safety gate, burglar bars, or other safety device for the protection of his section; or
 - ii) A screen or other device to prevent the entry of animals or insects; or
 - iii) A front door in respect of his section:
 - a) Provided that the trustees have first approved the nature and design of the device and the manner of its installation.
 - b) Provided that all security screens or burglar bars to sections must be of a standard galvanized square bar design, with a white epoxy coated finish, or alternatively a white expandable "Trellidor" product. The security screen must be fitted internally.
 - c) Provided further that all security gates to sections must be of a standard galvanised square bar metal design with a white epoxy coated finish or alternatively a white



expandable "Trellidor" product. Security gates must not infringe on the passage. Details of such designs are obtainable from the trustees.

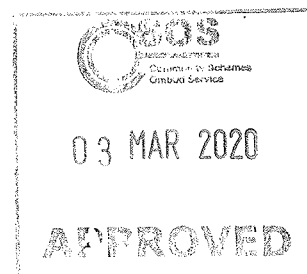
- d) Provided further that all front doors to sections must remain (brown & white) and conform in quality and appearance with similar doors generally installed elsewhere in the building.
- 3) An owner of a section shall not without the prior written consent of the trustees, who may attach reasonable conditions to their consent, construct to/on, or attach to/on the exterior of the building, the common property or an exclusive use area, any alteration, device, addition or attachment, inclusive of but not limited to a radio aerial, television aerial, satellite dish, air conditioner, solar heating system, canopy, awning, sunscreen or shade cover. The owner shall comply with the Guidelines and the requirements of the trustees regarding the nature and design of the equipment and the manner and place of its installation.
- 4) To obtain the written consent of the trustees in terms of sub-rules (1), (2) or (3), the owner of the section shall apply to the trustees in writing and the application shall be accompanied by sufficient plans, photo's and specifications that explain the nature, design, shape, size, material, colours and location of installation of the proposed alteration, device, addition or attachment. The trustees may grant their consent, or refuse such consent, in which case the trustees must give reasons for their refusal. The trustees may impose conditions when granting their consent.

Renovations to sections and alterations to pipes, wires, cables and ducts in respect of a section

- 5) An owner of a section shall comply with the following provisions in respect of the renovation of his section and/or alterations to the wires, pipes, cables and ducts in respect of his section:
 - a) An application to proceed in writing, with specifications, time frame, and if applicable a sketch plan of the proposed renovations and/or alterations must be submitted to the trustees, to obtain their consent to proceed.
 - b) The trustees shall convey their consent to proceed within 14 (fourteen) days of receipt of the application. The trustees may attach conditions to their consent.
 - c) Any alterations to pipes, wires, cables and ducts shall comply with the requirements of the local authority.

Structural alterations

- 6) An owner of a section shall comply with the following provisions to obtain the written consent of the trustees for structural alterations to his section and/or the common property and/or the building:
 - a) The owner shall submit a written application to the trustees, together with the building plans of the proposed structural alterations and any other additional documents that may be required by the trustees.
 - b) The owner shall pay the deposit determined by the trustees (if applicable) to cover damage to the building and removal of left-over rubble and other materials.



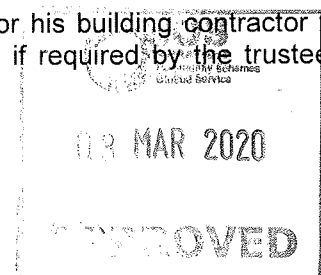
- c) The owner shall pay the submission fee determined by the trustees and the scrutiny fee payable to the architect (if applicable).
- 7) Upon receipt of the application, the trustees will consider the application and will advise the owner should any further documentation or information be required by them. If considered necessary by the trustees, they may consult an architect, engineer, legal advisor or other professional consultant regarding the proposed structural alterations and the owner may be held liable for the costs incurred. The trustees may require a structural engineer's certificate if any walls are to be demolished, or openings made or widened therein.
- 8) If the trustees are satisfied that the proposed structural alterations are aesthetically acceptable and does not prejudice the harmonious appearance of the buildings and are in accordance with the Guidelines (if applicable), for the purposes of which the trustees shall be the sole arbiter and their decision shall be final and binding on the owner, they shall approve and endorse the building plans and convey their written consent to the owner of the section. The trustees may impose conditions when granting their consent
- 9) Once the trustees have endorsed the building plans, the owner shall submit the building plans to the local authority for approval. Once the local authority has approved the building plans, a copy of the approved building plans must be submitted to the trustees, to obtain their written consent to proceed with the structural alterations. If a further scrutiny fee is required by the architect to scrutinize the approved building plans, the owner shall pay the scrutiny fee as may be required.
- 10) If required in terms of the Act or the Management Rules, the owner shall obtain authorisation of the members of the body corporate, by special resolution or otherwise in respect of the structural alteration. The members of the body corporate may impose conditions when granting their authorisation.

Prohibition against enclosing of patios, stoeps or balconies

- 11) No patios, stoeps or balconies may be enclosed and the trustees may dismiss applications for the enclosing thereof, without consideration.
- 12) Windscreens of clear glass may be installed at the side of certain balconies in the discretion of the trustees to deflect wind. The proposed installation must be submitted to the trustees, to obtain their consent to proceed

All alterations

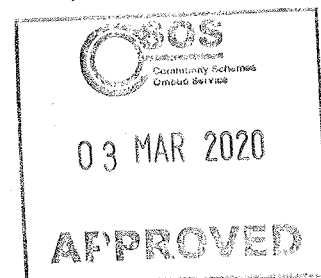
- 13) The owner shall comply with the following provisions with regard to all alterations in terms of this rule:
 - a) The owner shall comply with the conditions imposed by the trustees or by the body corporate and with the provision of the Guidelines.
 - b) The owner shall ensure that qualified, licensed and registered tradesmen are appointed, especially for plumbing, electrical and waterproofing work.
 - c) The owner shall ensure that qualified architects, builders and structural engineers are appointed in respect of structural alterations.
 - d) Appropriate insurance must be taken out by the owner or his building contractor for the duration of the construction of structural alterations, if required by the trustees.



The owner shall make provision for fire prevention and shall ensure that the safety of owners and occupiers are not compromised.

- e) The owner shall ensure that the harmonious appearance of the buildings is not compromised. All doors and windows being installed must conform in outward appearance with the other doors and windows installed in similar positions elsewhere in the buildings.
 - f) The owner shall ensure that the structural integrity of the building is not compromised.
 - g) The owner shall comply with the requirements of the local authority and the current regulations to the National Building Regulations and Building Standards Act, No. 103 of 1977, as amended and any other relevant legislation and regulations.
 - h) Any work done in pursuance of this rule, must be done during the hours of 08h00 to 17h00 on Mondays to Fridays, but not on Saturdays, Sundays, public holidays, the Easter Holiday period or during the period 15th December to 10th January. No demolition, hammering, drilling, sawing, or use of power tools or other disturbing noise producing activities may be undertaken outside of these hours, except in an emergency and with the written consent of the trustees.
 - i) The common property must be kept clean, tidy and free of building rubble, which must be removed as work proceeds.
 - j) The electricity supply of the body corporate may not be used.
 - k) Any work done in pursuance of this rule must be done with the minimum of discomfort, disturbance, obstruction and nuisance to other owners or occupiers.
 - l) The owner must ensure that his workers and contractors comply with the relevant provisions of this rule.
 - m) The owner accepts responsibility, and shall be liable to the body corporate (or other owners, as the case may be), for any damage caused by him, his workmen, or contractors, to the common property or to other sections and indemnifies the body corporate against such damage or any claims arising there from.
 - n) In the event of the common property being damaged due to construction, the trustees shall be entitled to appoint an independent contractor to repair the damages and the trustees may utilise the deposit (if any) to defray the costs of repairs. The costs of repairs may be recovered from the owner and may be added to the levy account of the owner.
 - o) Upon completion of construction of any structural alterations, the owner must notify the trustees who shall arrange for an inspection, before refunding the deposit to the owner, subject to any deductions that may be made for costs and damages in terms of these rules.
- 14) Should any work commence before the trustees have granted their consent, or should the scope of work be materially changed, the trustees may, without any recourse to them, instruct an owner and/or his builder to stop the work, until written permission to continue has been granted by the trustees.

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Maintenance of alterations, devices, additions or attachments

- 15) Any alteration, device, addition or attachment made or installed by or on behalf of an owner of a on common property shall be maintained by the owner of the section in a state of good repair and in a clean, neat, hygienic and attractive condition, at his own expense. If an owner fails to maintain adequately such alteration, device, addition or attachment and any such failure persists for a period of thirty (30) days after the giving of written notice to repair or maintain given by the trustees, the trustees shall be entitled to remedy the owner's failure and to recover the reasonable cost of doing so from such owner. The costs incurred by the trustees may be added to the owner's levy statement and the costs may be recovered from the owner in the same manner as applies to arrear levies, together with interest at the rate applicable to levies.

Access to sections and exclusive use areas

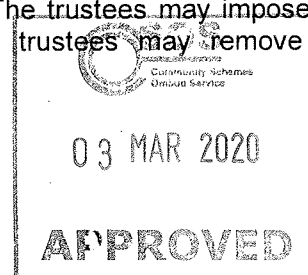
- 16) An owner or occupier of a section shall permit any person authorized in writing by the body corporate, at all reasonable hours on notice (except in case of emergency, when no notice shall be required), to enter his section or exclusive use area for the purposes of inspecting it and maintaining, repairing or renewing pipes, wires, cables and ducts existing in the section and capable of being used in connection with the enjoyment of any other section or common property, or for the purposes of ensuring that the provisions of the Act and the rules are being observed.

8. Appearance from outside

- 1) An owner or occupier of a section shall not place, store or do anything in a section, on an exclusive use area or on any part of the common property, including patios, stoeps, balconies, terraces and yards, which in the discretion of the trustees is aesthetically displeasing or undesirable when viewed from the outside of the section.
- 2) Owners and occupiers shall ensure that their sections are provided with adequate curtaining or blinds at all times. All curtains, blinds, inside pull down sunscreens and sun filters must reflect shades of soft beige or off-white colour, when viewed from outside of the section. All curtains, blinds, sunscreens and sun filters must be acceptable to the trustees in their discretion and shall not prejudice the harmonious appearance of the building.
- 3) Owners and occupiers of sections shall not attach film or sun filters to the windows of their sections, without the written consent of the trustees and according to their specifications. No one-way reflective film may be used, without approval by the trustees
- 4) No owner or occupier may, without the prior written consent of the trustees, place, store, or leave any object on any part of the common property, or allow or permit it to be so placed, stored, or left.

9. Signs and notices

- 1) No owner or occupier of a section shall place any sign, notice, flag, billboard, or advertisement of any kind whatsoever in a section, or on an exclusive use area or on any part of the common property, so as to be visible from outside the section, without the written consent of the trustees first having been obtained. The trustees may impose any reasonable conditions when granting their consent. The trustees may remove any



unauthorised sign, notice, flag, billboard, or advertisement at the risk and expense of the owner thereof.

- 2) All external signage to the building must be in accordance with the local authority approved signage requirements.

10. Littering

- 1) An owner or occupier of a section or his visitor shall not deposit, throw, or permit or allow to be deposited or thrown, on/from any balcony, exclusive use area or on any part of the common property any rubbish including dirt, cigarette butts, food scraps, wrappers, empty cartons, plastic bags, fruit peels, news or magazine print or any other litter whatsoever.
- 2) In particular, an owner or occupier of a section may not throw any material or object or liquid over any balcony or out of any window or on any stairway or part of the common property.

11. Laundry

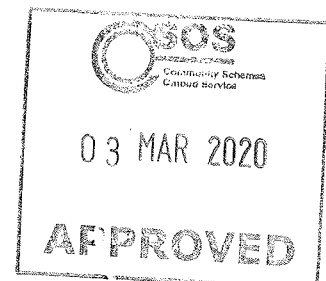
- 1) No washing line may be erected by an owner or occupier on the common property or outside any building. An owner or occupier of a section shall not hang any washing or laundry or any other items on any part of a building, so as to be visible from outside the building or from any other section. In particular no clothes, washing, linen or other items may be hung over balcony walls or in windows, corridors or any other place where it may be visible to the public or to other owners or occupiers.
- 2) Owners and occupiers of sections shall hang their washing or laundry on the washing lines provided by the body corporate on the common property, subject to the conditions imposed from time to time by the trustees and provided that any washing or laundry left on a washing line for longer than 12 hours.

12. Storage of inflammable material and other dangerous acts

An owner or occupier of a section shall not store any material, or do or permit or allow to be done, any other act in a 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 or which will or may lead to the insurance policy of the body corporate being suspended or cancelled or rendered void.

13. Sale, letting and related matters

- 1) No form of "time-sharing" or any similar arrangement, including a scheme whereby ownership is shared between groups of persons, may be concluded, marketed, or conducted in respect of a section.
- 2) Moving of furniture or heavy or bulk articles as during removals or otherwise may not be transported in the lift.

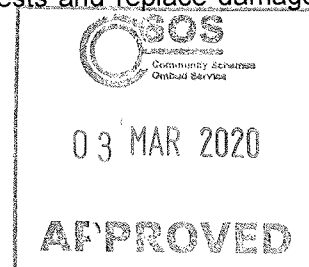


14. Occupancy, use of sections and related matters

- 1) Owners and occupiers of residential sections shall primarily use their sections for residential purposes.
- 2) No owner or occupier of a residential section shall allow more than 2 (two) persons for every bedroom of the section to reside in the section at any one time. For the purpose of this sub-rule, a person who regularly sleeps in the residential section shall be deemed to reside in the section. For the purpose of this sub-rule the section shall consist of the number of bedrooms as indicated on the approved building plans.
- 3) No person may reside in a section, exclusive use area or other part of the common property, other than a section intended for residential purposes.
- 4) An owner or occupier shall use his section or exclusive use, for the purpose it is intended to be used as,-
 - a) shown expressly or by implication on a registered sectional plan, or
 - b) shown expressly or by implication on the original approved building plan thereof, or
 - c) inferred from the provisions of these rules or the Management Rules, or
 - d) is obvious from its construction, layout and available amenities.
- 5) An owner or occupier shall not use his section, exclusive use area or any part of the common property, or permit it to be used, in such a manner or for such purpose as shall be injurious to the reputation of the building or the scheme.
- 6) An owner or occupier shall not contravene, or permit the contravention, of any law, by-law, ordinance, proclamation or statutory regulation, or the conditions of any licence, relating to or affecting the occupation of the building or the common property, or the carrying on of business in the building, or so contravene or permit the contravention of the conditions of title applicable to his section or another section or to his exclusive use area or any other exclusive use area.
- 7) No person may sleep overnight or reside in or on a section, balcony, exclusive use area or other part of the common property, other than inside a section intended for residential purposes.
- 8) No owner or occupier shall subdivide a section or any part thereof without the prior written consent of the trustees, which consent may be given subject to reasonable conditions. Such consent may be withdrawn if the prescribed conditions are not complied with.

15. Eradication of pests

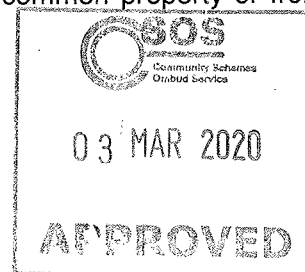
- 1) The owner of a section must keep the section free of wood destroying insects, including white ants and borer beetles.
- 2) The owner or occupier of a section must allow the trustees, the managing agent, or their duly authorised representatives to enter the section on reasonable notice to inspect it and take any action reasonably necessary to eradicate any such pests and replace damaged woodwork and other materials.



- 3) The body corporate must recover the costs of the inspection and replacement referred to in sub-rule (2) from the owner of the section.

16. Noise and nuisance

- 1) No owner or occupier of a section shall cause or permit to be caused a disturbance by shouting, screaming or making any other loud or persistent noise or sound, including amplified noise or sound, or shall use any offensive, obscene, injurious or unbecoming language in a section, or on an exclusive use area, or on any part of the common property.
- 2) Owners and occupiers of sections shall specifically maintain quietness between the hours of 22h00 and 08h00 in their sections and on the common property. On Sundays or public holidays no undue noise or disturbance may be caused at any time of the day.
- 3) All radios, televisions, stereo systems and other appliances emitting sound must be kept at audio levels, which are reasonable, in the discretion of the trustees, at all times.
- 4) An owner or occupier of a section shall not use his section, exclusive use area or the common property or permit it to be used in such a manner or for such purpose as shall cause a nuisance to any other owner or occupier of a section or an unreasonable invasion of his privacy.
- 5) Owners and occupiers must supervise their children, and the children of their guests or visitors to prevent them from causing a nuisance or disturbance to, or an invasion of the privacy of, owners or occupiers.
- 6) No games, including ball games, may be played on the common property (including lawns), parking bays or in garages.
- 7) No skateboards, roller skates, roller blades, or similar may be used on the common property.
- 8) Motorcycles and bicycles may only be used as formal transport to enter and leave the common property. This must occur along the defined routes, and not on any paths or other parts of the common property. Motorcycles and bicycles may not be used for any other purpose or any other manner on the common property, including exclusive use areas.
- 9) The horns of motor vehicles may not be sounded at any time on the common property, except as a warning of imminent danger in the case of an emergency.
- 10) No explosives, crackers, fireworks or items of similar nature may at any time be exploded, lit or operated in sections or any part of the common property.
- 11) No firearms may be discharged in a section or any part of the common property, except under such circumstances which would reasonably justify the use of a firearm for self-defence and related purposes.
- 12) No pellet guns may be discharged on the common property.
- 13) No stones or solid objects may be thrown or propelled on the common property or from any section or exclusive use area.



17. Use of sections, common property and facilities

- 1) In general, all owners and occupiers shall ensure that their use of the common property, facilities, and of sections, and their conduct and activities, and that of members of their households, and their visitors, are at all times carried out in compliance with the provisions of the Act, Management Rules and the Conduct Rules.
- 2) An owner or occupier of a section shall use and enjoy the common property in such a manner as not unreasonably to interfere with the use and enjoyment thereof by other owners and occupiers of sections or other persons lawfully on the premises.
- 3) No auction, fete, jumble sale or exhibition may be held in a section or on the common property, without the written consent of the trustees.
- 4) Use of illegal substances on the common property is strictly prohibited.

18. Braaiing

No open fires are allowed in or on patios, stoeps, balconies, terraces and yards, or any part of the common property. Owners may make use of small gas braai equipment or small charcoal braai on their balconies. No visible flames or sparks are allowed. A fire extinguisher must be present when any type of braai equipment is being used on the balcony. The owner must supply their own fire extinguisher. A fire resistant carpet of 1 square meter must be placed under the braai equipment.

19. Using the lifts

- 1) Owners and occupiers of sections must adhere to the displayed warning signs and conditions imposed by the trustees regarding the use of a lift, and shall not exceed the maximum number of persons or weight limit when using a lift. No person shall in any way overload a lift or otherwise damage the lift mechanism or the interior thereof.
- 2) No smoking is allowed in a lift or any part of the common property.
- 3) Owners and occupiers shall ensure that children under their supervision do not play in or with the lifts.
- 4) No heavy goods, furniture or appliances may be transported in a lift.

20. Body corporate Employees

- 1) Any person employed by the body corporate is responsible to the trustees only. No owner or occupier of a section may instruct a body corporate employee in any way concerning his performance, but all such matters are to be directed in writing through the trustees.
- 2) No owner or occupier shall make use of the services of a body corporate employee during his prevailing working hours.



21. Damage

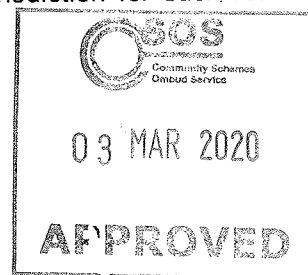
In the event of damage being caused to the common property by an owner or occupier of a section or by the visitors of an owner or occupier, the owner of the section shall be liable to compensate the body corporate for the costs of repairing the damage, which costs shall be due and payable by the owner of the section upon demand.

22. Risk

- 1) Any person present on the premises or the common property or using any of the services or facilities of the body corporate does so entirely at his own risk. No person shall have any claim against the body corporate of whatsoever nature arising from such use, nor for anything which may befall any person during the course of such use, whether caused by human or animal agency, natural phenomena or otherwise. The body corporate shall not be liable for any injury, loss or damage of any description that any person may sustain, physically or to his property directly or indirectly, in or about the common property or on the premises, nor for any act done or for any neglect on the part of the body corporate or any of its employees, agents or contractors.
- 2) The body corporate or its agents' representative and employees shall not be liable or responsible in any manner whatsoever for the receipt or the non-receipt and delivery or non-delivery of goods, postal matter or any other property.

23. Breach

- 1) In the event of any breach of any of these rules by an occupier of a section or by the visitors of the owner or occupier of the section, such breach shall be deemed to have been committed by the owner himself. Without prejudice to the foregoing, the trustees shall be entitled to take or cause to be taken such steps against the person actually committing the breach as they may in their discretion deem fit, with or without proceedings against the owner of the section.
- 2) Should an owner or occupier of a section commit any breach of these rules and fail to commence to remedy that breach within a period of 7 (seven) days after the receipt of written notice to that effect and complete the remedying of such breach within a reasonable time, then the trustees shall be entitled on behalf of the body corporate, without prejudice to any other rights or remedies which the trustees or the body corporate or any other owner may have in law or in terms of the Act, the Management Rules or these rules, including the right to claim damages and the right to impose penalties:
 - a) to enter upon the section and/or exclusive use area and/or the common property to take such action as may be reasonably required to remedy the breach and the owner of the section shall be liable to the body corporate for all costs so incurred, which costs shall be due and payable upon demand, and failing which the costs may be added to the owner's levy statement and the costs may be recovered from the owner in the same manner as applies to arrear levies, together with interest at the rate applicable to levies, and/or
 - b) to institute proceedings on behalf of the body corporate against such owner and/or occupier of the section in any court of competent jurisdiction for such relief as the trustees may consider necessary, and/or



- d) to apply to the Ombud in terms of the Community Schemes Ombud Service Act, No. 9 of 2011 for a suitable order.
- 3) The owner of the section shall be liable for and pay all legal costs, including costs as between attorney and client, collection commission, expenses and charges incurred by the body corporate in obtaining the recovery of penalties, costs or any other amounts due and owing by such owner to the body corporate, or in enforcing compliance with the Act, the Management Rules and these rules.

24. Imposition of penalties

- 1) If the conduct of an owner or occupier of a section or family members, guests, visitors, domestic employees or contractors of the owner or occupier constitute/s a nuisance in the opinion of the trustees, or a contravention of a provision of the Act, the Management Rules or Conduct Rules, the trustees may:
 - a) by written notice inform the owner of the nuisance or contravention and warn the owner that if he fails to remedy the contravention, or persist in such conduct or contravention, or if such conduct or contravention is repeated, a penalty will be imposed on the owner; or
 - b) by written notice impose a penalty on the owner, which notice shall state the reasons for the imposition of the penalty, if despite the written notice referred to in sub-rule (a), the owner fails to remedy the contravention, or if the owner persist in the conduct or contravention, or if such conduct or contravention is repeated; or
 - c) summarily and without warning, by written notice impose a penalty on the owner of the section, which written notice shall state the reasons for the imposition of the penalty.
- 2) The penalty imposed under sub-rule (1)(b) or (c) above, becomes due on the date of the written notice and must be paid within 30 (thirty) days from the date of the written notice
- 3) The trustees may from time to time determine the categories of contraventions and the amounts of the penalties in respect of first and subsequent contraventions, subject to any directions given or restrictions imposed by the members on the trustees at a general meeting.
- 4) A penalty may be imposed in respect of each separate contravention. In the event of a continuing contravention, the owner of the section shall be deemed to be guilty of a separate contravention for every 24 hours or part thereof during which such contravention continues and shall be liable in respect of each such separate contravention.
- 5) An owner of a section may within 30 (thirty) days of the date of the written notice referred to in sub-rule (1)(b) or sub-rule 1(c), lodge an objection against the penalty imposed with the trustees.
- 6) Upon receipt of the objection, the trustees may:
 - a) withdraw or reduce the penalty, or



- b) schedule a trustees' meeting for the purpose of considering the objection and invite the owner of the section to attend, or to be represented.
- 7) At the trustees' meeting referred to in sub-rule (7)(b) above, the owner or his representative shall have the right to:
- a) present his case;
 - b) present any evidence, including the calling of witnesses, to substantiate his case;
 - c) cross-examine any person called as witness in support of the charge;
 - d) have access to documents produced in evidence;
 - e) produce mitigating factors.
- 8) The failure of the owner charged to attend the trustees' meeting, or his representative, referred to in sub-rule (8) shall not render the proceedings at the meeting void. Should the owner, or his representative not attend the trustees' meeting without providing a reasonable request for postponement, the trustees may, in their sole discretion, continue with the trustees' meeting and consider the objection in the absence of the owner.
- 9) Upon the conclusion of the trustees' meeting, the trustees shall deliberate the evidence and if so resolved, they may:
- a) uphold the penalty; or
 - b) withdraw or reduce the penalty.

25. Complaints

- 1) Owners and occupiers of sections shall submit any complaints to the trustees or managing agent in writing.
- 2) If the complaint relates to breach of these rules by an owner or occupier of a section, the complainant shall indicate:
 - a) the nature of the breach;
 - b) the identity of the owner or occupier alleged to have committed the breach;
 - c) the date and time of the breach;
 - d) his own identity; and
 - e) the identity of any other person(s) who witnessed the breach.
- 3) Should a complaint be made by or against a trustee in terms of any rule, such trustee shall be precluded from considering the complaint at the trustees' meeting and taking part in any ruling, finding or the imposition of a penalty. Such trustee may however present his case at the trustees' meeting prior to voting.



26. Notices

- 1) Any notice to an owner or occupier of a section in terms of these rules, will be regarded as having been properly given if such notice is:
 - a) delivered to the owner or occupier by hand, in which event it shall be regarded as having been received on delivery;
 - b) delivered by registered post to the owner of the section to his *domicilium citandi et executandi* and to the occupier to the address of his section, in which event it shall be regarded as having been received on the 4th day after the date of postage;
 - c) delivered to the owner or occupier by fax or e-mail to the fax number or e-mail address of the owner or occupier, in which event it shall be regarded as having been received on the date of transmission.
- 2) In all instances where a notice is sent to the occupier of a section in terms of these rules, a copy of the notice shall also be sent to the owner of the relevant section.

27. Written consent

Whenever the written consent of the trustees is required in terms of these rules, application for such consent must be made in writing and the applicant shall furnish the trustees with all the details and documents as required by them. The written consent of the trustees in terms of these rules or the withdrawal thereof shall be in such format as decided from time to time by them. The trustees may attach reasonable conditions to their consent and they may summarily withdraw their consent, if any condition imposed is not complied with.

28. Relaxation of rules

No indulgence or relaxation in respect of these rules shall constitute a waiver or consent, or prevent their enforcement by the trustees at any time.

(PARKING BAYS)

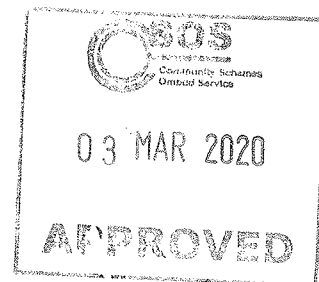
The allocation of exclusive use of parking bays in terms of these rules are attached hereto and marked Annexure A, in terms of Management Rule (7) (8)



Pentelbury's Place Body Corporate

Exclusive use Parking Bays

DESCRIPTION	AREA	UNIT	SECTION
Parking Bay Nr. 1 (11)	Upper Parking	D7	14
Parking Bay Nr. 2 (2)	Upper Parking	D2	10
Parking Bay Nr. 3 (3)	Upper Parking	D3	11
Parking Bay Nr. 4 (5)	Upper Parking	D5	6
Parking Bay Nr. 5 (6)	Upper Parking	D5	6
Parking Bay Nr. 6 (8)	Upper Parking	D1	9
Parking Bay Nr. 7 (9)	Upper Parking	D4	28
Parking Bay Nr. 8 (1)	Upper Parking	D6	13
Parking Bay Nr. 9 (10)	Upper Parking	D7	14
Parking Bay Nr. 10 (Shop)	Upper Parking	Shop	1
Parking Bay Nr. 11 (G5)	Lower Parking	D15	8
Parking Bay Nr. 12 (G7)	Lower Parking	D16	9
Parking Bay Nr. 13 (G1)	Lower Parking	D17	10
Parking Bay Nr. 14 (G3)	Lower Parking	D19	11
Parking Bay Nr. 15 (G6)	Lower Parking	D20	12
Parking Bay Nr. 16 (G2)	Lower Parking	D21	13
Parking Bay Nr. 17 (P1)	Lower Parking	D23	14
Parking Bay Nr. 18 (G4)	Lower Parking	D24	15





03 MAR 2020

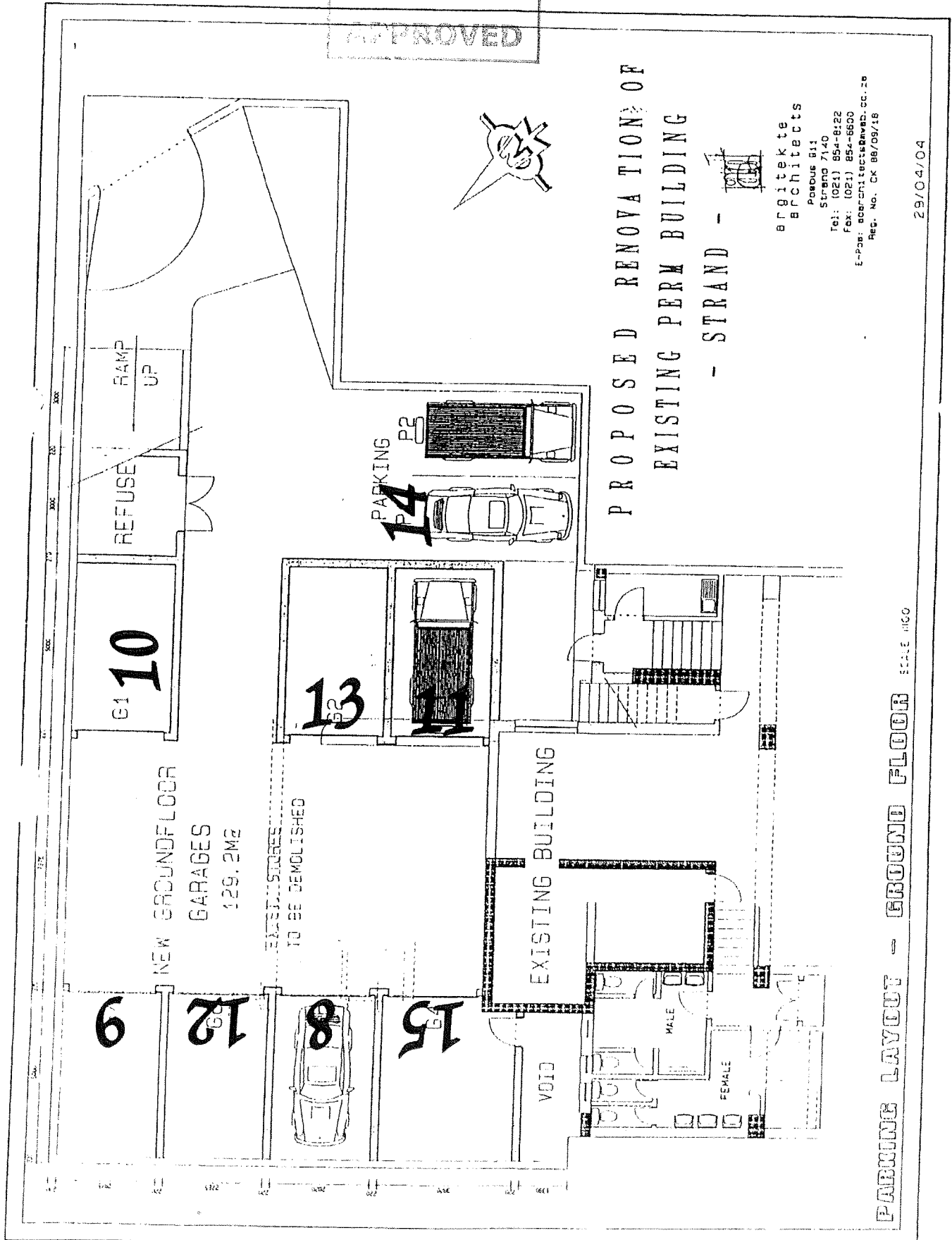
APPROVED



PROPOSED RENOVATION OF
EXISTING PERM BUILDING
- STRAND -

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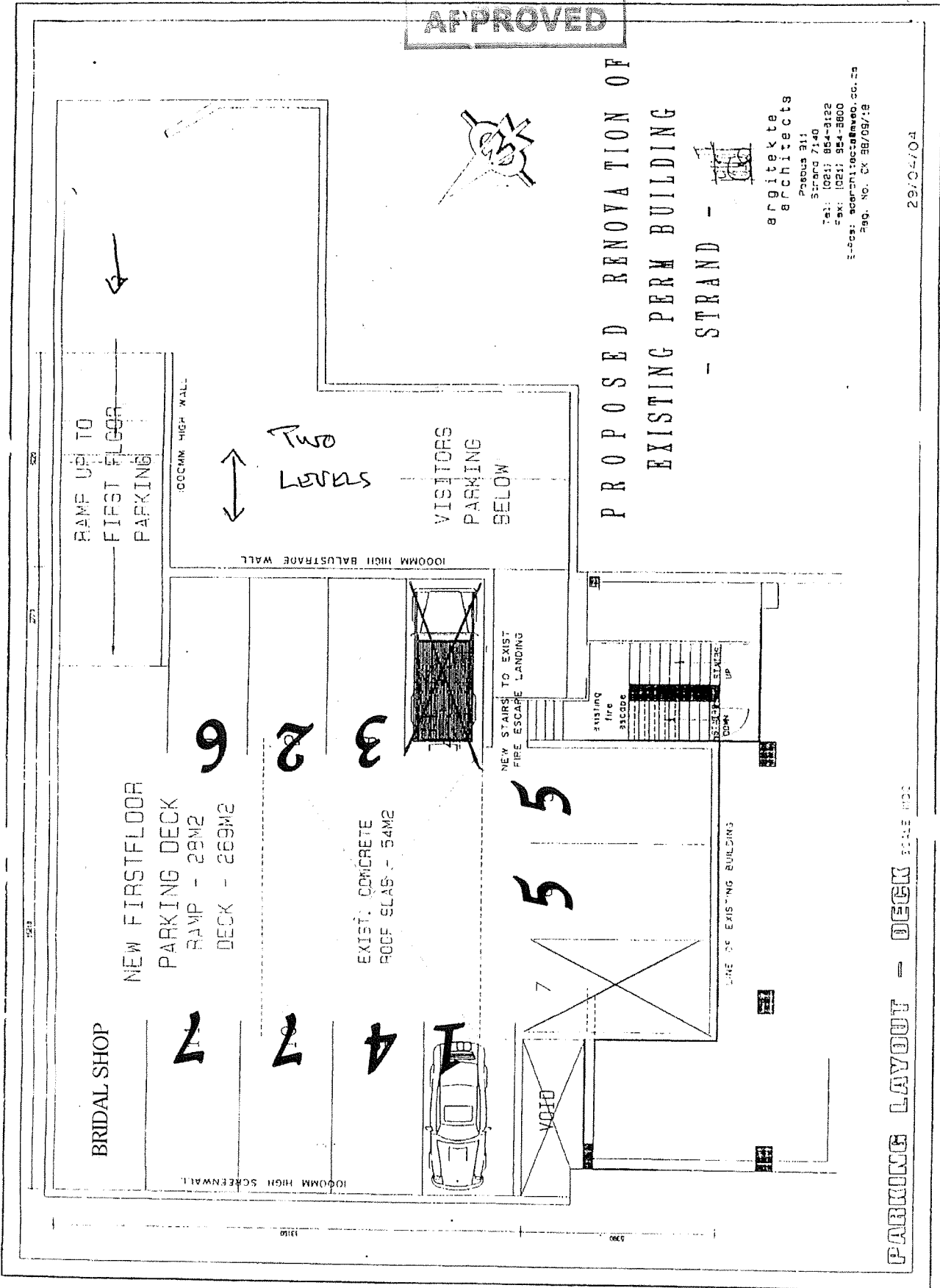
29/04/04



PARKING LAYOUT - GROUND FLOOR SCALE: 1:100

03 MAR 2020

APPROVED



PROPOSED RENOVATION OF
 EXISTING PERM BUILDING
 - STRAND -

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29/02/04

PARKING LAYOUT - DECK PERM BLDG

