

EMERALD BAY - CONDUCT RULES - SUMMARY

3. ANIMALS, REPTILES, BIRDS AND INSECTS (PETS)

- 3.1 No pet, be it an animal, reptile, bird, or insect, shall be kept in a section or on the common property, unless-
- (a) The written consent of the trustees has been obtained; and the pet has been there, with the said consent, as at 1st June 2003.

4. VEHICLES

- 4.1 No person may park or stand any vehicle upon the common property, or permit or allow any vehicle to be parked or stood upon the common property, other than in parking bay allocated to him as an exclusive use area, or in an area demarcated and approved for that purpose by the trustees.
- 4.2 No person may park or leave a vehicle in a manner or 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.
- 4.3 No caravans, trucks, trailers, boats, buses or similar heavy vehicles are allowed on the common property without the prior written consent of the trustees, which consent may be given subject to conditions which must be observed.
- 4.5 The trustees may remove or cause to be removed or towed away, or its wheels to be clamped, at the risk and expense, including payment of a release penalty to be determined by the trustees from time to time, any vehicle parked, standing or abandoned on the common property in contravention of these rules.
- 4.8 The parking of vehicle is done at risk of the owner of vehicle and no responsibility or liability shall attach to the Body Corporate or its agents or employees for any loss or damage of whatever nature which the owner, or any person claiming through or under him, may suffer as a consequence of his vehicle having been parked on the common property.
- 4.9 Owners and occupiers of sections shall ensure that their vehicles, and the vehicles of their visitors and guests, including contractors and workmen, do not drip fuel, oil, brake fluid or other substance on the common property or in any other way deface the common property.
- 4.10 No owner or occupier shall be permitted to, or allow another person to, dismantle or effect repairs to any vehicle on any portion of the common property, an exclusive use area or in a section.
- 4.11 Owners and occupiers of sections shall observe, and ensure that their visitors and guests, including contractors and workmen-
- (a) observe and obey all road signs on the common property and do not drive their vehicles on the common property in a manner which causes a risk or danger to persons or property, or a nuisance to their persons, in the opinion of the trustees;
- (b) do not drive a vehicle or allow it to be driven without the driver being properly licensed, as required by law in respect of public roads;
- 4.13 Vehicles may not exceed a speed of 10 kilometres per hour on any part of the common property.

10. LITTERING

- 10.1 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.
- 10.2 An owner or occupier of a section may not throw any material or object over balcony walls.
- 10.3 Owners and occupiers, when clearing their post-boxes on the ground floor, must remove all items there from and not dispose of any items or material in the foyer. Such items and material must be deposited in the waste bins of the relevant sections.

11. LAUNDRY

An owner or occupier of a section shall not 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. In particular no clothes, washing, linen or other items may be hung over balcony walls or in windows or corridors or any other place where they will be visible to the public or other occupiers.

13. USAGE, LETTING AND OCCUPANCY OF UNITS

- 13.1 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, or the absence of provisions, in any lease or any grant of rights of occupancy.
- 13.2 An owner shall, prior to occupancy being taken by a tenant or other occupier-
- (a) inform his tenant/occupier of his duties to observe the Conduct Rules and trustees' directives; and furnish him with a copy of the Conduct Rules.
- 13.4 (a) No owner, lessee or occupier of a section shall allow more than 2 (two) persons for every bedroom (being a room designated as a bedroom in the original building plans), in the section, to reside in the section at any one time.
- (b) For the purposes of this rule, a person who sleeps in a section shall be deemed to reside therein.

- (5) No form of "time-sharing" or any similar arrangement, including a scheme whereby ownership is shared between a group of persons, may be concluded, marketed, or conducted in respect of a section.

18. NUISANCE AND NOISE

- 18.1 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 the members of their households, their guests and their visitors, area at all times carried out –
- (a) in compliance with the provisions of the Act, Management Rules and Conduct Rules;
 - (b) does not cause a nuisance or disturbance in any manner whatsoever to other owners or occupiers; and
 - (c) does not, in the opinion of the trustees, detract from the reputation of Emerald Bay or detrimentally affect te market values of units.
- 18.2 All television, radio, and other appliances emitting sound, including musical instruments, and talking or singing must be kept at audio levels which do not disturb other occupiers and which are reasonable in the discretion of the trustees. Shouting on the common property or in a section is prohibited.
- 18.3 No games, including ball games, may be played on the common property (including lawns), parking bays or in garages.
- 18.4 No skateboards, roller skates, roller blades, or similar may be used on the common property.
- 18.5 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.
- 18.6 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.
- 18.7 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.

21. SWIMMING POOL AND BRAAI AREA

- 21.1 The swimming pool and braai areas are primarily for use by owners and occupiers and may only be used by their visitors or guests if accompanied by the relevant owner or occupier and provided that they comply with the further provisions of this rule.
- 21.2 The owner or occupier is responsible for the conduct of his children and of his visitors and guests, and their children, and shall ensure that their number and conduct is not such as to disturb, inconvenience, or unduly interfere with the enjoyment of that facility by other persons legitimately entitled to do so.
- 21.3 No tubes, lilo's surf boards or other similar items, and any item, such as glass, which may constitute a danger to persons, are allowed in the swimming pool.
- 21.4 No alcoholic beverages may be brought to or consumed at the swimming pool.
- 21.5 No person may remove or damage any equipment located at the swimming pool or braai areas by the body corporate.
- 21.6 Unless used with earphones, no radios or other equipment or instruments emitting sound or music, may be used or allowed to be used within the pool area.
- 21.8 No bottles or other glassware is allowed within the pool area.
- 21.9 On Sundays, quiet shall be observed throughout the day at the pool and braai area.
- 21.10 The body corporate, its trustees, managing agent or employees shall not in any manner be liable or responsible for the safety of any person in the pool area, and all persons using the pool do so at their own risk.
- 21.11 Non-swimmers and children must at all times be accompanied by an adult capable of accepting responsibility for them.

24. BRAAIS ON BALCONIES

No 'braaing' or fires are allowed in or on balconies, stoeps, terraces, gardens or yards or any part of the common property is allowed, except in existing built-in braais and at the common braai area on the common property.