

Urban Park Body Corporate Conduct Rules



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Urban Park Body Corporate Conduct Rules



1. INTRODUCTION

The Body Corporate Conduct Rules are established to ensure a harmonious and respectful living environment for all residents, these rules outline the standards of behaviour and responsibilities expected from every individual. Compliance with these rules is essential for maintaining the integrity and quality of life within the property, and any violations may result in appropriate action by the body corporate

2. GENERAL

1. Unless the purpose for which a section is intended to be used is shown expressly or by necessary implication on or by the registered sectional plan to be for business or commercial purposes, and owner or occupier shall only use his section for residential purposes.
2. An owner or occupier shall not do or permit to be done in his section or on the common property anything which will or may increase the rate of the premium payable by the body cooperate on any insurance policy.
3. The Body Corporate shall not be responsible for the loss or damage incurred by an owner or occupier of a section in respect of loss or damage caused by the Body Corporate or by any agent of the Body Corporate from any cause whatsoever. It shall be the responsibility of the owner or occupier to affect his own insurance in respect of the contents contained in his section or any part of the common property.
4. An owner or occupier shall not cause or permit any disorderly conduct of whatsoever nature in the section or upon any part of the common property nor do permit any act matter or thing in or about the same which shall constitute or cause a nuisance or any inconvenience to any other owner or occupier of the building or member of the body cooperate.
5. An owner or occupier shall not store or allow to be stored any articles or thing in any part of the common property.
6. Any owner or occupier shall not keep or do anything on the common property after notice in writing from the Body Corporate has been received requesting him to remove such article or refrain from continuing such activity
7. The Body Corporate reserves the right to implement fines should the owner or occupier continuously breach these rules.
8. No business or trading activities may be carried on within the premises or on common property.
9. Owner shall notify the Body Corporate of change in ownership or occupancy in their section

3. ANIMALS, REPTILES AND BIRDS

1. No animals, reptiles or birds shall be kept in any section or any part of the common property.
2. No owner or occupier shall feed the monkeys
3. No owner or occupier shall cause harm to the monkeys

4. REFUSE DISPOSAL

1. An owner or occupier of a section shall-
 - a) maintain in a hygienic and dry condition, a receptacle for refuse within his

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section or his exclusive use area

- 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) be responsible for emptying such receptacle and depositing the refuse into the bins provided in the refuse area.

5. OPEN FIRES

- 1) No open fires, charcoal, briquette fires or braais are allowed as per the Umhlanga Ridge Town Centre Management rules.

6. DAMAGE ALTERATIONS OR ADDITION 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.

3. An owner may make alterations to the interior of his section, but no structural alterations, no alterations to the water piping, electrical wiring conduits, or plumbing may be affected without the prior written consent of the trustees and then subject to such conditions as the trustees may impose.
4. Repairs or alternations to electrical wiring and plumbing shall be affected only by a person qualified to do so, and such work shall comply with the standards and by-laws of the relevant local authority.

7. 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, stoeps, and gardens which, in the discretion of the trustees, is aesthetically displeasing or undesirable when viewed from the outside of the section. In particular, the owner or occupier is not allowed or hang any clothing, linen or laundry in the balconies

8. SIGNS AND NOTICES

1. No owner or occupier of a section, used for residential or commercial 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 been obtained.

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9. LITTERING

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. LAUNDRY

1. 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.

11. STORAGE OF INFLAMMATORY MATERIAL AND OTHER DANGEROUS ACTS

1. 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.

12. LETTING OF UNITS

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 any lease or any grant of rights of occupancy.
2. Owners are required to provide the Body Corporate details of all incoming and outgoing tenants.
3. The Movement of Control form needs to be completed
4. It is the responsibilities of the owner to ensure that access tags are returned to them or the Body Corporate.
5. Access to the visitor app needs to be revoked.

12.1. Short Term and Holiday Letting

1. Number of holiday letting units in the complex to be restricted to 15% of the total number of apartments.
2. Only owners can operate a unit as holiday letting or short-term letting.
3. Apartments are not allowed to be rented out for the purpose using as holiday letting.
4. Any unit that operates as holiday letting or short-term letting must be registered as such with the Body Corporate
5. An application needs to be submitted by the owner to be permitted to operate as holiday letting or short-term letting.
6. The owner needs to be in good standing in regard to levies to operate as holiday letting or short-term letting.
7. A surcharge of 10% of the monthly levy will be imposed for units that operate as holiday letting or short-term letting. This is to cover the additional services that are required by the BC staff.
8. All guests to have an access code on arrival. No code, no access.
9. It is NOT the responsibility of security to show guests to the apartments.
10. A Basic diagram or map of the complex needs to be provided to guests to

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navigate to the apartment and parking areas.

11. All holiday letting units MUST have lock/key boxes.
12. Security is NOT allowed to handle apartment keys under any circumstances.
13. All apartments MUST have an access tag.
14. Owners and guests need to acknowledge the body corporate rules.
15. Maximum number of guests is TWO per bedroom.
16. Any misconduct by the guests will lead to a fine to the owner.

13. ERADICATION OF PESTS

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 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 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.
2. The owner or occupier of a section is required to conduct internal pest control twice annually.

14. MOVING IN/OUT OF PREMISES

1. Building Manager to be informed PRIOR TO moving into or out of the unit as he needs to be present at the time to ensure no damage caused to the building during this process. The Movement Control Form must be completed 1 week prior to movement.
2. Moving in / out will be strictly between 08H00 - 16H00 on weekdays and 08H00 to 13H00 on Saturdays. No moving in / out will be allowed on a public holiday / Sundays.
3. Lifts are not to be used for moving in or out.

15. PARKADE PARKING AND VEHICLES

1. Any parking area constituting a portion of the common property which is utilized by any owner or occupier shall be kept free from any oil or grease at all times.
2. Owner or occupiers of a section must only park in the parking bay designated to that section. Should a vehicle not park in its correct designation, it may warrant the wheels are clamped and a release fee, as listed in the Fine Schedule being paid by the offender or levied against the owner.
3. No owner or occupier shall park or stand any vehicle in the common property or permit to or allow any vehicle to be parked in the common property.
4. The Body Corporate may cause to remove or tow away, at the risk and expense of the owner of the vehicle, any vehicle [parked, standing or abandoned on the common property.
5. No owner or occupier of any section shall be permitted to dismantle or affect major repairs to any vehicle on any portion of the common property, an exclusive use or in a section.
6. No owner or occupier of any section shall be permitted to store any items in their designated parking bay or any part the common property, other than parking of their vehicle.
7. No owner or occupier of any section shall be permitted to play loud music or

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- create a disturbance in the parkade whilst parked or driving.
8. All owners or occupiers of all sections shall respect ramp limitations, height limitations and weight restriction limitations of the parkade.
 9. No delivery vehicles are allowed in the parkade.
 10. No contractors vehicles are allowed into the parkade
 11. Vehicles may not travel at speeds in excess of 10km/h on any portion of the common property.
 12. Washing of vehicles using a hose, and excessive buckets of water, creating ponding of water in the parkade is not permitted. Light cleaning with a damp cloth and bucket of water where dripping of water onto the parking floor is restricted, may be allowed provided the adjacent parked vehicles is not.
 13. Under no circumstances, unless for the purpose of fire fighting emergencies, may the hose reels in the parkade or any portion of the common property be used by anyone.
 14. Save for the purpose of gaining access to garages or parking, bicycles, motorcycles, tricycles, caravans and trailers may not be ridden or left unattended on any portion of the common property or in any portion of a section. No sleeping in vehicles is allowed in any portion of the common property or parkade.
 15. No hobbies, games or playing are allowed in the parkade.
 16. Residents from the apartments are not permitted to use the parking designated for the hotel. Hotel users are not permitted to use the parking designated for the apartment section.

16. ACTIVITIES ON COMMON PROPERTY AND SECTIONS

1. No hobbies or other activities may be conducted in a section or on the common property if a nuisance is caused to other occupiers.
2. Hobbies or other activities which cause undue noise are not permitted under any circumstance
3. No person shall cause or permit the hitting, striking, throwing or bouncing of balls or other objects against any of the walls of a section or common property or on the buildings and no person shall play, run or make noise in any part of the common property.

17. DOMESTIC WORKERS

1. Owners and occupiers who employ domestic workers, are responsible for the behaviour of their domestic workers and must at all times ensure that they adhere strictly to management rules and Conduct rules and any house rules of the Body Corporate. In particular, owners and occupiers must ensure that their domestic workers do not loiter or wander on common property, behave in a disorderly manner and must be respectfully attired.
2. Owners and occupiers shall provide their domestic workers with the necessary ablution facilities.

18. DRINKING AND SMOKING PUBLIC AREA

1. Drinking in public and common areas including the parkade is strictly forbidden.
2. As per the Tobacco Legislative Act 1990, smoking in public areas and within a reasonable distance to a habitable space, window or door is not allowed. This includes all common property.

19. POOL USAGE

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1. The Body Corporate is not responsible for any injury or death of any person, or the
2. loss or destruction of or damage to any property arising from the use of these this facility.
3. This facility is for the exclusive use of residents. No visitors allowed.
4. No lifeguard on duty - all persons using this facility does so at their own risk.
5. No one under the age of 16 years may use the facility without adult supervision (18 years and older).
6. All gates/doors to be kept closed at all times.
7. The following items prohibited in the water:
Small objects, food, glass containers, smoking materials, floatation devices, and alcoholic beverages.
8. The following are prohibited from the recreation area:
Diving, running, loud noise/music or rowdiness, rough play, nude bathing (including children), alcoholic beverages, smoking materials.
9. No person with any infectious diseases or with open wounds of any type shall be permitted to use the pool.
10. Pool Area will be closed from 20h00 to 05h00. Note that no persons are permitted use during these hours as the pool will be on lock down. Any violations of this rule will result in written warning thereon after a fine will be issued. Please ensure that you "dry-off" before using any common building area to avoid accidents to yourself as well as other patrons.

20. GYM RULES

1. Gym for use by residents and Hotel guests only. No visitors allowed.
2. The Body Corporate is not responsible for any injury or death of any person, or the loss or destruction of or damage to any property arising from the use of these this facility.
3. Use equipment at own risk.
4. Use equipment responsibly and follow relevant instructions.
5. Weights are to be replaced after use.
6. Proper attire must be worn including shirts and sneakers.
7. A towel is to be put on the benches when in use.
8. No food, smoking, alcoholic beverages, loud music and rowdiness, glass containers or pets permitted – only drinking water.
9. No bags allowed in the gym.
10. No under 16's are permitted unless properly supervised.
11. Report damaged or dangerous equipment to management immediately.
12. Removal of any gym equipment constitutes theft and if caught you will be prosecuted.
13. Opening hours from 5h00- 22h00 daily

21. VISITORS

1. Visitors vehicles are not allowed in the Parkade
2. Should a resident allow their visitor to park in their parking bay, prior arrangement needs to be made with the Building Supervisor.
3. Owners and occupiers are responsible for the behaviour of their visitors and must ensure they adhere to the Body Corporate Rules.
4. Owners and occupiers are required to use the visitor app to issue their visitor with a pin number to obtain access.

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5. All visitors are required to present the visitor pin number to security to gain access. No pin number, No access.

22. AIRCONDITIONING UNITS

1. No Owner/Tenant shall install any air-conditioning unit without written consent of the Trustees of the Body Corporate and the compressor shall be installed in the designated area as per the air-conditioning layout drawing.
2. Any air-conditioning compressor installed shall be clad with hardwood timber slats to conceal the unit should it be visible to the public. The material for the hardwood timber slats will need to be approved by the Body Corporate.
3. Owners and occupiers shall ensure that their air-conditioning units is of good repair and does not cause a disturbance to residents of other sections or any damage to the common property. Should the trustees not be satisfied with the working order of a particular air-conditioning unit, the owner of such unit shall have it repaired to the satisfaction of the trustees. The repairs shall be done at the expense of the owner who shall have no claim to compensation therefore whatsoever.

23. BIN AREA

1. Bin area is to be kept tidy at all times.
2. All refuse to be deposited into the containers provided.
3. No dirt including packets, boxes, cans etc is to be thrown out of the bins onto the bin room floor or left on any walls of the bin area or any part of the common property.
4. The owner or occupier shall not leave bin bags, packets or any dirt in the walkways for collection by cleaning staff.

24. NOISE DISTURBANCE & LOUD MUSIC

1. Radios, musical instruments, any music generating equipment, televisions, etc must be used in such a manner as to not be heard in adjoining sections or on the common property.
2. Motor hooters may not be used in the common property other than in an emergency.
3. Owners are to ensure that the volume of their TV sets and any music is at a reasonable volume and no excessive blaring of music or volume of TV will be permitted.
4. Silence is to be maintained between 21H00 and 07H00 and 22H00 and 08H00 on weekends.

25. WORKING HOURS OF CONTRACTORS

1. Contractors are only allowed to work between 08H00 to 16H00 weekdays and 08H30 to 13H00 on Saturdays. **NO** work will be permitted on Sundays and or Public Holidays.
2. Owners are advised to contact the Managing Agent or the Building Manager to inform and obtain confirmation of work to be performed during the period requested.
3. All mess to be made good and rubble removed of the property by the contractor /

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applicant.

26. HEAVY LADEN VEHICLES

1. Heavily laden delivery vehicles are not allowed within the building and that contractor bakkies must park in the bay of the apartment they are working in.

This pertains to the residential levels ONLY and not the lower ground floor parking

27. OCCUPANCY

1. Occupants per unit is **LIMITED TO:**
 - a) Two (2) persons per One (1) bedroom unit and
 - b) Four (4) persons per Two (2) bedroom unit and
 - c) Six (6) persons per Three (3) bedroom unit

28. FINES

1. In the event of an owner or occupier transgressing any of the Conduct Rules for the first time, a written notice will be given to the owner without a fine being issued. The notice will explain the transgression, advise the owner to stop, and give a time frame for the owner to stop the transgression. and notifying the owner that if he/she persists in such conduct or transgression, a penalty or penalties will be imposed on the Member. The transgressor will be given an opportunity to state their case in mitigation of the offence. This excludes wheel clamping of which a fine is imposed immediately.
2. After receiving a warning on the transgression of a Conduct Rule, the schedule of fines included below includes an amount for the first subsequent offence of a rule, as well as for repeat or habitual offenders where a transgression occurs for a similar transgression. These are the maximum amounts that may be imposed by the Body Corporate, or their appointed representative, for any contravention of these conduct rules. The owners of the unit concerned will be advised that a fine has been imposed which will be debited to their levy account.
3. A fine of not less that R500 nor more than 100% of the monthly levy may be imposed, for any contravention of these conduct rules as per the schedule of fines.
4. If a vehicle is illegally parked, the Building Manager or his appointed representative, may clamp the wheel of the vehicle. The clamp will only be removed on a signed acknowledgment on security O.B book. A fine of R500 per day on the first offence, which escalates to R1000 per day on any subsequent offences.
5. Any imposed must be settled within 30 days. Fine disputes between the Body Corporate and an owner will be resolved through the defined CSOS procedures.
6. Any costs incurred with regards written correspondence either from the Body Corporate's attorneys or Managing Agent with regards to fines will be for the account of the transgressing Owner and will be charged to their levy account.
7. Fine Schedule:

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All Contraventions Relating to:	1 st Occurrence after warning issued	2 nd Occurrence	Subsequent Occurrence
Pets and Monkeys	R500	R500	R500
Refuse disposal/Littering	R500	R500	R500
Unauthorised alterations to the common property or exclusive use areas	R1000 per week	R1000 per week	R1000 per week
Unauthorised alternation to electrical or plumbing	R1000	100% of monthly levy **	100 % of monthly levy **
Any work performed causing disturbance outside of the allowable working hours and periods	R500	R1000	R2000
Eradication of Pest	R500	R1000	R1000
Usage of lifts for goods	R500	R1000	R2000
Noise Disturbance	R500	R1000	R3000
Illegal parking	R500 per day	R1000 per day	R1000 per day
Damage to Property	R500	R1000 **	R1000 **
Vandalism and Graffiti of any kind whatsoever	R500	R1000	R1000
Failure to notify Body Corporate of Holiday Letting	R500	100% of monthly Levy	100 % of monthly levy

** In addition, recovery of costs of damage

NOTE: Criminal charges may be laid against any person causing damage to property

29. GATE CLOSING TIMES

Sunday to Thursday: 22H00
Friday, Saturday & Public holidays: 24H00

30. CREDIT CONTROL POLICY

The collection of all levies will be determined by the Credit Control Policy that is adopted at each AGM.

Reference Document: Urban Park Credit Control Policy

31. PROTECTION OF PERSONAL INFORMATION ACT (POPIA)

The Body Corporate, its Trustees, owners, service providers and managing agent must abide by the laws in accordance with the POPIA ACT.

Reference Document: Body Corporate POPIA Policy and Manual

32. UMHLANGA RIDGE MANAGEMENT AND ETHEKWINI BYLAWS:

All owners are required to abide by the rules, regulations and laws that are set out by

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Umhlanga Ridge Management and eThekweni bylaws.