



Nautilus Village

RULES AND REGULATIONS

Contractors / Owner builders standard code of conduct

Nautilus Village Home Owners Association

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Erf No: 8396, Gordons Bay



1. INTRODUCTION

These rules relating to building contractor and / or activity in Nautilus Village have been adopted by the Nautilus Village Home Owners Association (NVHOA), the legal representative of residents and property owners at Nautilus Village.

The primary intention of these rules is to ensure that all building activity at Nautilus Village is conducted with the minimum of inconvenience and disruption to residents.

In the event of any queries in this respect, residents and / or their contractors are most welcome to contact the NVHOA appointed Managing Agent.

2. LEGAL STATUS

The rules and regulations governing building activity as set out in this document are binding on all residents, their contractors and sub-contractors. Furthermore, all Owners / Residents are obliged to ensure that their building contractors and sub-contractors are made aware of these rules and that they are strictly complied with. Owners / Residents are accordingly required to include these rules in their entirety in any building contracts concluded in respect of any property in Nautilus Village.

The NVHOA has the right to suspend any building activity in contravention of any of the conditions and does not accept any losses sustained by a resident or contractor or sub-contractor as a result thereof, or any claims for damages of whatsoever nature.

3. SITE INSPECTION

Note: No construction may commence unless:

- a. the water connection is installed on site.
- b. an approved chemical site toilet has been installed and placed in a position offering maximum distance from your neighbour(s). (Entrance to the toilet to be screened.)
- c. The Building Performance Deposit of R 5,000.00 (Five Thousand Rand) has been paid with the Managing Agent into the trust account of the NVHOA, (which will be held interest free in trust.)
- d. The Building Surveyor Fees have been paid to the Managing Agent into the account of the NVHOA. These fees shall be for scrutinizing building plans and one visit on completion of building to make sure all comply with NV stipulated building rules and designs.
- e. All payments to be made by either EFT or Cash Deposit with any and all associated deposit fees being for the applicant's account.
- f. All outstanding levies are paid.
- g. The contractor has entered into an agreement with the NVHOA agreeing to comply with Nautilus Village rules and regulations.

4. BUILDING PERFORMANCE DEPOSIT

The building performance deposit shall be released, subject to the NVHOA having issued certificate confirming that the construction is in accordance with the NVHOA approved plan and submission to the NVHOA of a Local Authority's Certificate of Completion and Occupancy and shall only be refunded once these documents are correctly completed and submitted.

The building performance deposit will be used in the event, if there is a breach or non-performance to remove rubble or make good any damage caused by the contractor or his sub-contractors of suppliers, including but not limited to kerbing, landscaping, community services, roads, irrigation etc. and for any outstanding spot fines. Should these costs and penalties exceed the building performance deposit, excessive amounts will be for the owner's account.

The NVHOA reserves the right to prevent the occupation of any houses if the above is not fully adhered with.

5. CONDITIONS REGARDING BUILDING CONTRACTORS and/or OWNER BUILDERS ACTIVITY

5.1. Unless otherwise agreed by the NVHOA or its appointed representative, construction hours are restricted from:

Monday to Friday: 07:00 to 18:00

Saturdays: No construction activity is to take place *see note

Public Holidays No construction activity is to take place *see note

Sundays: No construction activity is to take place

*(Note: On request and under special circumstances, permission may be granted. Please contact the Managing Agent for details).

5.2. The Main-Contractor / Owner Builder shall provide facilities for rubbish disposal and ensure that the workers use the facility provided. Rubbish and / rubble shall be removed weekly and not burnt or disposed of on the Estate. No rubble dumping on adjacent stands or pavement is permitted.

5.3. The contract site is to be kept clean. If the contractor fails to keep the site clean and tidy, (within reason), such a contractor may be prohibited from continuing construction until such a time that the site is properly cleaned.

5.4. Materials off-loaded by a supplier which encroach onto the sidewalk or roadway, must be moved onto the site by the Contractor / Owner Builder. Material and / or rubble must not be allowed to remain on the roadway or sidewalk and it is the Contractors and Owners responsibility to clear these areas of all such materials and / or rubble daily.

5.5. Fines can be levied by the NVHOA for Contractors / Owner Builder and Delivery vehicles, which spill material en-route, damage roadways, kerbs, plants, sidewalks and /or private or Nautilus Village property, stain tarmac and generally create nuisance within the estate and / or not adhering to any of the rules as prescribed by the NVHOA.

6. GENERAL

- 6.1. No open fires are allowed on the building site.
- 6.2. This document must be fully understood and accepted by the Contractor / Owner and / or any sub-contractor and they must undertake to comply with these rules, in addition to any further rules and regulations which may be introduced by the NVHOA from time to time.
- 6.3. The NVHOA has the right to introduce and enforce payment of fines against Home Owners, with respect to any contravention of the any of the rules and regulations contained in this document or its annexure or amendments.
- 6.4. All prescriptions not adhered to, whether indicated as carrying a fine or not, will be subject to a fine of at least R 500.00 per event, payable by the owner.
- 6.5. The Home Owners are finally responsible to the NVHOA to pay the Contractors fines on their behalf. All fines have to be paid together with the next month's levy. It is up to the Owner to recoup these amounts from the contractor. If these fines are not paid timeously, the NVHOA has the right to refuse the contractor and his workers entry to the estate.
- 6.6. All contractors shall be obliged to sign the Standard Code of Conduct applicable to Nautilus Village.
- 6.7. A signed copy of this sheet has to be handed to the Managing Agents.

7. LEGAL LIABILITY

All financial and legal liabilities that might arise from non-compliance to any of the above will remain the responsibility of the owner.

1. Signed by the Owner of Erf Number _____, where construction is scheduled to commence on _____ 20_____.

Owner contact number: _____

Owner email: _____

Signature

Owner: Name & Surname

Date: _____

2. Builder / Contractor Company Name _____

Builder / Contractor contact number: _____

Builder / Contractor contact e-mail; _____

Signed on behalf of _____

Date: _____